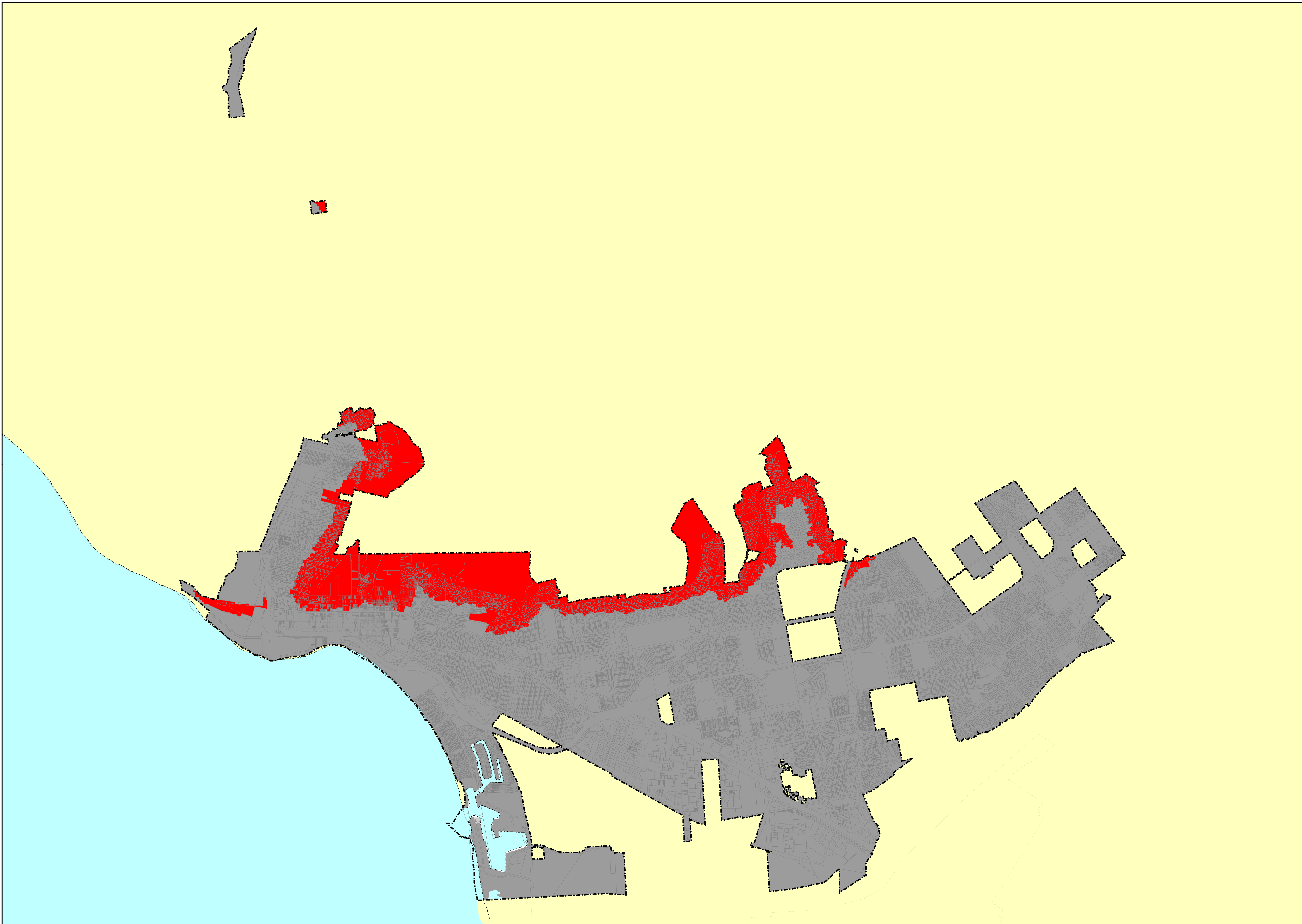






## VERY HIGH FIRE HAZARD SEVERITY ZONES IN LRA As Recommended by CALFIRE









Government Code 51175.49 directs the California Department of Forestry and Fire Protection (CAL FIRE) to map areas of very high fire hazard within Local Responsibility Areas (LRA). Mapping of these areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on relevant factors such as fuels, terrain, and weather. VHFHSZ maps were initially developed in the mid-1990s but are now being updated based on improved science, mapping techniques, and data.

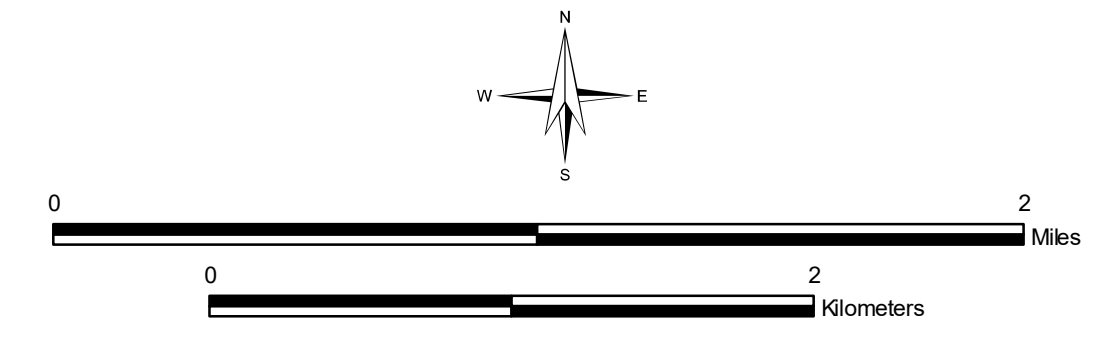
The California Building Commission adopted the Wildland-Urban Interface codes in late 2005 to be effective in 2006. These new codes include provisions to improve the ignition resistance of buildings, especially from firebrands. The updated fire hazard severity zones will be used by building officials to determine appropriate construction materials for new buildings in the Wildland-Urban Interface. The updated zones will also be used by property owners to comply with natural hazards disclosure requirements at time of property sale and 100 foot defensible space clearance. It is also key that the fire hazard severity zones will be used for updates to the safety element of general plans.

This map has been created by CAL FIRE's Fire and Resource Assessment Program (FRAP) using data and models describing development patterns, potential fuels over a 30-year time horizon, expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure (including fuels) to new construction. Initial data was then modified based on recent (2009) aerial photography and local information regarding future land-use change. Details on the project and specific modeling methodology can be found at: <http://map.cdf.ca.gov/projects/ahazard/methods.htm>

This specific map is based on a geographic information system dataset that depicts final CAL FIRE recommendations for Very High Fire Hazard Severity Zones within the local jurisdiction. The process of finalizing these boundaries involved an extensive local review process, the details of which are available at <http://map.cdf.ca.gov/projects/ahazard/ahazard.htm> (click on "Continue as guest without logging in"). Local government has 120 days to designate, by ordinance, very high fire hazard severity zones within its jurisdiction after receiving the recommendation. Local government can add additional VHFHSZ. There is no requirement for local government to report their final action to CAL FIRE when the recommended zones are adopted. Consequently, users are directed to the appropriate local entity (county, city, fire department, or Fire Protection District) to determine the status of the local fire hazard severity zone ordinance.

This map was developed using data products such as parcel and city boundaries provided by local government agencies. In certain cases, this includes copyrighted geographic information. The maps are for display purposes only - questions and requests related to parcel or city boundary data should be directed to the appropriate local government entity.

FIRE HAZARD SEVERITY ZONES	
Local Responsibility Area	State Responsibility Area
 VHFHSZ	 VHFHSZ
 Non-VHFHSZ	 Non-VHFHSZ
 City Boundary	
 Parcels	



Projection Albers, NAD 1983  
Scale 1: 26,000  
at 36" x 36"  
October 6, 2010

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Obtain FRAP maps, data, metadata and publications on the Internet at <http://frap.cdf.ca.gov>  
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Arnold Schwarzenegger, Governor,  
State of California  
Lester Snow, Secretary for Resources,  
The Resources Agency  
Del Walters, Director,  
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MAP ID: FHSZL\_c56\_Ventura  
DATA SOURCES:  
CAL FIRE Very High Fire Hazard Severity Zones in LRA(c56hzl06\_3)  
CAL FIRE Incorporated Cities (Incorp10\_2)  
CAL FIRE County Boundaries (cnty24k09\_1)  
CAL FIRE Parcel Boundaries (c56\_parcel)



WE THE PEOPLE  
of Ventura, in order to  
ensure that our City  
continues to be a great place  
for us to live ...



ACHIEVING THE VISION  
2005 ventura general plan



**CITY OF SAN BUENAVENTURA**

**2005 VENTURA GENERAL PLAN**

**ADOPTED AUGUST 8, 2005**

**RESOLUTION NOS.2005-072 AND 2005-073**



*The following people contributed to the preparation of the 2005 Ventura General Plan:*

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*...and to the countless citizens who gave their time and energy towards the making of this plan.*

*This plan is dedicated to the citizens of Ventura.*

August 8, 2005

In loving memory of Roma Armbrust and  
Dennis R. Mackay



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"The building of cities is one of man's greatest achievements. The form of his city always has been and always will be a pitiless indicator of the state of his civilization. This form is determined by the multiplicity of decisions made by the people who live in it."

— Edmund N. Bacon  
*Design of Cities, 1967*



# We, the people of Ventura, in order to ensure that our City remains a great place for us to live ...





**. . . establish these goals for our community's future:**

**OUR NATURAL COMMUNITY**

Our goal is to be a model for other communities of environmental responsibility, living in balance with our natural setting of coastline, rivers, and hillside ecosystems.

**OUR PROSPEROUS COMMUNITY**

Our goal is to attract and retain enterprises that provide high-value, high wage jobs; to diversify the local economy; to increase the local tax base; and to anticipate our economic future in order to strengthen our economy and help fund vital public services.

**OUR WELL-PLANNED COMMUNITY**

Our goal is to protect our hillsides, farmlands, and open spaces; enhance Ventura's historic and cultural resources; respect our diverse neighborhoods; reinvest in older areas of our community; and make great places by insisting on the highest standards of quality in architecture, landscaping and urban design.

**OUR ACCESSIBLE COMMUNITY**

Our goal is to provide residents with more transportation choices by strengthening and balancing bicycle, pedestrian and transit connections in the City and surrounding region.

**OUR SUSTAINABLE INFRASTRUCTURE**

Our goal is to safeguard public health, well being and prosperity by providing and maintaining facilities that enable the community to live in balance with natural systems.



**OUR ACTIVE COMMUNITY**

Our goal is to add to and enhance our parks and open spaces to provide enriching recreation options for the entire community.

**OUR HEALTHY AND SAFE  
COMMUNITY**

Our goal is to build effective community partnerships that protect and improve the social well being and security of all our citizens.

**OUR EDUCATED COMMUNITY**

Our goal is to encourage academic excellence and life-long learning resources to promote a highly-educated citizenry.

**OUR CREATIVE COMMUNITY**

Our goal is to become a vibrant cultural center by weaving the arts and local heritage into everyday life.

**OUR INVOLVED COMMUNITY**

Our goal is to strive to work together as a community to achieve the Ventura Vision through civic engagement, partnerships, and volunteer service.



*State law requires each California city to adopt a comprehensive, long-term General Plan for the physical development of the community that guides local decision-making by expressing community goals about the future distribution and character of land uses and activities. The plan should be comprehensive by both covering the City's entire planning area and addressing the broad range of issues facing the community, including physical, social, aesthetic and economic concerns. The plan must be internally consistent and serve as a long-term guide, establishing policies for day-to-day land use decisions over an approximately 20-year period.*

### **Introduction and Background**

**“To remain successful, Ventura must periodically renew itself, re-examine its goals and create a shared vision to guide the community into the future.”**

With these opening words, the citizens of our community proclaimed the **Ventura Vision**, which was unanimously accepted by the City Council in March 2000. That landmark report captured the results of “a partnership encompassing city government, non-profit organizations, community groups, businesses, schools and individual residents to chart the community’s future through a process of visioning.”

Building on that shared vision, the City embarked on an effort to revise the 1989 Comprehensive Plan that served as the General Plan that all cities are required by State law to use to guide land use, transportation and other important policy decisions. This new General Plan is the culmination of that effort to translate the Ventura Vision into a coherent and comprehensive implementation plan to guide future development and preservation.

Throughout the visioning process and at the ballot box, Ventura residents have made clear we want a well-planned approach to managing growth. We don’t want continued suburban sprawl paving over farm land and sensitive hillside areas. Instead, we want vacant or run-down properties to be improved with high quality “infill” to provide new jobs, new homes and new stores and services.

### **Managing growth to improve our quality of life and standard of living is the smart thing to do.**

Ventura residents don’t want uncontrolled growth and suburban sprawl. We also don’t want traffic gridlock, more “cookie cutter” tract houses or housing prices that make Ventura unaffordable for working families. By targeting new development to areas that would benefit from reinvestment – and by respecting our historic character and sense of place – “smart growth” is a better alternative.

### **Our vision is for a prosperous and well-planned community.**

Smart Growth emphasizes reusing existing buildings and land, revitalizing our historic downtown and neighborhoods, and protecting the environment for future generations. Smart Growth channels new businesses and homes into appropriate areas. It also provides options for public transportation, creates neighborhoods where homes are in walking distance of local services and ensures green space for public use.

### **We seek to protect and enhance our unique “sense of place”**

that builds on our pride in Ventura’s history and natural setting. Instead of new development that looks like everywhere else, our vision is for interesting, unique neighborhoods and districts, which reflect our values and heritage. The policies for pursuing these goals are spelled out in this new General Plan.



### The Ventura General Plan

The *2005 Ventura General Plan* is the second in a series of three connected documents that will guide future conservation and change in the city. The *Ventura Vision* set the stage for this plan and enumerated four overarching principles that were affirmed by the community to guide Ventura into the future:

- Reach broadly and deeply into the community.
- Build on existing cultural, natural, and economic assets.
- Emphasize and encourage connections within the community.
- Work proactively and collaboratively to achieve the community's shared vision.

The final piece of the trilogy is a form-based *Development Code*. This code represents a new approach to zoning that prioritizes the appearance of development, while still ensuring that neighboring land uses are compatible and appropriate.

The *General Plan* will be put into action through the *Development Code* and a variety of other mechanisms, such as a mobility plan, specific plans, community plans, and capital improvement projects that will together shape the future of Ventura. The *General Plan* purposefully anticipates the *Code* focusing on the districts, corridors, and neighborhood centers where future change will be most pronounced.

The following vision statements reflect a high level of community consensus about a desired future for Ventura.





**In the future, Ventura is a community that...**

**Environment**

- Seeks sustainability by simultaneously promoting ecological health, economic vitality, and social well-being for current and future generations.
- Acts as an environmentally responsible model for other coastal areas.
- Protects and restores the natural character of its beaches, ocean views, hillsides, barrancas, and rivers as a scenic backdrop for its high quality urban environment.

**Economy**

- Develops a flourishing and balanced economy by encouraging a broad range of high quality employment and entrepreneurial opportunities.
- Encourages private economic development that supports public services and amenities associated with high quality of life.
- Has a vital, prosperous, and stable economy while maintaining its small-town feel.
- Is noted for private and public sector cooperation that enhances economic vitality.
- Actively participates in regional economic development efforts.

**Planning, Design, and Circulation**

- Retains its character as an attractive coastal town by growing slowly and sustainably, and by emphasizing its history, diversity, and natural environment.
- Cherishes its distinctive, diverse, and eclectic neighborhoods, and preserves their character.
- Has safe, accessible, and balanced transportation that promotes multiple modes of travel to local and regional destinations.

**Social Activity**

- Is known as an inclusive, diverse, and tolerant place that welcomes and celebrates all people.
- Provides all residents access to quality and affordable health and social services.
- Recognizes the importance of children and seniors by providing exceptional cultural, educational, and social support programs.
- Offers a diverse range of active and passive recreation for residents and visitors of all ages and abilities.
- Is dedicated to educational excellence and an emphasis on lifelong learning.
- Celebrates and is enriched by the arts and diverse cultural opportunities.

**Collaboration**

- Encourages residents to collaborate with each other and City government in an informed, active, and constructive manner to assess and resolve common issues.







## **Building on the Vision**



Following adoption of the *Ventura Vision*, the City Council established a 19-member Comprehensive Plan Advisory Committee (CPAC) to shape the *Vision* concepts into issues and priorities for revision of the 1989 Comprehensive Plan. The CPAC included representatives of varied interests, including neighborhoods, agriculture, seniors and schools, as well as one member from the Planning Commission and one from the City Council. The committee met more than 30 times over almost three years. During that effort, the City published the August 2002 *Comprehensive Plan Update Background Report*, which provides a highly detailed account and analysis of opportunities and constraints that affect planning and land use in Ventura. This ultimately led to their findings, contained in the September 2003 *CPAC Issues & Alternatives Report*.



CPAC endeavored to create strategies to resolve planning and land use issues in Ventura utilizing the smart growth principles formulated by the U.S. Environmental Protection Agency:

- Mix land uses.
- Achieve compact building design.
- Provide a range of housing opportunities.
- Create walkable neighborhoods.
- Foster distinctive, attractive communities with a strong sense of place.
- Preserve open space, farmland, natural beauty, and critical environmental areas.
- Strengthen and direct development toward existing communities.

- Provide a variety of transportation choices.
- Make development decisions predictable, fair, and cost effective.
- Encourage community collaboration in planning decisions.

The recommendations of the CPAC were presented to the Planning Commission and City Council. After several months of reviewing the CPAC recommendations, the Planning Commission in December 2003 made some modifications to the CPAC's recommended land use scenario.

The City Council met 11 times from February through August 2004 to consider the CPAC and Planning Commission recommendations, review relevant data, and formulate broad goals, policies, and a diagram to guide growth and change in the City until 2025. In September 2004, the City Council established an ad-hoc General Plan Committee consisting of three Planning Commissioners and three City Council members to work with City staff and consultants to ensure that the *General Plan* would be completed expeditiously and with ample public participation, and to ensure open communication, transparency, and coordination among all parties interested in the creation of the *Plan*. All of the CPAC, Planning Commission, City Council, and General Plan Committee workshops, meetings, and hearings were open to the public and included significant, meaningful, and often extensive citizen input and participation.





**Goals** summarize how conservation, development, and future growth should occur by identifying physical, economic and social ends that the community wishes to achieve.

**Policies** establish basic courses of action for the Planning Commission and City Council to follow in working to achieve community goals, by directly guiding the response of elected and appointed officials to development proposals and related community actions.

**Actions** need to be undertaken by the City to implement policies.

### **Plan Format**

The comprehensive and involved process of creating what is really a totally new (not just updated) *General Plan* – based on a new community vision and smart growth principles – resulted in a new set of goals, policies, and actions to guide future decision-making in Ventura that truly reflect the planning objectives of the community. These policy directives are organized by subject area in *General Plan* Chapters 1 through 10, which follow the organizational framework established in the *Ventura Vision* (see Table 1). Each topic is introduced with an overarching goal that carries forward the *Vision*, a description of issues needing resolution and methods for remedying them, and finally measurable policies and actions to achieve those solutions. Each of the policies contained within the Plan are intended to be understood and read with the following preface: “It is the intent of the City of San Buenaventura to...”. All of the actions are summarized in table form in Appendix A, along with the City department or division responsible for implementing each action and timeframe for completion. Also included in the Plan are the legally binding Appendices B through E. Attachment A is provided as a reference, while Attachment B is provided to serve as guidelines for future development until an update to the Zoning Ordinance is completed.



**Table 1  
General Plan Organization**

Vision/General Plan Chapter	Required/ <i>Optional</i> Elements	Examples of Topics Covered
1. Our Natural Community	Conservation Open Space	Open space, hillsides, watersheds, riparian areas, sensitive plants and animals
2. Our Prosperous Community	<i>Economic Development</i>	Commercial and industrial growth, economic diversification, job opportunities, tourism
3. Our Well-Planned and Designed Community	Land Use/ <i>Design</i> Housing <i>Park &amp; Recreation</i>	Development patterns, neighborhoods, visual character, urban design, streetscapes, demographics, housing needs, affordability, constraints on production
4. Our Accessible Community	Circulation	Traffic, street network, parking, transit services, bike routes
5. Our Sustainable Infrastructure	Land Use	Water supply, wastewater treatment, drainage
6. Our Active Community	Land Use <i>Park &amp; Recreation</i>	Park and recreation facilities, youth and senior programs
7. Our Healthy and Safe Community	Safety Noise Land Use	Development in hazardous areas, hazardous waste management, seismicity, flood control, water quality, brownfields, noise, police, fire, air quality
8. Our Educated Community	Land Use	Schools and libraries
9. Our Creative Community	<i>Culture</i>	Arts, events, community programs, cultural and historic resources
10. Our Involved Community	<i>Citizen Input</i>	Participation in governance



The format of the *General Plan* satisfies the State requirement that every general plan include policies for seven “elements,” as follows:

**Land use** – establishes the general distribution and intensity of land uses, including housing, commerce, industry, open space, education, and public facilities.

**Circulation** – identifies the location and type of existing and proposed highways, arterial and collector roadways, bicycle routes, and other transportation facilities.

**Conservation** – addresses treatment of natural and cultural resources, including watersheds, wetlands, trees, rivers and barrancas, and cultural and historic landmarks.

**Housing** – assesses current and projected housing needs of all segments of the community and identifies land to provide adequate housing to meet those needs. Although the City’s Housing Element and Technical Report is contained in a separate document to facilitate the frequent updating required by the State, the goals, policies and programs of the Housing Element must be and are consistent with the goals, policies, and actions of the *2005 Ventura General Plan*. (See Chapter 3, page 3-28, for 2004 Housing Element Goals and Policies.)

**Noise** – appraises noise sources in the community and develops means to mitigate nuisances.

**Open Space** – details techniques for preserving open space areas for natural resources, outdoor recreation, public health and safety, and agricultural activities.

**Safety** – establishes policies to protect the community from risks associated with seismic, geologic, flood, fire, and other hazards.

The *General Plan* also contains a number of special elements that aren’t required by State law but are integral to the unique identity of Ventura. These cover a range of topics including education, recreation, arts and culture, and community involvement in local government. Another chapter treats the very important subject of the local economy, providing guidance to citizens, City staff and policy makers regarding strategies and priorities for economic development in Ventura.





### California Coastal Act

The *General Plan* also satisfies State requirements for the City's **Local Coastal Program** in accordance with the California Coastal Act (*Public Resources Code § 30000 et seq.*). Actions in the *General Plan* that affect coastal resources are intended to become part of the Land Use Plan of the Local Coastal Program, which will be accomplished through specific or community plans for those areas. These actions are identified with the logo of the California Coastal Commission (which oversees all Local Coastal Programs). The basic goals of the State for the coastal zone are to:

- Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of the private property owners.

- Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

*(Public Resources Code § 30001.5)*











"As age comes on, one source of enjoyment after another is closed, but Nature's sources never fail. Like a generous host, she offers her brimming cups in endless variety, served in a grand hall, the sky its ceiling, the mountains its walls, decorated with glorious paintings and enlivened with bands of music ever playing."

— John Muir  
20th Century Naturalist

## 1. OUR NATURAL COMMUNITY

**Our goal is to be a model for other communities of environmental responsibility, living in balance with our natural setting of coastline, rivers, and hillside ecosystems.**

### Natural Context

Ventura's natural setting is one of its greatest assets, and preserving the environment is a top community priority. Situated between the ocean, hills, and two rivers, the city affords its residents and visitors with a significant amount of accessible, beautiful, and biologically diverse open space. Although a number of programs are in place to protect coastal and watershed ecosystems and to maintain and preserve existing open lands, some natural features in and around the city have been compromised by the impacts of human activity.

As in many communities across the nation, concern is growing in Ventura about human impacts on natural resources. The historic spread of local development has given rise to grassroots efforts aimed at preserving Ventura's viable agricultural land, open space, and hillsides. The 1995 Save Our Agricultural Resources initiative (see Appendix B) and the 2001 Hillside Voter Participation Area (Appendix C) measure require voter approval before the city can expand into open space areas. The Ventura Hillsides Conservancy formed in 2003 seeks to preserve local hillsides, canyons, and open space.

Ventura, Oxnard, Ventura County, and the County Local Agency Formation Commission have adopted agreements to preserve agricultural and open space land located between the cities. A change that amends these greenbelts requires the approval of all signatories.

Protecting Ventura's fragile natural resources is a fundamental focus of the *2005 Ventura General Plan*. Policies and actions in this chapter intend to ensure that coastal, hillside, and watershed features are preserved, remain visible and accessible, and demarcate boundaries for urban development to define and enhance the city's identity.





**The community cherishes the shoreline as one of Ventura's best features. Coastal facilities in the city include:**

- Emma Wood State Beach
- Ventura Seaside Park and Fairgrounds
- Surfers Point at Seaside Park
- Beachfront Promenade Park
- San Buenaventura State Beach
- Pierpont Community Beach
- Marina Beach/Cove Port District Beach
- Channel Islands National Park Headquarters
- Surfers Knoll
- Santa Clara River Mouth

## **Coastal Resources**

Ventura boasts seven miles of beautiful sand beaches and valuable shoreline habitat. This “string of pearls” has long been identified by the community as one of the city’s most prized features. At its eastern end, the Ventura Harbor offers opportunities for residents and visitors to explore the local marine environment, including the Channel Islands National Park and Marine Sanctuary. Elsewhere along the coast, shoreline and dune habitat provide nesting, feeding, and mating grounds for a wide variety of wildlife, including threatened or endangered species such as the western snowy plover and the least tern.

Shoreline conservation programs underway include the Surfers Point Managed Shoreline Retreat, San Buenaventura State Beach restoration, Ventura Harbor wetland rehabilitation, and coastline water quality monitoring. The City will continue to invest in restoration to enhance the shoreline ecosystem, with the actions in this chapter augmenting current efforts.



## Hillsides

The hills of the Transverse Range rise 1,200 feet above Ventura, providing an important visual backdrop that frames the City. Not only do these hills provide residents and visitors with scenic vistas, they are also part of a larger integrated ecosystem comprised by the hillsides, coastal areas, rivers and barrancas that together provide a rich habitat for many species. It is vital to the community that these hillsides that lie outside the city limits (with a County land use designation of either Open Space or Agriculture), are protected and preserved.

These hillsides, by definition, are coterminous with the Hillside Voter Participation Area, and comprise the Hillside Open Space community as depicted on the General Plan Diagram (page 3-22). Because the Hillside Voter Participation Area measure prohibits the extension of City urban services to the hillsides through 2030 without voter approval, the General Plan Diagram identifies the hillsides affected by the measure with a Planning Designation of Open Space. The full text and map of the Hillside Voter Participation Area appears in Appendix C (as required by the act). This chapter calls working with land conservation organizations to establish a Ventura hillsides preserve, and Chapter 6, *Our Active Community*, contains actions to work with the County to create public trails in the hillsides.

Definitions for “Hillside Open Space,” “Hillside Area,” “hillsides,” and “Hillside Voter Participation Area” can be found in the Glossary (Attachment A).







## **Rivers and Barrancas**

The Ventura River flows south to the Pacific Ocean along the western edge of the city, and the Santa Clara River bisects the Oxnard coastal plain south of Ventura. A series of seasonal watercourses called barrancas traverse the city in narrow incised drainage channels running down from the hillsides. The rivers and barrancas and their larger watersheds provide undeveloped open space, riparian vegetation, wildlife habitat and corridors, recreational opportunities, and aesthetic beauty.

Where local watercourses have not been channelized, riparian trees and shrubs grow in fringing woodlands and thickets. Several sensitive bird species breed in these areas, including the least Bell's vireo, willow flycatcher, yellow warbler, and yellow-breasted chat. Steelhead and rainbow trout seasonally inhabit both the Ventura and Santa Clara Rivers.

Riparian and freshwater marsh areas in Ventura represent only a remnant of pre-human coverage, but the City has initiated conservation and restoration efforts such as the Ventura River Estuary Program to help reverse this trend. The estuaries at the mouths of the Ventura and Santa Clara Rivers serve as breeding grounds and feeding areas for migratory and resident shorebirds and waterfowl, as well as home to many terrestrial animals, fish, and free-swimming invertebrates.


Actions in this chapter – such as maintaining adequate buffers from watercourses, requiring


restoration of natural drainage features, and prohibiting the placement of manmade materials in drainages – can protect and improve water and habitat quality in local watersheds. The bolder action of removing concrete channel structures would further enhance natural functions and aesthetics.


## **Resource Conservation**


As Ventura continues to grow, conserving resources, increasing energy efficiency, and achieving environmental sustainability become ever more important. The City desires to incorporate green building measures into the design, construction, and maintenance of public and private buildings which can result in significant cost savings and promote overall health and productivity of residents, workers, and visitors to the city. Raising conservation awareness can help minimize waste and pollution released into the natural environment. Improving energy efficiency in buildings, expanding recycling programs, and reducing transportation-related energy consumption will make the city a greener place. The policies and actions in this chapter provide clear direction to guide conservation, green practices, and responsible use of resources.


**Policy 1A: Reduce beach and hillside erosion and threats to coastal ecosystem health.**

Action 1.1: Adhere to the policies and directives of the California Coastal Act in reviewing and permitting any proposed development in the Coastal Zone. 

Action 1.2: Prohibit non-coastal-dependent energy facilities within the Coastal Zone, and require any coastal-dependent facilities including pipelines and public utility structures to avoid coastal resources (including recreation, habitat, and archaeological areas) to the extent feasible, or to minimize any impacts if development in such areas is unavoidable. 

Action 1.3: Work with the State Department of Parks and Recreation, Ventura County Watershed Protection Agency, and the Ventura Port District to determine and carry out appropriate methods for protecting and restoring coastal resources, including by supplying sand at beaches under the Beach Erosion Authority for Control Operations and Nourishment (BEACON) South Central Coast Beach Enhancement program. 


Action 1.4: Require new coastal development to provide non-structural shoreline protection that avoids adverse impacts to coastal processes and nearby beaches. 


Action 1.5: Collect suitable material from dredging and development, and add it to beaches as needed and feasible. 


Action 1.6: Support continued efforts to decommission Matilija Dam to improve the sand supply to local beaches. 


Action 1.7: Update the Hillside Management Program to address and be consistent with the Planning Designations as defined and depicted on the General Plan Diagram.

**Policy 1B: Increase the area of open space protected from development impacts.**

Action 1.8: Buffer barrancas and creeks that retain natural soil slopes from development according to State and Federal guidelines. 

Action 1.9: Prohibit placement of material in watercourses other than native plants and required flood control structures, and remove debris periodically. 

Action 1.10: Remove concrete channel structures as funding allows, and where doing so will fit the context of the surrounding area and not create unacceptable flood or erosion potential. 

Action 1.11: Require that sensitive wetland and coastal areas be preserved as undeveloped open space wherever feasible and that future developments result in no net loss of wetlands or “natural” coastal areas. 

Action 1.12: Update the provisions of the Hillside Management Program as necessary to ensure protection of open space lands.





Action 1.13: Recommend that the City's Sphere of Influence boundary be coterminous with the existing City limits in the hillsides in order to preserve the hillsides as open space.


Action 1.14: Work with established land conservation organizations toward establishing a Ventura hillsides preserve.

Action 1.15: Actively seek local, State, and federal funding sources to achieve preservation of the hillsides.

**Policy 1C: Improve protection for native plants and animals.**


Action 1.16: Comply with directives from regulatory authorities to update and enforce stormwater quality and watershed protection measures that limit impacts to aquatic ecosystems and that preserve and restore the beneficial uses of natural watercourses and wetlands in the city. 


Action 1.17: Require development to mitigate its impacts on wildlife through the development review process. 


Action 1.18: Require new development adjacent to rivers, creeks, and barrancas to use native or non-invasive plant species, preferably drought tolerant, for landscaping. 


Action 1.19: Require projects near watercourses, shoreline areas, and other sensitive habitat areas to include surveys for State and/or federally listed sensitive species and to provide appropriate


buffers and other mitigation necessary to protect habitat for listed species. 

Action 1.20: Conduct coastal dredging in accordance with the U.S. Army Corps of Engineers and California Department of Fish and Game requirements in order to avoid impacts to sensitive fish and bird species. 

Action 1.21: Work with State Parks on restoring the Alessandro Lagoon and pursue funding cooperatively. 


Action 1.22: Adopt development code provisions to protect mature trees, as defined by minimum height, canopy, and/or trunk diameter. 

Action 1.23: Require, where appropriate, the preservation of healthy tree windrows associated with current and former agricultural uses, and incorporate trees into the design of new developments. 

Action 1.24: Require new development to maintain all indigenous tree species or provide adequately sized replacement native trees on a 3:1 basis. 


**Policy 1D: Expand the use of green practices.**

Action 1.25: Purchase and use recycled materials and alternative and renewable energy sources as feasible in City operations.


Action 1.26: Reduce pesticide use in City operations. 


Action 1.27: Utilize green waste as biomass/compost in City operations.

Action 1.28: Purchase low-emission City vehicles, and convert existing gasoline-powered fleet vehicles to cleaner fuels as technology becomes available.

Action 1.29: Require all City funded projects that enter design and construction after January 1, 2006 to meet a design construction standard equivalent to the minimum U.S. Green Building Council LEED™ Certified rating in accordance with the City's Green Building Standards for Private and Municipal Construction Projects. 

Action 1.30: Provide information to businesses about how to reduce waste and pollution and conserve resources.

Action 1.31: Provide incentives for green building projects in both the public and private sectors to comply with either the LEED™ Rating System, California Green Builder, or the Residential Built Green program and to pursue registration and certification; incentives include “Head-of-the-Line” discretionary processing and “Head-of-the-Line” building permit processing. 

Action 1.32: Apply for grants, rebates, and other funding to install solar panels on all City-owned structures to provide at least half of their electric energy requirements. 

Action 1.33: Publicly acknowledge individuals and businesses that implement green construction and building practices.





"Every increment of construction should be done in such a way as to heal the city."

— Christopher Alexander  
Author of *A Pattern Language*, 1977

CITY OF  
**VENTURA**

OUR PROSPEROUS COMMUNITY  
ventura's general plan

## 2. OUR PROSPEROUS COMMUNITY

**Our goal is to attract and retain enterprises that provide high-value, high wage jobs; to diversify the local economy; to increase the local tax base; and to anticipate our economic future in order to strengthen our economy and help fund vital public services.**

### Adapting in the 21<sup>st</sup> Century

Great communities are prosperous communities. A successful city brings people, institutions, ideas, and capital together in creative ways that enrich the lives of those who live and work there. In today's global economy, high-wage high-value jobs are the foundation of the prosperity that instills a city with the financial resources necessary to provide high quality of life and excellent community amenities.

Ventura has been blessed with a history of prosperity, thanks in large part to success in harnessing the area's natural assets for economic benefit. For most of the 20<sup>th</sup> Century, Ventura was sustained largely by its role as the hub of the region's oil and agriculture industries. These two sectors not only provided a stable source of jobs and business opportunities, but also helped to shape Ventura's role as the legal, governmental, and cultural center of the County.

In the 21<sup>st</sup> Century, however, Venturans can't take continued prosperity for granted. Competition occurs regionally, nationally, and globally for innovative businesses, top talent, and

good jobs. The community must build on its resources and constantly be on the lookout for new economic opportunities.

County government will likely remain the city's largest employer, providing an important element of economic stability, but government employment is not likely to grow significantly. Oil and agriculture will continue to be important, but their roles are diminishing. While Ventura is a regional center for healthcare, that industry will continue to face intense pressures to reduce costs. Still, the City of Ventura is positioned to move into an era dominated by innovation and reliant on emerging technologies. Cities and regions that excel in the "New Economy" promote high tech industries and boast a high quality of life. Likewise, to remain competitive, Ventura must continue to support economic development, but also create a more attractive living environment, including by providing appropriate housing for all segments of the local workforce. Efforts to boost economic development must be supported by a high quality of life, including a thriving cultural arts scene, award winning schools, and an engaged community. Tourism is also a strong market for Ventura. The beaches, museums, downtown, harbor and the nearby Channel Islands National Park attract more than 1.5 million visitors a year.

The policies and actions in this chapter seek to identify business niches that can thrive locally to diversify the economic base and ensure future community prosperity.



### Economic Challenges

Ventura faces a variety of interrelated challenges to continued economic vitality, including:

1. Capturing a share of high-value job markets, such as biotechnology, computer software, communications, entertainment, multimedia, education, and business and financial services.
2. Diversifying the local economy to reduce dependence on the service, retail, and government sectors.
3. Building on the success of the tourism, manufacturing, business, and financial services sectors through marketing and job training programs that will ensure retention and attraction of these enterprises.
4. Finding appropriate locations for commercial and industrial land, including through revitalization opportunities in the Westside and Downtown and possibly via annexations of sites in the North Ventura Avenue and 101 Business Corridor areas.
5. Expanding the retail base, because sales tax represents a major City revenue source.
6. Providing housing for the full range of workforce households at all income levels.
7. Providing adequate infrastructure and financing resources.

Meeting all of these challenges in an integrated, strategic manner will be necessary to achieve long-term economic stability and success. The City must endeavor to identify the businesses most likely to remain and grow in an area that has very high costs – especially for housing – but also has outstanding community amenities, including good weather, a spectacular natural setting, and a safe and desirable community fabric.

The *Ventura Vision* calls for targeting industries that demonstrate the greatest promise for long-term community prosperity by:

- Providing high-wage, high skilled jobs,
- Possessing a local competitive advantage in the global economy,
- Being committed to local responsibility,
- Growing from local ownership, control or management,
- Practicing environmental leadership in their markets, and
- Strengthening the community's creative, cultural identity.

The *Vision* also offers principles for the City to pursue in charting future strategies for economic development:

- Encourage a broad range of high-quality employment and entrepreneurial opportunities.
- Encourage private economic prosperity that can support public services and quality-of-life amenities.

- Develop a vital, prosperous, and stable economy while maintaining a “small-town” flavor.
- Encourage the public and private sectors to work together to achieve prosperity.
- Participate constructively in regional economic development efforts.

Implementing these strategies will not be simple or easy. For one reason, California’s current tax system contains provisions that result in some of the lowest-paying economic sectors providing the city with the most tax revenue, and vice versa.

### **Pillars for Prosperity**

Community prosperity is not something that a city government can create by itself. Any successful economic development effort requires the participation of many partners, including community-based business organizations, educational and training institutions, venture capitalists, individual entrepreneurs and business owners, networks of suppliers, and other government agencies that have a mission to enhance prosperity.

Together, the City and its economic partners must ensure that the building blocks for community prosperity are in place. These foundations include organizations and institutions that can coordinate local economic development efforts, as well as land and other economic infrastructure required to make Ventura an attractive business location.

This organizational infrastructure is evolving in Ventura. Business groups such as the Chamber of Commerce and the Ventura County Economic Development Association (a countywide group) are already active, but a wider network is needed to assemble the resources and capacity of entrepreneurs, venture capitalists, educators, and other stakeholders in building a healthy business climate. Greater synergy is needed among the area’s higher education institutions – including California State University Channel Islands, Ventura College, Brooks Institute, and satellite campuses of other colleges and universities.

Appropriate and sufficient land will also be necessary to ensure continued economic prosperity over the next 20 years, even as we seek to protect open space and combat sprawl. Demand for land to support retail and office development is likely to outstrip current supply unless allowable building intensities are significantly increased. While some increased density is likely, and some older industrial land may be recycled for new business uses, the City must take care to reserve sufficient land for these purposes – especially in an environment where short-term pressure is likely to encourage conversion of land to commuter housing.

Thus, the strategy for community prosperity must be coordinated with area-specific planning efforts, especially on the Westside (where industrial land is likely to be recycled), Downtown (which must stress office, studio, and retail business growth as well as an emerging residential component), and in the 101 Corridor between Mills Road and



Johnson Drive (where most of the city's business activity now takes place). The City will advance on a set of defined focused areas:

*Auto Center* – efforts over the short term will focus on making the area a regional retail destination. The City will strengthen its partnership with Auto Center dealers to realize beautification projects and facilitate land use entitlements for additional dealerships.

*McGrath Property* – the 76-acre site provides Ventura with the very best opportunity to attract new industry with high-value, high-wage jobs. The City and property owners will work on securing project entitlement approvals and recruiting desired tenants. The objective is to attract targeted industries and provide the impetus for initial site development over the short-term.

*Westside* – the feasibility of establishing a redevelopment project area will be considered by the City and Westside citizens. Such legal designation would provide the resources needed to leverage and implement planned initiatives in various Westside plans. Brownfield reuse efforts will also continue to secure funding for much needed site assessment and remediation activities.

*Upper North Avenue* – the objective is to transform this area from an oilfield industrial area to a dynamic economic engine. Development efforts will address reuse of the former USA Petroleum site, including and evaluation of the

site's potential to emerge as a component of a campus expansion opportunity for Brooks Institute. Keys to this effort are site remediation, compatibility issues, and future annexation to the City.

*Downtown* – proposed initiatives include well defined design standards in the updated Downtown Specific Plan, enhanced efforts to market the Downtown Cultural District, formation of a downtown management entity, and attracting uses that create “around-the-clock” activity.

*Anticipating Our Economic Future* – Ventura's economic growth is built on a foundation of concerted efforts that fuel innovation, collaboration, and continuous learning. The focus will be on attracting high technology and knowledge-based businesses including biotechnology, non-durable manufacturing, and business and financial services. Continuous learning opportunities for job seekers, workers, and employers will acknowledge demographic pressures and rapidly changing skill needs. Through specific strategies, the community will develop leaders for tomorrow, and attract and retain new graduates and skilled employees. Critical players will include the Workforce Investment Board, Ventura College, California State Channel Islands, and the Brooks Institute.

The policies and actions in this chapter attempt to provide the means to support these targeted efforts to achieve a stable and balanced economic base.


**Policy 2A: Establish a clear economic strategy.**

Action 2.1: Track economic indicators for changes that may affect City land resources, tax base, or employment base, such as terms and conditions of sale or lease of available office, retail, and manufacturing space.


Action 2.2: Prepare an economic base analysis that identifies opportunities to capture retail sales in sectors where resident purchasing has leaked to other jurisdictions.

Action 2.3: Maintain and update an Economic Development Strategy to implement City economic goals and objectives.

**Policy 2B: Make the local economic climate more supportive of businesses investment.**

Action 2.4: Map priority locations for commercial and industrial development and revitalization, including a range of parcel sizes targeted for high-technology, non-durables manufacturing, finance, business services, tourism, and retail uses. 

Action 2.5: Share economic and demographic information with organizations that may refer businesses to Ventura.

Action 2.6: Encourage intensification and diversification of uses and properties in districts, corridors, and neighborhood centers, including through assembly of vacant and underutilized parcels. 


Action 2.7: Partner with local commerce groups to recruit companies and pursue funding for business development and land re-utilization.

Action 2.8: Carry out Housing Element programs that provide housing to all segments of the local workforce.

Action 2.9: Expedite review for childcare facilities that will provide support to local employees.


**Policy 2C: Encourage niche industries.**

Action 2.10: Expedite review of the entitlement process for installation of infrastructure necessary to support high technology and multimedia companies.


Action 2.11: Allow mixed-use development in commercial and industrial districts as appropriate. 

Action 2.12: Allow uses such as conference centers with resort amenities on appropriately sized and located parcels. 


Action 2.13: Market the city to businesses that link agriculture with high technology, such as biotechnology enterprises.


Action 2.14: Partner with local farms to promote farmers markets and high quality locally grown food. 


**Policy 2D: Expand tourism opportunities.**


Action 2.15: Provide incentives for use of waterfront parcels for recreation, visitor-serving commerce, restaurant, marina, and fishing uses. 




Action 2.16: Work with the State to create year-round commercial opportunities at the fairgrounds. 

Action 2.17: Partner with the Harbor District and National Park Service to promote Channel Islands tours and develop a marine learning center. 

Action 2.18: Prioritize uses within the Harbor master plan area as follows: (1) coastal dependent, (2) commercial fishing, (3) coastal access, and (4) visitor serving commercial and recreational uses. 

Action 2.19: Partner with hotels and the Chamber of Commerce to promote city golf courses. 

Action 2.20: Promote outdoor recreation as part of an enhanced visitor opportunities strategy. 



"Communities should be designed to serve the cycle of the day and the cycle of the lifetime."

— Andres Duany  
Architect & Town Planner



### 3. OUR WELL PLANNED & DESIGNED COMMUNITY

**Our goal is to protect our hillsides, farmlands and open spaces; enhance Ventura’s historic and cultural resources; respect our diverse neighborhoods; reinvest in older areas of our community; and make great places by insisting on the highest standards of quality in architecture, landscaping and urban design.**

#### Our City

Ventura is a unique coastal community, proud of our heritage and dedicated to being a national model for effectively managing growth to protect our natural environment and continue to be a great place for us to live.

It is our public responsibility to plan and shape the physical realm to achieve these goals. Past policies, particularly the 1989 Comprehensive Plan, reined in rapid outward suburban sprawl. The 1992 Downtown Specific Plan set the direction for revitalization of the historic heart of our community. Voter-approved measures clearly underscored a mandate to protect agricultural resources and open space, particularly in our hillsides.

Guided by the Ventura Vision of 2000, the centerpiece for this General Plan is creating a “well-planned and designed community.” The policies build on the foundation of the past.

This plan also represents an historic commitment to *smart* growth:

1. Mix land uses
2. Take advantage of compact building design
3. Create a range of housing opportunities and choices
4. Create walkable communities
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Strengthen and direct development toward existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective
10. Encourage community and stakeholder collaboration in development decisions

*Source: U.S. Environmental Protection Agency*

#### Infill First

Ventura today is the product of decades of earlier growth and development. These patterns have largely established our community’s character and will continue to do so in the future. The passage of SOAR, the Hillside Voter Protection Area, and other land-use constraints, along with natural boundaries, such as the ocean and the rivers, make it abundantly clear that before we expand outward any further, we must pursue an “Infill First” strategy. Such a strategy will help avoid sacrificing farmland and sensitive areas in our hillsides and along our rivers.

**"Smart growth** is about being good stewards of our communities and of our rural lands, parks, and forests. It is about ensuring that the best of the past is preserved, while creating new communities that are attractive, vital, and enduring."  
--Michael Leavitt, EPA Administrator

Our “Infill First” strategy for Ventura means avoiding suburban sprawl by directing new development to vacant land in the City and Sphere of Influence (with the exception of SOAR land), and by focusing new public and private investment in carefully selected districts, corridors, and neighborhood centers where concentrated development and adaptive reuse will improve the standard of living and quality of life for the entire community.

Recognizing that the rate of future population growth is not subject to City control, this plan has been analyzed (in the accompanying Environmental Impact Report) on the basis of estimates of what new homes and other development might be expected to take place over the next twenty years (see Table 3-2). Looking at the rate of growth over the past decade and recognizing the challenges to “infill” development compared to “greenfield” expansion, a projection of roughly 8,300 additional housing units and approximately 5 million square feet of non-residential development has been used for the plan’s 20 year planning horizon. Table 3-2 provides estimates of the amount of development that could reasonably be expected to occur in the City and Sphere of Influence.

The actual distribution of future growth in the City may vary based on market forces and other factors. The districts, corridors, and neighborhood center areas, shown on Figure 3-1 Infill Areas, could accommodate more development and/or a different mix of

development than shown in Table 3-2. To demonstrate this, Table 3-1 shows the potential development based on the overall carrying capacity of the land.

Distribution of growth in the districts and corridors is based on the following general assumptions:

- Development in the Downtown and Harbor Districts will conform to the plans for those areas,
- The Downtown area and, to a lesser extent, the Ventura Avenue corridor will be the focus of future residential and commercial growth, and
- The Arundell, North Avenue, and Upper North Avenue areas will be the focus of future economic growth, potential expansion of the Brooks Institute, with some residential uses.



**Table 3-1. Potential Development Based on Carrying Capacity of Land Area**

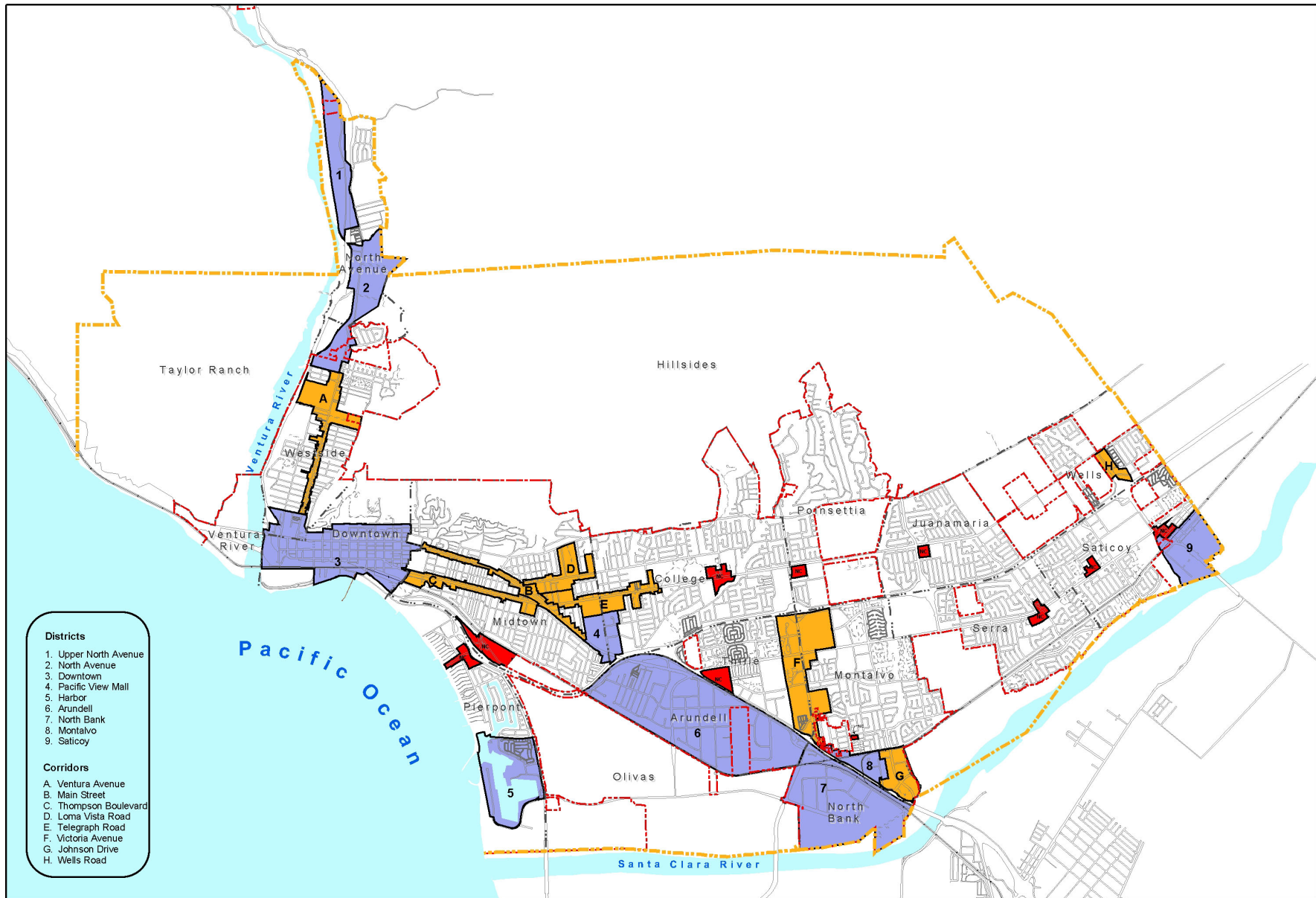
Planning Designation	Allowed Density (du/acre)	Existing Development 2004					General Plan Capacity			
		Single Family Units	Multi Family Units	Comm./Ind. Sq. Ft.	Parcels	Acres	Vacant		Additional Potential <sup>3</sup>	
							Parcels	Acres	Units	Sq. Ft.
Neighborhood Low	0-8	19,425	3,335	49,386	22,511	4,629	108	426	1,221	
Neighborhood Medium	9-20	1,163	8,965	149,513	4,414	1,061	32	116	4,859	
Neighborhood High	21-54	814	2,468	194,143	1,634	303	8	16	8,477	
Commerce <sup>1</sup>		257	490	4,995,248	1,366	808	95	108	7,892	22,328,276
Industry <sup>2</sup>		29	31	8,299,840	1,037	1,401	89	392	4,724	34,215,483
Public & Institutional		4	0	54,422	66	571				
Park & Open Space		6	0	15,491	264	11,693				
Agriculture		4	0	19,550	154	6,857				
Downtown Specific Plan	21-54	332	1,543	1,795,401	1,174	307	45	20	2,500	450,000
Harbor District		0	310	350,160	10	254	1	21	300	876,100
<b>Total</b>		<b>22,034</b>	<b>17,142</b>	<b>15,923,154</b>	<b>32,630</b>	<b>27,884</b>	<b>378</b>	<b>1099</b>	<b>29,910</b>	<b>57,869,859</b>

1. Commerce residential unit capacity is for property within a Corridor, District, or Neighborhood Center and assumes buildout to the maximum FAR and that 25% of floor area would be commercial (with the remainder residential).  
 2. Industry residential unit capacity is for property within a Corridor, District, or Neighborhood Center and assumes buildout to the maximum FAR and that 75% of floor area would be industrial (with the remainder residential).  
 3. "Additional Potential" assumes a historic buildout rate of 70% for both residential and non-residential.

**CHAPTER 3**

Table 3-2. Predicted Development Intensity & Pattern	Residential Development (units)	Non-Residential Development (square feet)				
		Retail	Office	Industrial	Hotel	Total
<b>DISTRICTS</b>						
Upper North Avenue	100	10,000	50,000	150,000	-	210,000
North Avenue	50	10,000	50,000	250,000	-	310,000
Downtown Specific Plan	1,600	100,000	200,000	-	150,000	450,000
Pacific View Mall	25	25,000	-	-	-	25,000
Harbor	300	315,000	-	-	230,000	545,000
Arundell	200	25,000	300,000	1,000,000	-	1,325,000
North Bank	50	300,000	50,000	300,000	-	650,000
Montalvo	50	-	50,000	25,000	-	75,000
Saticoy	50	-	-	25,000	-	25,000
<b>Subtotals (Districts)</b>	<b>2,425</b>	<b>785,000</b>	<b>700,000</b>	<b>1,750,000</b>	<b>380,000</b>	<b>3,615,000</b>
<b>CORRIDORS</b>						
Ventura Avenue	800	40,000	100,000	50,000	-	190,000
Main Street	100	15,000	40,000	-	-	55,000
Thompson Boulevard	300	15,000	40,000	-	-	55,000
Loma Vista Road	25	15,000	40,000	-	-	55,000
Telegraph Road	250	15,000	40,000	-	-	55,000
Victoria Avenue	50	15,000	40,000	-	-	55,000
Johnson Drive	150	50,000	20,000	-	-	70,000
Wells Road	50	15,000	20,000	-	-	35,000
<b>Subtotals (Corridors)</b>	<b>1,725</b>	<b>180,000</b>	<b>340,000</b>	<b>50,000</b>	<b>0</b>	<b>570,000</b>
<b>SPHERE OF INFLUENCE (SOI)/OTHER INFILL/NEIGHBORHOOD CENTERS</b>						
101/126 Agriculture	200	-	-	-	-	-
Wells/Saticoy	1,050	-	-	-	-	-
Pierpont	100	30,000	-	-	-	30,000
Other Neighborhood Centers	100	-	-	-	-	-
Second Units	300	-	-	-	-	-
Underutilized	250	-	-	-	-	-
Vacant	450	165,000	50,000	-	-	215,000
<b>Subtotals (Other Infill)</b>	<b>2,450</b>	<b>195,000</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>245,000</b>
<b>TOTAL INFILL</b>	<b>6,600</b>	<b>1,160,000</b>	<b>1,090,000</b>	<b>1,800,000</b>	<b>380,000</b>	<b>4,430,000</b>
<b>PLANNED AND PENDING DEVELOPMENTS</b>						
Downtown	50	1,072	-	-	150,000	151,072
Ventura Avenue/Westside	238	7,086	-	27,000	-	34,086
Midtown	34	13,751	-	-	-	13,751
College (Telegraph/Loma Vista)	4	2,718	8,843	-	-	11,567
Telephone Road Corridor	256	-	54,785	-	-	54,785
Montalvo/Victoria	296	-	4,300	-	-	4,300
Saticoy/East End	840	7,950	5,600	-	-	13,550
Arundell	-	41,640	42,614	18,080	-	102,334
Olivas	-	7,160	7,066	390,053	-	404,279
<b>Subtotals (Planned/Pending)</b>	<b>1,718</b>	<b>81,377</b>	<b>123,214</b>	<b>435,133</b>	<b>150,000</b>	<b>789,724</b>
<b>TOTAL (Infill+SOI/Other+Pending)</b>	<b>8,318</b>	<b>1,241,377</b>	<b>1,213,214</b>	<b>2,235,133</b>	<b>530,000</b>	<b>5,219,724</b>





SOURCE: City of Ventura

**Figure 3-1**  
Infill Areas

**Infill Sites**

- Corridor
- Neighborhood Center (NC)
- District
- City Limits
- Planning Boundary
- Planning Neighborhoods

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.

*Footnotes for Table 3-2:*

*Growth estimates for the Arundell community consider the likely development of the 75-acre McGrath property with a mix of uses and development of other vacant lands. Growth estimates for the North Bank area consider the possibility of a large retailer in that area. Estimates of growth in the SOI/Other Infill sites are based on the following general assumptions: (a) 101/126 Orchard site will develop similarly to a project recently proposed for that site; (b) Wells/Saticoy sites will develop in accordance with ongoing planning efforts for those areas; (c) the Pierpont area will develop generally in accordance with a conceptual project recently considered by the City; (d) Second Units will be added at a rate of 15/year; (e) roughly half of underutilized lands identified in the Housing Element will be re-developed over the next 20 years; (f) all vacant lands outside the districts and corridors will be developed in accordance with the proposed planning designations. Planned and Pending Developments based upon the City's 2004 Pending Projects list. Building areas do not include self storage facilities.*

*The following potential projects not included in the 2004 Planned and Pending Developments list have been included in the future development totals: (1) 150,000 square feet of industrial development in the North Bank area; (2) 165,000 square feet of retail development along Wells Road in the Saticoy area; (3) 50,000 square feet of office development on a 3.5-acre site along Ralston Drive. The Auto Center industrial project is included in the North Bank district; the other two projects are included in the "vacant" category. The square footage associated with these projects has been added to the projections of future growth to provide a conservative analysis of possible future impacts.*

Together Table 3-2 and Figure 3-1, Infill Areas, offer a sense of how much growth Ventura might experience by 2025, and a picture of where such change is likely to occur. Precisely how and when development happens and what resources are conserved will be determined by the actions presented in the ten chapters of the *General Plan*, and by the specific land development standards. This plan is one of many tools the City will use to control where and how any future development takes place.



## 21<sup>st</sup> Century Tool Kit

The City has a wide array of tools at its disposal to achieve our “Infill First” strategy in ways that respect Ventura’s heritage and result in beautiful buildings, blocks, streetscapes, and public places that enhance and enrich quality of life for the entire community. Shaping the City’s physical form in the 21<sup>st</sup> Century will be achieved most effectively and aesthetically by combining Planning Designations with a transect-based approach, and with a new form-based Development Code. Together these can strongly influence the design and functioning of Ventura’s distinct and unique neighborhoods, districts, and corridors.

The policies and actions in this chapter seek to enrich Ventura’s urban fabric through appropriate design that showcases the attractive features of neighborhoods, districts, and corridors. To promote high-quality infill, the policies and actions encourage neighborhood centers, pedestrian access, established and desirable building types, and dynamic, neighborhood-serving nodes of mixed-use development along primary streets and corridors. This chapter specifically calls for detailed attention to community design through a form-based approach.

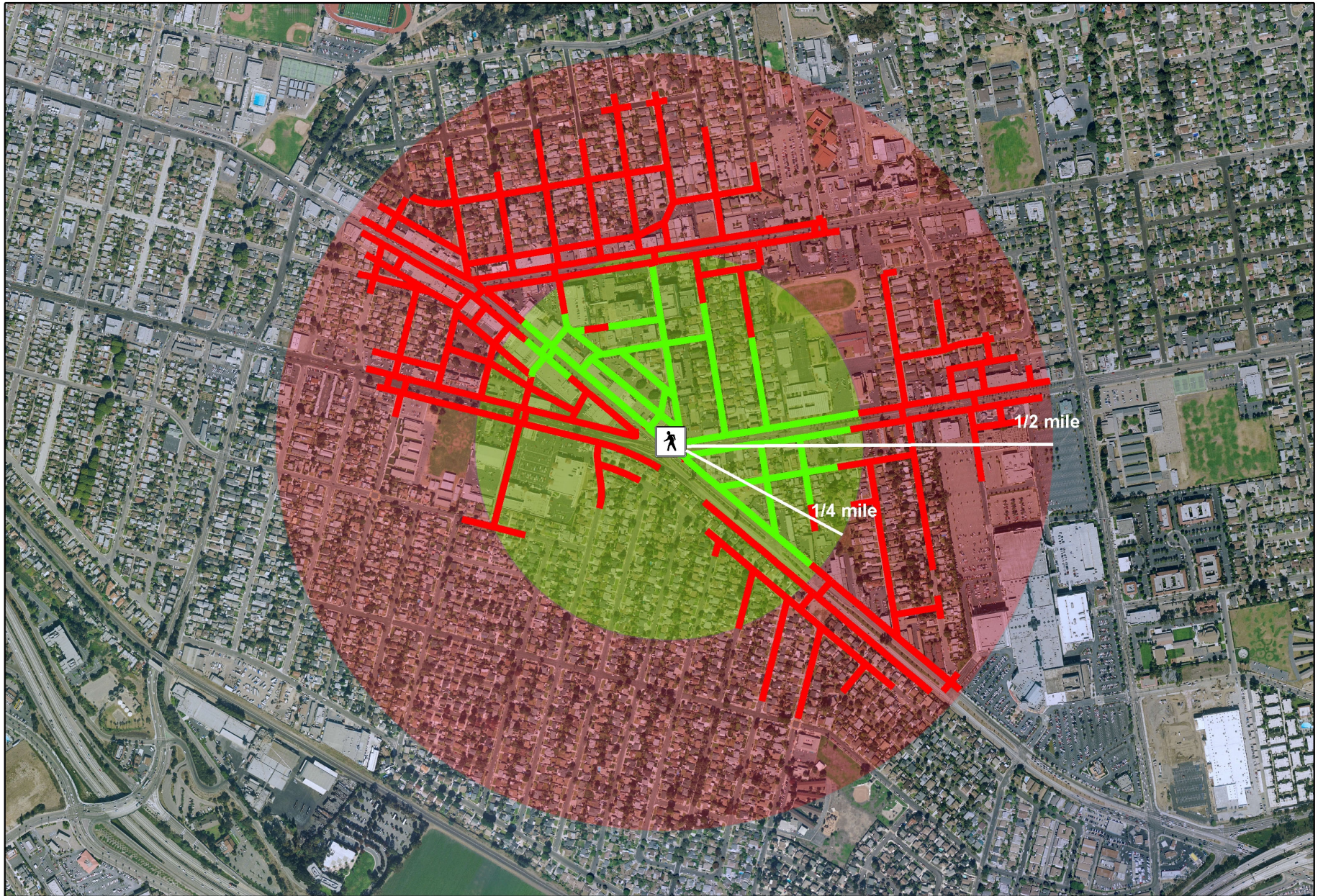
### ***Neighborhoods: The Basic Building Blocks of Community***

Like any great city, Ventura has grown around the basic unit of the neighborhood. A true neighborhood is not a subdivision of similar

houses disconnected from surrounding places. Instead it is an identifiable area containing a neighborhood center with a pedestrian-friendly mix of uses and a palette of housing types for people in all stages of their lives. Neighborhoods are often defined by a quarter-mile “pedestrian shed” (see Figure 3-2), in which most residents’ daily needs can be met within a five-minute walk. The organic nature of neighborhoods and their interdependency is what makes them viable for generations. Neighborhoods are not static places that resist change, but rather evolve naturally through periods of transformation to accommodate new residents’ needs and desires.

“In a neighborhood, everything that is needed is there and everything that is there is needed.”  
- Anonymous










SOURCE: City of Ventura, Created for the Midtown Ventura Design Charette, March 2005

**Figure 3-2**

**Pedestrian Shed, Theoretical versus Actual**

- |   |                                 |   |                                       |   |                                  |
|---|---------------------------------|---|---------------------------------------|---|----------------------------------|
|  | Northeast corner of Five Points |  | Theoretical 5 minute walk (1/4 mile)  |  | Actual 5 minute walk (1/4 mile)  |
|   |                                 |  | Theoretical 10 minute walk (1/2 mile) |  | Actual 10 minute walk (1/2 mile) |

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



The City is rich in a variety of neighborhoods, most of which are within one of Ventura's distinct communities. A total of 17 communities were identified in the 1989 Comprehensive Plan and have been carried forward, with some modifications to allow for a more detailed approach to describe Ventura's geography. Figure 3-3 illustrates 19 distinct communities, some of which are composed of a group of neighborhoods, each boasting their own unique attractions and potential. The oldest settled area is nearest the ocean, with newer areas found eastward, with the exception of Saticoy. Some of Ventura's communities have neighborhood centers established around parks, community gathering places, or civic buildings, and contain or are near services they share with surrounding areas, such as schools, libraries, post offices, and specialty shopping.

Ventura also has residential subdivisions and commercial and industrial districts that could evolve into true neighborhoods. A long-term strategy should be developed to gradually transform these areas that do not yet follow the neighborhood pattern. Existing subdivisions could be linked by pedestrian routes to new small-scale retail and service centers. Congested commercial areas could be redesigned as mixed-use centers on a grid of streets with walkable blocks that connect with surrounding neighborhoods and central plazas. These streets could be lined with buildings containing upper level housing and lower level commercial, office, and civic spaces that hide internal parking structures. Industrial sites that are fast converting

to light industry, high tech manufacturing, and assembly could become factory villages with green space, multiple types of housing, small-scale retail to serve workers, and spin-off businesses.

Ventura's 19 communities (Figure 3-3) can each be enriched by using the *transect* (see discussion page 3-10) as a lens to understanding the ways in which it functions and by applying form-based development controls to respect and enhance its character to ensure that, where appropriate, each community provides one, if not more, walkable neighborhoods.



SOURCE: City of Ventura  
 --- City Limits  
 --- Planning Communities

**Figure 3-3**  
 Planning Communities

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



Taylor Ranch

This area is essentially undeveloped, with agriculture as the primary activity. Taylor Ranch is within the City's Planning Area, including a portion within the Coastal Zone Boundary.

Ventura River

This area includes the Ventura River Basin, is within the Coastal Zone Boundary, and with Emma Wood State Beach Park, its major activity is recreation offering day use and overnight camping. Opportunities exist for passive recreation and nature study.

Hillside Open Space

Within the City's Planning Area, is undeveloped, and designated Open Space. Plant communities include chaparral, riparian willow forest, and oak woodland. This area has tremendous potential for passive recreation including scenic trails with panoramic views. This area is coterminous with the Hillside Voter Participation Area or "HVPA" (see Chapter 1 and Appendix C).

North Avenue

Within the City's Planning Area. Historically, largely oilfield industrial. Includes both the Upper North Avenue and North Avenue districts, and is home to the Brooks Institute, which is world renown for its professional photographic and motion picture education. Opportunities exist to strengthen the economy of this area and provide for the expansion of the Brooks Institute into a campus-village including spin-off businesses with a mix of housing types and transit options for all ages.

Westside

Includes the Ventura Avenue corridor and is home to several neighborhood centers that are surrounded by well-connected neighborhood blocks. Opportunities exist to realize the potential of neighborhood improvements initiated in ongoing and past grassroots efforts, such as the Westside Revitalization Plan. This community includes "Hillside Areas" (see definition in Attachment A), which are subject to the Hillside Management Program that provides necessary development criteria in order to retain the natural qualities and minimize potential hazards.

Downtown

The area is regulated by the Downtown Specific Plan. This community is both an urban core with opportunity to grow economically stronger, and the historic center of the City. Civic uses include City Hall, Seaside Park, Grant Park, the Ventura County Museum, San Buenaventura Mission, and is home to a number of historic sites and landmarks. Additional opportunity to enhance the area's already strong cultural climate, including art, cookery, music, performance, and entertainment. Tremendous potential to create "around-the-clock activity" leading to increased vitality. This community includes "Hillside Areas".

Midtown

Includes the Main, Thompson, and Loma Vista corridors, a portion of the Telegraph corridor, as well as the Seaward/Alessandro neighborhood center. Home to the Pacific View Mall, the City's Bus Transfer Center, Ventura High School. Blanche Reynolds Park, Ocean Avenue Park,

and Memorial Park. Includes a small amount of agriculture. Opportunities exist to realize potential improvements initiated in ongoing and past grassroots efforts, such as Midtown by Design, and more recently the Midtown Urban Design Charrette. This community includes “Hillside Areas”.

Pierpont

Within the Coastal Zone Boundary, a unique-beach oriented predominantly residential community, with high-quality beachfront homes. Includes the Harbor district and the Pierpont neighborhood center. Home to the Ventura Harbor, Seaward Elementary School, a mobile home park, and Marina Park. Currently offers highway retail such as motels, hotels, and fast food, but opportunity exists to offer residents and visitors with more attractive and improved neighborhood and coastal oriented services and to develop a specific plan for the Harbor district.

College

Includes a portion of the Telegraph corridor, and the College/Day neighborhood center. Major civic uses are Arroyo Verde and Camino Real Park, Ventura Community College and Buena High School. This community includes “Hillside Areas”.

Thille

Includes the Gateway neighborhood center and shares the Victoria corridor with Montalvo to the east. Contains mix of housing types built mostly between 1960 and 1980, with some newer development in the 1990’s and early 2000’s. Its

primary civic use is the County Square Linear Park

Arundell

This community contains the main industrial and warehouse district of Ventura, but also has mixed-use areas with retail, restaurants, and offices within walking distance of many workers. Callens Road, the historic center of this community, has great potential to expand and increase the mix of uses it contains, including residential. A significant vacant parcel, the 75-acre McGrath property, offers great economic opportunity to attract new industry that provides high value, high wage jobs to the City.

Olivas

Predominantly agricultural. Its major civic use is the Olivas Park Golf Course and is home to the Olivas Adobe. Contains some commercial and industrial.

North Bank

This community contains a portion regulated by the Auto Center Specific Plan. Its major civic use the Buenaventura Golf Course. Predominantly industrial, with some agriculture. Opportunity to enhance the area as a regional retail destination, while providing workforce serving retail uses.

Poinsettia

Includes the Victoria Plaza neighborhood center. Its primary civic uses include elementary and middle schools. Predominantly residential, with some housing in the Hillside Area, and a significant amount of agricultural operations.



Montalvo

Includes the Johnson Drive corridor, Bristol neighborhood center, and shares the Victoria corridor with Thille to the west. Its major civic use is the County Government Center (equal size to 12 downtown blocks), but also the Rancho Ventura Linear Park and the Barranca Vista Park. Contains mix of housing types and is home to the Metrolink Station.

Serra

Includes the Telephone/Petit neighborhood center, and is home to the City's newest civic use – the Community Park, set to open Fall 2005. Also includes the Chumash Park, Junipero Serra Park, North Bank Linear Park, and Bristol Bay Linear Park. Contains a significant amount of agricultural land.

Juanamaria

Includes the Kimball/Telegraph neighborhood center. Primary civic use is Hobert Park; this community contains some agricultural land.

Wells

Includes the Wells corridor. The Brown Barranca runs through the northerly portion of this area. Contains agricultural land.

Saticoy

Includes the Telephone/Cachuma and Saticoy neighborhood centers and the Saticoy district. Developed originally as a rural town in the late 1800s, Saticoy has the full range of transect characteristics: from the Santa Clara river and the rural eastern edge, to its neighborhood centers,

and a mix of housing types at various intensities. Its major civic uses are the Fritz Huntsinger Youth Sports Complex, Saticoy Regional Golf Course and the Saticoy neighborhood park.

### Planning Designations and Transect Zones

Land in the City's Planning Area is divided into eight basic Planning Designations on the General Plan Diagram (page 3-22). Each acknowledges a particular predominant development pattern that exhibits certain desirable characteristics, such as building types and functions that can be measured and described.

The wide range of building forms in Ventura offers great potential for compatible infill and viable mixed-use projects in existing neighborhoods, districts, corridors, and neighborhood centers. The wealth of building types includes attached and detached housing, duplexes, courtyard bungalows, second units (often over garages), lofts (some live-work), urban villas, neighborhood shopfronts, concentrated retail developments, and civic buildings. Public buildings retain special importance by serving as prominent landmarks that shape the visual character of the city.

Streetscapes set the tone for quality of life in Ventura by providing the shared outdoor living space of the community. Although the city's distinct neighborhoods, commercial and industrial districts, and agricultural areas are linked by corridors that have evolved primarily to accommodate motor vehicles, opportunities abound to make those streets more livable and to focus activities in neighborhood centers that emphasize walking, biking, and public gathering, and thereby ease traffic and reinforce community vitality. Accordingly, new development needs to

be high quality, compact, and walkable, and it should incorporate design diversity that increases lifestyle choices and bolsters commerce and industry.

Determining which building types are most appropriate in specific locations requires shifting away from conventional zoning that emphasizes use toward a form-based approach that prioritizes function, appearance, and compatibility with surrounding context. A powerful tool for understanding this context is the *Transect*, which depicts the continuum from rural to urban conditions (see Figure 3-4).

The transect is a tool that can be used by the community to understand and describe the full range of unique environmental and built characteristics within each of Ventura's neighborhoods. Using the six parenthetical transect zones to better understand the broad Planning Designations of the General Plan Diagram, a finer-grained (site specific) set of development standards can be created to ensure that new development is in keeping with local preferences for building.

This new Development Code will better accommodate the diversity of lifestyles Ventura desires – from the *rural* farm to the *sub-urban* house and yard to the *urban core* with apartments above shops – and will contribute to the identity and character desired by the community. Common elements that the transect will help measure and describe, and that the Development Code will prescribe, include the types and



arrangements of buildings, their “intensity” of lot coverage, height and mass, the details of streets, public and private frontages and the requirements for and character of open spaces. In general it will prescribe individual neighborhood preferences for urban design and building characteristics, including standards.

In many cases, area specific codes, applying the Planning Designations including districts, corridors, and neighborhood centers, will be developed as part of community or specific plans that establish a detailed strategy for public and private investment and policies to promote the appropriate preservation and development of community desired character.

The following descriptions of the Planning Designations include a parenthetical reference to the transect zones they encompass that will be used as guidance in interpreting the planning designations while drafting detailed plans and codes:

"A **transect** is a geographical cross-section of a region used to reveal a sequence of environments. For human environments, this cross-section can be used to identify a set of habitats that vary by their level and intensity of urban character, a continuum that ranges from rural to urban. In transect planning, this range of environments is the basis for organizing the components of the built world: building, lot, land use, street, and all of the other physical elements of the human habitat."  
 --SmartCode, Volume 6.5, 2005

"All architecture should be beautiful. All towns should be beautiful. Beauty nurtures the soul and the spirit. It makes life worth living."  
 -Camillo Sitte

- **Neighborhood Low – (T3 Sub-Urban and T4 General Urban)**  
 emphasizes detached houses with some attached units in a small mix of building types from 0 up to 8 dwelling units per acre. Predominantly residential, with opportunity for limited home occupation and neighborhood services sensitively located along corridors and at intersections.
- **Neighborhood Medium – (T3 Sub-Urban, T4 General Urban and T5 Urban Center)**  
 anticipates a mixture of detached and attached dwellings and higher building types at approximately 9 to 20 dwelling units per acre. Predominantly residential with small scale commercial at key locations, primarily at intersections and adjacent to corridors.
- **Neighborhood High – (T3 Sub-Urban through T6 Urban Core)**  
 accommodates a broader mix of building types, primarily attached, from 21 to 54 dwelling units per acre; A mix of residential, commercial, office, and entertainment that includes mixed-use buildings.
- **Commerce – (T4 General Urban through T6 Urban Core, neighborhood center downtown, regional center, town center or village center)**  
 encourages a wide range of building types of anywhere from two to six stories (depending on neighborhood characteristics) that house a mix of functions, including commercial, entertainment, office and housing.
- **Industry – (T2 Rural through T6 Urban Core)**  
 encourages intensive manufacturing,

processing, warehousing and similar uses, as well as light, clean industries and support offices; also encourages workplace-serving retail functions and work-live residences where such secondary functions would complement and be compatible with industrial uses. Primarily large-scale buildings. Also can be developed as Transit Oriented Development, employment center or working village with a mix of uses.

- **Public and Institutional – (T1 Preserve through T6 Urban Core)**  
 accommodates civic functions such as government offices, hospitals, libraries, schools and public green space.
- **Agriculture – (T2 Rural)**  
 predominantly commercial cultivation of food and plants and raising of animals.  
*Pursuant to SOAR: The Agricultural use (not to be considered until after the Year 2030) category identifies those lands that are designated for agricultural use on the General Plan Diagram. The target date of 2030 associated with the Agricultural Use designation indicates a review date after which agriculturally designated lands may be reconsidered for urban uses. However, during the life of this Plan as amended by initiative, it is intended that only agricultural uses are permitted on these lands, except as such lands may be appropriate to public open space and recreational usage. Furthermore, any updates to this Plan are not intended to imply that development would necessarily be appropriate at that time.*
- **Parks and Open Space – (T1 Preserve through T6 Urban Core)**  
 designate lands to public recreation and leisure and visual resources, and can range from neighborhood tot lots and pocket parks to urban squares and plazas and playgrounds to large regional parks and natural preserves.





The General Plan Diagram (page 3-22) also depicts the Downtown, Auto Center, and Saticoy Village Specific Plan areas, which are subject to detailed standards for form and use. In addition, the Diagram identifies Districts, Corridors, and Neighborhood Centers – where the development of housing alongside commercial uses is specifically encouraged. These Districts, Corridors, and Neighborhood Centers make up the growth priority areas as the City’s “Infill First” strategy (See Figure 3-1 Infill Areas).

### **Districts, Corridors, and Neighborhood Centers**

One of the primary objectives for infill in Ventura is to produce mixed-use development that places most people’s daily needs within walking distance of their dwellings. This may include encouraging “flex space” where a single building functions as both living and working area for the owner, combining housing and commercial uses in the same structures, or sensitively integrating small-scale retail, service, and entertainment within convenient distance of residential areas. Mixed-use places inherently reduce automobile trips and improve the pedestrian experience, resulting in safer neighborhoods, healthier citizens, and better access to everyday needs. The City’s corridors and districts already encompass significant mixed-use development. Opportunities exist to augment those areas in ways that complement and enhance existing urban form and streetscapes to better serve Ventura’s residents.

### **Districts**

Districts consist of streets or areas emphasizing specific types of activities and exhibiting distinct characteristics. A neighborhood or parts of neighborhoods can form a district. A thoroughfare may also be a district, such as when a major shopping avenue runs between adjoining neighborhoods. The following nine districts are depicted on the General Plan Diagram:

1. Upper North Avenue – home to a mix of industrial uses, including an abandoned oil refinery and Brooks Institute. Tremendous opportunities exist for the remediation and reuse of the former USA Petroleum site, as well as for the expansion of the Brooks Institute as a campus village, surrounded by a green edge to define the upper limits of Ventura.
2. North Avenue – an area with oilfield, industrial, and residential development, which has potential to fully develop into a more balanced mix of building types and uses with unique character, to serve as a major neighborhood anchor for northwest Ventura.
3. Downtown – the most intensely developed area of the city and its urban core. The Downtown Specific Plan regulates this area. Proposed initiatives include well-defined design standards via the Downtown Specific Plan update; enhanced efforts to market the Downtown Cultural District; formation of a

downtown management entity; and attracting uses that create “around-the-clock” activity.

4. Pacific View Mall – an enclosed shopping center and adjacent commercial uses. Large expanses of surface parking paired with significant building mass offer opportunity for the reintroduction of the block pattern and a reinvention of single-use retail into a much more sustainable mix of high intensity uses.
5. Harbor – an area with visitor serving uses, marine facilities, boating and commercial and recreational fishing activities, as well mixed-use places. A specific plan (based on the draft Harbor Master Plan) is being prepared for the Harbor District that will ensure a mix of uses, including residential, and highly defined public frontages and shared civic space for increased accessibility to ocean-front amenities.
6. Arundell – is currently an industrial center with a mix of small-scale industrial uses, business park development, and limited retail services. The McGrath Property – is a 76-acre site of undeveloped land that could provide the catalyst for Ventura’s redefinition of 21<sup>st</sup> Century light industry, manufacturing, research and development, and technological innovation. It is centrally located in the Arundell area, which is ripe for redevelopment into a new form of community plan and building that incorporates large-scale employment, workforce housing and neighborhood commercial in an economically diverse setting.
7. North Bank – a combination of automobile retail, regulated by the Auto Center Specific Plan, and industrial/business park uses. Auto Center – efforts over the short term will focus on making the area a regional retail destination. The City will strengthen its partnership with Auto Center dealers to realize beautification projects and facilitate land use entitlements for additional dealerships, as well as nurture creative partnerships to discover potential for unique attractions of regional interest.
8. Montalvo – an area of industrial and heavier commercial uses, and currently home to the Metrolink Station. Because of the strategic location of this area between east and west Ventura and its transportation-rich infrastructure, it needs a strong plan for connectivity and a strategic mix of uses for evolution that is economically sustainable.
9. Saticoy – a mix of homes, older industrial and agricultural operations, and the planned site for the County maintenance yard. The Saticoy Village Specific Plan governs a small portion of this area. A larger effort should ensure Saticoy’s seamless connection with adjacent areas, including a greenspace and circulation plan.

### **Corridors**

Corridors, which can be natural or urban, often form boundaries, as well as connections, between neighborhoods and/or districts. Natural corridors can be those such as streams, barrancas, canyons, or green parkways. Urban corridors can be transportation thoroughfares that frequently encompass major access routes, especially ones with commercial destinations, including transit routes and rail lines. The following eight urban corridors are depicted on the General Plan Diagram. Each has the potential to evolve into a vibrant mixed-use City street with a distinct character borrowed from the neighborhoods that share it:

- A. Ventura Avenue – a mix of older, small-scale commercial, industrial, and residential uses, with potential to grow even more vibrant by building on existing strengths, including its historic role as a major “working center.” Using the warehouse model and diversity of building materials as a cue, “The Avenue” could harness cultural expression and become an eclectic center for the emerging arts and manufacturing crafts.
- B. Main Street – currently a commerce-oriented area with a limited amount of mixed use development, this corridor displays the broadest range of architectural types and styles in the city, as well as the widest spectrum of transect characteristics. It has the most potential for increased mixed use and housing with improved streetscape and pedestrian enhancement to slow traffic.
- C. Thompson Boulevard – a commercial thoroughfare in need of streetscape improvements and pedestrian amenities, this corridor is much like Main Street in that it boasts tremendous history as a “gateway to Ventura” and epitomizes a beach town character. It is a natural for a major transit or streetcar corridor, where nodes of mixed-use development and pedestrian and bike enhancement could support parallel neighborhoods and increase access to the ocean.
- D. Loma Vista Road – a mix of commercial and residential development at varying scales, with a high concentration of medical facilities, this is the ideal place for Ventura to focus on creating a concentration of medical and research-centered business, with a high intensity of workforce housing and services housed in large-scale mixed-use buildings of high-tech character and serviced by increased transit.
- E. Telegraph Road – a sub-urban-scale commercial area with some detached homes and multifamily buildings. The City’s bus transfer station is located along this corridor, creating the perfect opportunity for a multi-modal connection with an intense node of housing and employment. The streetscape could change character along its length, with a mixture of intensities of development.
- F. Victoria Avenue – currently a wide artery with high traffic volumes and shopping centers, Victoria needs effective traffic management



and pedestrian and streetscape improvements with strong attention to additional mobility options. Actions in this General Plan, along with the new Development Code, will call for revitalizing this corridor by redesigning the current array of single-use shopping centers and retail parcels with a mix of building types, uses, and public and private frontages. By eliminating "big box", mega-block, auto-oriented strip development, and the traffic patterns it generates, Victoria Avenue could create tremendous opportunity for healthy economic investment in walkable blocks, connected to better serve surrounding neighborhoods. Creative solutions, including dedicating transit or streetcar lanes, wider sidewalks, and bike lanes could transform Victoria's image into a regional thoroughfare of great and sophisticated diversity. All new commercial development within the Victoria Avenue corridor must follow this approach.

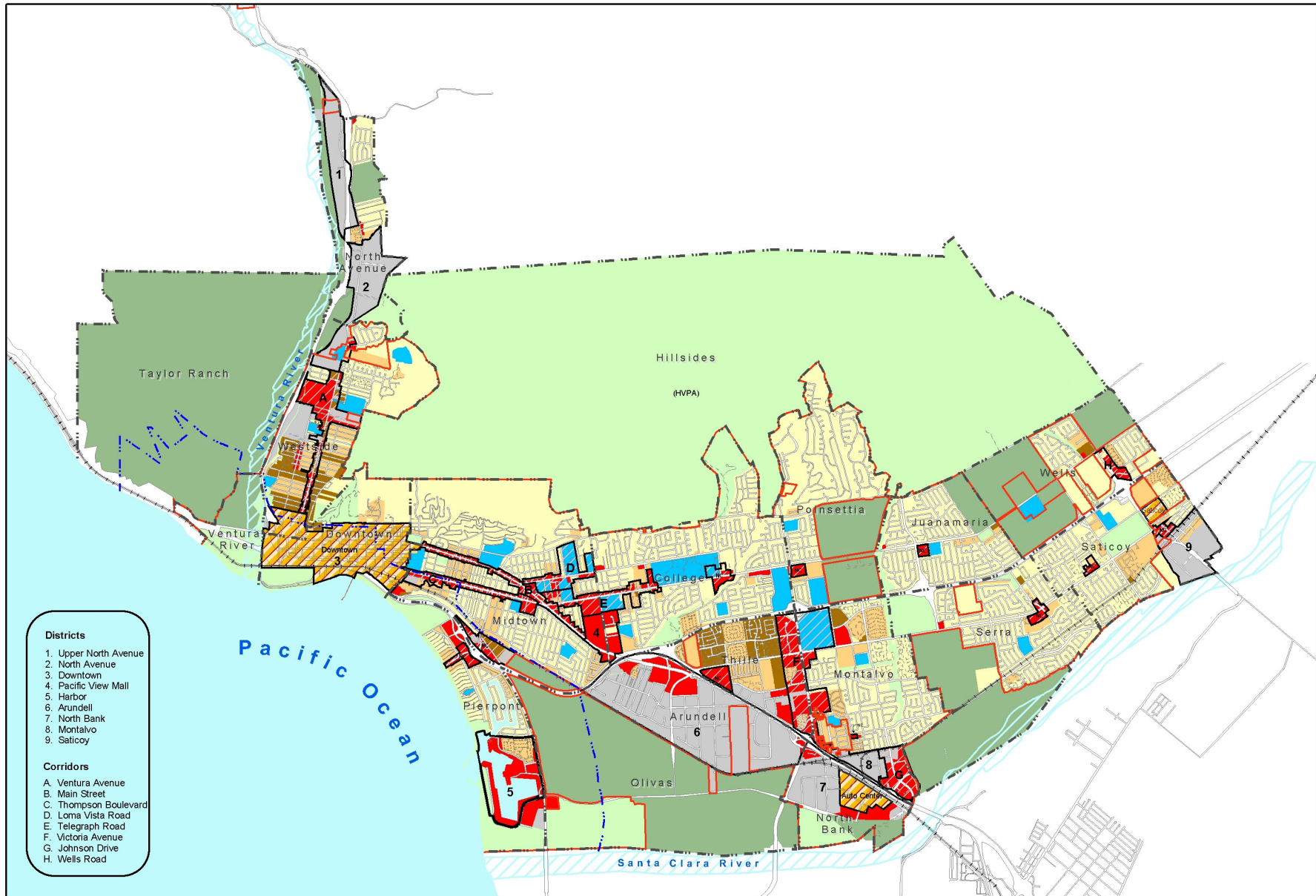
- G. Johnson Drive – a connector between eastern Ventura and Highway 101 with sub-urban scale retail. Opportunities exist for high-quality, mixed-uses (such as child-care, restaurants, offices, light industrial, and housing) with ground floor commercial space to strengthen its economic presence and provide a visual gateway.
- H. Wells Road – a mix of older industrial uses and newer sub-urban commercial and residential development. Well's Road should be returned to the neighborhoods it serves, so that new development can

emulate the country charm that existed prior to its widening. Traffic calming in appropriate locations would encourage neighborhood connectivity, and end the current trend toward walls and buildings that turn their back to the street. This would also encourage redevelopment of the old neighborhood centers.

### Neighborhood Centers

Community evolves from individual conversations and the best places to grow community are in individual neighborhoods. Every neighborhood should have at least one center where people can meet by chance at a local coffee shop, market, bookstore, diner, or even hardware store. *Our Involved Community* needs places to gather to have meaningful conversations and share civic information. Ventura's existing neighborhood centers have the opportunity to become such places. The General Plan Diagram identifies 10 neighborhood centers – where the development of housing alongside commercial uses is specifically encouraged. These centers include:

- (1) Pierpont, (2) Seaward/Alessandro, (3) College/Day, (4) Gateway Plaza, (5) Victoria Plaza, (6) Bristol, (7) Kimball/Telegraph, (8) Petit/Telephone, (9) Telephone/Cachuma, and (10) Saticoy.



Note: Areas prone to flooding are shown on Figure 7-1 in Chapter 7.

Figure 3-5

**GENERAL PLAN DIAGRAM**

- Neighborhood
  - Low (up to 8 du/ac)
  - Medium (9-20 du/ac)
  - High (21-54 du/ac)
- Commerce
- Industry
- Agriculture
- Parks and Open Space
- Public and Institutional
- Specific Plan Area
- Corridors, Neighborhood Centers (NC)
- Districts
- City Limits
- Planning Communities
- California Coastal Zone Boundary

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.

## Special Topics

### *Agricultural Lands*

During the 20<sup>th</sup> Century, the value of agricultural land in Ventura became secondary to that for development. However, this pattern is not irreversible, and protecting green land to save the aesthetic beauty of open space, preserve the cultural landscape of the community's heritage, and conserve land for environmental quality are high priorities in Ventura. In fact, the land's historic role for food production may soon be more highly valued once again, as prime agricultural areas continue to disappear to development at an astounding rate.

Ventura is fortunate to retain much of its rural landscape. Agriculture still plays an important role in the economy of the City and County of Ventura. Significant yields are made possible by the presence of high quality soils, adequate water supply, favorable climate, long growing season, and level topography. Mechanisms such as the California Land Conservation Act (more popularly known as the Williamson Act), the Save Our Agricultural Resources (SOAR) initiative (see Appendix B), and greenbelt agreements with neighboring jurisdictions continue to help maintain a balance between urban growth and agricultural preservation. The SOAR initiative that was adopted by the voters in 1995, and that, by its own terms, remains in full legal effect until 2030, refers to specific policies from the 1989 Comprehensive Plan that are still in effect and, as such, have been carried forward into this Plan under Policy 3D and Action 3.20 in addition to

being incorporated in this General Plan as set forth in Appendix B.

A primary agricultural concern is the potential conflict with adjacent urban uses over pesticides, dust, odors, noise, and the visual impact of large greenhouses. Other issues of importance to agricultural producers include restrictions on farm-related activities, access to water, and provision of farmworker housing. Paralleling these concerns is a community interest in sustainability, the ability to provide for the needs of future generations. The policies and actions in this chapter intend to sustain viable farm operations in areas designated for agricultural use.

### *Growth Management*

Growth management seeks to preserve public good, improve social equity, and minimize adverse impacts of development while still accommodating new housing and business attraction. The effects of growth management policies on housing prices are complex due to the idiosyncrasies of local real estate markets. Properly designed, growth management programs can plan for all development needs, such as open space, access to public transportation, and walkable neighborhoods.

The City's Residential Growth Management Program (originally established in 1979 to ensure that housing development would not outpace needed infrastructure) has not always contributed to housing affordability or quality design. This General Plan calls for revising the Residential



Subsequent to the adoption of the **SOAR** initiative, there have been two general plan amendments, which redesignated individual agricultural properties through a vote of the electorate as required by SOAR. These remain in full legal effect and have been carried forward into this Plan. These include the new Community Park at Kimball Road and the southeast corner of Montgomery and Bristol (see Appendix E and F).



Growth Management Program with an integrated set of growth management tools. Such tools not only include the adoption of a new form-based Development Code, but also community or specific plans based on availability of infrastructure and resources.


***Long Term Potential Expansion Strategy***


Indeed, the community has indicated that before the City expands any further, the first priority for achieving planning goals should be in the vacant and underutilized areas of the City. Yet, even the most successful effort to achieve community planning goals through infill may need to be supplemented at some point by expanding into areas outside the city limits. Such expansion may not only be necessary to fulfill development objectives; it also may be needed to provide open space, parklands, and natural areas to be preserved and restored. To address this, citizens discussed during the preparation of this General Plan which areas, if any, should be possible expansion areas. These areas were identified because they embody opportunities for achieving a variety of community vision objectives that may not be feasible within existing city limits. The community further went on to agree upon a set of rules about how these areas should be planned. These areas were analyzed in the environmental impact report prepared for this General Plan, and a “long term potential expansion strategy” will be formulated to guide the process of prioritizing any potential future expansion areas to fulfill General Plan objectives that may not be able to be achieved by our “Infill First” approach. Should


any areas be selected for future planning, a specific plan, a public vote (if required pursuant to SOAR), and an amendment with the regulatory planning framework would have to occur.


The policies and actions in this chapter call for measured and appropriate growth in Ventura by prioritizing areas appropriate for additional development based on community values and infrastructure potential.


**Policy 3A: Sustain and complement cherished community characteristics.**


Action 3.1: Preserve the stock of existing homes by carrying out Housing Element programs. 

Action 3.2: Enhance the appearance of districts, corridors, and gateways (including views from highways) through controls on building placement, design elements, and signage. 

Action 3.3: Require preservation of public view sheds and solar access. 


Action: 3.4 Require all shoreline development (including anti-erosion or other protective structures) to provide public access to and along the coast, unless it would duplicate adequate access existing nearby, adversely affect agriculture, or be inconsistent with public safety, military security, or protection of fragile coastal resources. 


Action 3.5: Establish land development incentives to upgrade the appearance of poorly maintained or otherwise unattractive sites, and enforce existing land maintenance regulations. 


Action 3.6: Expand and maintain the City's urban forest and thoroughfare landscaping, using native species, in accordance with the City's Park and Development Guidelines and Irrigation and Landscape Guidelines. 


Action 3.7: Evaluate whether lot coverage standards should be changed based on neighborhood characteristics.

**Policy 3B: Integrate uses in building forms that increase choice and encourage community vitality.**

Action 3.8: Adopt new development code provisions that designate neighborhood centers, as depicted on the General Plan Diagram, for a mixture of residences and small-scale, local-serving businesses. 

Action 3.9: Adopt new development code provisions that designate areas within districts and corridors for mixed-use development that combines businesses with housing, and focuses on the redesign of single-use shopping centers and retils parcels into walkable, well connected blocks, with a mix of building types, uses, and public and private frontages. 

Action 3.10: Allow intensification of commercial areas through conversion of surface parking to building area under a district-wide parking management strategy in the Downtown Specific Plan. 

Action 3.11: Expand the downtown redevelopment area to include parcels around future transit areas and along freeway frontage. 

Action 3.12: The City will work with the hospitals on the new Development Code treatment for the Loma Vista corridor, which includes both hospitals.

Action 3.13: Assess whether the City's Affordable Housing Programs respond to current needs, and modify them as necessary within State mandated Housing Element updates.

**Specific Plan Requirements**

Specific Plans must include a statement of its relationship to the General Plan and specify all of the following:


1. distribution, location, and extent of uses
2. distribution, location, extent, and intensity of public and private transportation, sewage, water, drainage, solid waste disposal, energy
3. standards and criteria by which development will proceed and standards for conservation, development, and utilization of natural resources
4. program of implementation measures, including regulations, programs, public works projects, and financing
5. any other subjects that are necessary


(§65450-65452)


**Policy 3C: Maximize use of land in the city before considering expansion.**

Action 3.14: Utilize infill, to the extent possible, development to accommodate the targeted number and type of housing units described in the Housing Element.


Action 3.15: Adopt new development code provisions that ensure compliance with Housing Element objectives.

Action 3.16: Renew and modify greenbelt agreements as necessary to direct development to already urbanized areas. 

Action 3.17: Continue to support the Guidelines for Orderly Development as a means of implementing the General Plan, and encourage adherence to these Guidelines by all the cities, the County of Ventura, and the Local Agency Formation Commission (LAFCO); and work with other nearby cities and agencies to avoid urban sprawl and preserve the rural character in areas outside the urban edge. 


Action 3.18: Complete community or specific plans, subject to funding, for areas such as Westside, Midtown, Downtown, Wells, Saticoy, Pierpont, Harbor, Loma Vista/Medical District, Victoria Corridor, and others as appropriate. These plans will set clear development standards for public and private investments, foster neighborhood partnerships, and be updated as needed. 


Action 3.19: Preparation of the new Development Code will take into account existing or proposed

community or specific plans to ensure efficient use of City resources and ample citizen input. 


**Policy 3D: Continue to preserve agricultural and other open space lands within the City's Planning Area.**

Action 3.20: Pursuant to SOAR, adopt development code provisions to "preserve agricultural and open space lands as a desirable means of shaping the City's internal and external form and size, and of serving the needs of the residents.

Action 3.21: Adopt performance standards for non-farm activities in agricultural areas that protect and support farm operations, including requiring non-farm uses to provide all appropriate buffers as determined by the Agriculture Commissioner's Office. 

Action 3.22: Offer incentives for agricultural production operations to develop systems of raw product and product processing locally. 


**Policy 3E: Ensure the appropriateness of urban form through modified development review.**


Action 3.23: Develop and adopt a form-based Development Code that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living space, and environmentally sensitive building design and operation. 



Action 3.24: Revise the Residential Growth Management Program (RGMP) with an integrated set of growth management tools including:

- community or specific plans and development codes based on availability of infrastructure and transit that regulate community form and character by directing new residential development to appropriate locations and in ways that integrate with and enhance existing neighborhoods, districts and corridors;
- appropriate mechanisms to ensure that new residential development produces high-quality designs and a range of housing types across all income levels; and,
- numeric limitations linked to the implementation of community or specific plans and development codes and the availability of appropriate infrastructure and resources; within those limitations, the RGMP should provide greater flexibility for timing new residential development.

Action 3.25: Establish first priority growth areas to include the districts, corridors, and neighborhood centers as identified on the General Plan Diagram; and second priority areas to include vacant undeveloped land when a community plan has been prepared for such (within the City limits). 

Action 3.26: Establish and administer a system for the gradual growth of the City through identification of areas set aside for long-term preservation, for controlled growth, and for encouraged growth. 

Action 3.27: Require the use of techniques such as digital simulation and modeling to assist in project review.

Action 3.28: Revise the planning processes to be more user-friendly to both applicants and neighborhood residents in order to implement City policies more efficiently.

Policies and actions related to the preservation of **historic architecture and resources** are contained in Chapter 9.

**2000-2006 HOUSING ELEMENT GOALS AND POLICIES, City Council Adopted Resolution 2004-014. Adopted April 12, 2004**

**Goal 1**

**Maintain and improve the quality of existing housing and residential neighborhoods in Ventura.**

**Policy 1.1** Encourage citizen involvement in addressing the maintenance and improvement of the housing stock and neighborhood quality.

**Policy 1.2** Continue to preserve and maintain the City's historical and architecturally significant buildings and neighborhoods.

**Policy 1.3** Encourage homeowners and landlords to maintain properties in sound condition through the City's residential rehabilitation assistance programs and code enforcement efforts.

**Policy 1.4** Cooperate with housing providers in the acquisition, rehabilitation, and maintenance of older residential properties as long-term affordable housing.

**Policy 1.5** Permit the conversion of apartments to condominiums only when such conversion would not

adversely affect the overall supply and availability of rental units, particularly units occupied by lower- and moderate-income households.

**Policy 1.6** Continue to support the provision of rental assistance to lower-income households, and encourage property owners to list units with the Housing Authority.

**Policy 1.7** Continue to preserve the affordability of mobile homes through the Rent Stabilization Ordinance. Support the acquisition and ownership of mobile home parks by non-profit housing providers and resident organizations.

**Policy 1.8** Preserve the existing stock of affordable housing, including mobilehomes, through City regulations, as well as financial and other forms of assistance.

**Goal 2**

**Facilitate the provision of a range of housing types to meet the diverse needs of the community.**

**Policy 2.1** Provide high quality housing for current and future residents with a diverse range of income levels.

- |   |  |  |   |  |   |  |   |   |
|---|--|--|---|--|---|--|---|---|
| <p><b>Policy 2.2</b> Provide expanded housing opportunities for the City’s workforce. Promote the City’s affordable housing programs with employers in Ventura.</p> | <p><b>Policy 2.3</b> Continue to offer and promote homeownership assistance programs to lower- and moderate-income households to purchase both new and existing housing. Pursue participation in other homeownership programs available in the private market.</p> | <p><b>Policy 2.4</b> Continue to provide financial and regulatory incentives to non-profits, private housing developers, and public agencies for the construction of the types of housing required to meet identified needs.</p> | <p><b>Policy 2.5</b> Support the provision of quality rental housing with three or more bedrooms to accommodate large families, and encourage room additions in the existing housing stock to address household overcrowding.</p> | <p><b>Policy 2.6</b> Support a variety of housing types to address the needs of agricultural workers, including affordable rentals, mobilehome parks, single room occupancy hotels (SROs), and group housing for migrant laborers.</p> | <p><b>Policy 2.7</b> Facilitate the provision of housing to address Ventura’s growing senior population, including senior housing with supportive services, assisted living facilities, and second units.</p> | <p><b>Policy 2.8</b> Encourage the provision of housing adaptable to the physically disabled through integration of universal design features in new development, and compliance with Title 24 of the California Health and Safety Code.</p> | <p><b>Policy 2.9</b> Encourage the provision of supportive housing for persons with mental illness to address the severe shortage of housing for this special needs population.</p> | <p><b>Policy 2.10</b> Support efforts by non-profits to expand transitional and emergency housing in Ventura, including support of grant applications and assistance in identification of suitable sites.</p> |
|---|--|--|---|--|---|--|---|---|



**Policy 2.11** Evaluate adoption of an inclusionary housing ordinance as a means of integrating affordable units within new residential development: 1) Require affordable units to be provided on or off-site, with allowance for payment of an in-lieu fee at the discretion of the City; 2) Evaluate the financial impact of inclusionary requirements on development, and assess incentive-based alternative strategies for provision of affordable housing.

**Policy 2.12** Facilitate the provision of second units as a means of providing affordable rental housing in existing neighborhoods. Ensure compatibility with the primary unit and surrounding neighborhood.

**Policy 2.13** Encourage the production of housing that meets the needs of all economic segments, including lower, moderate, and above moderate-income households, to achieve a balanced community.

**Policy 2.14** Promote and facilitate non-traditional housing types and options, including co-housing, assisted living facilities, live-work spaces, and artist lofts.

**Policy 2.15** Direct City-controlled housing funds towards programs that address the needs of very low- and low-income households.

**Policy 2.16** Prioritize affordable housing opportunities and assistance for public service employees.

**Policy 2.17** Annually monitor the City's progress in meeting its housing needs for all income levels.

**Goal 3**

**Provide adequate housing sites through appropriate land use and zoning designations to accommodate the City's share of the regional housing needs.**

**Policy 3.1** Maintain an up-to-date inventory of vacant and underutilized parcels and provide to interested developers in conjunction with information on available development incentives. Within redevelopment project areas, provide assistance in land assembly in support of affordable housing.

**Policy 3.2** Implement smart growth principles by rewarding quality infill projects that utilize existing infrastructure.

**Policy 3.3** Encourage efficient utilization of the City’s limited land resources by encouraging development at the upper end of the permitted Zoning Code/Comprehensive Plan density.

**Policy 3.4** Utilize the Urban Infill Overlay Zone and Downtown Specific Plan as a tool to facilitate higher density residential and mixed-use development.

**Policy 3.5** Explore residential reuse opportunities on obsolete commercial properties, such as older motels and underutilized historic structures.

**Policy 3.6** Pursue use of publicly owned land, such as public parking lots, for development of affordable housing.

**Policy 3.7** Identify opportunities for housing development that achieves other community goals such as neighborhood improvement, recreation opportunities, and the preservation of sensitive lands and neighborhood character.

**Policy 3.8** Facilitate the development of mixed-use projects in appropriate commercial areas, including stand-alone residential developments

(horizontal mixed-use) and housing above ground floor commercial uses (vertical mixed-use).

**Policy 3.9** Promote higher density housing as part of mixed-use developments along parts of Thompson Boulevard and Main Street in Midtown Ventura, as well as other areas such as Westside, Downtown and East Ventura.

**Policy 3.10** Promote mixed-use developments on the Westside of Ventura.

**Policy 3.11** Ensure that the updated Land Use Element designates adequate sites for housing for executives to enhance the City’s ability to attract businesses with higher paying jobs.

**Goal 4**

**Mitigate or remove any potential governmental constraints to housing production and affordability.**

**Policy 4.1** Provide regulatory and/or financial incentives, where appropriate, to offset or reduce the costs of affordable housing development, including density bonuses and flexibility in site development standards.

- Policy 4.2** Utilize the Affordable Housing Program to provide incentives for production of affordable units, including streamlined permit processing, reduced fees and exemption from the required competition for RGMP allocations.
- Policy 4.3** Amend the City's Residential Growth Management Plan (RGMP) to better facilitate housing production, while discouraging sprawl and maintaining quality of life goals.
- Policy 4.4** Undertake a comprehensive review of the City's residential development project review procedures and establish modified procedures as appropriate to streamline processing times, while maintaining adequate levels of public review.
- Policy 4.5** Provide flexibility in development standards to accommodate new models and approaches to providing affordable housing, such as co-housing, live/work units and assisted living facilities.

**Goal 5**

**Promote equal opportunity for all residents to reside in the housing of their choice.**

- Policy 5.1** Continue to enforce fair housing laws prohibiting arbitrary discrimination in the building, financing, selling or renting of housing on the basis of race, religion, family status, national origin, physical or mental disability, or other such factors.
- Policy 5.2** Continue to support organizations that offer fair housing and mediation services to Ventura residents.
- Policy 5.3** Promote housing that meets the special needs of large families, elderly persons, agricultural workers, and the disabled.
- Policy 5.4** Continue to enforce notification and provide relocation assistance for lower-income persons displaced due to demolition, reuse, condominium conversion, or rehabilitation as a result of code enforcement.







"Restore human legs as a means of travel.  
Pedestrians rely on food for fuel and need no  
special parking facilities."

— Lewis Mumford  
Author of *The City in History*, 1961

#### 4. OUR ACCESSIBLE COMMUNITY

**Our goal is to provide residents with more transportation choices by strengthening and balancing bicycle, pedestrian and transit opportunities in the City and surrounding region.**

##### **An Integrated Mobility System**

Central to the well-being of Ventura's citizens and visitors is *mobility*, the ability to get from one place to another. Mobility depends on the range, efficiency, and connectivity of the various components that comprise the transportation network – sidewalks, bicycle routes, and thoroughfares, as well as transit services – and that enable people to access the things they need, from the most basic to the extraordinary (See Figures 4-1 Bicycle Facilities, 4-2 Bus and Rail Routes, and 4-3 Roadway Classification Plan). Ventura is a community that recognizes that thoroughfares serve a variety of functions and are not simply conduits for automobile traffic.

Balancing automobile use with other means of travel is essential to maintaining social and physical health. Safe and enjoyable routes for pedestrians and bicyclists should connect every part of the city, and neighborhoods need to be linked by ample and convenient transit service along corridors. Ventura also must be connected to the larger region by a variety of transportation modes.

Thoroughfares have a tremendous effect on neighborhood character and therefore quality of life for both residents and visitors.

Thoroughfares are essentially the stage of public life where a diversity of citizens interact. They can create places of remembrance, chance encounters, and discovery. Ensuring that Ventura thoroughfares are *great places* requires improving design and quality as well as connectivity. In some cases, city thoroughfares are over-engineered to accommodate the worst-case scenario.

Slowing down automobiles, especially in residential neighborhoods, is a desire shared by many residents. Vehicle travel should be directed toward routes that minimize congestion, avoid conflicts with walkers and bicyclists, and keep residential neighborhoods free of excessive cut-through traffic. Additionally, in some areas of the city, suburban patterns have resulted in less connectivity than is desired by the community. Transportation modes and land uses in the city need to be distributed so that residents have close and easy access to meet their basic needs and travel destinations.

Traffic congestion is a major concern among Ventura residents. Although traffic on local roads is generally free-flowing, a few key intersections and road segments experience congestion during peak traffic hours. Simply widening roads to add lanes will not solve traffic congestion. Instead, the system needs integrated solutions that improve mobility for all



The essential qualities of a properly functioning mobility system are:

1. Well connected, interesting components
2. Convenient accessibility
3. Integrated linkage of all modes
4. Comfort and safety
5. Design reflecting natural and urban context

means of travel. While walking, biking, and transit use are already popular, these alternative modes need to be enhanced and better linked. For example, bus and rail systems serve Ventura, but not thoroughly enough to provide a reasonable alternative to auto use for most travelers. And while pedestrian access exists in most areas of Ventura, the network lacks continuous routes in some key locations.

As expressed in the *Ventura Vision*, a top community priority is to minimize automobile use through a fully integrated multi-modal transportation system. The policies and actions in this chapter aim to achieve this objective.

## Travel Modes

### Walking

Sidewalks are arguably the most important component of the city's mobility system. As with circulation in general, the utility of pedestrian systems is inextricably linked to land use patterns. Combined with urban design elements, land use patterns influence how much walking can safely and effectively occur in the community. Circulation systems that are designed with pedestrians in mind tend to increase outdoor activity and community interaction, while those oriented toward motor vehicles tend to create disincentives to walking.

Ventura's pedestrian system consists of sidewalks, access ramps, crosswalks, linear park paths, and overpasses and tunnels. Special corridors such as the Beachfront Promenade, California Plaza, and Figueroa Plaza have been designated especially for pedestrians. The pedestrian system also includes neighborhood and park path systems, and dedicated trail facilities that are shared with bicyclists and other users.

Pedestrian paths need to be interesting, enjoyable, and lead to a destination, from the most simple – such as a pocket park – to more grand points of arrival, such as major civic spaces. Creating a network of paths that connect key features such as parks, schools, civic facilities, shops, and services is vital to the success of reducing dependence on the

automobile. Those most in need of pedestrian access include children, teenagers, and the elderly, as well as those who cannot afford a car or choose not to drive.

The main deficiency of Ventura's pedestrian system is its discontinuity. Some sections of thoroughfares lack sidewalks, and pedestrian connections between some key use areas are in need of repair. Crosswalks are prohibited along some corridors, and pedestrian signal phases are not always long enough for all walkers. Traffic-calming measures also are needed to improve walkability in many neighborhoods. Citizens have placed a high emphasis on improving the pedestrian network, recommending specific improvements such as:

- narrowing selected thoroughfare segments,
- improving sidewalks and road crossings,
- lengthening pedestrian signal phases,
- adding marked crossings at key intersections,
- developing safe and attractive walkways from Downtown and Midtown to the beach,
- ensuring that new development provides ample pedestrian access,
- creating trails along watercourses and through the hillsides, and
- improving pedestrian facilities near schools.

Figure 4-1 illustrates the three State defined classes of bikeway facilities:

- Bike Path (Class I) – Class I bike paths are separated from roads by distance or barriers, and cross-traffic by motor vehicles is minimized.
- Bike Lane (Class II) – Class II bikeways are roadway lanes reserved for bicycles. These lanes are painted with pavement lines and markings and are signed.
- Bike Route (Class III) – Class III bike routes share existing roads and provide continuity to other bikeways or designated preferred routes through high traffic areas. There are no separate lanes, and bike routes are established by placing signs that direct cyclists and warn drivers of the presence of bicyclists.

Policies and actions in this chapter intend to improve pedestrian access through this range of methods.

Biking

Because bicycles are an integral component of the city’s mobility system, they are allowed on *all* city thoroughfares. The City has adopted a General Bikeway Plan intended to create a safe, accessible, and interconnected network of bike paths, lanes, and routes that will ensure Ventura becomes and remains a truly bicycle-friendly community. The General Bikeway Plan is a flexible, comprehensive, and long-range guide for bicycle transportation and recreation planning, design, and budget decision-making. Accordingly, it is designed to:

- refine and implement City bicycle-related policies,
- establish bikeway design standards,
- enhance bicycle safety and education programs,
- set priorities and phasing for improvements and amenities depicted on the Select System of Bikeways map, and
- identify funding means and opportunities for interagency cooperation.

The City places high emphasis on improving the local bicycle network by following the recommendations of the General Bikeway Plan, which include:

- connecting schools, parks, activity areas, housing areas, and employment centers with bike paths and lanes, particularly in areas without thoroughfares,
- constructing additional Class I or Class II bikeways in a number of locations, including along the Santa Clara River and the coast to connect to the Ventura River Trail,
- installing bicycle racks,
- updating bicycle facility standards to ensure proper design and maintenance,
- constructing improvements to resolve bicycle/automobile conflicts,
- establishing a highly visible route identification and signage program that fits the character of the community, and
- mitigating impacts on bicyclists from new development and during and following construction of roadway projects.

Policies and actions in this chapter seek to improve bicycle access and safety by carrying out these recommendations.



Public Transit – Bus & Rail

Transit service in Ventura includes bus and rail operations (see Figure 4-2). South Coast Area Transit (SCAT) provides local bus service, Ventura Intercity Transit Authority (VISTA) runs regional routes, and Greyhound offers statewide and national connections. Metrolink provides rail service to and from Los Angeles – although on a very limited schedule, while Amtrak trains that stop in Ventura run between San Luis Obispo and San Diego.

Although local bus routes connect most activity centers, the East End is not well served, and more frequent service is needed to key destinations such as the beach and downtown. Metrolink and Amtrak need to be linked to each other and accessed by local bus routes. An agreement between the City and the Ventura County Transportation Commission calls for identifying a permanent Metrolink site, and the best way to integrate all of these services is with a major multi-modal transit center that also accommodates potential additional future alternative transportation modes.

SCAT buses are equipped with wheelchair lifts and adjustable steps to ensure access for all riders. SCAT also offers discounted fares for seniors and disabled riders, as well as dial-a-ride service. However, seniors and mobility-impaired persons also desire frequent fixed-route service in smaller vehicles, and all riders need upgraded amenities at a number of stops. Bus routes also need increased frequency and

stops to make transit a viable alternative to driving.

Other transit system needs include:

- reduced-emission vehicles,
- continued use of schedule synchronization to accommodate route transfers, and
- service to regional destinations such as California State University Channel Islands and airports.

Policies and actions in this Chapter aim to improve transit efficiency, encourage ridesharing, and preserve long-term transit options.



### The Automobile and Types of Roadways

The most basic component of the mobility system is the *thoroughfare*, used not only by people who drive, but also by people who ride the bus, bike and walk. Thoroughfares encompass sidewalks, bicycle lanes, travel lanes, and are the most utilized means of travel in Ventura. This system is organized into the following classifications: local thoroughfares, collectors, and arterials (see Figure 4-3, Roadway Classification Plan – also known as “Circulation Plan”).

#### Local Thoroughfares

Local thoroughfares provide mobility within neighborhoods and are generally not shown on the Roadway Classification Plan. Local thoroughfares include *alleys*, *lanes*, and “*yield*” *streets*.

#### Collectors

Collectors serve as links between local thoroughfares. Collectors may front residential and neighborhood-serving commercial uses. Collectors can be configured as *boulevards*, *avenues*, *streets*, and *main streets*.

#### Arterials

Arterials are the primary mechanism for cross-town travel and serve the major centers of activity. These roads typically carry a high proportion of the total urban area travel. Arterials can be configured as *boulevards*, *avenues*, and *streets*.

Collector and arterial thoroughfare segments in the City are characterized in two ways that describe their physical features: *design* classification and *functional* classification. Design Classification defines the number of travel lanes using the following categories: Primary Arterial (6 lanes or more), Secondary Arterial (4 lanes), and Collector (2 lanes), as shown on the Roadway Classification Plan, Figure 4-3. Functional Classification describes how a thoroughfare is used: essentially as a *boulevard*, *avenue*, *street*, or *main street*.

Functional Classification also identifies whether roadways have medians, parking, bike lanes, and other streetscape attributes needed to achieve objectives other than just moving traffic, such as accommodating pedestrians, bicycles, and adjoining land uses and public spaces. Table 4-1 shows the design and functional classifications for thoroughfares in the City.

Ventura is mainly connected by 2-lane and 4-lane thoroughfares. The classification for each type of road segment represents a balance between vehicle capacity, pedestrian and bicycle access, parking requirements, streetscape character, and right-of-way limitations.

**Boulevard**

A multi-lane and generally urban corridor with a central, planted median.

**Avenue**

Avenues are typically multi-lane, short distance connectors, with a painted median, used in both residential and commercial areas, and often terminate at prominent buildings or plazas.

**Table 4-1 Thoroughfare Sizes and Types**

	Street Sizes (Engineering Design Classification)		
	Primary Arterial (6 or more lane roadway)	Secondary Arterial (4 lane roadway)	Collector (2 lane roadway)
Existing			
Future Widening			
Future Extension			
	Thoroughfare Types (Functional Classification)		
	Boulevard	Boulevard	Boulevard
	Avenue	Avenue	Avenue
		Street	Street
			Main Street

Source: Definitions for Design Classifications are the City's modifications to the American Association of State Highway and Transportation Officials (AASHTO) standards. Definitions for Functional Classifications are the City's modifications to the Traditional Neighborhood Development Street Design Guidelines.

**Street**

Street typically allows two way travel and may be multi-lane and does not have a central median and generally provides access to predominantly residential areas.



### Main Street

Main streets have 2 vehicle lanes. Their main purpose is to provide low-speed access to commercial, mixed-uses, and higher density neighborhoods.

Consistency between the design and functional classifications is determined based on the number of through lanes. Temporary improvements, such as restriping to change the number of lanes are allowed, however a permanent improvement that moves the curbs and changes the number of lanes would require an amendment to this plan.

The *Ventura Vision* offers several key recommendations to improve the city thoroughfare system:

- add or enhance north-south arterials;
- consider an additional Santa Clara River bridge, Portola Avenue overcrossing of U.S. 101, and Johnson Drive overcrossing of Route 126; and
- soften the barrier impact of U.S. 101 by working with Caltrans to improve signage, aesthetics, undercrossings, and overcrossings.

Policies, actions, and the Roadway Classification Plan work together to address these recommendations. To improve the safety and functioning of the thoroughfare network and to maintain its compatibility with the character of the community, the policies and actions in this

chapter also call for upgrading problem thoroughfares and intersections, improving and constructing freeway ramps, and connecting unfinished roadways. Additional actions intend to protect views from scenic routes, including State-designated scenic highways.


**Policy 4A: Ensure that the transportation system is safe and easily accessible to all travelers.**

Action 4.1: Direct city transportation investment to efforts that improve user safety and keep the circulation system structurally sound and adequately maintained. First priority for capital funding will go to our pavement management program to return Ventura streets to excellent condition.


Action 4.2: Develop a prioritized list of projects needed to improve safety for all travel modes and provide needed connections and multiple route options.

Action 4.3: Provide transportation services that meet the special mobility needs of the community including youth, elderly, and disabled persons.


Action 4.4: Combine education with enforcement to instill safe and courteous use of the shared public roadway.

Action 4.5: Utilize existing roadways to meet mobility needs, and only consider additional travel lanes when other alternatives are not feasible. 

Action 4.6: Require new development to be designed with interconnected transportation modes and routes to complete a grid network.


Action 4.7: Update the traffic mitigation fee program to fund necessary citywide circulation system and mobility improvements needed in conjunction with new development. 


Action 4.8: Implement the City's Neighborhood Traffic Management Program and update as necessary to improve livability in residential areas.

Action 4.9: Identify, designate, and enforce truck routes to minimize the impact of truck traffic on residential neighborhoods. 


Action 4.10: Modify traffic signal timing to ensure safety and minimize delay for all users.

Action 4.11: Refine level of service standards to encourage use of alternative modes of transportation while meeting state and regional mandates.


Action 4.12: Design roadway improvements and facility modifications to minimize the potential for conflict between pedestrians, bicycles, and automobiles. 


Action 4.13: Require project proponents to analyze traffic impacts and provide adequate mitigation in the form of needed improvements, in-lieu fee, or a combination thereof. 


**Policy 4B: Help reduce dependence on the automobile.**


Action 4.14: Provide development incentives to encourage projects that reduce automobile trips. 

Action 4.15: Encourage the placement of facilities that house or serve elderly, disabled, or socioeconomically disadvantaged persons in areas with existing public transportation services and pedestrian and bicycle amenities.

Action 4.16: Install roadway, transit, and alternative transportation improvements along existing or planned multi-modal corridors, including primary bike and transit routes, and at land use intensity nodes. 


Action 4.17: Prepare and periodically update a Mobility Plan that integrates a variety of travel alternatives to minimize reliance on any single mode. 


Action 4.18: Promote the development and use of recreational trails as transportation routes to connect housing with services, entertainment, and employment. 


Action 4.19: Adopt new development code provisions that establish vehicle trip reduction requirements for all development. 


Action 4.20: Develop a transportation demand management program to shift travel behavior toward alternative modes and services.


Action 4.21: Require new development to provide pedestrian and bicycle access and

facilities as appropriate, including connected paths along the shoreline and watercourses. 

Action 4.22: Update the General Bikeway Plan as needed to encourage bicycle use as a viable transportation alternative to the automobile and include the bikeway plan as part of a new Mobility Plan. 

Action 4.23: Upgrade and add bicycle lanes when conducting roadway maintenance as feasible. 

Action 4.24: Require sidewalks wide enough to encourage walking that include ramps and other features needed to ensure access for mobility-impaired persons. 

Action 4.25: Adopt new development code provisions that require the construction of sidewalks in all future projects. 


Action 4.26: Establish a parking management program to protect the livability of residential neighborhoods, as needed.

Action 4.27: Extend stubbed-end streets through future developments, where appropriate, to provide necessary circulation within a developing area and for adequate internal circulation within and between neighborhoods. Require new developments in the North Avenue area, where applicable, to extend Norway Drive and Floral Drive to connect to Canada Larga Road; and connect the existing segments of Floral Drive. Designate



the extension of Cedar Street between Warner Street and south of Franklin Lane and the linking of the Cameron Street segments in the Westside community as high priority projects.


**Policy 4C: Increase transit efficiency and options.**


Action 4.28: Require all new development to provide for citywide improvements to transit stops that have sufficient quality and amenities, including shelters and benches, to encourage ridership. 

Action 4.29: Develop incentives to encourage City employees and local employers to use transit, rideshare, walk, or bike.

Action 4.30: Work with public transit agencies to provide information to riders at transit stops, libraries, lodging, and event facilities.

Action 4.31: Work with public and private transit providers to enhance public transit service.


Action 4.32: Coordinate with public transit systems for the provision of additional routes as demand and funding allow. 

Action 4.33: Work with Amtrak, Metrolink, and Union Pacific to maximize efficiency of passenger and freight rail service to the City and to integrate and coordinate passenger rail service with other transportation modes. 

Action 4.34: Lobby for additional transportation funding and changes to Federal, State, and regional transportation policy that support local decision-making.

Action 4.35: The City shall pursue funding and site location for a multi-modal transit facility in coordination with VCTC, SCAT, U.P.R.R., Metrolink, Greyhound Bus Lines, and other forms of transportation.


**Policy 4D: Protect views along scenic routes.**


Action 4.36: Require development along the following roadways – including noise mitigation, landscaping, and advertising – to respect and preserve views of the community and its natural context. 

- State Route 33
- U.S. HWY 101
- Anchors Way
- Brakey Road
- Fairgrounds Loop
- Ferro Drive
- Figueroa Street
- Harbor Boulevard
- Main Street
- Navigator Drive
- North Bank Drive
- Poli Street/Foothill Road
- Olivas Park Drive
- Schooner Drive
- Spinnaker Drive
- Summit Drive

- Telegraph Road – east of Victoria Avenue
- Victoria Avenue – south of U.S. 101
- Wells Road

Action 4.37: Request that State Route 126 and 33, and U.S. HWY 101 be designated as State Scenic Highways.

Action 4.38: Continue to work with Caltrans to soften the barrier impact of U.S. HWY 101 by improving signage, aesthetics and undercrossings and overcrossings. 

Action 4.39: Maintain street trees along scenic thoroughfares, and replace unhealthy or missing trees along arterials and collectors throughout the City. 



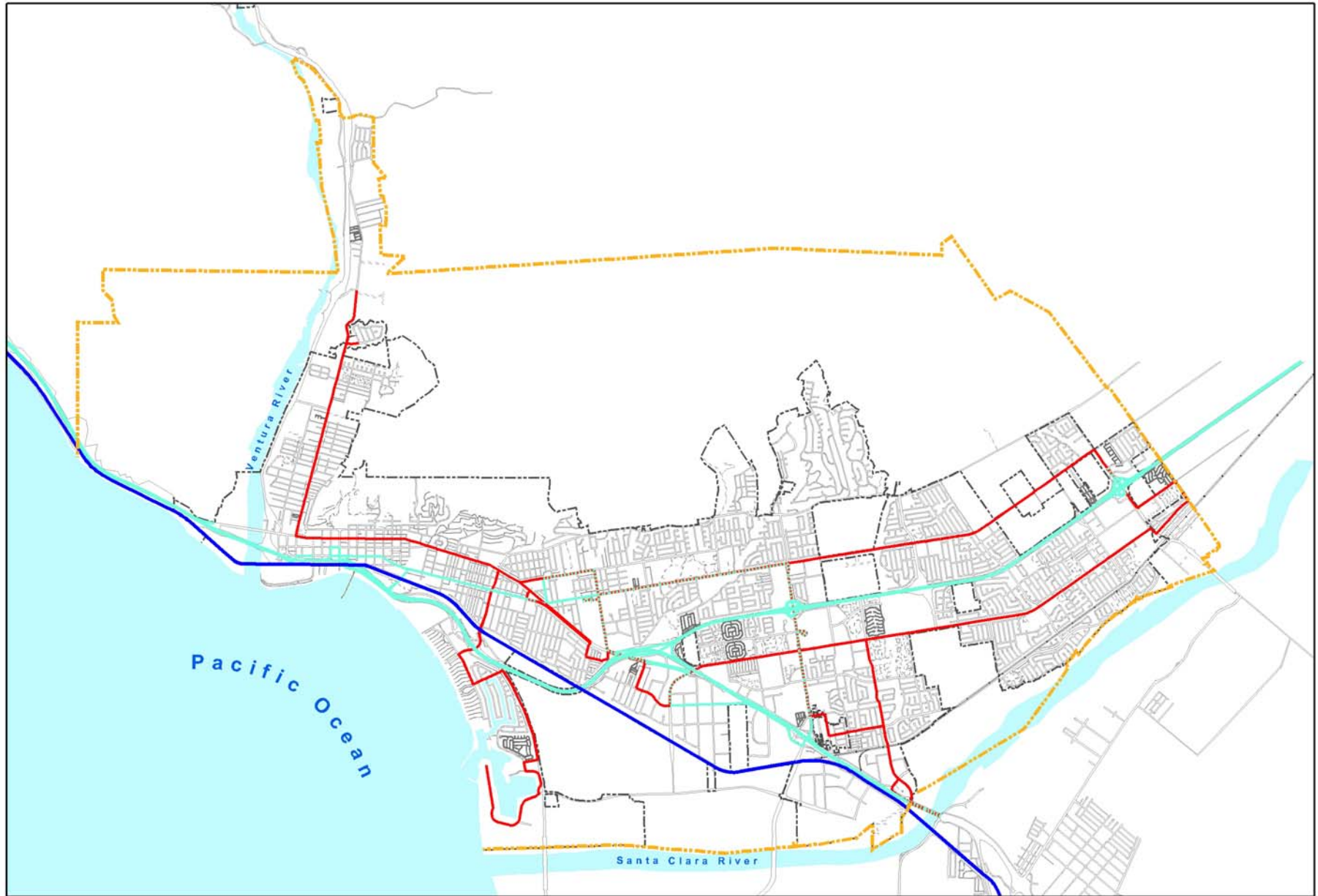
Note: Bike facilities shown on this figure are taken from the 1999 General Bikeway Plan and may change as updates to the General Bikeway Plan are completed.

**Figure 4-1**  
Bicycle Facilities









This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



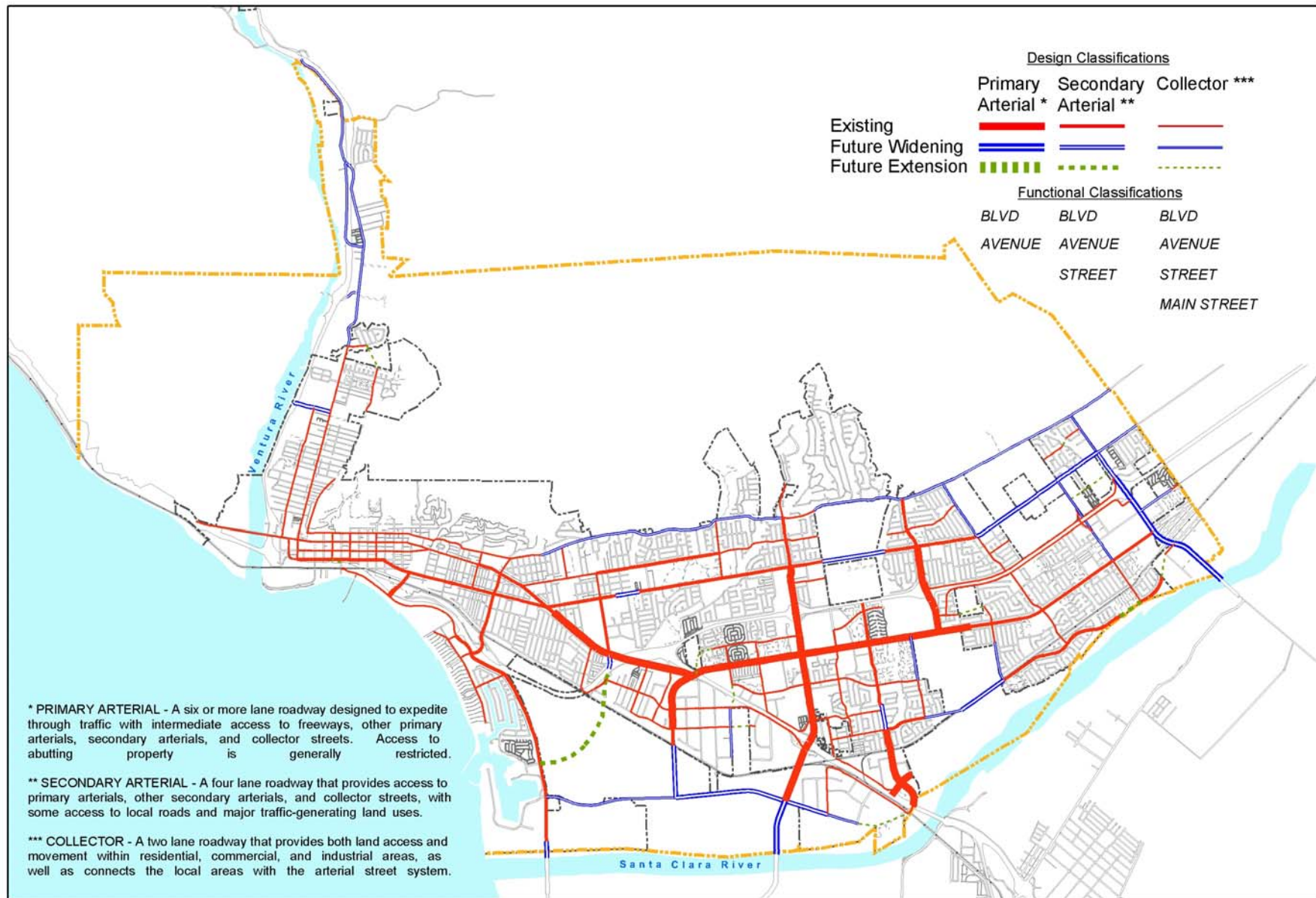


Note: Bus and Rail routes shown on this figure are current as of August 8, 2005 and may change as determined by each operator.

**Figure 4-2**  
Bus and Rail Routes

Routes		Other	
SCAT		--- City Limits	
VISTA		..... Planning Boundary	
SCAT & VISTA			
RAIL			

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



- - - City Limits
- - - Planning Boundary

**Note: Future extensions shown are conceptual in nature, unless a specific alignment has been approved by the City Council.**

**Figure 4-3**  
Roadway Classification Plan







"Now, I truly believe, that we in this generation, must come to terms with nature, and I think we're challenged as mankind has never been challenged before to prove our maturity and our mastery, not of nature, but of ourselves."

— Rachel Carson  
Biologist, Writer, Ecologist 1907-1964



## 5. OUR SUSTAINABLE INFRASTRUCTURE

**Our goal is to safeguard public health, well-being and prosperity by providing and maintaining facilities that enable the community to live in balance with natural systems.**

### Essential Support Systems

Infrastructure is an extremely important though largely unnoticed foundation of quality of life in Ventura. Efficient water supply, wastewater treatment, and drainage systems are vital to most daily activities. These facilities on which the community depends need regular maintenance, and they frequently require upgrading both to meet the demands of a growing population and to be sensitive to environmental resources.

To ensure that citizens get high-quality drinking water, the City owns and operates a State-certified laboratory where water quality is tested continuously. Each City treatment plant is also run by State-certified operators who monitor water quality. As a result, City water exceeds State and federal water quality requirements.

The City employs conservation measures and emerging technology in its effort to achieve a high standard for wastewater treatment while protecting natural systems. As a result, treatment capability historically has outpaced community needs, with even peak flows typically reaching only 75 percent of plant capacity. Even so, further expanding the use of reclaimed water and

reducing water consumption will be vital to maintaining long-term water supplies.

Much of the storm drain system is aging and in need of repair or replacement, especially corrugated metal pipes in some of the older areas of Ventura. Collecting adequate fees that truly reflect the cost of serving development can help support City efforts to preclude additional deficiencies, and relying on and complementing natural drainage features can both help avoid the need for expensive and environmentally damaging channelization and improve the functioning of the overall drainage system.

### Water Supply

The City provides drinking water, and water for fire protection, to households and businesses in Ventura through a complex system with more than 500 miles of distribution mains, 3 water treatment plants, 22 booster pump stations, 25 treated water reservoirs, and 13 wells. Five distinct sources provide surface and ground water to the City supply system:

- Casitas Municipal Water District
- Ventura River surface water intake, subsurface water and wells (Foster Park)
- Mound groundwater basin
- Oxnard Plain groundwater basin (Fox Canyon Aquifer)
- Santa Paula groundwater basin

The City also holds a State Water Project entitlement of 10,000 acre-feet per year;



however, new facilities would need to be constructed to transport this water to the City. The City updates its Urban Water Management Plan every two years (instead of every five years as required by State law) as part of its ongoing effort to ensure that City-managed water supplies will continue to accommodate demand in Ventura.

Meeting future water demands requires saving and reusing every drop possible. The City utilizes recycled water from its reclamation facility (a tertiary wastewater treatment plant) near the Harbor to augment the municipal water supply. Recycled water is used to irrigate City and private landscaping in the area and the Buenaventura and Olivas Park municipal golf courses. The remaining effluent is discharged to the Santa Clara River Estuary.

Largely as a result of conservation efforts, water consumption per city resident has generally declined (see Table 5-1). Projections anticipate that the City will continue to be able to meet consumer needs. Policies and actions in this chapter seek to refine demand management practices and conservation programs to further reduce per capita water use so that Ventura can sustain water resources for many more generations.

**Table 5-1  
Historic and Projected Water Production (Acre Feet)**

Year	Estimated Population Served	Per Capita Use <sup>1</sup>	Treated Water Production	Raw Water Production	Total Water Production
<b>Historic</b>					
1980	73,774	0.236	17,381	4,766	22,147
1990	94,856	0.177	16,831	2,317	19,148
1995	99,668	0.165	16,428	1,602	18,030
1996	100,482	0.180	18,038	1,500	19,538
1997	101,096	0.178	18,002	1,829	19,831
1998	101,610	0.165	16,775	1,769	18,544
1999	102,224	0.192	19,658	1,067	20,725
2000	103,238	0.198	20,437	1,129	21,566
2001	104,153	0.173	18,071	889	18,960
2002	105,267	0.180	18,965	968	19,933
2003	106,782	0.183	19,510	846	20,356
<b>Projected</b>					
2005	109,465	0.179	19,594	1,000	20,594
2010	115,774	0.179	20,724	1,000	21,724
2015	122,447	0.179	21,918	1,000	22,918
2020	129,504	0.179	23,181	1,000	24,181

Sources: City of Ventura Urban Water Management Plan, Dec. 2000, City of Ventura 2004 Biennial Water Supply Report, as amended, September 2004.

<sup>1</sup> Per Capita use excludes raw water.

**Wastewater Treatment**

Ventura residents generate millions of gallons of wastewater each day, which is carried by more than 450 miles of sewer mains and 12 lift stations to the water reclamation facility in the Harbor area near the mouth of the Santa Clara River. While most residents receive sewer service directly from the City, three other sanitary sewer agencies with their own treatment facilities provide service to some citizens in the Montalvo, Saticoy, and North Ventura Avenue areas. As shown in Table 5-2, all local treatment facilities operate well below capacity.

About two-thirds of the wastewater treated locally is discharged to the Santa Clara River Estuary, as allowed by the Regional Water Quality Control Board. The remaining effluent is either transferred to recycling ponds, where some is delivered as reclaimed water, or it percolates to underground aquifers or evaporates. The policies and actions in this chapter call for improving treatment system efficiency to reclaim and reuse as much water as possible.

**Table 5-2 Treatment Facilities**

Treatment Facilities	Treatment Type	Capacity	Average Daily Flow
Ventura Water Reclamation Facility	Tertiary	14 MGD	9.0 MGD (68% capacity)
Montalvo Municipal Improvement District Treatment Plant	Secondary	0.36 MGD	0.242 MGD (67% capacity)
Saticoy Sanitary District Treatment Plant	Secondary <sup>2</sup>	0.25 MGD	0.16 MGD (64% capacity)
Ojai Valley Sanitary District Treatment Plant	Tertiary	3 MGD	2.0 MGD (71% capacity)

<sup>2</sup> Includes nutrient removal prior to percolation.  
Source: Individual agencies listed




### **Storm Drainage**


Storm runoff travels from the hills above Ventura through the City until it is absorbed into the ground or reaches the Ventura River, the Santa Clara River, or the Pacific Ocean. To convey the occasional high flows associated with storms, the Ventura County Flood Control District oversees about 20 natural or concrete lined barrancas that serve as the major drainage courses for local watersheds. The City has about 20 miles of off-street drain system designed to convey runoff from all but the most severe of storms, in which case water also runs off via city streets.

Maintaining the barrancas and other watercourses that are not already lined with concrete as natural flood channels can help reduce peak flows by limiting water velocity. Incorporating natural features into drainage systems rather than hard treatment devices also can improve water quality and reduce maintenance costs. The policies and actions in this chapter seek to prevent increases in future storm water impacts by incorporating natural drainage and flood control features such as wildlife ponds and wetlands – instead of cement retention basins – into the storm drain system where possible. Such less intensive approaches not only cost less, but they also preserve environmental resources and protect water quality.




**Policy 5A: Follow an approach that contributes to resource conservation.**

Action 5.1: Require low flow fixtures, leak repair, and drought tolerant landscaping (native species if possible), plus emerging water conservation techniques, such as reclamation, as they become available. 


Action 5.2: Use natural features such as bioswales, wildlife ponds, and wetlands for flood control and water quality treatment when feasible. 

Action 5.3: Demonstrate low water use techniques at community gardens and city-owned facilities.


Action 5.4: Update the Urban Water Management plan as necessary in compliance with the State 1983 Urban Water Management Planning Act.


Action 5.5: Provide incentives for new residences and businesses to incorporate recycling and waste diversion practices, pursuant to guidelines provided by the Environmental Services Office. 


**Policy 5B: Improve services in ways that respect and even benefit the environment.**


Action 5.6: Require project proponents to conduct sewer collection system analyses to determine if downstream facilities are adequate to handle the proposed development. 

Action 5.7: Require project proponents to conduct evaluations of the existing water distribution system, pump station, and storage


requirements in order to determine if there are any system deficiencies or needed improvements for the proposed development. 


Action 5.8: Locate new development in or close to developed areas with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. 


Action 5.9: Update development fee and assessment district requirements as appropriate to cover the true costs associated with development. 


Action 5.10: Utilize existing waste source reduction requirements, and continue to expand and improve composting and recycling options. 


Action 5.11: Increase emergency water supply capacity through cooperative tie-ins with neighboring suppliers.


Action 5.12: Apply new technologies to increase the efficiency of the wastewater treatment system. 

Action 5.13: Increase frequency of city street sweeping, and post schedules at key points within each neighborhood. 

Action 5.14: Develop a financing program for the replacement of failing corrugated metal storm drain pipes in the City. 

Action 5.15: Establish assessment districts or other financing mechanisms to address storm drain system deficiencies in areas where new development is anticipated and deficiencies exist. 

Action 5.16: Require new developments to incorporate stormwater treatment practices that allow percolation to the underlying aquifer and minimize offsite surface runoff utilizing methods such as pervious paving material for parking and other paved areas to facilitate rainwater percolation and retention/detention basins that limit runoff to pre-development levels. 

Action 5.17: Require stormwater treatment measures within new development to reduce the amount of urban pollutant runoff in the Ventura and Santa Clara Rivers and other watercourses. 

Action 5.18: Work with the Ventura Regional Sanitation District and the County to expand the capacity of existing landfills, site new landfills, and/or develop alternative means of disposal that will provide sufficient capacity for solid waste generated in the City.





"Leave all the afternoon for exercise and recreation, which are as necessary as reading. I will rather say more necessary because health is worth more than learning."

— Thomas Jefferson  
3rd President of the United States  
1801-1809



**6. OUR ACTIVE COMMUNITY**

**Our goal is to add to and enhance our parks and open spaces to provide enriching recreation options for the entire community.**

**Higher Standards**

For many people, spending time outdoors and participating in recreational activities represent some of life’s most cherished rewards. Ventura’s superb public park, open space, and recreation system offers a myriad of ways to partake in these privileges. The city offers 34 developed parks, 45 miles of linear park and trail network, stellar beaches, specialized play and sports facilities and programs, communitywide events, senior and youth activities, and two 18-hole tournament class public golf courses. Figure 6-1 at the end of this chapter shows the locations of various public facilities in the city.

The City is committed to ensuring that its citizens have ample access to high quality spaces for leisure and active recreation. The City’s adopted standard of 10 acres per 1,000 residents has created far more park area than would be possible under the basic State level of 3 acres per 1,000, and also tops the more ambitious National Park and Recreation Association benchmarks for specific park types (see Table 6-1). The City continues to create customized facilities like the Community Park (approved by the voters pursuant to SOAR) to expand opportunities for local residents to enjoy healthy, active lifestyles.

Park Type	Standards	
	City of Ventura	National Park & Recreation Association
Neighborhood	2 acres	1.5 acres
Community	3 acres	2.5 acres
Citywide	5 acres	5 acres
Total	10 acres	9 acres

*Sources: City of Ventura, [www.nrpa.org](http://www.nrpa.org).*



### City Parks and Open Space

The public park and open space system in Ventura includes neighborhood, community, citywide, and linear parks. As shown in Table 6-2, the City oversees nearly 600 acres of developed park facilities, plus the linear park network, which provides important connections among watersheds for both people and wildlife.



As the City continually strives to improve the quality of leisure and recreation opportunities for everyone in the community, it must address a number of challenges such as:

- modernizing existing facilities,
- finding appropriate land for new facilities,
- developing useful and enjoyable public spaces, such as plazas and mini-parks in urban settings,
- formalizing shared use arrangements for non-City facilities like school playfields,
- meeting increasing demand for athletic courts, fields and pools,
- provide opportunities for passive recreation, and
- providing services needed by youth, seniors, and residents with special needs.



#### *Neighborhood Parks*

Typically less than 8 acres each, these smaller parks primarily serve specific residential areas in the community. The 18 neighborhood parks in Ventura cover about 73 total acres. Any future development outside the current city limits will have to provide new neighborhood parks to serve the added population.

#### *Community Parks*

These parks are designed to offer specialized opportunities and facilities to residents of more than one neighborhood. Amenities in community parks may include formal athletic fields, courts, recreation buildings, preschool and youth play structures, group and individual picnic areas, and landscaped areas for informal activity or leisure.

#### *Citywide Parks*

These parks feature recreational opportunities that draw a wide range of age and interest groups from throughout the city. They offer a variety of attractive amenities, such as large open spaces, unique natural resources, interpretive centers, cultural amenities, group picnic areas, sports facilities, and equestrian, bicycling, and hiking trails. The Ventura Community Park also serves some citywide park functions and attracts visitors from outside the city with its high-quality playing fields and aquatic center.

#### *Linear Parks*

Ventura's unique linear park network intersperses trails and picnic areas among a mostly undeveloped web of barranca and riverbanks that provide valuable wildlife habitat and migration corridors. The linear parks also merge with a number of neighborhood and community parks, complementing developed recreation areas with natural riparian qualities. Extending trails through the linear park network can create additional opportunities for low-impact contact with nature, and in some cases even provide pleasant non-automobile commuting options.

**Table 6-2 City Park Facilities**

Park	Park Size (in acres)				
	Neighborhood Parks	Community Parks	Citywide Parks	Special Use Facilities	Total
Albinger Archaeological Museum				0.9	0.9
Arroyo Verde Park	2.0	23.0	104.3		129.3
Barranca Vista Park	8.7				8.7
Blanche Reynolds Park	3.4				3.4
Camino Real Park			38.2		38.2
Cemetery Memorial Park	7.1				7.1
Chumash Park	6.1				6.1
Downtown Mini-Park	0.4				0.4
Eastwood Park				0.7	0.7
Fritz Huntsinger Youth Sports Complex	4.3	14.0			18.3
Grant Park			107.3		107.3
Harry A. Lyon Park			10.7		10.7
Hobert Park	7.1				7.1
Juanamaria Park	5.0				5.0
Junipero Serra Park	2.7				2.7
Linear Park Network				46.0	46.0
Marina Park			15.3		15.3
Marion Cannon Park	5.0				5.0
Mission Park	1.5				1.5
Ocean Avenue Park	1.3				1.3
Olivas Adobe Historical Park				22.5	22.5
Ortega Adobe Historic Residence				0.3	0.3
Plaza Park	3.7				3.7
Promenade Park	1.0				1.0
Seaside Wilderness Park <sup>1,2</sup>				24.0	24.0
Surfers Point at Seaside Park <sup>1</sup>				3.4	3.4
Ventura Community Park		100.0			100.0
Westpark	1.5	5.8			7.3
<b>Total</b>	<b>60.8</b>	<b>142.7</b>	<b>275.8</b>	<b>97.8</b>	<b>577.1</b>

Sources: City of Ventura, 2004. Note: several parks serve functions in more than one category.  
<sup>1</sup> Acreage varies with ocean high levels.  
<sup>2</sup> Acreage varies with fluctuations in Ventura River level.

As with most parks in the city, resources for linear park system improvements typically come through conditions placed on adjacent development. City regulations establish standards for park width, landscaping, fencing, lighting, and tree rows that apply specifically along barrancas, freeways, rivers, the shoreline, harbor, hillsides, and utility rights-of-way.



### **Recreation Programs**

The City operates four neighborhood centers where recreation programs and senior services are available: the Ventura Avenue Adult Center, Senior Recreation Center, Barranca Vista Center, and Westpark Community Center. The City also offers a wide range of sports programs, including youth and adult sports programs, classes, aquatics, and corporate games. Other City-sponsored recreational activities include arts and environmental education, community gardening, recreation programs for special needs residents, and after-school activities and summer camps.


A variety of other recreation opportunities are available in Ventura in addition to City programs. Foremost among these are all of the activities possible at State beaches and developed waterfront areas. Other local non-City facilities include the County Fairgrounds and local golf courses. In addition, joint-use agreements allow city residents to use sports fields, pools, and gymnasiums during certain times at public schools and Ventura College.


The policies and actions in this chapter seek to further expand local park and recreation choices by:


- identifying sites for new parks,
- increasing public access to open space, including via linear park trails,
- collaborating with schools and other local agencies and organizations,
- ensuring universal and equal access to parks and recreation facilities, and
- allowing appropriate revenue-generating activities at City parks.





**Policy 6A: Expand the park and trail network to link shoreline, hillside, and watershed areas.**


Action 6.1: Develop new neighborhood parks, pocket parks, and community gardens as feasible and appropriate to meet citizen needs, and require them in new development. 

Action 6.2: Require higher density development to provide pocket parks, tot lots, seating plazas, and other aesthetic green spaces. 

Action 6.3: Work with the County to plan and develop trails that link the City with surrounding open space and natural areas, and require development projects to include trails when appropriate. 


Action 6.4: Request Flood Control District approval of public access along unchannelized watercourses for hiking. 

Action 6.5: Seek landowner permission to allow public access on properties adjacent to open space where needed to connect trails. 

Action 6.6: Update plans for and complete the linear park system as resources allow. 

Action 6.7: Work with the County of Ventura to initiate efforts to create public trails in the hillsides.


Action 6.8: Update and require periodic reviews of the Park and Recreation Workbook as necessary to reflect City objectives and community needs.

Action 6.9: Require dedication of land identified as part of the City's Linear Park System in conjunction with new development. 

Action 6.10: Evaluate and incorporate, as feasible, linear park segments in the General Bikeway Plan.

Action 6.11: Update standards for citywide public parks and open space to include an expanded menu of shared park types, and identify locations and potential funding sources for acquiring new facilities in existing neighborhoods.

Action 6.12: Update and carry out the Grant Park Master Plan.

Action 6.13: Foster the partnership between the City and Fair Board to improve Seaside Park. 

**Policy 6B: Ensure equal access to facilities and programs.**


Action 6.14: Improve facilities at City parks to respond to the requirements of special needs groups.


Action 6.15: Adjust and subsidize fees to ensure that all residents have the opportunity to participate in recreation programs.

Action 6.16: Update the project fee schedule as necessary to ensure that development provides its fair share of park and recreation facilities.

**Policy 6C: Provide additional gathering spaces and recreation opportunities.**

Action 6.17: Update and create new agreements for joint use of school and City recreational and park facilities.

Action 6.18: Offer programs that highlight natural assets, such as surfing, sailing, kayaking, climbing, gardening, and bird watching. 

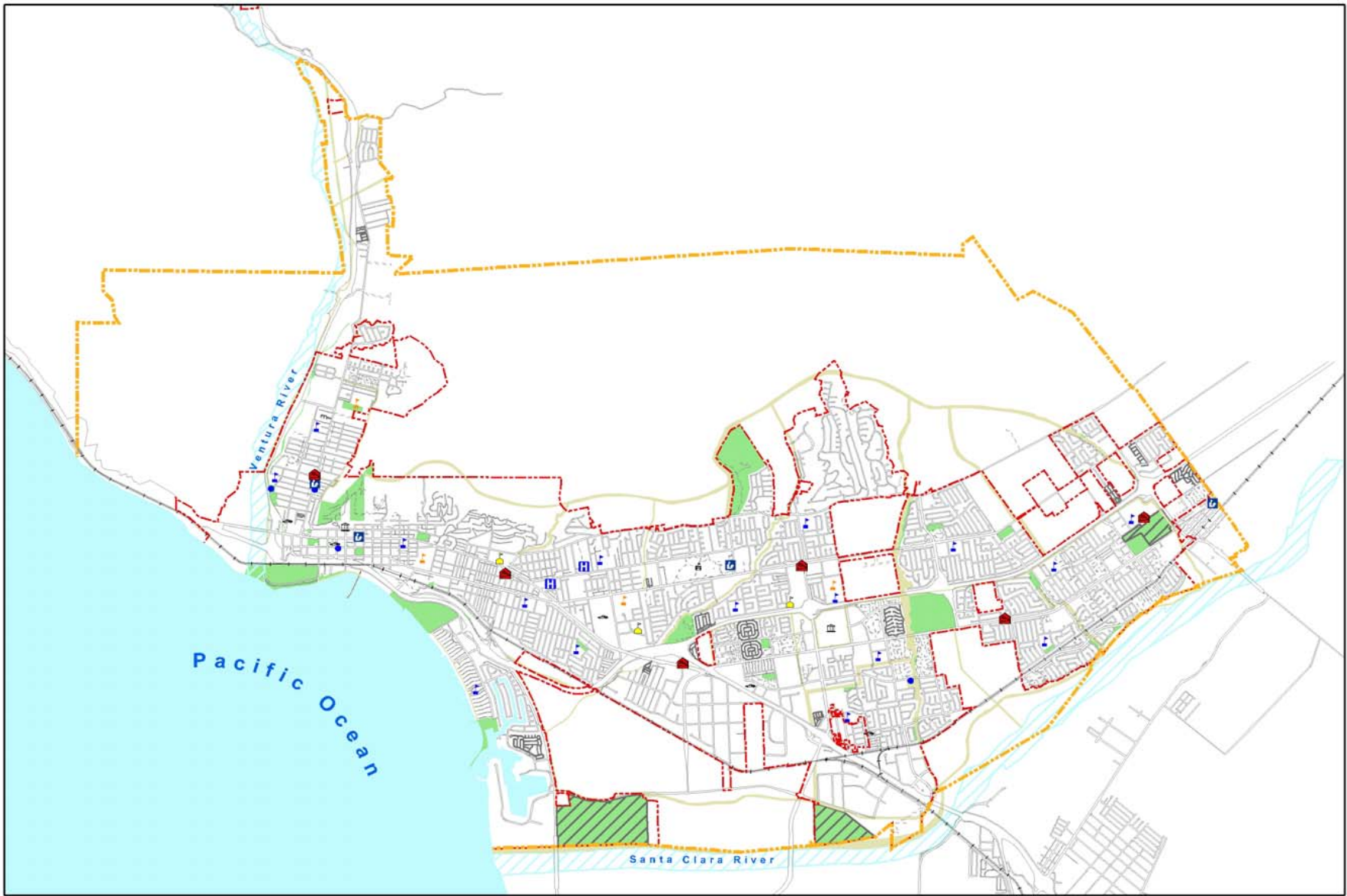
Action 6.19: Provide additional boating and swimming access as feasible. 

Action 6.20: Earmark funds for adequate maintenance and rehabilitation of existing skatepark facilities, and identify locations and funding for new development of advanced level skatepark facilities.

**Policy 6D: Increase funding and support for park and recreation programs.**

Action 6.21: Promote the use of City facilities for special events, such as festivals, tournaments, and races.

Action 6.22: Enter into concession or service agreements where appropriate to supplement City services.



- Police Station
- Fire Stations
- Hospitals
- Government Center
- Elementary School
- Middle School
- High School
- Community College
- Library
- Recreational Facilities
- Linear Park
- Parks
- Golf Courses
- City Limits
- Planning Area

**Figure 6-1**  
Public Facilities

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



"A city, like a living thing, is a united and continuous whole."

— Plutarch  
ca. 50-120 AD, author of *Moralia*



## 7. OUR HEALTHY AND SAFE COMMUNITY

**Our goal is to build effective community partnerships that protect and improve the social well-being and security of all our citizens.**

### **Community Wellness**

Keeping the small town feel of Ventura depends on working together as a community to look out for the well being of all residents, especially those most at risk. Community wellness requires comprehensive preventative care, as well as careful preparation for and response to dangers within the built environment and to risks posed by natural processes (see Figure 7-1).

Adequate shelter, sufficient medical services, walkable neighborhoods, and proper nutrition create an essential foundation for a healthy community. Reducing as much as possible the threat to people and property from earthquakes, landslides, floods, and fires further enhance the collective wellness of the city. In addition, a healthy Ventura community requires thorough protection from crime, and freedom from pollution, unwanted noise, and the threat of hazardous materials.

*Alquist-Priolo designation requires a geologic investigation prior to the approval of a development permit to determine if a specific site within the zone is threatened by surface displacement from future fault movement.*

### **Geologic and Flood Hazards**

Ventura lies in an active geologic region and is therefore subject to a variety of seismic hazards, including ground shaking, liquefaction, and slope failure. State law requires the City to regulate development in mapped seismic hazard zones. Major faults in the city include the Ventura-Foothill (a State-designated Alquist-Priolo Earthquake Fault Zone), Oak Ridge, McGrath, Red Mountain and Country Club Faults. Areas closest to these faults are most likely to experience ground shaking or rupture in the event of an earthquake. Liquefaction during an earthquake is most likely to occur in areas with loose, granular soils where the water table lies within 50 feet of the surface. As the soil liquefies, buildings and other objects may tilt or sink.

Hillside stability varies based on slope, soil, rock type and groundwater depth. The hills north of Poli Street/Foothill Road have experienced many historic landslides and are prone to future movement. The City Hillside Management Program limits development in the area to minimize dangers from landsliding, erosion, flooding, and fire, and to retain natural and scenic character.

The Federal Emergency Management Agency regulates development along watercourses based on the likelihood of flooding: the basic benchmark – the 100-year flood – has a one percent chance of occurring in any given year. Although the mapped 100-year flood hazard areas for local rivers and barrancas are fairly limited in size, the largest recorded flood events along the Ventura

and Santa Clara Rivers, both following heavy rains in 1969, exceeded the 100-year flood zone. The policies and actions in this Chapter intend to limit harm from geologic and flood events by requiring detailed risk analyses and mitigation prior to development of sites in hazard prone areas.

### Fire and Emergency Response

The Ventura Fire Department responds to fire, medical, and disaster calls from six stations in the city. The Department's goal is to reach the scene within 4 minutes 90% of the time. The Department has a reciprocal agreement with the County Fire Protection District to ensure that Ventura residents receive the swiftest service possible. The Department also has a responsibility to provide disaster preparedness for the City. Particular fire department concerns in the City include:



- the need for reliable and sustainable source of fire service revenue,
- lengthy response times to areas farthest from existing stations (See Figure 7-2),
- firefighter and support staffing levels that are far below the .98 firefighter per 1,000 population averages of other municipal fire departments with comparable city size, age, and population,
- the threat of wildland fire entering urban area, and
- the lack of fire protection systems in older structures.

The policies and actions in this Chapter aim to optimize firefighting and emergency response capabilities through oversight of new development, improved facilities, and added staff.



### **Police Protection**

Ventura Police response to crimes in progress or alarm soundings averages less than six minutes, and less than sixteen minutes for most other calls. While the local crime rate is slightly higher than State average, the Department hopes to better engage the community in policing efforts to lower crime levels. As part of a Strategic Planning Process, the Department has established the following goals:

- reduce crime and the fear of crime
- improve the quality of life in neighborhoods
- enhance community and police partnerships
- develop personnel
- continued accountability

One-time grant funding has helped add officers dedicated to community crime prevention, gang control, and youth mentoring programs. As these grants end the City must face the challenge of funding these services. Actions in this Chapter seek to improve the full range of police services to maximize community safety by increasing staffing, outreach efforts, and public access to police services.



**Noise**

Noise is generally defined as unwanted sound. Its effects can range from annoyance to nuisances to health problems. State law requires the City to identify and address noise sources and establish projected noise levels for roadways, railroads, industrial uses, and other significant generators. The Noise Contours map (Figure 7-3) is used to help guide land use in a way that minimizes exposure of residents to excessive noise.

Vehicle traffic is by far the greatest source of noise affecting Ventura residents. Other sources include the Seaside Park raceway, the Grant Park shooting range, and railroad, commercial, and industrial activity. Homes, schools, hotels, and hospitals are considered sensitive receptors where excessive noise can interfere with normal activities.

Noise intensity is customarily measured on the decibel scale, an index of loudness. Sounds as faint as 10 decibels (dB) are barely audible, while noise over 120 dB can be painful or damaging to hearing (Table 7-1 shows some typical noise levels). A sound 10 dB higher than another is perceived as about twice as loud. A 5 dB change is readily noticeable, but a 3 dB difference is barely perceptible.

As shown in Table 7-2, normally acceptable outdoor noise in residential areas may reach 65 decibels. The Ldn label in the table indicates that sound is averaged over time to account for the fact that sources like traffic or aircraft may cause fluctuations of more than 20 dB over a few

seconds. CNEL refers to the fact that 5 dB is added to noise after 7 p.m. and 10 dB added from 10 p.m. to 7 a.m., when quieter conditions make sound more noticeable.

The State Building Code requires an acoustical study whenever outdoor noise would exceed 60 decibels at a proposed duplex, multifamily residence, hotel, motel or other attached dwelling. The study must show that the proposed project design would result in interior noise levels of 45 dB or less.

Although future increases in traffic are not expected to produce a significant change in perceived noise levels, other specific sound generators have been identified as problems in the community. The policies and actions in this chapter look to reduce the exposure of people in Ventura to these noise sources.

**Table 7-1. Typical Noise Levels**

Type of Noise or Environment	Decibels
Recording Studio	20
Soft Whisper; Quiet Bedroom	30
Busy Open-plan Office	55
Normal Conversation	60-65
Automobile at 20 mph 25 ft. away	65
Vacuum Cleaner 10 ft. away	70
Dump Truck at 50 mph 50 ft. away	90
Train Horn 100 ft. away	105
Claw Hammer; Jet Takeoff 200 ft. away	120
Shotgun at shooter's ear	140

**Table 7-2  
Acceptable Noise Levels**

LAND USE CATEGORY	COMMUNITY NOISE EXPOSURE Ldn or CNEL, dBA						
	55	60	65	70	75	80	85
RESIDENTIAL - LOW DENSITY SINGLE FAMILY, DUPLEX, MOBILE HOMES	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
RESIDENTIAL - MULTI-FAMILY	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
TRANSIENT LODGING - MOTELS, HOTELS	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
SCHOOLS, LIBRARIES, CHURCHES, HOSPITALS, NURSING HOMES	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
AUDITORIUMS, CONCERT HALLS, AMPHITHEATRES	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
SPORTS ARENA, OUTDOOR SPECTATOR SPORTS	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
PLAYGROUNDS, NEIGHBORHOOD PARKS	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
GOLF COURSES, RIDING STABLES, WATER RECREATION, CEMETERIES	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
OFFICE BUILDINGS, BUSINESS COMMERCIAL AND PROFESSIONAL	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]
INDUSTRIAL, MANUFACTURING, UTILITIES, AGRICULTURE	[Yellow bar from 55 to 60]		[Cyan bar from 60 to 70]		[Dark teal bar from 70 to 75]		[Black bar from 75 to 80]

**NORMALLY ACCEPTABLE**  
Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

**CONDITIONALLY ACCEPTABLE**  
New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.

**NORMALLY UNACCEPTABLE**  
New construction or development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

**CLEARLY UNACCEPTABLE**  
New construction or development should generally not be undertaken.

Source: General Plan Guidelines, California Office of Planning and Research

**Hazardous Materials**

Hazardous materials include medical and industrial wastes, pesticides, herbicides, radioactive materials, and combustible fuels. Improper use, storage, transport, or disposal of these materials may result in harm to humans, surface or ground water degradation, air pollution, fire, or explosion. Most of the several hundred facilities in Ventura that use or store hazardous materials lie along Ventura Avenue or in the Arundell industrial district.

The Fire Department maintains a team specially trained and equipped to respond to hazardous materials emergencies. Additional equipment and personnel for large-scale hazardous materials incidents is available from the County Fire Protection District, the City of Oxnard, and the U.S. Naval Construction Battalion Center in Port Hueneme.

The Westside and North Avenue neighborhoods include about 30 brownfields: sites that may possess contaminated soils but also have potential for reuse. Cleanup of these sites will make them more attractive for redevelopment that can improve the neighborhoods and generate employment and tax revenue. The City has established a Brownfield Assessment Demonstration Pilot Program to fund site assessments and initiate remediation. The policies and actions in this chapter intend to minimize the risk of adverse health effects of hazardous materials by regulating their location and seeking funding for cleanup of brownfield sites to encourage their reuse.

**Policy 7A: Encourage wellness through care and prevention.**

Action 7.1: Work with interested parties to identify appropriate locations for assisted-living, hospice, and other care-provision facilities.

Action 7.2: Provide technical assistance to local organizations that deliver health and social services to seniors, homeless persons, low-income citizens, and other groups with special needs.


Action 7.3: Participate in school and agency programs to:


- provide healthy meals,
- combat tobacco, alcohol, and drug dependency,
- distribute city park and recreation materials through the schools, and
- distribute information about the benefits of proper nutrition and exercise.

Action 7.4: Enhance or create ordinances which increase control over ABC licensed premises.


Action 7.5: Investigate the creation of new land use fees to enhance funding of alcohol related enforcement, prevention and training efforts.

**Policy 7B: Minimize risks from geologic and flood hazards.**


Action 7.6: Adopt updated editions of the California Construction Codes and International Codes as published by the State of California and the International Code Council respectively. 

Action 7.7: Require project proponents to perform geotechnical evaluations and implement mitigation prior to development of any site: 


- with slopes greater than 10 percent or that otherwise have potential for landsliding,
- along bluffs, dunes, beaches, or other coastal features
- in an Alquist-Priolo earthquake fault zone or within 100 feet of an identified active or potentially active fault,
- in areas mapped as having moderate or high risk of liquefaction, subsidence, or expansive soils,
- in areas within 100-year flood zones, in conformance with all Federal Emergency Management Agency regulations.

Action 7.8: To the extent feasible, require new critical facilities (hospital, police, fire, and emergency service facilities, and utility “lifeline” facilities) to be located outside of fault and tsunami hazard zones, and require critical facilities within hazard zones to incorporate construction principles that resist damage and facilitate evacuation on short notice. 


Action 7.9: Maintain and implement the Standardized Emergency Management System (SEMS) Multihazard Functional Response Plan.


Action 7.10: Require proponents of any new developments within the 100-year floodplain to implement measures, as identified in the Flood Plain Ordinance, to protect structures from 100-year flood hazards (e.g., by raising the finished floor elevation outside the floodplain). 



Action 7.11: Prohibit grading for vehicle access and parking or operation of vehicles within any floodway. 

**Policy 7C: Optimize firefighting and emergency response capabilities.**

Action 7.12: Refer development plans to the Fire Department to assure adequacy of structural fire protection, access for firefighting, water supply, and vegetation clearance. 

Action 7.13: Resolve extended response time problems by: 

- adding a fire station at the Pierpont/Harbor area,
- relocating Fire Station #4 to the Community Park site,
- increasing firefighting and support staff resources,
- reviewing and conditioning annexations and development applications, and
- require the funding of new services from fees, assessments, or taxes as new subdivisions are developed.

Action 7.14: Educate and reinforce City staff understanding of the Standardized Emergency Management System for the State of California.


**Policy 7D: Improve community safety through enhanced police service.**

Action 7.15: Increase public access to police services by:

- increasing police staffing to coincide with increasing population, development, and calls for service,
- increasing community participation by creating a Volunteers in Policing Program, and,
- require the funding of new services from fees, assessments, or taxes as new subdivisions are developed.


Action 7.16: Provide education about specific safety concerns such as gang activity, senior-targeted fraud, and property crimes.

Action: 7.17: Establish a nexus between police department resources and increased demands associated with new development.


Action 7.18: Continue to operate the Downtown police storefront. 


Action 7.19: Expand Police Department headquarters as necessary to accommodate staff growth.


**Policy 7D: Minimize exposure to air pollution and hazardous substances.**

Action 7.20: Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools. 

Action 7.21: Require analysis of individual development projects in accordance with the most current version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines and, when significant impacts are

identified, require implementation of air pollutant mitigation measures determined to be feasible at the time of project approval. 

Action 7.22: In accordance with Ordinance 93-37, require payment of fees to fund regional transportation demand management (TDM) programs for all projects generating emissions in excess of Ventura County Air Pollution Control District adopted levels. 


Action 7.23: Require individual contractors to implement the construction mitigation measures included in the most recent version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines. 

Action 7.24: Only approve projects involving sensitive land uses (such as residences, schools, daycare centers, playgrounds, medical facilities) within or adjacent to industrially designated areas if an analysis provided by the proponent demonstrates that the health risk will not be significant.


Action 7.25: Adopt new development code provisions that ensure uses in mixed-use projects do not pose significant health effects.


Action 7.26: Seek funding for cleanup of sites within the Brownfield Assessment Demonstration Pilot Program and other contaminated areas in West Ventura.


Action 7.27: Require proponents of projects on or immediately adjacent to lands in industrial,

commercial, or agricultural use to perform soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending upon the nature of any identified contamination). 


Action 7.28: Educate residents and businesses about how to reduce or eliminate the use of hazardous materials, including by using safer non-toxic equivalents.

Action 7.29: Require non-agricultural development to provide all necessary buffers, as determined by the Agriculture Commissioner's Office, from agricultural operations to minimize the potential for pesticide drift. 


Action 7.30: Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation. 


Action 7.31: Work toward voluntary reduction or elimination of aerial and synthetic chemical application in cooperation with local agricultural interests and the Ventura County agricultural commissioner. 


**Policy 7E: Minimize the harmful effects of noise.**


Action 7.32: Require acoustical analyses for new residential developments within the mapped 60 decibel (dBA) CNEL contour, or within any area designated for commercial or industrial use, and require mitigation necessary to ensure that: 


- Exterior noise in exterior spaces of new residences and other noise sensitive uses that are used for recreation (such as patios and gardens) does not exceed 65 dBA CNEL, and
- Interior noise in habitable rooms of new residences does not exceed 45 dBA CNEL with all windows closed.


Action 7.33: As funding becomes available, construct sound walls along U.S. 101, SR 126, and SR 33 in areas where existing residences are exposed to exterior noise exceeding 65 dBA CNEL. 

Action 7.34: Request that sound levels associated with concerts at the County Fairgrounds be limited to 70 dBA at the eastern edge of that property. 

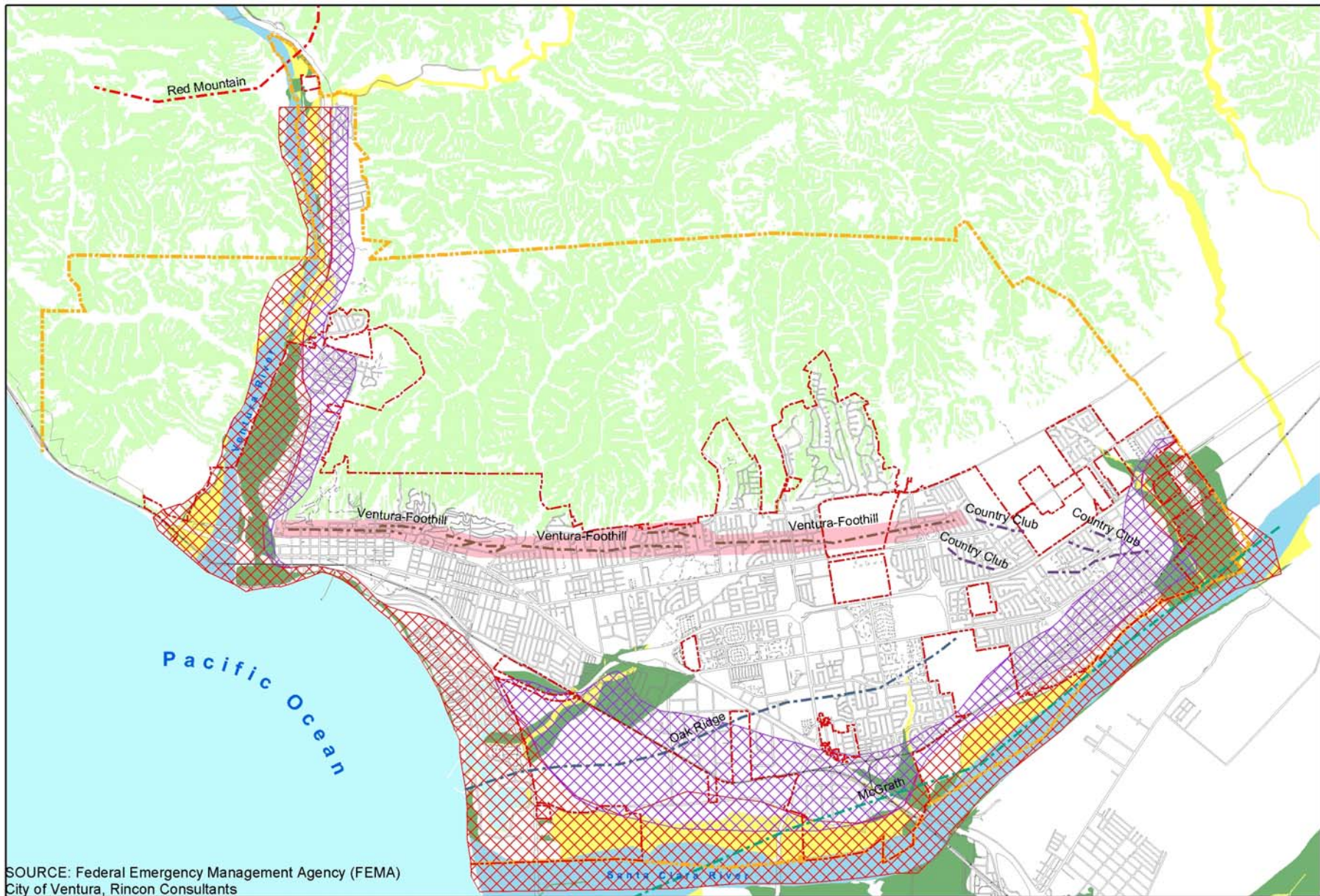
Action 7.35: Request the termination of auto racing at the County fairgrounds. 

Action 7.36: Amend the noise ordinance to restrict leaf blowing, amplified music, trash collection, and other activities that generate complaints. 

Action 7.37: Use rubberized asphalt or other sound reducing material for paving and re-paving of City streets. 

Action 7.38: Update the Noise Ordinance to provide standards for residential projects and residential components of mixed-use projects within commercial and industrial districts. 





SOURCE: Federal Emergency Management Agency (FEMA)  
City of Ventura, Rincon Consultants

- |                                  |                                     |                                     |                                       |
|----------------------------------|-------------------------------------|-------------------------------------|---------------------------------------|
| <b>FEMA Flood Hazard Zones</b>   | <b>Liquefaction Zones</b>           | <b>Major Fault Systems</b>          | <b>Other</b>                          |
| Yellow box: A (100-yr floodzone) | Red cross-hatch: High Water Table   | Blue dashed line: Country Club      | Red dashed line: City Limits          |
| Green box: B (500-yr floodzone)  | Purple cross-hatch: Low Water Table | Green dashed line: McGrath          | Yellow dashed line: Planning Boundary |
| Blue box: Floodway               |                                     | Black dashed line: Oak Ridge        | Light green box: >30% Slope           |
|                                  |                                     | Red dashed line: Red Mountain       |                                       |
|                                  |                                     | Black dashed line: Ventura-Foothill |                                       |

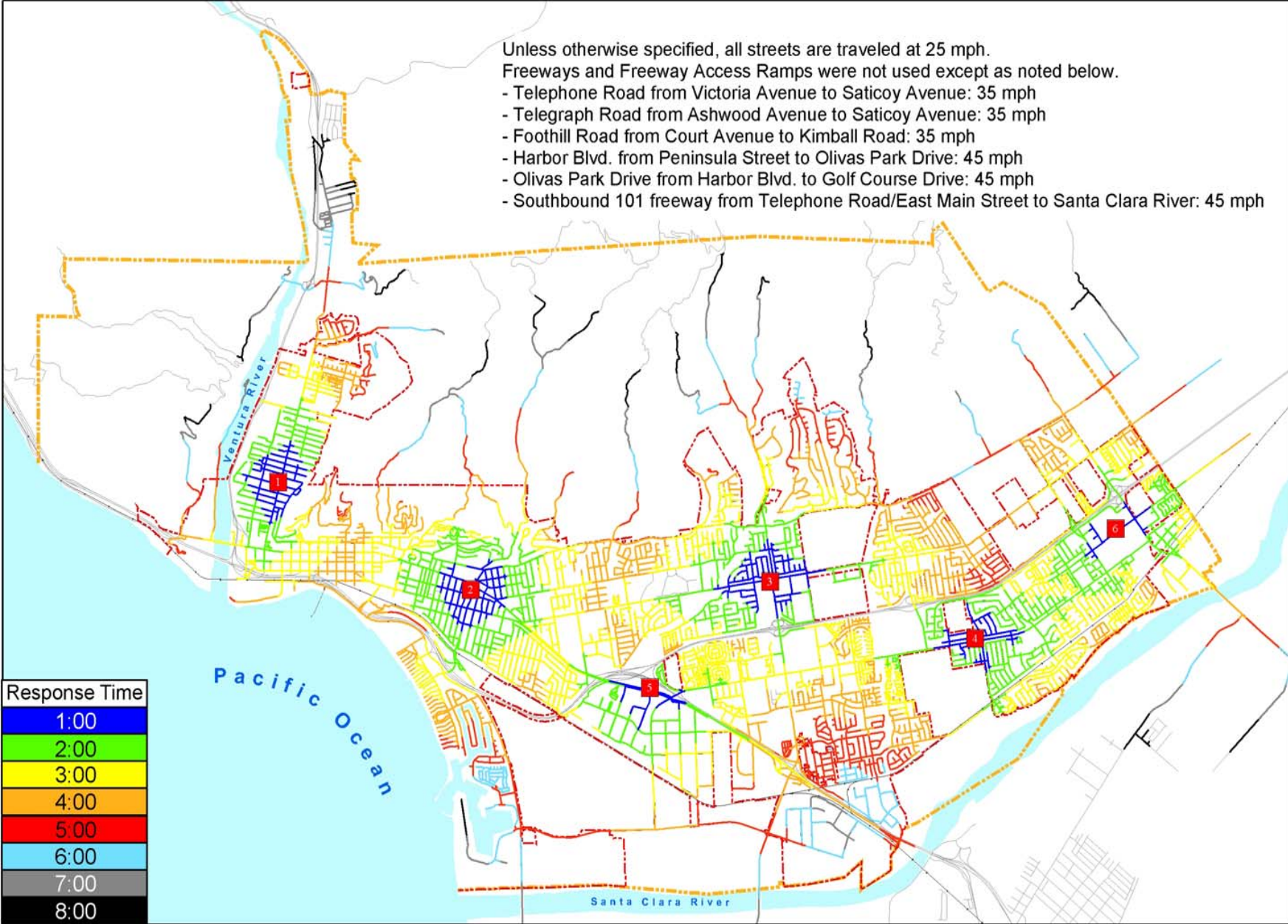
**Figure 7-1**  
Natural Hazards

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



Unless otherwise specified, all streets are traveled at 25 mph.  
 Freeways and Freeway Access Ramps were not used except as noted below.

- Telephone Road from Victoria Avenue to Saticoy Avenue: 35 mph
- Telegraph Road from Ashwood Avenue to Saticoy Avenue: 35 mph
- Foothill Road from Court Avenue to Kimball Road: 35 mph
- Harbor Blvd. from Peninsula Street to Olivas Park Drive: 45 mph
- Olivas Park Drive from Harbor Blvd. to Golf Course Drive: 45 mph
- Southbound 101 freeway from Telephone Road/East Main Street to Santa Clara River: 45 mph



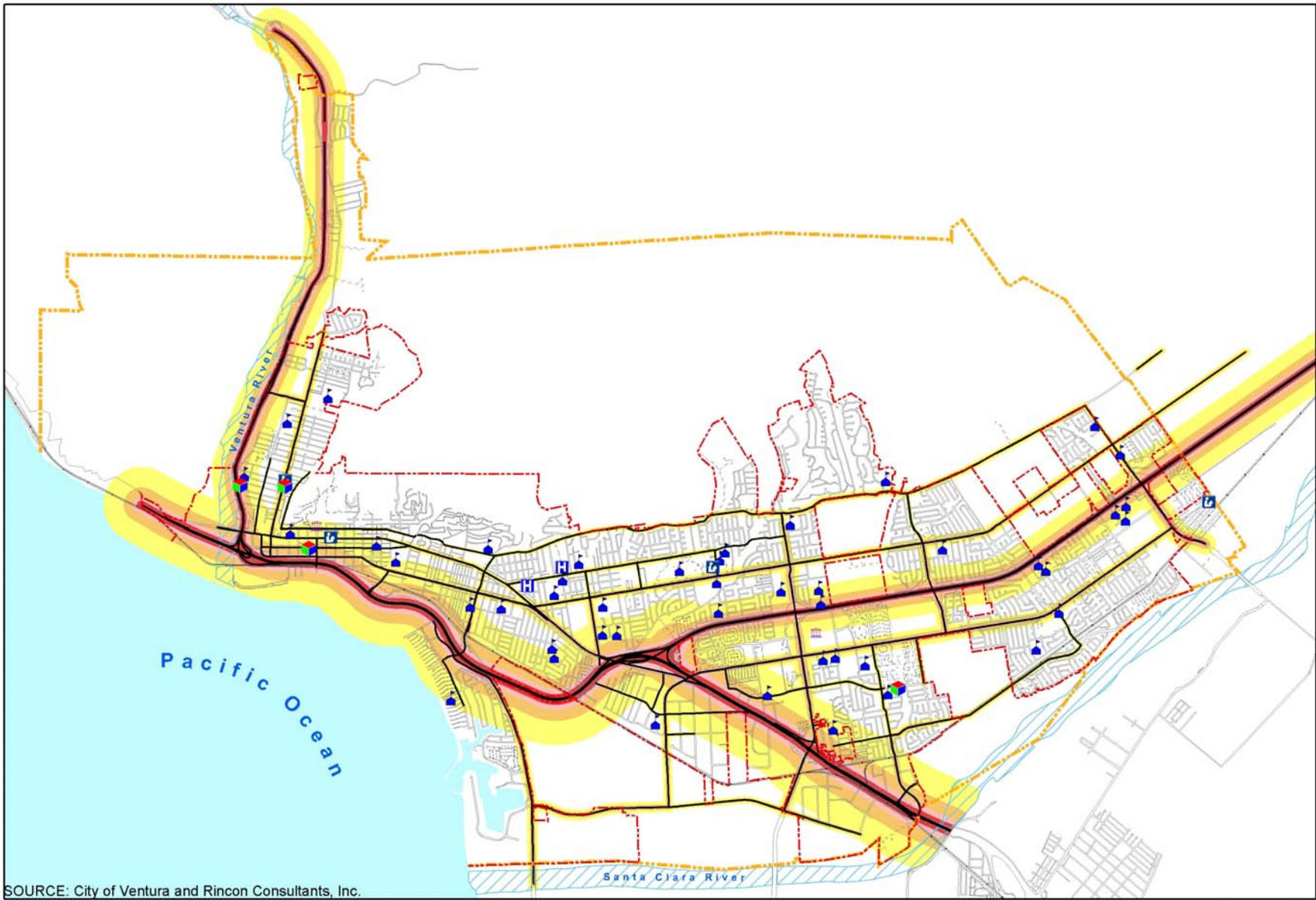
Response Time	
1:00	
2:00	
3:00	
4:00	
5:00	
6:00	
7:00	
8:00	

SOURCE: City of Ventura

- City Limits
- Planning Boundary
- Existing Fire Stations 1-6

**Figure 7-2**  
 Fire Response Time

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



SOURCE: City of Ventura and Rincon Consultants, Inc.

**Figure 7-3**  
Noise Contours

- Noise Contours
- 60dBA
  - 65dBA
  - 70dBA
  - 75dBA
  - Countoured Streets (Over 5000 ADT)
  - Recreation Centers
  - Hospitals
  - Schools
  - Library
  - Government Centers
  - City Limits
  - Planning Boundary

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.







"A vigorous culture capable of making corrective, stabilizing changes depends heavily on its educated people, and especially upon their critical capacities and depth of understanding."

— Jane Jacobs  
*Dark Age Ahead*



## 8. OUR EDUCATED COMMUNITY

**Our goal is to encourage academic excellence and life-long learning resources to promote a highly-educated citizenry.**

### Lifelong Learning

Education is more important than ever before as the foundation for the vitality of informed community participation in Ventura. The *Ventura Vision* calls for the city to be “a community dedicated to educational excellence and an emphasis on lifelong learning.” A truly educated community is key to achieving most of the goals in this General Plan because:

- In the 21<sup>st</sup> Century information economy a highly educated and skilled workforce is vital to community prosperity,
- Education and the institutions that provide it are critical to achieving environmental and cultural leadership, and
- An educated and informed citizenry is essential to sound planning and decision-making.

While Ventura has a comparatively well-educated population (see Table 8-1), the high costs of doing business and finding housing in the city will force even greater emphasis on businesses and jobs that require ever-higher levels of skill. The need and desire for lifelong learning will require relentlessly expanding educational resources and access to them in the years ahead. Plus, the assets that strong educational institutions provide

are necessary to bring a rich cultural life to the community as well.

Ventura can build on an impressive base of well-regarded public schools, array of private alternatives, major community college, satellite university campuses, expanding media-training institute, law school, and three branch libraries, among other educational resources. The key to becoming renowned as a local “learning community” lies in creating stronger linkages between these existing resources and integrating them into the physical and social landscape of our community.

### Leveraging our Assets

Excellence in public education is the top priority for the Ventura Unified School District (whose boundaries extend beyond the city). In Ventura, the District manages 16 elementary schools, four middle schools, three high schools, and one continuation high school, plus independent study and adult education programs.

In addition to District schools, the city also is home to more than a dozen private schools (see Table 8-2), serving 13 percent of elementary and high school students living in Ventura, according to the 2000 Census. Figure 6-1 shows school locations in the city.

**Table 8-1  
Education Level**

Schooling Completed	Percent of Population
High School	21.7
Some College	28.2
Associate Degree only	9.6
Bachelors Degree only	15.4
Graduate Degree	9.3
<b>High School Diploma &amp; Above</b>	<b>84.1</b>
<b>Associate Degree &amp; Above</b>	<b>34.2</b>

*Source: 2001 Ventura County Economic Outlook*

**Table 8-2  
Private Schools**

School	Grades
First Baptist Day	K-5
St. Augustine Academy	4-12
Sacred Heart	K-8
Ventura Missionary Christian Day	K-8
College Heights Christian	K-8
St. Bonaventure High School	9-12
Holy Cross	K-8
Our Lady of The Assumption	K-8
St. Paul's Parish Day	K-8
Grace Lutheran Christian Day	K-6
Jameson	K-12
Ventura County Christian	K-12
Hill Road Montessori Preschool	K-3
Wells Road Baptist Academy	K-12

Most public schools operate at or near capacity (see Table 8-3), and continuing growth in Ventura requires the District to search for sites for new schools (see Table 8-4). Developers of new projects are required to dedicate land or pay fees for school purposes, and any major annexation of land outside the city is likely to have to provide a school site to serve new resident children. Still, the scarcity and cost of suitable sites means that greater thought will need to be given to shared facility use and other non-traditional approaches to expanding capacity.

**Table 8-3. Ventura Unified School District Enrollment**

Schools – No.	Students	Capacity
Elementary – 17	8,093	95%
Middle – 4	4,304	93%
High - 3	4,820	85%
<b>TOTAL</b>	<b>17,217</b>	<b>92%</b>

Source: Ventura Unified School District, 2003

**Table 8-4. Public School Demand**

School Type	Students/School	School Needs	Acres Needed <sup>1</sup>
Elementary	600	4	40
Middle	1,000	1	20
High	2,000	1	40
<b>TOTAL</b>		<b>6</b>	<b>100</b>

1. Assumes 10 acres for elementary schools, 20 acres for middle schools, and 40 acres for high schools.

Source: Ventura Unified School District, 2003

Ventura is increasingly becoming recognized as a center for higher education. Ventura College is a highly respected two-year school with more than 12,000 students, providing everything from a

distinguished transfer opportunity for the University of California to certificates and associates degrees in important fields such as manufacturing and nursing. Students also can obtain four-year degrees in certain fields at the UCSB Ventura Center. Brooks Institute of Photography provides education in photojournalism, filmmaking, and related fields, providing the city with a significant cultural asset. Residents can earn graduate degrees in law, public policy, and education at the Ventura campuses of California Lutheran University, Azusa Pacific University, the Ventura College of Law, and the Southern California Institute of Law. The opening of the nearby California State University Channel Islands has drawn many students and faculty to live in Ventura, especially those in creative fields.

Combined, these institutions of higher learning provide Ventura with tremendous educational assets. Through the policies and actions in this chapter, the City is committed to nurturing these institutions, creating synergy among them, and instilling both cultural and economic opportunities.

**Libraries of the Future**

The County public library system in Ventura currently operates three branch libraries that serve about 200,000 visits annually (see Table 8-5). But in a digital age where more and more content is available online, the traditional book borrowing function is becoming outmoded. Library administrators and staff, the City’s Library Advisory Commission, and patrons have all pointed to needs for adding library space, extending operating hours, and updating and expanding learning resources.

At a more fundamental level, the ideas of what constitutes a library and how it fits the patterns of a learning community need to be reexamined. Integration with school libraries, including the Ventura College Learning Center, is a top priority for this reevaluation, as embodied in the policies and actions in this chapter.

**City and Community Programs**

Traditional classroom settings alone cannot provide the complete set of educational skills and experience needed by people of all ages. The City provides a variety of learning opportunities, including youth and adult art programs, environmental education, adaptive recreation programs, youth after-school activities, and summer camps. Community organizations also provide a range of classes and experiences, including tours, museums, lectures, and hands-on activities. Expanding venues for such activities and promoting participation in them are key challenges.

Policies and actions in this chapter seek to expand lifelong learning opportunities for everyone in the community.

**Table 8-5. Local Libraries**

Library	Card-Holders	2003-2004 Patronage	Hours Open Weekly	Facility Size (sq. ft.)
E. P. Foster	48,195	366,134	54	31,000
H. P. Wright			39	12,000
Avenue			25	3,000

*Source: Ventura County Library Administration, 2005*

**Policy 8A: Reach out to institutions and educators to advance lifelong learning.**

Action 8.1: Work closely with schools, colleges, and libraries to provide input into site and facility planning.


Action 8.2: Organize a regional education summit to generate interest in and ideas about learning opportunities.


Action 8.3: Adopt joint-use agreements with libraries, schools, and other institutions to maximize use of educational facilities.

Action 8.4: Distribute information about local educational programs.

**Policy 8B: Increase the availability and diversity of learning resources.**

Action 8.5: Install infrastructure for wireless technology and computer networking in City facilities.

Action 8.6: Establish educational centers at City parks. 

Action 8.7: Work with the State Parks Department to establish a marine learning center at the Harbor. 

Action 8.8: Work with the Ventura Unified School District to ensure that school facilities can be provided to serve new development.

**Policy 8C: Reshape public libraries as 21<sup>st</sup> Century learning centers.**

Action 8.9: Complete a new analysis of community needs, rethinking the role of public libraries in light of the ongoing advances in information technology and the changing ways that individuals and families seek out information and life-long learning opportunities.

Action 8.10: Reassess the formal and informal relationships between our current three branch public libraries and school libraries – including the new Ventura College Learning Resource Center – as well as joint use of facilities for a broader range or compatible public, cultural, and educational uses.

Action 8.11: Develop a Master Plan for Facilities, Programs, and Partnerships to create an accessible, robust, and vibrant library for the 21<sup>st</sup> Century system, taking into consideration that circulation of books is no longer the dominant function but will continue to be an important part of a linked network of learning centers.

Action 8.12: Develop formal partnerships, funding, capital strategies, and joint use agreements to implement the new libraries Master Plan.







"Whatever you can do, or dream you can,  
begin it. Boldness has genius, power and  
magic in it."

— Johann Wolfgang von Goethe

CITY OF  
**VENTURA**

OUR CREATIVE COMMUNITY  
ventura's general plan

9. OUR CREATIVE COMMUNITY

Our goal is to become a vibrant cultural center by weaving the arts and local heritage into everyday life.

**A Rich Foundation**

Local history, artistic expression, and cultural diversity play vital roles in making Ventura a vibrant and interesting place. The heritage of Chumash civilization, which developed over the course of about 9,000 years, and influences of Mexican settlement establish a rich tableau for the modern development of the city. Art in museums, galleries, and public places, as well as space and energy devoted to the creation of artwork and crafts connect the community in complex and fundamental ways. Cultural expression in the form of festivals and informal gatherings provide additional and essential bonds that strengthen the community.

**Historic Context**

Abundant food and water, temperate climate, and ample material for tool manufacturing attracted early local inhabitants. Chumash peoples were living in a string of coastal villages when Spanish explorers arrived in 1542. Shisholop village (at the south end of present-day Figueroa Street) was a thriving Chumash provincial capital at the time of the Spanish arrival. Other Chumash villages and burial sites have been found in what are now the North Avenue and Saticoy neighborhoods, as well as north of the Ventura River. Mexican settlers began to arrive in earnest

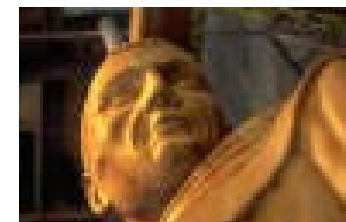
**Table 9-1  
Key Historical and Cultural Sites**

Site	Description
Albinger Museum	Artifacts spanning 3,500 years excavated from a site next to the Mission are on display in this former adobe at 113 East Main Street.
Downtown	Downtown Ventura is home to a variety of 19 <sup>th</sup> Century buildings that house restaurants and retail establishments in a small-town setting with a variety of cultural amenities.
Olivas Adobe Park	Completed in 1849 for the Raymundo ranching family, the well-preserved hacienda at 4200 Olivas Park Road is utilized as concert and banquet facility.
Ortega Adobe	Built in 1857, the adobe is only remaining example of the middle class homes that once lined West Main Street. The building has since been used as a police station and restaurant.
San Buenaventura Mission	Built in 1782, the Mission anchors the western part of the downtown area and is still used for regular Catholic services.
Santa Gertrudis Chapel	The Chapel was originally completed around 1809. The site is located along Highway 33 near Foster Park.
San Miguel Chapel	The site is located at Thompson Boulevard and Palm Street. The original chapel dated back to the early 1800s.
Ventura County Museum of History and Art	The museum at 100 East Main Street houses exhibits featuring local artists and historical artifacts. Expansion plans include a 200-seat auditorium and a gallery with touring exhibits.

*Source: City of Ventura*

after the founding of Mission San Buenaventura in 1782.

More than 90 historic sites have been identified in the planning area (which includes areas outside the city). Notable ones include the Mission, the Ortega and Olivas Adobes, and the locations of the Santa Gertrudis and San Miguel Chapels (See Table 9-1 and Figure 9-1). Many of the existing buildings in Ventura were constructed between 1880 and 1940, a period that coincided with development of the railroads and harbor. City



Hall (formerly the County Courthouse) and the Mission aqueduct are listed as landmarks on the National Register of Historic Places, and structures in the following historic districts are protected by City architectural controls:

- the grounds within the Mission District,
- the Mitchell block (south of Thompson Boulevard between Chestnut and Fir Streets),
- the Selwyn Shaw block (north of Poli Street between Ann and Hemlock Streets), and
- the Simpson Tract (west of Ventura Avenue between Simpson and Prospect Streets).





**Arts and Culture**

When the City first adopted a Community Cultural Plan in 1992, Ventura’s creative community was in its fledgling stage. Few of the now-thriving professional art and cultural organizations existed (see Table 9-2). A burgeoning visual artist community had made the city its home, but was fairly invisible except to the more intrepid arts supporters and collectors.

Since completion of that plan, the City has either implemented or initiated all of its recommendations, which were developed through extensive public involvement. As a result, the growth of the cultural community has been extraordinary. Now Ventura is home to a wealth of active artists and arts organizations. From 1994-2004, the budgets of arts organizations in Downtown Ventura alone increased from \$500,000 to more than \$4 million.

Ventura also now has a complement of major cultural institutions unique for a city of its size, including the Ventura Music Festival, the Rubicon Theatre Company, the Ventura County Museum of History and Art, and Focus on the Masters. The individual artists who live and work in the city continue to comprise a major part of its cultural fabric, and are highlighted in popular cultural events like the Downtown ArtWalks.

A strong focus of the City’s general is to build the arts infrastructure of Ventura. A strong cultural infrastructure is the foundation of a healthy arts

ecosystem: this includes *places* (for arts creation, sales, exhibition, performance, rehearsal, living), *people* (artists, audiences, patrons), and *organizations* (production, support, and presentation).

In keeping with the community’s respect for its roots, the Ventura arts scene remains authentic, no small feat in today’s competitive environment. While many communities focus on importing Broadway shows or big-name art exhibits to increase their profile, Ventura successfully continues to highlight local artists, architecture, culture, history, and the environment – the unique threads that together comprise the rich tapestry of the Ventura community. Policies and actions in this chapter call for continuing to build the cultural foundations of the community by involving everyone in the production, support, and presentation of art and cultural programs, installing art in public places, providing working and display space for local artists, and identifying a site for an arts and cultural center.





**Table 9-2  
Art and Cultural Institutions**

<b>Name</b>	<b>Description</b>	<b>Years in Operation</b>	<b>Annual Patronage</b>
Buenaventura Arts Association	Fine art gallery in downtown Ventura.	50	5,000
Channelaire Chorus	Women's chorus	42	2,500
City of Ventura Cultural Affairs Division	Supports local arts organizations; produces cultural programs (ArtWalks, Street Fairs, Music Under the Stars, Arts Education classes, grants, public art, etc.)	13	132,000
Focus on the Masters	Documentation of extraordinary artists (photographs, audio and video interviews)	10	15,000
Kids' Art	Ongoing, free kids' creative arts programs	12	350
Music 4 Kids	After school music instruction at Boys & Girls Clubs	4	800
Plexus Dance Theater	Professional modern dance performances	20	1,400
Rubicon Theater	Regional theater – classic and contemporary	6	37,000
San Buenaventura Foundation for the Arts	Arts umbrella organization - supports development of the Cultural Center and produces Arts Explosion	5	5,900
Ventura Area Theater Sports	Live improvisational theater in downtown Ventura	15	5,000
Ventura Artists' Union	Art gallery and weekly arts shows on California Plaza	15	17,000
Ventura College Opera Workshop	Opera and theater company at Ventura College	21	4,500
Ventura County Ballet	Ballet school with twice annual performances	6	11,000
Ventura County Master Chorale	Professional vocal music ensemble	23	6,000
Ventura County Museum of History and Art	Museum featuring exhibits on the history and art of Ventura County	26	55,000
Ventura Music Festival	Annual concert festival presenting international and local performers	11	9,000

**Policy 9A: Increase public art and cultural expression throughout the community.**

Action 9.1: Require works of art in public spaces per the City’s Public Art Program Ordinance.

Action 9.2: Sponsor and organize local art exhibits, performances, festivals, cultural events, and forums for local arts organizations and artists. 

Action 9.3: Expand outreach and publicity by: 

- promoting locally produced art and local cultural programs
- publishing a monthly calendar of local art and cultural features,
- distributing the *State of the Arts* quarterly report, and
- offering free or subsidized tickets to events.

Action 9.4: Support the creative sector through training and other professional development opportunities.

Action 9.5: Work with the schools to integrate arts education into the core curriculum.

Action 9.6: Promote the cultural and artistic expressions of Ventura’s underrepresented cultural groups.


Action 9.7: Offer ticket subsidy and distribution programs and facilitate transportation to cultural offerings.

**Policy 9B: Meet diverse needs for performance, exhibition, and workspace.**


Action 9.8: Increase the amount of live-work development, and allow its use for production, display, and sale of art.


Action 9.9: Work with community groups to locate sites for venues for theater, dance, music, and children’s programming.

**Policy 9C: Integrate local history and heritage into urban form and daily life.**


Action 9.10: Provide incentives for preserving structures and sites that are representative of the various periods of the city’s social and physical development. 


Action 9.11: Organize and promote multi-cultural programs and events that celebrate local history and diversity.


Action 9.12: Allow adaptive reuse of historic buildings. 


Action 9.13: Work with community groups to identify locations for facilities that celebrate local cultural heritage, such as a living history Chumash village and an agricultural history museum. 


**Policy 9D: Ensure proper treatment of archeological and historic resources.**


Action 9.14: Require archaeological assessments for projects proposed in the Coastal Zone and other areas where cultural resources are likely to be located. 

Action 9.15: Suspend development activity when archaeological resources are discovered, and require the developer to retain a qualified archaeologist to oversee handling of the resources in coordination with the Ventura County Archaeological Society and local Native American organizations as appropriate. 

Action 9.16: Pursue funding to preserve historic resources. 


Action 9.17: Provide incentives to owners of eligible structures to seek historic landmark status and invest in restoration efforts. 


Action 9.18: Require that modifications to historically-designated buildings maintain their character. 


Action 9.19: For any project in a historic district or that would affect any potential historic resource or structure more than 40 years old, require an assessment of eligibility for State and federal register and landmark status and appropriate mitigation to protect the resource. 


Action 9.20: Seek input from the City's Historic Preservation Commission on any proposed

development that may affect any designated or potential landmark. 

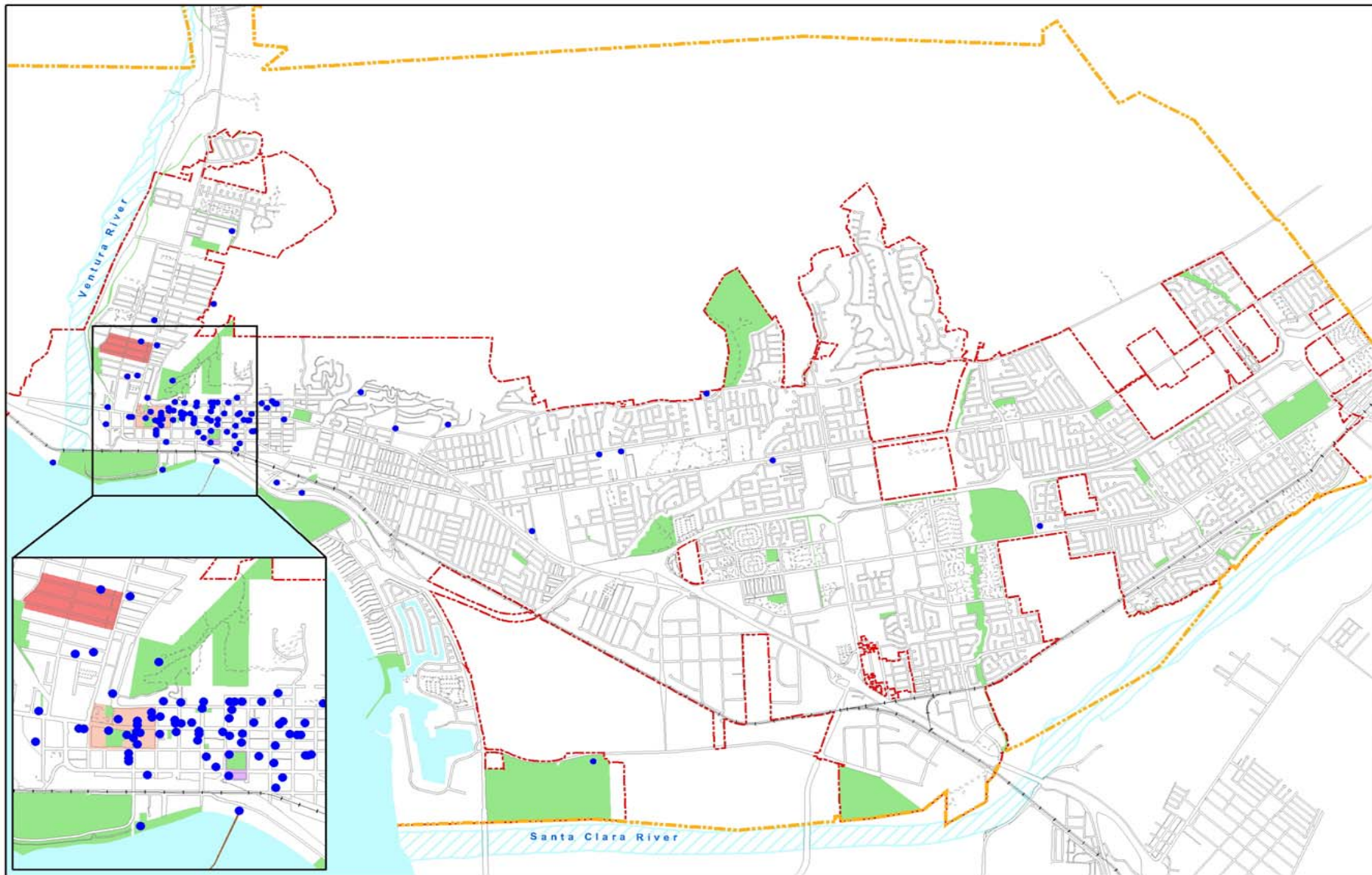
Action 9.21: Update the inventory of historic properties. 

Action 9.22: Create a set of guidelines and/or policies directing staff, private property owners, developers, and the public regarding treatment of historic resources that will be readily available at the counter. 

Action 9.23: Complete and maintain historic resource surveys containing all the present and future components of the historic fabric within the built, natural, and cultural environments. 

Action 9.24: Create a historic preservation element. 





- Historical Sites
- City Limits
- Mission Historic District
- Mitchell Block Historic District
- Selwyn Shaw Historic District
- Simpson Tract Historic District
- Parks
- Planning Area

**Figure 9-1**  
Historic Districts and Sites

This map is a product of the City of San Buenaventura, California. Although reasonable efforts have been made to ensure the accuracy of this map, the City of San Buenaventura cannot guarantee its accuracy.



"Never believe that a few caring people can't change the world. For indeed, that's all who ever have."

— Margaret Mead  
Renowned Anthropologist

## 10. OUR INVOLVED COMMUNITY

**Our goal is to strive to work together as a community to achieve the Ventura Vision through civic engagement, partnerships, and volunteer service.**

### Civic Engagement

It is not enough to have a vision of smart growth for Ventura. Achieving that vision requires the active and ongoing participation of an engaged and active community. Fortunately, Ventura builds on a strong foundation: thousands of Ventura citizens are involved in their schools and places of worship and give their time to civic, cultural, and charitable organizations. City Commissions, the Community Councils, the Chamber of Commerce and other well-established avenues provide opportunities for community leadership.

This is what Alexis De Toqueville celebrated in his famous book, *Democracy in America*, calling our nation, “the one country in the world, day in and day out, that makes use of an unlimited freedom of association.” Yet today in Ventura, as all across America, there is concern about the health of our democracy. Sociologist Robert Putnam gained national attention with his research showing that “by almost every measure, Americans’ direct engagement in politics and government has fallen steadily and sharply over the last generation.”

Among the symptoms in Ventura have been a decline in voter turnout in recent local elections – (a 36% drop from 1995 through 2003.) Over those years, the ability to build consensus about future development has been undermined by sharply polarized divisions, showdowns at the ballot box, and often rancorous public hearings. The complaint often recurs that planning decisions are made without adequate notice or consideration of the views of those affected. Many citizens criticize the City decision-making process as convoluted and counterproductive.

Moreover, ongoing participation of an engaged community requires civic places where citizens can come together. It is not insignificant that a decline in public participation and the quality of civic discourse has paralleled the loss of civic places in our cities. Historically, governments provided open spaces and buildings that were at the center of a community, physically and symbolically. Town squares and plazas, often faced by a hall for formal gathering and civic engagement, have all but disappeared. The poverty of American public places was apparent after the Columbine High School shooting in Colorado, when citizens gathered to mourn, not in a shared place for people, but in a parking lot.

Nearly everyone agrees we can and should do better. The best model for doing this was the citywide effort to craft the *Ventura Vision*. Thousands participated in a year-long partnership encompassing City government, non-profit organizations, community groups, business,

schools and individual residents to chart the community's future.

The vision of an "involved community" was described in the *Ventura Vision* report as: seeking "broad community collaboration; more widely publicizing city government services, planning processes and policies; better involvement of typically under-represented groups such as youth, seniors and ethnic minorities in community planning; and developing public parks, plazas, neighborhood greenways and other spaces that promote civic interaction and events."

Since that vision was adopted by the City Council in 2000, the City has worked to implement it, building on existing community assets and strengthening the linkages and interconnections that already exist among people, organizations, and shared community goals. A remarkable example of broad community collaboration earned attention throughout Southern California in late 2004. Facing the prospect of winter flooding, the City undertook to evacuate homeless people living in the channel of the Ventura River. This was accomplished by a partnership involving non-profit social service agencies, faith-based organizations, City staff, business leaders, community volunteers and the affected homeless population.

There are many more models of successful community collaboration in Ventura, including: the restoration of the pier, the community's rich array of after-school programs, the implementation of the 1992 Cultural Plan, the 2004 Downtown

Charrette, the 2005 Midtown Design Charrette and the establishment of conservancies to preserve the Grant Park cross and Ventura's cherished hillsides.

City government has learned from these efforts to reach broadly and deeply into the community. Civic engagement and trust are built when City representatives actively seek to involve everyone in positive and transparent partnerships. That goal requires a continually evolving effort to promote participation:

- through proactive and interactive media outreach in the press, on the web, on radio and television,
- by striving to include everyone in decision making and making it convenient for them to participate by seeking them out in their neighborhoods and gathering places like schools, houses of worship and public spaces, and
- through community dialogues, workshops, charrettes, town hall forums, and community councils, in addition to formal public hearings.

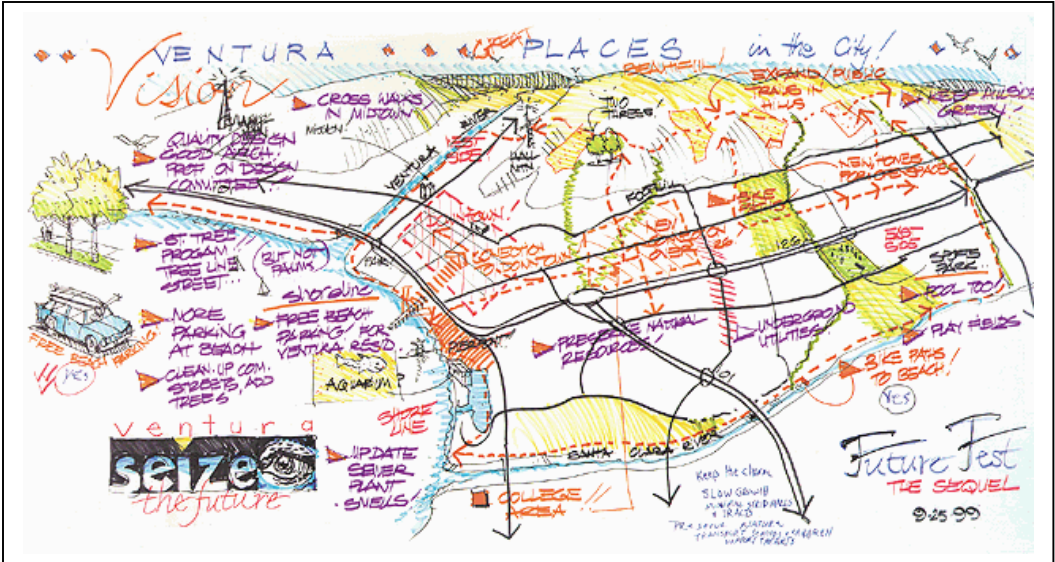
More effort needs to be put into building consensus about future growth and change upfront through community planning, rather than waiting until specific development projects are proposed. That effort will continue with the work to craft a citywide "form-based code" and concentrated planning efforts for specific neighborhoods and districts.



Focused attention should be paid to making our public decision-making processes easier to understand and participate in. Citizens have little time or patience for complicated planning and entitlement processes that drag on for years. By establishing clearer rules and public processes for applying them, the policies and actions in this chapter will enable more citizens to feel that they will be heard and their contributions valued. By involving a wider range of the community in clearly setting Ventura's planning goals and standards of quality, we can devote more time to achieving those goals and less time wrangling over specific proposals.

Ventura also needs to reestablish places for civic discourse. While the City will continue to encourage the use of our beautiful City Hall for its historic role of government by and for the people, we also need a hierarchy of civic spaces citywide that are strategically located in neighborhood centers and accessible by pedestrians (see Chapter Three, Action 3.8). Every neighborhood should have access to a physical location designated for public gathering and civic purposes.

Our long-range vision is to build an ethic and a fabric of robust civic engagement – what De Toqueville called “the habits of the heart.” His phrase evokes what the Ventura Vision called “direct engagement in public affairs” through “participation, hard work and collaboration . . . sustaining Ventura as an exceptional place.” The policies and actions in this chapter aim to do just that.



**Policy 10A: Work collaboratively to increase citizen participation in public affairs.**

Action 10.1: Conduct focused outreach efforts to encourage all members of the community – including youth, seniors, special needs groups, and non-English speakers – to participate in City activities.

Action 10.2: Obtain public participation by seeking out citizens in their neighborhoods and gathering places such as schools, houses of worship and public spaces.

Action 10.3: Invite civic, neighborhood, and non-profit groups to assist with City project and program planning and implementation.

Action 10.4: Provide incentives for City staff to participate in community and volunteer activities.

Action 10.5: Invite seniors to mentor youth and serve as guides at historical sites.

Action 10.6: Offer internships in City governance, and include youth representatives on public bodies.

Action 10.7: Continue to offer the Ambassadors program to obtain citizens assistance with City projects.

**Policy 10B: Raise awareness of City operations and be clear about City objectives.**

Action 10.8: Utilize the City website as a key source of information and expand it to serve as a tool for civic engagement.


Action 10.9: Publish an annual report that evaluates City performance in such areas as conservation, housing, and economic development.


Action 10.10: Continue to improve the user-friendliness of the media that communicate information about the City,

including the website, cable channels, newsletters, kiosks, and water billing statements.

**Policy 10 C: Work at the neighborhood level to promote citizen engagement.**

Action 10.11: Establish a clear policy toward the scope, role, boundaries, and jurisdiction of neighborhood Community Councils citywide, with the objectives of strengthening their roles in decision-making.

Action 10.12: Establish stronger partnerships with neighborhood Community Councils to set area priorities for capital investment, community policing, City services, commercial investment, physical planning, education, and other concerns, to guide both City policies and day-to-day cooperation and problem-solving. 

Action 10.13: Recognizing that neighborhood empowerment must be balanced and sustained by overall City policies and citywide vision and resources – establish a citywide Neighborhood Community Congress where local neighborhood Community Councils can collaborate and learn from each other. 

Action 10.14: Establish clear liaison relationships to foster communication, training, and involvement efforts between the City, neighborhood Community Councils and other community partners, including the Ventura Unified School District and business, civic, cultural and religious groups.












"Individual commitment to a group effort, that is what makes a team work, a company work, a society work, a civilization work."


— Vince Lombardi  
Author of *What It Takes To Be #1*, 2001








<p><b>KEY TO ABBREVIATIONS</b>                  AS = Administrative Services Department                  AS [P] = Purchasing                  CA = City Attorney                  CD = Community Development Department                  CD [A] = Administration                  CD [CP] = Current Planning                  CD [LRP] = Long Range Planning                  CD [ED] = Economic Development                  CD [LD] = Land Development                  CD [RDA] = Redevelopment Agency                  CC = City Council                  CM = City Manager's Department                  CM [CE] = Civic Engagement                  CS = Community Services Department                  CS [CR] = Community Recreation</p>	<p>CS [CA] = Cultural Affairs                  CS [GS/AS] = Golf Services/Adult Sports                  CS [SS] = Social Services                  FD = Fire Department                  FD [IS] = Inspection Services                  HR = Human Resources Department                  PD = Police Department                  PW = Public Works Department                  PW [E] = Engineering                  PW [P] = Parks                  PW [MS] = Maintenance Services                  PW [U] = Utilities</p>	<p>Short-term = 0-5 years                  Mid-term = 5-10 years                  Long-term = 10-20 years                  Ongoing = May require short-, mid-, and long-term action</p>
<p> = Action included in the Land Use Plan of the City's Local Coastal Program</p>		


Number	Action	Lead Entity	Timeframe
1.1	 Adhere to the policies and directives of the California Coastal Act in reviewing and permitting any proposed development in the Coastal Zone.	CD [CP]	Ongoing
1.2	 Prohibit non-coastal-dependent energy facilities within the Coastal Zone, and require any coastal-dependent facilities including pipelines and public utility structures to avoid coastal resources (including recreation, habitat, and archaeological areas) to the extent feasible, or to minimize any impacts if development in such areas is unavoidable.	CD [CP]	Ongoing
1.3	 Work with the State Department of Parks and Recreation, Ventura County Watershed Protection Agency, and the Ventura Port District to determine and carry out appropriate methods for protecting and restoring coastal resources, including by supplying sand at beaches under the Beach Erosion Authority for Control Operations and Nourishment (BEACON) South Central Coast Beach Enhancement program.	PW [E]	Ongoing
1.4	 Require new coastal development to provide non-structural shoreline protection that avoids adverse impacts to coastal processes and nearby beaches.	CD [CP]	Ongoing
1.5	 Collect suitable material from dredging and development, and add it to beaches as needed and feasible.	PW [E]	Ongoing
1.6	 Support continued efforts to decommission Matilija Dam to improve the sand supply to local beaches.	PW [U]	Long-term
1.7	Update the Hillside Management Program to address and be consistent with the Planning Designations as defined and depicted on the General Plan Diagram.	CD [LRP]	Short-term










# APPENDIX A

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Number	Action	Lead Entity	Timeframe
1.8	 Buffer barrancas and creeks that retain natural soil slopes from development according to state and Federal guidelines.	CD [LD]	Ongoing
1.9	 Prohibit placement of material in watercourses other than native plants and required flood control structures, and remove debris periodically.	PW [MS/P]	Ongoing
1.10	 Remove concrete channel structures as funding allows, and where doing so will fit the context of the surrounding area and not create unacceptable flood or erosion potential.	PW [MS/P]	Long-term
1.11	 Require that sensitive wetland and coastal areas be preserved as undeveloped open space wherever feasible and that future developments result in no net loss of wetlands or "natural" areas.	CD [LRP]	Short-term
1.12	Update the provisions of the Hillside Management Program as necessary to ensure protection of open space lands.	CD [LRP]	Mid-term
1.13	Recommend that the City's Sphere of Influence be coterminous with existing City limits in the hillsides in order to preserve the hillsides as open space.	CD [LRP]	Short-term
1.14	Work with established land conservation organizations toward establishing a Ventura hillsides preserve.	PW [P]	Long-term
1.15	Actively seek local, state, and Federal funding sources to achieve preservation of the hillsides.	PW [P]	Mid-term
1.16	 Comply with directives from regulatory authorities to update and enforce stormwater quality and watershed protection measures that limit impacts to aquatic ecosystems and that preserve and restore the beneficial uses of natural watercourses and wetlands in the city.	PW	Ongoing

## SUMMARY OF ACTIONS


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Number	Action	Lead Entity	Timeframe
1.17	 Require development to mitigate its impacts on wildlife through the development review process.	CD [CP]	Ongoing
1.18	 Require new development adjacent to rivers, creeks, and barrancas to use native or non-invasive plant species, preferably drought tolerant, for landscaping.	CD [CP] PW [P]	Ongoing
1.19	 Require projects near watercourses, shoreline areas, and other sensitive habitat areas to include surveys for State and/or federally listed sensitive species and to provide appropriate buffers and other mitigation necessary to protect habitat for listed species.	CD [LRP]	Long-term
1.20	 Conduct coastal dredging in accordance with the U.S. Army Corps of Engineers and California Department of Fish and Game requirements in order to avoid impacts to sensitive fish and bird species.	PW [E]	Ongoing
1.21	 Work with State Parks on restoring the Alessandro Lagoon and pursue funding cooperatively.	PW [P]	Long-term
1.22	 Adopt development code provisions to protect mature trees as defined by minimum height, canopy, and/or tree trunk diameter.	CD [LRP]	Short-term
1.23	 Require, where appropriate, the preservation of healthy tree windrows associated with current and former agricultural uses, and incorporate trees into the design of new developments.	CD [CP]	Short-term
1.24	 Require new development to maintain all indigenous tree species or provide adequately sized replacement native trees on a 3:1 basis.	CD [CP]	Ongoing
1.25	 Purchase and use recycled materials and alternative and renewable energy sources as feasible in	AS [P]	Ongoing

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Number	Action	Lead Entity	Timeframe
	City operations.		
1.26	 Reduce pesticide use in City operations.	PW [P]	Mid-term
1.27	Utilize green waste as biomass/compost in City operations.	PW [P]	Mid-term
1.28	Purchase low-emission City vehicles, and convert existing gasoline-powered fleet vehicles to cleaner fuels as technology becomes available.	PW [MS]	Mid-term
1.29	 Require all City funded projects that enter design and construction after January 1, 2006 to meet a design construction standard equivalent to the minimum U.S. Green Building Council LEED™ Certified rating in accordance with the City's Green Building Standards for Private and Municipal Construction Projects.	FD [IS]	Short-term
1.30	Provide information to businesses about how to reduce waste and pollution and conserve resources.	PW [MS]	Short-term
1.31	 Provide incentives for green building projects in both the public and private sectors to comply with either the LEED™ Rating System, California Green Builder, or the Residential Built Green program and to pursue registration and certification; incentives include "Head-of-the-Line" discretionary processing and "Head-of-the-Line" building permit processing.	FD [IS]	Short-term
1.32	 Apply for grants, rebates, and other funding to install solar panels on all City-owned structures to provide at least half of their electric energy requirements.	PW	Ongoing








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Number	Action	Lead Entity	Timeframe
1.33	Publicly acknowledge individuals and businesses that implement green construction and building practices.	FD [IS]	Ongoing
2.1	Track economic indicators for changes that may affect City land resources, tax base, or employment base, such as terms and conditions of sale or lease of available office, retail, and manufacturing space.	CD [ED]	Ongoing
2.2	Prepare an economic base analysis that identifies opportunities to capture retail sales in sectors where resident purchasing has leaked to other jurisdictions.	CD [ED]	Short-term
2.3	Maintain and update an Economic Development Strategy to implement City economic goals and objectives.	CD [ED]	Ongoing
2.4	Map priority locations for commercial and industrial development and revitalization, including a range of parcel sizes targeted for high-technology, non-durables manufacturing, finance, business services, tourism, and retail uses.	CD	Short-term
2.5	Share economic and demographic information with organizations that may refer businesses to Ventura.	CD [ED]	Ongoing
2.6	Encourage intensification and diversification of uses and properties in districts, corridors, and neighborhood centers, including through assembly of vacant and underutilized parcels.	CD [ED]	Ongoing










# APPENDIX A

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Number	Action	Lead Entity	Timeframe
2.7	Partner with local commerce groups to recruit companies and pursue funding for business development and land re-utilization.	CD [ED]	Ongoing
2.8	Carry out Housing Element programs that provide housing to all segments of the local workforce.	CD	Ongoing
2.9	Expedite review for childcare facilities that will provide support to local employees.	CD [CP]	Short-term
2.10	Expedite review of the entitlement process for installation of infrastructure necessary to support high technology and multimedia companies.	CA	Mid-term
2.11	 Allow mixed-use development in commercial and industrial districts as appropriate.	CD [LRP]	Short-term
2.12	 Allow uses such as conference centers with resort amenities on appropriately sized and located parcels.	CD [LRP]	Short-term
2.13	Market the city to businesses that link agriculture with high technology, such as biotechnology enterprises.	CD [ED]	Ongoing
2.14	 Partner with local farms to promote farmers markets and high quality locally grown food.	CS	Ongoing
2.15	 Provide incentives for use of waterfront parcels for recreation, visitor-serving commerce, restaurant, marina, and fishing uses.	CD [ED]	Short-term
2.16	 Work with the State to create year-round commercial opportunities at the fairgrounds.	CD [ED]	Long-term

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Number	Action	Lead Entity	Timeframe
2.17	 Partner with the Harbor District and National Park Service to promote Channel Islands tours and develop a marine learning center.	CS	Long-term
2.18	 Prioritize uses within the Harbor Specific Plan area as follows: (1) coastal dependent, (2) commercial fishing, (3) coastal access, and (4) visitor serving commercial and recreational uses.	CD	Short-term
2.19	 Partner with hotels and the Chamber of Commerce to promote city golf courses.	CS [GS/AS]	Long-term
2.20	 Promote outdoor recreation as part of an enhanced visitor opportunity strategy.	CS	Mid-term
3.1	 Preserve the stock of existing homes by carrying out Housing Element programs.	CD	Ongoing
3.2	 Enhance the appearance of districts, corridors, and gateways (including views from highways) through controls on building placement, design elements, and signage.	CD [LRP]	Short-term
3.3	 Require preservation of public view sheds and solar access.	CD [CP]	Short-term
3.4	 Require all shoreline development (including anti-erosion or other protective structures) to provide public access to and along the coast, unless it would duplicate adequate access existing nearby, adversely affect agriculture, or be inconsistent with public safety, military security, or protection of fragile coastal resources.	CD [CP]	Ongoing
3.5	 Establish land development incentives to upgrade the appearance of poorly maintained or	FD [IS]	Mid-term

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Number	Action	Lead Entity	Timeframe
	otherwise unattractive sites, and enforce existing land maintenance regulations.		
3.6	 Expand and maintain the City's urban forest and thoroughfare landscaping, using native species, in accordance with the City's Park and Development Guidelines and Irrigation and Landscape Guidelines.	PW [P]	Ongoing
3.7	Evaluate whether lot coverage standards should be changed based on neighborhood character.	CD [LRP]	Short-term
3.8	 Adopt new development code provisions that designate neighborhood centers, as depicted on the General Plan Diagram, for a mixture of residences and small-scale, local-serving businesses.	CD [LRP]	Short-term
3.9	 Adopt new development code provisions that designate areas within districts and corridors for mixed-use development that combines businesses with housing and focuses on the redesign of single-use shopping centers and retail parcels into walkable, well connected blocks, with a mix of building types, uses, and public and private frontages.	CD [LRP]	Short-term
3.10	 Allow intensification of commercial areas through conversion of surface parking to building area under a districtwide parking management strategy in the Downtown Specific Plan.	CD [LRP]	Short-term
3.11	 Expand the downtown redevelopment area to include parcels around future transit areas and along freeway frontage.	CD [RDA]	Mid-term
3.12	The City will work with the hospitals on the new Development Code treatment for the Loma Vista corridor, which includes both hospitals.	CD [LRP]	Short-term






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3.13	Assess whether the City's Affordable Housing Programs respond to current needs, and modify them as necessary within State mandated Housing Element updates	CD	Ongoing
3.14	Utilize infill development, to the extent possible, to accommodate the targeted number and type of housing units described in the Housing Element	CD [LRP]	Ongoing
3.15	Adopt new development code provisions that ensure compliance with Housing Element objectives.	CD [LRP]	Short-term
3.16	Renew and modify greenbelt agreements as necessary to direct development to already urbanized areas.	CD [LRP]	Long-term
3.17	Continue to support the Guidelines for Orderly Development as a means of implementing the General Plan, and encourage adherence to these Guidelines by all the cities, the County of Ventura, and the Local Agency Formation Commission (LAFCO); and work with other nearby cities and agencies to avoid sprawl and preserve the rural character in areas outside the urban edge.	CD [LRP]	Ongoing
3.18	Complete community or specific plans, subject to funding, for areas such as Westside, Midtown, Downtown, Wells, Saticoy, Pierpont, Harbor, Loma Vista/Medical District, Victoria Corridor, and others as appropriate. These plans will set clear development standards for public and private investments, foster neighborhood partnerships, and be updated as needed.	CD [LRP]	Ongoing
3.19	Preparation of the new Development Code will take into account existing or proposed community or specific plans to ensure efficient use of City resources and ample citizen input.	CD [LRP]	Short-term

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Number	Action	Lead Entity	Timeframe
3.20	Pursuant to SOAR, adopt development code provisions to “preserve agricultural and open space lands as a desirable means of shaping the City’s internal and external form and size, and of serving the needs of the residents.”	CD [LRP]	Short-term
3.21	 Adopt performance standards for non-farm activities in agricultural areas that protect and support farm operations, including requiring non-farm uses to provide all necessary buffers as determined by the Agriculture Commissioner’s Office.	CD [LRP]	Short-term
3.22	 Offer incentives for agricultural production operations to develop systems of raw product and product processing locally.	CD [ED]	Mid-term
3.23	 Develop and adopt a form-based Development Code that emphasizes pedestrian orientation, integration of land uses, treatment of streetscapes as community living space, and environmentally sensitive building design and operation.	CD [LRP]	Short-term
3.24	Revise the Residential Growth Management Program (RGMP) with an integrated set of growth management tools including: <ul style="list-style-type: none"> <li>Community or specific plans and development codes based on availability of infrastructure and transit that regulate community form and character by directing new residential development to appropriate locations and in ways that integrate with and enhance existing neighborhoods, districts and corridors;</li> <li>appropriate mechanisms to ensure that new residential development produces high-quality</li> </ul>	CD [LRP]	Short-term

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	<p>designs and a range of housing types across all income levels; and,</p> <ul style="list-style-type: none"> <li>• numeric limitations linked to the implementation of community or specific plans and development codes and the availability of appropriate infrastructure and resources; within those limitations, the RGMP should provide greater flexibility for timing new residential development.</li> </ul>		
3.25	Establish first priority growth areas to include the districts, corridors, and neighborhood centers as identified on the General Plan Diagram; and second priority areas to include vacant undeveloped land when a community plan has been prepared for such (within the City limits).	CD [LRP]	Short-term
3.26	Establish and administer a system for the gradual growth of the City through identification of areas set aside for long-term preservation, for controlled growth, and for encouraged growth.	CD [LRP]	Mid-term
3.27	Require the use of techniques such as digital simulation and modeling to assist in project review.	CD [CP]	Short-term
3.28	Revise the planning processes to be more user-friendly to both applicants and neighborhood residents in order to implement City policies more efficiently.	CD [CP]	Short-term
<b>4. OUR ACCESSIBLE COMMUNITY</b>			
4.1	Direct city transportation investment to efforts that improve user safety and keep the circulation system structurally sound and adequately maintained. First priority for capital funding will go to our pavement management program to return Ventura streets to excellent conditions.	PW [E]	Ongoing








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Number	Action	Lead Entity	Timeframe
4.2	Develop a prioritized list of projects needed to improve safety for all travel modes and provide needed connections and multiple route options.	PW [E]	Short-term
4.3	Provide transportation services that meet the special mobility needs of the community including youth, elderly, and disabled persons.	PW [E]	Ongoing
4.4	Combine education with enforcement to instill safe and courteous use of the shared public roadway.	CS	Ongoing
4.5	 Utilize existing roadways to meet mobility needs, and only consider additional travel lanes when other alternatives are not feasible.	CD [LRP]	Ongoing
4.6	Require new development to be designed with interconnected transportation modes and routes to complete a grid network.	CD [CP]	Short-term
4.7	 Update the traffic mitigation fee program to fund necessary citywide circulation system and mobility improvements needed in conjunction with new development.	CD [LD]	Short-term
4.8	Implement the City's Neighborhood Traffic Management Program and update as necessary to improve livability in residential areas.	PW [E]	Ongoing
4.9	 Identify, designate, and enforce truck routes to minimize the impact of truck traffic on residential neighborhoods.	PW [E]	Ongoing
4.10	Modify traffic signal timing to ensure safety and minimize delay for all users.	PW [E]	Short-term









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Number	Action	Lead Entity	Timeframe
4.11	Refine level of service standards to encourage use of alternative modes of transportation while meeting state and regional mandates.	PW [E]	Short-term
4.12	 Design roadway improvements and facility modifications to minimize the potential for conflict between pedestrians, bicycles, and automobiles.	PW [E]	Ongoing
4.13	 Require project proponents to analyze traffic impacts and provide adequate mitigation in the form of needed improvements, in-lieu fee, or a combination thereof.	CD [LD]	Ongoing
4.14	 Provide development incentives to encourage projects that reduce automobile trips.	CD [CP]	Short-term
4.15	Encourage the placement of facilities that house or serve elderly, disabled, or socioeconomically disadvantaged persons in areas with existing public transportation services and pedestrian and bicycle amenities.	CD [CP]	Ongoing
4.16	 Install roadway, transit, and alternative transportation improvements along existing or planned multi-modal corridors, including primary bike and transit routes, and at land use intensity nodes.	PW [E]	Ongoing
4.17	 Prepare and periodically update a Mobility Plan that integrates a variety of travel alternatives to minimize reliance on any single mode.	CD [LRP]	Short-term
4.18	 Promote the development and use of recreational trails as transportation routes to connect housing with services, entertainment, and employment.	PW [P]	Ongoing
4.19	 Adopt new development code provisions that establish vehicle trip reduction requirements for all development.	CD [LRP]	Short-term

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4.20	Develop a transportation demand management program to shift travel behavior toward alternative modes and services.	PW [E]	Mid-term
4.21	 Require new development to provide pedestrian and bicycle access and facilities as appropriate, including connected paths along the shoreline and watercourses.	PW [E/P]	Short-term
4.22	 Update the General Bikeway Plan as needed to encourage bicycle use as a viable transportation alternative to the automobile and include the bikeway plan as part of a new Mobility Plan.	PW [E]	Mid-term
4.23	 Upgrade and add bicycle lanes when conducting roadway maintenance as feasible.	PW [E]	Ongoing
4.24	 Require sidewalks wide enough to encourage walking that include ramps and other features needed to ensure access for mobility-impaired persons.	PW [E]	Short-term
4.25	 Adopt new development code provisions that require the construction of sidewalks in all future projects, where appropriate.	CD [LRP]	Short-term
4.26	Establish a parking management program to protect the livability of residential neighborhoods, as needed.	CD [LRP]	Short-term
4.27	Extend stubbed-end streets through future developments, where appropriate, to provide necessary circulation within a developing area and for adequate internal circulation within and between neighborhoods. Require new developments in the North Avenue area, where applicable, to extend Norway Drive and Floral Drive to connect to Canada Larga Road; and connect the existing segments of Floral Drive. Designate the extension of Cedar Street between Warner Street and	PW [E]	Mid-term

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	south of Franklin Lane and the linking of the Cameron Street segments in the Westside community as high priority projects.		
4.28	 Require all new development to provide for citywide improvements to transit stops that have sufficient quality and amenities, including shelters and benches, to encourage ridership.	PW [E]	Short-term
4.29	Develop incentives to encourage City employees and local employers to use transit, rideshare, walk, or bike.	HR	Mid-term
4.30	Work with public transit agencies to provide information to riders at transit stops, libraries, lodging, and event facilities.	PW [E]	Ongoing
4.31	Work with public and private transit providers to enhance public transit service.	PW [E]	Mid-term
4.32	 Coordinate with public transit systems for the provision of additional routes as demand and funding allow.	PW [E]	Long-term
4.33	 Work with Amtrak, Metrolink, and Union Pacific to maximize efficiency of passenger and freight rail service to the City and to integrate and coordinate passenger rail service with other transportation modes.	PW [E]	Mid-term
4.34	Lobby for additional transportation funding and changes to Federal, State, and regional transportation policy that support local decision-making.	PW [E]	Ongoing
4.35	The City shall pursue funding and site location for a multi-modal transit facility in coordination with VCTC, SCAT, U.P.R.R., Metrolink, Greyhound Bus Lines, and other forms of	PW [E]	Mid-term





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	transportation.		
4.36	<p> Require development along the following roadways – including noise mitigation, landscaping, and advertising – to respect and preserve views of the community and its natural context.</p> <ul style="list-style-type: none"> <li>• State Route 33</li> <li>• U.S. HWY 101</li> <li>• Anchors Way</li> <li>• Brakey Road</li> <li>• Fairgrounds Loop</li> <li>• Ferro Drive</li> <li>• Figueroa Street</li> <li>• Harbor Boulevard</li> <li>• Main Street</li> <li>• Navigator Drive</li> <li>• North Bank Drive</li> <li>• Poli Street/Foothill Road</li> <li>• Olivas Park Drive</li> <li>• Schooner Drive</li> </ul>	CD [CP]	Ongoing










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	<ul style="list-style-type: none"> <li>• Spinnaker Drive</li> <li>• Summit Drive</li> <li>• Telegraph Road – east of Victoria Avenue</li> <li>• Victoria Avenue – south of U.S. 101</li> <li>• Wells Road</li> </ul>		
4.37	Request that State Route 126 and 33, and U.S. HWY 101 be designated as State Scenic Highways.	CD [LRP]	Short-term
4.38	 Continue to work with Caltrans to soften the barrier impact of U.S. HWY 101 by improving signage, aesthetics and undercrossings and overcrossings.	PW [E/P]	Ongoing
4.39	 Maintain street trees along scenic thoroughfares, and replace unhealthy or missing trees along arterials and collectors throughout the City.	PW [P]	Ongoing
<b>5. OUR SUSTAINABLE INFRASTRUCTURE</b>			
5.1	 Require low flow fixtures, leak repair, and drought tolerant landscaping (native species if possible), plus emerging water conservation techniques, such as reclamation, as they become available.	CD [CP]	Ongoing
5.2	 Use natural features such as bioswales, wildlife ponds, and wetlands for flood control and water quality treatment when feasible.	PW [MS/P]	Ongoing
5.3	Demonstrate low water use techniques at community gardens and city-owned facilities.	PW [U/P]	Mid-term

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Number	Action	Lead Entity	Timeframe
5.4	Update the Urban Water Management plan as necessary in compliance with the State 1983 Urban Water Management Planning Act.	PW [U]	Ongoing
5.5	 Provide incentives for new residences and businesses to incorporate recycling and waste diversion practices, pursuant to guidelines provided by the Environmental Services Office.	PW [MS]	Ongoing
5.6	 Require project proponents to conduct sewer collection system analyses to determine if downstream facilities are adequate to handle the proposed development.	PW [U]	Ongoing
5.7	 Require project proponents to conduct evaluations of the existing water distribution system, pump station, and storage requirements in order to determine if there are any system deficiencies or needed improvements for the proposed development.	PW [U]	Ongoing
5.8	 Locate new development in or close to developed areas with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.	CD [LRP]	Ongoing
5.9	 Update development fee and assessment district requirements as appropriate to cover the true costs associated with development.	AS	Mid-term
5.10	 Utilize existing waste source reduction requirements, and continue to expand and improve composting and recycling options.	PW [MS]	Mid-term
5.11	Increase emergency water supply capacity through cooperative tie-ins with neighboring suppliers.	PW [U]	Mid-term
5.12	 Apply new technologies to increase the efficiency of the wastewater treatment system.	PW [U]	Mid-term

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Number	Action	Lead Entity	Timeframe
5.13	Increase frequency of city street sweeping, and post schedules at key points within each neighborhood.	PW [MS]	Mid-term
5.14	Develop a financing program for the replacement of failing corrugated metal storm drain pipes in the City.	PW [MS]	Short-term
5.15	Establish assessment districts or other financing mechanisms to address storm drain system deficiencies in areas where new development is anticipated and deficiencies exist.	PW [MS]	Mid-term
5.16	Require new developments to incorporate stormwater treatment practices that allow percolation to the underlying aquifer and minimize offsite surface runoff utilizing methods such as pervious paving material for parking and other paved areas to facilitate rainwater percolation and retention/detention basins that limit runoff to pre-development levels.	CD [LD]	Ongoing
5.17	Require stormwater treatment measures within new development to reduce the amount of urban pollutant runoff in the Ventura and Santa Clara Rivers and other watercourses.	CD [LD]	Ongoing
5.18	Work with the Ventura Regional Sanitation District and the County to expand the capacity of existing landfills, site new landfills, and/or develop alternative means of disposal that will provide sufficient capacity for solid waste generated in the City.	PW [MS]	Long-term

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Number	Action	Lead Entity	Timeframe
<b>6. OUR ACTIVE COMMUNITY</b>			
<b>6.1</b>	 Develop new neighborhood parks, pocket parks, and community gardens as feasible and appropriate to meet citizen needs, and require them in new development.	PW [P]	Long-term
<b>6.2</b>	 Require higher density development to provide pocket parks, tot lots, seating plazas, and other aesthetic green spaces.	CD [CP]	Short-term
<b>6.3</b>	 Work with the County to plan and develop trails that link the City with surrounding open space and natural areas, and require development projects to include trails when appropriate.	PW [P]	Ongoing
<b>6.4</b>	 Request Flood Control District approval of public access to unchannelized watercourses for hiking.	PW [P]	Mid-term
<b>6.5</b>	 Seek landowner permission to allow public access on properties adjacent to open space where needed to connect trails.	PW [P]	Ongoing
<b>6.6</b>	 Update plans for and complete the linear park system as resources allow.	PW [P]	Long-term
<b>6.7</b>	Work with the County of Ventura to initiate efforts to create public trails in the hillside area.	PW [P]	Mid-term
<b>6.8</b>	Update and require periodic reviews of the Park and Recreation Workbook as necessary to reflect City objectives and community needs.	PW [P]	Mid-term
<b>6.9</b>	 Require dedication of land identified as part of the City's Linear Park System in conjunction with new development.	PW [P]	Ongoing



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6.10	Evaluate and incorporate, as feasible, linear park segments in the General Bikeway Plan.	PW [E]	Ongoing
6.11	Update standards for citywide public parks and open space to include an expanded menu of shared park types, and identify locations and potential funding sources for acquiring new facilities in existing neighborhoods.	PW [P]	Short-term
6.12	Update and carry out the Grant Park Master Plan.	PW [P]	Mid-term
6.13	Foster the partnership between the City and Fair Board to improve Seaside Park.	CD [ED]	Ongoing
6.14	Improve facilities at City parks to respond to the requirements of special needs groups.	PW [P]	Mid-term
6.15	Adjust and subsidize fees to ensure that all residents have the opportunity to participate in recreation programs.	CS [CR]	Short-term
6.16	Update the project fee schedule as necessary to ensure that development provides its fair share of park and recreation facilities.	PW [P]	Short-term
6.17	Update and create new agreements for joint use of school and City recreational and park facilities.	CS [CR] PW [P]	Mid-term
6.18	Offer programs that highlight natural assets, such as surfing, sailing, kayaking, climbing, gardening, and bird watching.	CS [CR]	Ongoing
6.19	Provide additional boating and swimming access as feasible.	PW	Long-term

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Number	Action	Lead Entity	Timeframe
6.20	Earmark funds for adequate maintenance and rehabilitation of existing skatepark facilities, and identify locations and funding for new development of advanced level skatepark facilities.	PW [P]	Mid-term
6.21	Promote the use of City facilities for special events, such as festivals, tournaments, and races.	CS [CA]	Ongoing
6.22	Enter into concession or service agreements where appropriate to supplement City services.	PW	Ongoing
<b>7. OUR HEALTHY AND SAFE COMMUNITY</b>			
7.1	Work with interested parties to identify appropriate locations for assisted-living, hospice, and other care-provision facilities.	CS [SS]	Short-term
7.2	Provide technical assistance to local organizations that deliver health and social services to seniors, homeless persons, low-income citizens, and other groups with special needs.	CS [SS]	Ongoing
7.3	Participate in school and agency programs to: <ul style="list-style-type: none"> <li>◆ provide healthy meals,</li> <li>◆ combat tobacco, alcohol, and drug dependency,</li> <li>◆ distribute city park and recreation materials through schools, and</li> <li>◆ distribute information about the benefits of proper nutrition and exercise.</li> </ul>	CS [SS]	Ongoing
7.4	Enhance or create ordinances which increase control over ABC licensed premises.	PD	Mid-term
7.5	Investigate the creation of new land use fees to enhance funding of alcohol related enforcement, prevention and training efforts.	PD	Mid-term

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Number	Action	Lead Entity	Timeframe
7.6	Adopt updated editions of the California Construction Codes and International Codes as published by the State of California and the International Code Council respectively.	FD [IS]	Ongoing
7.7	Require project proponents to perform geotechnical evaluations and implement mitigation prior to development of any site: <ul style="list-style-type: none"> <li>• with slopes greater than 10 percent or that otherwise have potential for landsliding,</li> <li>• along bluffs, dunes, beaches, or other coastal features</li> <li>• in an Alquist-Priolo earthquake fault zone or within 100 feet of an identified active or potentially active fault,</li> <li>• in areas mapped as having moderate or high risk of liquefaction, subsidence, or expansive soils,</li> <li>• in areas within 100-year flood zones, in conformance with all Federal Emergency Management Agency regulations.</li> </ul>	CD [CP/LD]	Ongoing
7.8	To the extent feasible, require new critical facilities (hospital, police, fire, and emergency service facilities, and utility “lifeline” facilities) to be located outside of fault and tsunami hazard zones, and require critical facilities within hazard zones to incorporate construction principles that resist damage and facilitate evacuation on short notice.	FD	Ongoing
7.9	Maintain and implement the Standardized Emergency Management System (SEMS) Multihazard Functional Response Plan.	FD	Ongoing

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Number	Action	Lead Entity	Timeframe
7.10	 Require proponents of any new developments within the 100-year floodplain to implement measures, as identified in the Floodplain Ordinance, to protect structures from 100-year flood hazards (e.g., by raising the finished floor elevation outside the floodplain).	FD [IS]	Ongoing
7.11	 Prohibit grading for vehicle access and parking or operation of vehicles within any floodway.	FD [IS]	Ongoing
7.12	 Refer development plans to the Fire Department to assure adequacy of structural fire protection, access for firefighting, water supply, and vegetation clearance.	CD [CP]	Ongoing
7.13	 Resolve extended response time problems by: <ul style="list-style-type: none"> <li>• adding a fire station at the Pierpont/Harbor area,</li> <li>• relocating Fire Station #4 to the Community Park site,</li> <li>• increasing firefighting and support staff resources,</li> <li>• reviewing and conditioning annexations and development applications, and</li> <li>• require the funding of new services from fees, assessments, or taxes as new subdivisions are developed.</li> </ul>	FD	Long-term
7.14	Educate and reinforce City staff understanding of the Standardized Emergency Management System for the State of California.	FD	Ongoing
7.15	Increase public access to police services by: <ul style="list-style-type: none"> <li>• increasing police staffing to coincide with increasing population, development, and calls for</li> </ul>	PD	Ongoing





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	service, <ul style="list-style-type: none"> <li>• increasing community participation by creating a Volunteers in Policing Program, and</li> <li>• require the funding of new services from fees, assessments, or taxes as new subdivisions are developed.</li> </ul>		
7.16	Provide education about specific safety concerns such as gang activity, senior-targeted fraud, and property crimes.	PD	Ongoing
7.17	Establish a nexus between police department resources and increased service demands associated with new development.	PD	Mid-term
7.18	Continue to operate the Downtown police storefront.	PD	Ongoing
7.19	Expand Police Department headquarters as necessary to accommodate staff growth	PD	Mid-term
7.20	Require air pollution point sources to be located at safe distances from sensitive sites such as homes and schools.	FD [IS]	Short-term
7.21	Require analysis of individual development projects in accordance with the most current version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines and, when significant impacts are identified, require implementation of air pollutant mitigation measures determined to be feasible at the time of project approval.	FD [IS]	Ongoing
7.22	In accordance with Ordinance 93-37, require payment of fees to fund regional transportation demand	CD [LD]	Ongoing

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	management (TDM) programs for all projects generating emissions in excess of Ventura County Air Pollution Control District adopted levels.		
7.23	 Require individual contractors to implement the construction mitigation measures included in the most recent version of the Ventura County Air Pollution Control District Air Quality Assessment Guidelines.	PW [E]	Ongoing
7.24	Only approve projects involving sensitive land uses (such as residences, schools, daycare centers, playgrounds, medical facilities) within or adjacent to industrially designated areas if an analysis provided by the proponent demonstrates that the health risk will not be significant.	CD [CP]	Ongoing
7.25	Adopt new development code provisions that ensure uses in mixed-use projects do not pose significant health effects.	CD [LRP]	Short-term
7.26	Seek funding for cleanup of sites within the Brownfield Assessment Demonstration Pilot Program and other contaminated areas in West Ventura.	CD [ED]	Mid-term
7.27	 Require proponents of projects on or immediately adjacent to lands in industrial, commercial, or agricultural use to perform soil and groundwater contamination assessments in accordance with American Society for Testing and Materials standards, and if contamination exceeds regulatory action levels, require the proponent to undertake remediation procedures prior to grading and development under the supervision of the County Environmental Health Division, County Department of Toxic Substances Control, or Regional Water Quality Control Board (depending	FD [IS]	Ongoing

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	upon the nature of any identified contamination).		
7.28	Educate residents and businesses about how to reduce or eliminate the use of hazardous materials, including by using safer non-toxic equivalents.	PW [MS]	Ongoing
7.29	Require non-agricultural development to provide buffers, as determined by the Agriculture Commissioner's Office, from agricultural operations to minimize the potential for pesticide drift.	CD [CP]	Short-term
7.30	Require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use, or transport, and to notify the appropriate City, County, State and Federal agencies in the event of a violation.	FD [IS]	Ongoing
7.31	Work toward voluntary reduction or elimination of aerial and synthetic chemical application in cooperation with local agricultural interests and the Ventura County agricultural commissioner.	FD [IS]	Mid-term
7.32	Require acoustical analyses for new residential developments within the mapped 60 decibel (dBA) CNEL contour, or within any area designated for commercial or industrial use, and require mitigation necessary to ensure that: <ul style="list-style-type: none"> <li>• Exterior noise in exterior spaces of new residences and other noise sensitive uses that are used for recreation (such as patios and gardens) does not exceed 65 dBA CNEL, and</li> <li>• Interior noise in habitable rooms of new residences does not exceed 45 dBA CNEL with all windows closed.</li> </ul>	FD [IS]	Ongoing







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7.33	 As funding becomes available, construct sound walls along U.S. 101, SR 126, and SR 33 in areas where existing residences are exposed to exterior noise exceeding 65 dBA CNEL.	PW [E]	Long-term
7.34	 Request that sound levels associated with concerts at the County Fairgrounds be limited to 70 dBA at the eastern edge of that property.	CS	Short-term
7.35	 Request the termination of auto racing at the County fairgrounds	CS	Short-term
7.36	 Amend the noise ordinance to restrict leaf blowing, amplified music, trash collection, and other activities that generate complaints.	FD [IS]	Short-term
7.37	 Use rubberized asphalt or other sound reducing material for paving and re-paving of City streets.	PW [E]	Ongoing
7.38	 Update the Noise Ordinance to provide standards for residential projects and residential components of mixed-use projects within commercial and industrial districts.	CD [LRP]	Short-term
8.1	Work closely with schools, colleges, and libraries to provide input into site and facility planning.	CS	Ongoing
8.2	Organize a regional education summit to generate interest in and ideas about learning opportunities.	CS	Mid-term
8.3	Adopt joint-use agreements with libraries, schools, and other institutions to maximize use of educational facilities.	CS	Mid-term
8.4	Distribute information about local educational programs.	CS	Mid-term





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Number	Action	Lead Entity	Timeframe
<b>8.5</b>	Install infrastructure for wireless technology and computer networking in City facilities.	AS	Short-term
<b>8.6</b>	Establish educational centers at City parks.	PW [P] CS	Mid-term
<b>8.7</b>	Work with the State Parks Department to establish a marine learning center at the Harbor.	PW [P]	Long-term
<b>8.8</b>	Work with the Ventura Unified School District to ensure that school facilities can be provided to serve new development.	CD [LRP]	Ongoing
<b>8.9</b>	Complete a new analysis of community needs, rethinking the role of public libraries in light of the ongoing advances in information technology and the changing ways that individuals and families seek out information and life-long learning opportunities.	CS	Mid-term
<b>8.10</b>	Reassess the formal and informal relationships between our current three branch public libraries and school libraries – including the new Ventura College Learning Resource Center – as well as joint use of facilities for a broader range or compatible public, cultural, and educational uses.	CS	Mid-term
<b>8.11</b>	Develop a Master Plan for Facilities, Programs, and Partnerships to create an accessible, robust, and vibrant library for the 21 <sup>st</sup> Century system, taking into consideration that circulation of books is no longer the dominant function but will continue to be an important part of a linked network of learning centers.	CS	Mid-term
<b>8.12</b>	Develop formal partnerships, funding, capital strategies, and joint use agreements to implement the	CS	Ongoing

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Number	Action	Lead Entity	Timeframe
	new libraries Master Plan.		
<b>9. OUR CREATIVE COMMUNITY</b>			
<b>9.1</b>	Require works of art in public spaces per the City's Public Art Program Ordinance.	CD [CP]	Mid-term
<b>9.2</b>	 Sponsor and organize local art exhibits, performances, festivals, cultural events, and forums for local arts organizations and artists.	CS	Ongoing
<b>9.3</b>	 Expand outreach and publicity by: <ul style="list-style-type: none"> <li>◆ promoting locally produced art and local cultural programs,</li> <li>◆ publishing a monthly calendar of local art and cultural features,</li> <li>◆ distributing the <i>State of the Arts</i> quarterly report, and</li> <li>◆ offering free or subsidized tickets to events.</li> </ul>	CS	Ongoing
<b>9.4</b>	Support the creative sector through training and other professional development opportunities.	CS	Short-term
<b>9.5</b>	Work with the schools to integrate arts education into the core curriculum	CS	Short-term
<b>9.6</b>	Promote the cultural and artistic expressions of Ventura's underrepresented cultural groups.	CS	Mid-term
<b>9.7</b>	Offer ticket subsidy and distribution programs and facilitate transportation to cultural offerings.	CS	Ongoing
<b>9.8</b>	Increase the amount of live-work development, and allow its use for production, display, and sale of	CD [LRP]	Ongoing

<p><b>KEY TO ABBREVIATIONS</b></p> <p>AS = Administrative Services Department  AS [P] = Purchasing  CA = City Attorney  CD = Community Development Department  CD [A] = Administration  CD [CP] = Current Planning  CD [LRP] = Long Range Planning  CD [ED] = Economic Development  CD [LD] = Land Development  CD [RDA] = Redevelopment Agency  CC = City Council  CM = City Manager's Department  CM [CE] = Civic Engagement  CS = Community Services Department  CS [CR] = Community Recreation</p>	<p>CS [CA] = Cultural Affairs  CS [GS/AS] = Golf Services/Adult Sports  CS [SS] = Social Services  FD = Fire Department  FD [IS] = Inspection Services  HR = Human Resources Department  PD = Police Department  PW = Public Works Department  PW [E] = Engineering  PW [P] = Parks  PW [MS] = Maintenance Services  PW [U] = Utilities</p> <p style="text-align: right;">Short-term = 0-5 years  Mid-term = 5-10 years  Long-term = 10-20 years  Ongoing = May require short-, mid-, and long-term action</p>
= Action included in the Land Use Plan of the City's Local Coastal Program	

Number	Action	Lead Entity	Timeframe
	art.		
9.9	Work with community groups to locate sites for venues for theater, dance, music, and children's programming.	CS [CR]	Mid-term
9.10	Provide incentives for preserving structures and sites that are representative of the various periods of the city's social and physical development.	CD [LRP]	Mid-term
9.11	Organize and promote multi-cultural programs and events that celebrate local history and diversity.	CS [CA]	Ongoing
9.12	Allow adaptive reuse of historic buildings.	CD [LRP]	Short-term
9.13	Work with community groups to identify locations for facilities that celebrate local cultural heritage, such as a living history Chumash village and an agricultural history museum.	CS [CA]	Long-term
9.14	Require archaeological assessments for projects proposed in the Coastal Zone and other areas where cultural resources are likely to be located.	CD [CP]	Ongoing
9.15	Suspend development activity when archaeological resources are discovered, and require the developer to retain a qualified archaeologist to oversee handling of the resources in coordination with the Ventura County Archaeological Society and local Native American organizations as appropriate.	CD [CP]	Ongoing
9.16	Pursue funding to preserve historic resources.	CS	Ongoing

# APPENDIX A

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Number	Action	Lead Entity	Timeframe
9.17	 Provide incentives to owners of eligible structures to seek historic landmark status and invest in restoration efforts.	CD [LRP]	Short-term
9.18	 Require that modifications to historically-designated buildings maintain their character.	CD [CP]	Ongoing
9.19	 For any project in a historic district or that would affect any potential historic resource or structure more than 40 years old, require an assessment of eligibility for State and federal register and landmark status and appropriate mitigation to protect the resource.	CD [CP]	Ongoing
9.20	 Seek input from the City's Historic Preservation Commission on any proposed development that may affect any designated or potential landmark.	CD [CP]	Ongoing
9.21	 Update the inventory of historic properties.	CD [LRP]	Ongoing
9.22	 Create a set of guidelines and/or policies directing staff, private property owners, developers, and the public regarding treatment of historic resources that will be readily available at the counter.	CD [LRP]	Short-term
9.23	 Complete and maintain historic resource surveys containing all the present and future components of the historic fabric within the built, natural, and cultural environments.	CD [LRP]	Ongoing
9.24	 Create a historic preservation element.	CD [LRP]	Long-term
<b>10. OUR INVOLVED COMMUNITY</b>			
10.1	Conduct focused outreach efforts to encourage all members of the community – including youth, seniors, special needs groups, and non-English speakers – to participate in City activities.	CM [CE]	Short-term




**S U M M A R Y   O F   A C T I O N S**



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Number	Action	Lead Entity	Timeframe
<b>10.2</b>	Obtain public participation by seeking out citizens in their neighborhoods and gathering places such as schools, houses of worship and public spaces.	CM [CE]	Ongoing
<b>10.3</b>	Invite civic, neighborhood, and non-profit groups to assist with City project and program planning and implementation.	CD	Ongoing
<b>10.4</b>	Provide incentives for City staff to participate in community and volunteer activities.	HR	Short-term
<b>10.5</b>	Invite seniors to mentor youth and serve as guides at historical sites.	CS	Short-term
<b>10.6</b>	Offer internships in City governance, and include youth representatives on public bodies.	CS	Mid-term
<b>10.7</b>	Continue to offer the Ambassadors program to obtain citizens assistance with City projects.	PW	Ongoing
<b>10.8</b>	Utilize the City website as a key source of information and expand it to serve as a tool for civic engagement.	CM [CE]	Short-term
<b>10.9</b>	Publish an annual report that evaluates City performance in such areas as conservation, housing, and economic development.	CD	Mid-term
<b>10.10</b>	Continue to improve the user-friendliness of the media that communicate information about the City, including the website, cable channels, newsletters, kiosks, and water billing statements.	CM [CE]	Short-term
<b>10.11</b>	Establish a clear policy toward the scope, role, boundaries, and jurisdiction of neighborhood Community Councils citywide, with the objectives of strengthening their roles in decision-making.	CD [LRP]	Mid-term

# APPENDIX A

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CS [CR] = Community Recreation	
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Number	Action	Lead Entity	Timeframe
10.12	 Establish stronger partnerships with neighborhood Community Councils to set area priorities for capital investment, community policing, City services, commercial investment, physical planning, education, and other concerns, to guide both City policies and day-to-day cooperation and problem-solving.	CD [LRP]	Ongoing
10.13	 Recognizing that neighborhood empowerment must be balanced and sustained by overall City policies and citywide vision and resources – establish a citywide Neighborhood Community Congress where local neighborhood Community Councils can collaborate and learn from each other.	CM[CE]	Mid-term
10.14	Establish clear liaison relationships to foster communication, training, and involvement efforts between the City, neighborhood Community Councils and other community partners, including the Ventura Unified School District and business, civic, cultural and religious groups.	CM [CE]	Short-term

ORDINANCE NO. 95-33

AN ORDINANCE OF THE PEOPLE OF THE CITY OF SAN BUENAVENTURA ADOPTING AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN WITH RESPECT TO THE PRESERVATION OF AGRICULTURAL LANDS.

The people of the City of San Buenaventura do hereby ordain as follows:

Section 1. Findings and Purpose.

A. The protection of existing agricultural and watershed lands is of critical importance to present and future residents of the City of San Buenaventura (City of Ventura). Agriculture has been and remains the major contributor to the economy of the City and County of Ventura, creating employment for many people, directly and indirectly, and generating substantial tax revenues for the City.

B. In particular, the City of Ventura and surrounding area, with its unique combination of soils, micro-climate and hydrology, has become one of the finest growing regions in the world. Vegetable and fruit production from the County of Ventura and in particular production from the soils and silt from the Santa Clara and Ventura rivers have achieved international acclaim, enhancing the City's economy and reputation.

C. Uncontrolled urban encroachment into agricultural and watershed areas will impair agriculture and threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems, such as pollution, depletion, and sedimentation of available water resources. Such urban encroachment would eventually result in both the unnecessary, expensive extension of public services and facilities and inevitable conflicts between urban and agricultural uses.

D. The unique character of the City of Ventura and quality of life of City residents depend on the protection of a substantial amount of open space lands. The protection of such lands not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources.

E. The Resolution by which the City of Ventura adopted its Comprehensive Plan on August 28, 1989, Resolution No. 89-103, at page 4, contains in part the following “mitigation measures” in recognition of the importance of preserving agriculture resources:

“Any potential significant adverse impacts are mitigated by substantially limiting the amount of agricultural land converted from an agricultural land use designation limiting the amount of prime farmland converted, and by making the various agricultural land areas designated for potential development subject to conditions which narrowly limit the possible land use.”

F. The Comprehensive Plan sets out as Objective 4 (at II-9) the desire to:

“Continue to preserve agricultural and other open space lands within the City’s Planning Area.”

And, the Comprehensive Plan describes as the first Goal of its Resource Element (at II-3) the objective to:

“Preserve agricultural and open space lands as a desirable means of shaping the City’s internal and external form and size, and of serving the needs of residents.”

G. The purpose of this initiative is to ensure that the Goals and Objectives of the Comprehensive Plan are inviolable by transitory short-term political decisions and that agricultural, watershed and open space lands are not prematurely or unnecessarily converted to other non-agricultural or non-open space uses without public debate and a vote of the people. Accordingly, the initiative ensures that until December 31, 2030, the general plan provisions governing agricultural land use designation and intent may not be change except by vote of the people. In addition, the initiative provides that any lands designated as “Agriculture Use”, referring to both “Agricultural Use (not to be reconsidered until after the Year 2010” and Agricultural/Institutional” on the City of Ventura’s General Plan “Land Use Plan Map” adopted by the City Council by Resolution 89-103 on August 28, 1989, as amended through February 1, 1995, will remain designated as Agricultural Use until December 31, 2030, unless the land is redesignated to another land use category by vote of the people, or redesignated by the City Council for the City of San Buenaventura pursuant to the procedures set forth in this initiative.



H. This initiative allows the City Council to redesignate agriculture lands only if certain findings can be made, including (among other things) that the land is proven to be unsuitable for any form of agriculture and redesignation is necessary to avoid an unconstitutional taking of property without just compensation.

### Section 2. General Plan Amendment.

The Agricultural Lands Preservation Initiative hereby reaffirms and readopts until December 31, 2030, The “Agricultural Use” designations as defined in the City of San Buenaventura Comprehensive Plan adopted August 28, 1989, as amended through February 1, 1995, at pages III-25 and III-26, with the modification that the “target date” is extended from 2010 until after December 31, 2030.

The following terminology shall replace the current “Agricultural Use” designation defined at page III-25 of The Plan:

#### Agricultural Use

The Agricultural Use (not to be reconsidered until after the Year 2030) category identifies those lands that are designated for agricultural use on the Land Use Plan Map.

The target date of 2030 associated with the Agricultural Use designation indicates a review date after which agriculturally designated lands may be reconsidered for urban uses. However, during the life of this plan as amended by initiative, it is intended that only agricultural uses are permitted on these lands, except as such lands may be appropriate to public open space and recreational usage. Furthermore, any updates to this Plan are not intended to imply that development would necessarily be appropriate at that time.

In addition, the initiative hereby reaffirms and readopts until December 31, 2030, the “Agricultural” designations set forth on the of the City of Ventura Comprehensive Plan “Land Use Plan Map” adopted by the City Council on August 28, 1989, as amended through February 1, 1995, which map is incorporated herein by reference, modified, as appropriate, to delete the reference year 2010 and replace it with the reference year 2030.

Finally, the text of the Amendment Procedures of the City of Ventura Comprehensive Plan adopted August 28, 1989, as amended through February 1, 1995, (at XI-I) shall be amended to add a new subsection which provides:

Limitation on General Plan Amendments Relating to “Agricultural Use”

- a) Until December 31, 2030, the provisions and designations governing the intent for lands designated “Agricultural Use” of the Land Use Element and Resource Element adopted on August 28, 1989, as amended through February 1, 1995, shall not be amended unless such amendment is approved by vote of the people.
- b) All those lands designated as “Agricultural Use” in the City of Ventura Comprehensive Plan “Land Use Plan Map” adopted by the City Council on August 28, 1989 as amended through February 1, 1995, shall remain so designated until December 31, 2030 unless redesignated to another general plan land use category by vote of the people, or redesignated by the City Council pursuant to the procedures set forth in subsections c) or d), below.
- c) Except as provided in subsection d), below, land designated as “Agricultural Use” may be redesignated by the City Council to a land use other than “Agricultural Use” as defined by the Comprehensive Plan adopted by the City Council on August 28, 1989, as amended through February 1, 1995, only if the City Council makes all of the following findings supported by the evidence:
  - i) The land is immediately adjacent to areas developed in a manner comparable to the proposed use;
  - ii) Adequate public services and facilities are available and have the capacity and capability to accommodate the proposed use;
  - iii) The proposed use is compatible with agricultural uses, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area;
  - iv) The land proposed for redesignation has not been used for agricultural purposes in the past 2 years and is unusable for agriculture due to its topography, drainage, flooding, adverse soil conditions or other physical reasons; and

- v) The land proposed for redesignation pursuant to this subsection (c) does not exceed 40 acres for any one landowner in any calendar year, and one landowner may not obtain redesignation in the Comprehensive Plan of “Agricultural Use” land pursuant to this subsection (c) more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation.
- d) Land designated as “Agricultural Use” on the Land Use Plan Map may be redesignated to another land use category by the City Council if each of the following conditions are satisfied:
  - i) The City Council makes a finding that the application of the provisions of Section 2 (a) would constitute an unconstitutional taking of the landowners’ property; and
  - ii) In permitting the redesignation, the City Council allows additional land uses only to the extent necessary to avoid said unconstitutional taking of the landowner’s property.
- e) Approval by a vote of the people is accomplished when a Comprehensive Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the City Council adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection, the City Council’s action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The City Council shall follow the provisions of the Election Code in all matters pertaining to such an election.

Section 3. Implementation.

A. Upon the effective date of this initiative, the initiative shall be deemed inserted in the City of Ventura’s Comprehensive Plan as an amendment thereof; except, that if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized in 1995, prior to the effective date of this initiative, this Comprehensive Plan amendment shall be deemed inserted in the City’s General Plan on January 1, 1996. At such time as this Comprehensive Plan amendment is deemed inserted in the City’s Comprehensive Plan (hereinafter, the “insertion date”) any provisions of the City’s Zoning Ordinance inconsistent with that amendment shall not be enforced to the extent of the inconsistency. Within 180 days of the insertion date, the City shall complete

such revisions of its Comprehensive Plan, including, but not limited to, the Comprehensive Plan Land Use Plan Map adopted by the City Council on August 28, 1989, (as amended through February 1, 1995) and accompanying test, as are necessary to achieve consistency with all provisions of this initiative. Also, within 180 days of the insertion date, the City Council shall complete such revisions of its Zoning Ordinance and other land use regulations as are necessary to conform to and be consistent with all provisions of this initiative.

B. The provisions of this initiative shall prevail over any revisions to the City of Ventura's Comprehensive Plan as amended through February 1, 1995, or to the City of Ventura's Land Use Plan Map as amended through February 1, 1995 which conflict with the initiative. Except as provided in Section 4 below, upon the specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this initiative.

Section 4. Exemptions for Certain Projects.

This initiative shall not apply to or affect any property owner whose property has acquired any of the following prior to its effective date:

- A. A vested right pursuant to state law;
- B. A validly approved and fully executed development agreement with the City; or
- C. Approval of a vesting tentative map.

Section 5. Severability.

If any portion of this initiative is declared invalid by a court, the remaining portions are to be considered valid.

Section 6. Amendment or Repeal.

This initiative may be amended or repealed only by the voters at a general election.



STATE OF CALIFORNIA                    )  
COUNTY OF VENTURA                 ) ss  
CITY OF SAN BUENAVENTURA         )

I, BARBARA J. KAM, City Clerk of the City of San Buenaventura, California, do hereby certify that the foregoing Ordinance was adopted by the voters of the City of San Buenaventura at the General Municipal Election held on November 7, 1995 and subsequently declared adopted by the City Council of the City of San Buenaventura on November 27, 1995. The Ordinance shall take effect December 7, 1995. This ordinance shall not be repealed or amended except by a vote of the people, unless provision is otherwise made in the original ordinance.

Dated this 30<sup>th</sup> day of November, 1995.

Barbara J. Kam, CMC  
City Clerk

## **Ventura Hillside Voter Participation Measure**

The people of the City of San Buenaventura do ordain as follows:

### Section 1. Title

This measure shall be known as the Ventura Hillside Voter Participation Measure.

### Section 2. Purpose

The overall purpose of this measure is to allow City voters to participate in the review process relating to non-exempt development projects that may be proposed in a certain portion of the “Hillside Area” of the City as defined in the City’s Comprehensive Plan Update to the Year 2010 (hereafter the “Comprehensive Plan”). The portion of the Hillside Area under consideration lies generally north of the City, constitutes an area approximately 9108 acres in size, and is further depicted as the “Hillside Voter Participation Area” indicated in Exhibit “A” attached hereto and made a part hereof. The proposed Hillside Voter Participation Area (also referred to from time to time hereafter as “HVP Area” or “HVPA”) is outside the Ventura City limits, but it is within the “Planning Area” of the City of San Buenaventura as further indicated on Exhibit “A.” The Comprehensive Plan Land Use Map currently designates the properties within the proposed Hillside Voter Participation Area as “Hillside Planned Residential” or “HPR” rather than “Agricultural” and, therefore, these properties are not subject to the Save Our Agricultural Resources (“SOAR”) Initiative adopted by the voters in 1995.

In the recent past, some property owners within the proposed Hillside Voter Participation Area have publicly presented initial proposals to develop those properties with a combination of residential uses and open space and recreational areas proposed to include, among other things, hiking and equestrian trails for use by the public. In the course of public meetings and informational workshops discussing these proposals, it has become apparent that there is a high level of public concern over potential issues of scenic resource protection, open space and recreational opportunities, infrastructure needs, traffic circulation, and other development-related issues arising from any proposed changes in the use of this important part of the City’s Planning Area. This measure, in recognition of this heightened public concern, is intended to provide the electorate of the City of San Buenaventura with an opportunity to vote on the approval of any such development proposals or any similar proposals to extend urban services to the Hillside Voter Participation Area or develop property in the Hillside Voter Participation Area with urbanized land uses.

More particularly, this measure proposes to amend the Comprehensive Plan of the City of San Buenaventura by adding a requirement that approvals for extensions of “urban services” (defined in the City’s Hillside Management Program as the provision of domestic water and sewers) or any proposed “urbanized uses of land” (as defined herein) in the Hillside Voter Participation Area cannot be granted without prior approval by a majority vote of the electorate.

Section 3. Comprehensive Plan Amendment

The following text shall be inserted into the Land Use Element of the Comprehensive Plan at page 111-8 thereof:

Hillside Voter Participation Area

The electorate of the City of Ventura has adopted a Hillside Voter Participation Area (Ventura HVP Area). Its purpose, principles, implementation procedures, and methodologies for amendment are set forth in this Comprehensive Plan amendment.

**A. PURPOSE**

The City of Ventura Hillside Area, with its unique topography, viewsheds, watershed lands; its unique microclimate and hydrology, and its diversity of plant and wildlife resources, is one of the finest scenic resources in the Southern California region. The Comprehensive Plan recognizes the unique and important qualities and potential of the Hillside Area in, among other provisions, the declaration of specialized Objectives and Policies for the Hillside Area in the Resources Element of the Plan and the Plan’s requirements for continuing operation of, and compliance with, the City’s Hillside Management Program.

This Comprehensive Plan amendment is intended to provide for an increased level of public awareness and participation in the development review process applicable to that portion of the Hillside Area described and depicted in Exhibit “A” as the “Hillside Voter Participation Area.” It is further intended to provide assurance to the public that any proposed development in the Hillside Voter Participation Area appropriately takes into account the Area’s unique combination of viewshed, watershed, open space, scenic area, and environmentally sensitive habitat, and that agricultural, viewshed, watershed, and open space lands in the Hillside Voter Participation Area are not converted to urban or other non-open space uses without public discussion and a vote of the people. Increasing citizen participation in the development review process through the establishment of a Hillside Voter Participation Area enhances the City’s sense of community, allows for development unique to the City of Ventura, and promotes the efficient use of the City’s infrastructure.

More specifically, this Comprehensive Plan amendment is intended to provide an opportunity for the public to be involved in insuring that any development projects proposed in the Hillside Voter Participation Area, shall, at a minimum:

1. Maintain the scenic character of the hillsides in areas of future development, by preserving significant natural landmarks and scenic ridgelines and slopes.
2. Provide increased recreational opportunities for existing and future hillside and other City residents, by improving access to existing parks and establishing additional parks or open, non-developed areas in conjunction with future hillside development.
3. Maximize public access to hillside open space and recreation areas, by establishing a system of linear parks and hiking trails along scenic ridges and barrancas.
4. Minimize the impact of hillside development on sensitive natural habitats and historical or archaeological resources.

**B. PRINCIPLES**

Inappropriate urban encroachment into Hillside open space, viewshed, watershed, scenic areas, and biological resource areas would have the potential to impact sensitive environmental areas, unwarrantedly intrude on open space, diminish the quality of life and threaten the public health, safety and welfare by leading to increased traffic congestion, associated air pollution, erosion, alteration of sensitive lands in watershed areas and causing potentially serious water problems, such as pollution, depletion and sedimentation of available water resources not only for the City of Ventura, but for its jurisdictional neighbors. Inappropriate urban encroachment could further result in the unwarranted extension of public services and facilities into sensitive areas.

The unique character of the City of Ventura and quality of life of City residents depends on the appropriate protection of the Hillside Area's substantial amount of open space, viewshed, watershed, scenic resources, and biological resources. The increased public awareness and involvement in the fate of such lands through the implementation of this Comprehensive Plan amendment will provide the public a special opportunity to assure that future generations of Ventura citizens will not be deprived of the benefits of access to a viable water supply, flood and erosion control, protection of viewsheds, wildlife, environmentally sensitive areas, open space and recreational areas, and irreplaceable natural resources.



**C. IMPLEMENTATION**

(1) There is hereby established a Ventura Hillside Voter Participation Area (Ventura HVP Area). The Ventura HVP Area is that portion of the Hillside Area delineated and depicted in Exhibit “A” of this Comprehensive Plan amendment (hereafter, the “HVP Area Map”). As shown on the HVP Area Map, the southern boundary of the HVP Area generally follows the northern segment of the City’s incorporated limit as established by the Local Agency Formation Commission for the City of Ventura, except as the HVP boundary line runs northerly of some small residential lots on or near Foothill Road west of Arroyo Verde Park as further depicted on Exhibit “A.” East of Harmon Barranca, the HVP Area boundary generally follows the alignment of Foothill Road eastward to the boundary of the City’s Planning Area. The northerly boundary of the HVP Area continues, generally, as the northern boundary of the City’s Planning Area. The westerly boundary of the HVP Area alternately follows the City limit boundary or Sphere of Influence boundary easterly of the North Avenue area. The foregoing narrative description is intended to be general in nature and all of the foregoing is more particularly depicted and described in Exhibit “A’

Insofar as the HVP Area boundary described and depicted in this Comprehensive Plan amendment, including Exhibit “A” hereto, is said or shown to be coterminous with either the City’s incorporated limit or the City’s Sphere of Influence boundary, or with the boundary of the City’s Planning Area, such references are intended to be, and shall be construed to be, the location of the City limit boundary or Sphere of Influence boundary or boundary of the City’s Planning Area. as applicable, as each of those boundaries are established for the City of Ventura as of January 1, 2001. Although the HVP Area boundary is established, in part, in generally the same location as the City limit boundary, or in some instances, the Sphere of Influence boundary, the establishment of the HVP Area boundary is not intended to and shall in no way inhibit the Local Agency Formation Commission from changing or altering the City limit boundary or Sphere of Influence boundary in accordance with State law. The boundary of the HVP Area, although incidentally coterminous as of one point in time with the City limit boundary or Sphere of Influence boundary or boundary of the City’s Planning Area, is independent from these boundaries in legal significance and purpose. While the City limit boundary or Sphere of Influence boundary may be, from time to time, altered by the Local Agency Formation Commission, or the boundary of the City’s Planning Area may be changed, the HVP Area boundary shall not be changed except as provided herein.

(2) Until December 31, 2030, the City of Ventura shall not extend urban services into, and shall not authorize urbanized uses of land within, the Ventura Hillside Voter Participation Area unless otherwise authorized by a vote of the people, except for the purpose of construction of public potable water facilities, public parks or other city government facilities or as otherwise provided or excepted herein. Upon the effective date of this Hillside Voter Participation Area Comprehensive

Plan amendment, the City and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any Comprehensive Plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this Comprehensive Plan amendment, unless in accordance with the amendment procedures of Section 4 of this Comprehensive Plan amendment.

(3) "Urbanized uses of land" shall mean any development that would require the establishment of new community sewer systems or the significant expansion of existing community sewer systems; or, would result in the creation of residential densities greater than one primary residential unit per 40 acres in area; or, would result in the establishment of commercial or industrial uses that are neither agriculturally-related nor related to the production of mineral resources.

(4) The Land Use Map is amended to reflect the existence of the Ventura Hillside Voter Participation Area as generally described in paragraph (1) above and as depicted in Exhibit "A," attached hereto.

(5) The Hillside Voter Participation Area, as defined herein, may not be amended, altered, revoked or otherwise changed prior to December 31, 2030, except by vote of the people or by the City Council pursuant to the procedures set forth in Section 4 of this Comprehensive Plan amendment. For purposes of this Ordinance, approval by a vote of the people is accomplished when a Comprehensive Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the City Council adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection, the City Council's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The City Council shall follow the provisions of the Election Code in all matters pertaining to such an election.

Section 4. Changes to Area: Procedures.

Until December 31, 2030, the foregoing Purposes, Principles and Implementation provisions of this Comprehensive Plan amendment, and the Hillside Voter Participation Area may be amended only by a vote of the people commenced pursuant to the initiative process by the public, or pursuant to the procedures set forth below:

A. The City Council may amend the boundary of the Hillside Voter Participation Area depicted on Exhibit "A" if it finds such amendment to be in the public interest, provided that the amended boundary enlarges said Hillside Voter Participation Area established by this Comprehensive Plan amendment.

B. The City Council, following at least one public hearing for presentation by an applicant and the public, and after compliance with the California Environmental Quality Act, may amend the Hillside Voter Participation Area described herein, based on substantial evidence in the record, if the City Council makes each of the following findings:

- (1) Application of the provisions of subsections (A) or (B) of the amendment procedures set forth in this Section 4 are unworkable and failure to amend the Hillside Voter Participation Area would constitute an unconstitutional taking of a landowner's property for which compensation would be required or would deprive the landowner of a vested right; and
- (2) The amendment and associated land use designations will allow additional land uses only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property or to give effect to the vested right.

C. The City Council, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may place any amendment to the Hillside Voter Participation Area or the provisions of this Comprehensive Plan amendment on the ballot pursuant to the mechanisms provided by state law.

D. The Comprehensive Plan may be reorganized and individual provisions, including the provisions of this ordinance, maybe renumbered or reordered in the course of ongoing updates of the Comprehensive Plan in accordance with the requirements of state law.

Section 5. No Changes to Save Our Agricultural Resources Initiative

Any restrictions imposed upon the City of San Buenaventura limiting the City's ability to redesignate, or allow development of, property designated "Agricultural" that are in effect as a result of the "SOAR" initiative approved by the voters in 1995 and adopted by the City Council as Ordinance No. 95-33 shall remain in full force and effect and shall not be amended, modified, altered, or abridged by the adoption of this ordinance.

Section 6. Exemptions:

The provisions of this ordinance do not apply to:

A. Construction or reconstruction of, or related to, public potable water facilities, public parks or other city government facilities; or

B. Construction or reconstruction of no more than one residential dwelling unit, and incidental uses or structures related thereto, on an individual parcel of land that is lawfully established of record as of the effective date of this Comprehensive Plan amendment and that is contiguous to the City's incorporation boundary but only to the extent that such a legally established parcel is developed with, or proposed to be developed with, no more than one residential dwelling unit; or

C. Any development that would result in the creation of residential densities equal to or less than one primary residential unit per 40 acres in area; or, would result in the establishment of commercial or industrial uses that are agriculturally-related or related to the production of mineral resources; or

D. Any development project that has obtained, as of the effective date of this Comprehensive Plan amendment, a vested right pursuant to state or local law; or

E. Uses that are "incidental" (as the City's Zoning Ordinance defines "incidental uses") to uses lawfully established as of the effective date of this Comprehensive Plan amendment.

Section 7. Interpretation

This ordinance shall be broadly construed in order to achieve the purposes stated in this ordinance. It is the intent of the voters that the provisions of this measure shall be interpreted by the City and others in a manner that promotes public participation in decision-making relating to future development proposals within in the Hillside Voter Participation Area.

Section 8. Insertion Date

A. Upon the effective date of this ordinance, Sections 3, 4, 5, 6, and 7 of this ordinance shall be deemed inserted in the Comprehensive Plan and the Land Use Map referred to in Part C of Section 3 shall be deemed amended even though the reprinting may not occur until it can be carried out by the staff of the City of San Buenaventura.

B. The Comprehensive Plan in effect at the time the City Council decided to place this measure on the ballot, and the Comprehensive Plan as amended by this ordinance, comprise an integrated, internally consistent and compatible statement of policies for the City of San Buenaventura. In order to ensure that the Comprehensive Plan remains an integrated, internally consistent and compatible statement of policies and to ensure that the actions of the voters in enacting this ordinance are given effect, any provision of the Comprehensive Plan that is adopted between July 23, 2001 and the effective date of this ordinance, to the extent that such provision is inconsistent with this ordinance, shall be amended as soon as possible and in the manner and time required by state law to ensure consistency between such provision and Section 3 of this ordinance. In the alternative, such interim-enacted inconsistent provisions shall be repealed.

Section 9. Amendment or Repeal

This ordinance may be amended or repealed only by the voters of the City of San Buenaventura at an election held in accordance with state law, except as expressly provided by Section 4 herein.



# V E N T U R A   C O M M U N I T Y   P A R K   S O A R   A M E N D M E N T

The people of the City of San Buenaventura do ordain as follows:

## Section 1. Title

This measure shall be known as the Ventura Community Park SOAR Amendment.

## Section 2. Purpose

The purpose of this measure is to allow the City to develop a Community Park on a parcel of property located at the northwest corner of the intersection of Kimball Road and Telephone Road. The subject property, which is approximately 100 acres in size, is further described in Exhibit "A," attached hereto and made a part hereof, and is hereafter referred to as the "Property." Most of the Property is outside the Ventura City limits but within the "Planning Area" of the City of San Buenaventura and therefore covered by the City's Comprehensive Plan Update to the Year 2010 (hereafter the "Comprehensive Plan"). The Property is currently designated "Agricultural" under the Comprehensive Plan and, therefore, also subject to the 1995 Save Our Agricultural Resources ("SOAR") Initiative.

The City is proposing to develop the Property with community-oriented public park facilities that may include, among other things, athletic fields, an aquatic facility, a community center and other related buildings and structures for use by the public. If this measure is approved, the City may also construct and operate a fire station on a portion of the Property.

This initiative proposes to amend the Comprehensive Plan of the City of San Buenaventura, by changing the designation of the Property in the Comprehensive Plan Land Use Plan Map from "Agricultural" (or "A") to "Parks" (or "P"). This will allow the City of San Buenaventura to potentially develop the Property with a Community Park without being restricted by the SOAR Initiative.

Section 3. Comprehensive Plan Amendment

Part A.

The following paragraph titled “Parks Uses” is hereby added to the Land Use Element of the Comprehensive Plan, more particularly, to the provisions of the Serra Community Intent and Rationale Statement on page III-96, to read as follows:

“Parks Uses: The Parks Land Use Plan designation is applied to an approximately 100-acre site at the northwest corner of Kimball Road and Telephone Road for the purpose of developing a multi-purpose community-oriented public park on this site. It is further intended that this site should be zoned to the “P” (Parks) zone if and when it is annexed to the City. Design Review should be carried out by the City's Planning Commission prior to the development of any Recreation Services use types on the site to assure that the range of community park uses potentially permitted on the site by the "P" zone are well integrated on the site and compatible with adjacent land uses.”

Part B.

The Property is deleted from the discussion of “Agricultural Uses” in the Serra Community provisions of the Land Use Element of the Comprehensive Plan. To that end, the final paragraph with the heading “Agricultural Use” beginning at the bottom of page III-95 and ending at the top of page III-96 is hereby revised to read as follows:

“Agricultural Use: A 297-acre area between Telephone Road and the Southern Pacific Railroad and a 172-acre area between Bristol Road and the Santa Clara River are designated Agricultural Use, not to be reconsidered until after the Year 2010, to preserve their existing agricultural character.”

Part C.

The Land Use Plan Map incorporated in the Comprehensive Plan is hereby amended, and official copies thereof shall be revised by City staff, to reflect the foregoing amendments to the text of the Land Use Element.

Section 4. Zoning

Upon annexation to the City of San Buenaventura, the zoning classification for the Property shall be “P” (Parks) and the Official Zoning District Map incorporated in the Zoning Ordinance shall, by this Measure, be amended, and official copies thereof shall be revised by City staff, to reflect the foregoing zone change to the Property.

Section 5. Save Open-Space and Agricultural Resources

Any restrictions imposed upon the City of San Buenaventura limiting the City’s ability to redesignate, or allow development of, property designated “Agricultural” that are in effect on the day that this Initiative is approved by the voters shall remain in full force and effect except as to the Property. The City of San Buenaventura may allow development of a community park on the Property in accordance with this ordinance.

Section 6. Interpretation

This ordinance shall be broadly construed in order to achieve the purposes stated in this ordinance. It is the intent of the voters that the provisions of this ordinance shall be interpreted by the City of San Buenaventura and others in a manner that facilitates the development of a community park on the Property in accordance with the purposes of this ordinance.

Section 7. Insertion Date

Part A. Upon the effective date of this ordinance, Part A and Part B of Section 3 of this ordinance shall be deemed inserted in the Comprehensive Plan and the Land Use Map referred to in Part C of Section 3 shall be deemed amended even though the reprinting may not occur until it can be carried out by the staff of the City of San Buenaventura.

Part B. The Comprehensive Plan in effect at the time the City Council decided to place this measure on the ballot, and the Comprehensive Plan as amended by this ordinance, comprise an integrated, internally consistent and compatible statement of policies for the City of San Buenaventura.

## V E N T U R A   C O M M U N I T Y   P A R K   S O A R   A M E N D M E N T

In order to ensure that the Comprehensive Plan remains an integrated, internally consistent and compatible statement of policies and to ensure that the actions of the voters in enacting this ordinance are given effect, any provision of the Comprehensive Plan that is adopted between [the date the City Council decided to place this measure on the ballot] and the effective date of this ordinance, to the extent that such provision is inconsistent with this ordinance, shall be amended as soon as possible and in the manner and time required by state law to ensure consistency between such provision and Section 3 of this ordinance. In the alternative, such interim-enacted inconsistent provisions shall be repealed.

### Section 8. Amendment or Repeal

Section 3 and Section 4 of this ordinance may be amended or repealed only by the voters of the City of San Buenaventura at an election held in accordance with state law.

The people of the City of San Buenaventura do ordain as follows:

**Section 1. Title**

This ordinance shall be known as the First Assembly of God Land Initiative.

**Section 2. Purpose**

The purpose of this ordinance is to allow the First Assembly of God (hereafter “Church”) to develop a property located at the northwest corner of the intersection of Montgomery Avenue and Northbank Drive. Such property is 25.59 acres and is further described in Exhibit A, attached hereto and made a part hereof, and is hereafter referred to as “Property”. The Church wishes to develop the Property in accordance with City of San Buenaventura Ordinance No 95-33 (commonly known as “SOAR”) guidelines for a sanctuary, related Church buildings, and athletic fields for use by the community of San Buenaventura.

Since the Property is within the sphere of influence of the City of San Buenaventura, this ordinance (1) amends the Comprehensive Plan Update to the Year 2010 (hereafter the “General Plan”) of the City of San Buenaventura, and (2) rezones the Property to the R-1 Single Family zone with a subzone of R-1-1AC. This will allow the City of San Buenaventura to annex the Property with a restricted land use that is compatible with the Church’s development of the Property.

**Section 3. General Plan Amendment**

**Part A.**

The second paragraph under the heading “Residential Uses” appearing on page III-94 of the General Plan describes the areas that may be used for low-density, single family homes in the Serra Community area of the City of San Buenaventura. The single family use (designated as SF in the General Plan) is the most restrictive land use that will allow the Church to build a sanctuary, related church buildings, and athletic fields. Section 4 of this initiative will further restrict the Property by pre-zoning the Property and requiring a minimum of one acre for each parcel. This will make the Property unattractive for single family development but still acceptable for the Church sanctuary, related Church buildings, and athletic fields. This ordinance adds the Church’s 25.59 acre parcel to the SF land use.



The second paragraph under the heading “Residential Uses” appearing on page III-94 of the General Plan is hereby amended to read as follows:

“The SF category is applied to an approximately 3-acre site at the southeast corner of Henderson and Petit Avenue, a 1.7-acre site southerly of Darling Road extended, and a 25.59-acre site located at the northwest corner of Montgomery Avenue and Northbank Drive.”

**Part B.**

The final paragraph with the heading “Agricultural Use” beginning at the bottom of page III-95 and ending at the top of page III-96 of the General Plan describes that portion of the Serra Community area of the City of San Buenaventura which may only be used for agricultural uses. This ordinance deletes the Church’s 25.59 acre parcel from the agricultural use category.

The final paragraph with the heading “Agricultural Use” beginning at the bottom of page III-95 and ending at the top of page III-96 of the General Plan is hereby amended to read as follows:

“Agricultural Use: A 100-acre site at the northwest corner of Kimball Road and Telephone, a 297-acre area between Telephone Road and the Southern Pacific Railroad except for the 25.59-acre site located at the northwest corner of Montgomery Avenue and Northbank Drive, and a 172-acre area between Bristol Road and the Santa Clara River are designated Agricultural Use, not to be reconsidered until after the Year 2010, to preserve their existing agricultural character.”

**Part C.**

The map of the Land Use Plan contained in the General Plan shall be redrafted to reflect the foregoing amendments.

#### Section 4. Zoning

The most restrictive zoning in the City of San Buenaventura which will allow the Church to build a sanctuary, related Church buildings, and athletic fields on the Property is an R-1 Single Family zone with a subzone of R-1-1AC. The R-1-1AC subzone restricts the Property by requiring a minimum of one acre for each parcel. This will make the Property unattractive for single family development but still acceptable for the Church's sanctuary, related Church buildings, and athletic fields.

Therefore, upon annexation of the Property to the City of San Buenaventura the zoning designation for the Property shall be the R-1 Single Family zone with a subzone of R-1-1AC.

#### **Section 5. Save Open-Space and Agricultural Resources**

Any restrictions imposed upon the City of San Buenaventura limiting the City's ability to annex property and allow development of such property shall remain in full force and effect except as to the 25.59-acres of the Property.

#### **Section 6. Construction**

This ordinance shall be broadly construed in order to achieve the purposes stated in this ordinance. It is the intent of the voters that the provisions of this ordinance shall be interpreted by the City of San Buenaventura and others in a manner that facilitates the development of the Property in accordance with the purposes of this ordinance.

#### **Section 7. Insertion Date**

**Part A.** Upon the effective date of this ordinance, Part A and Part B of Section 3 of this ordinance shall be deemed inserted in the General Plan and the Land Use Map referred to in Part C of Section 3 shall be deemed amended even though the reprinting may not occur until deemed convenient by the City of San Buenaventura.

**Part B.** The General Plan in effect at the time the Notice of Intention to circulate this initiative was submitted to the City Clerk of the City of San Buenaventura, and the General Plan as amended by this ordinance, comprise an integrated, internally consistent and compatible statement of policies for the City of San Buenaventura. In order to ensure that the General Plan remains an integrated, internally consistent and compatible statement of policies and to ensure that the actions of the voters in enacting this ordinance are given effect, any provision of the General Plan that is adopted between the Notice of Intention and the effective date of this ordinance, to the extent that such provision is inconsistent with this ordinance, shall be amended as soon as possible and in the manner and time required by state law to ensure consistency between such provision and Section 3 of this ordinance. In the alternative, such interim-enacted inconsistent provisions shall be repealed.

**Section 8. Amendment or Repeal**

Section 3 and Section 4 of this ordinance may be amended or repealed only by the voters of the City of San Buenaventura at an election held in accordance with state law.

EXHIBIT "A"

PARCEL 1:

That portion of Subdivision 98 of Rancho Santa Paula y Saticoy, in the county of Ventura, state of California, as per map recorded in book "A" pag3 290 of Miscellaneous Records (Transcribed Records from Santa Barbara County), in the office of the county recorder of said county, described as follows:

Beginning at the point of intersection of the centerline of the right of way of the Southern Pacific Railroad and the boundary line between Subdivisions 98 and 99 of said Rancho Santa Paula y Saticoy; thence from said point of beginning,

1<sup>st</sup>: - North 10° 30' West 9.482 chains, more or less, to the southeast corner of that certain Parcel of land conveyed to Charles H. Fowler, by deed dated March 18, 1892, recorded in book 36 page 86 of Deeds; thence,

2<sup>nd</sup>: - South 79° 30' West 19.25 chains, along the south line of said lands of Charles H. Fowler, to the northeast corner of that certain Parcel of land as conveyed to Emma J. Tyler, by deed dated June 20, 1894, recorded in book 43 page 90 of Deeds; thence,

3<sup>rd</sup>: - South 10° 30' East 18.982 chains, more or less, along the east line of said lands of Emma J. Tyler, to a point in the centerline of the right of way of the Southern Pacific Railroad; thence along same,

4<sup>th</sup>: - North 53° 15' East 22.57 chains, more or less, to the point of beginning.

EXCEPT a strip of parcel of land 50 feet wide lying adjoining and immediately west of the east line of the above described land, conveyed to the County of Ventura, as a public highway, by deed recorded July 12, 1889, in book 28 page 338 of Deeds.

ALSO EXCEPT that portion thereof conveyed to the Southern Pacific Railroad Company by deed recorded January 27, 1887 in book 18 page 146 of Deeds.

RESERVING unto the grantor herein, all oil, gas and mineral rights in and to said land, without however, any right of surface entry in and to a depth of 500 feet.

PARCEL 3:

That certain parcel in Lot 99 of the Rancho Santa Paula y Saticoy, marked "not a part of this subdivision" on the map of Tract No. 1333-1, in the City of San Buenaventura, county of Ventura, state of California, as per map recorded in book 30 page 51 of Maps, in the office of the county recorder of said county, and lying northwesterly of the Southern Pacific Railroad right of way, easterly of Bristol Road and southwesterly of Montgomery Avenue, as shown on said map.

RESERVING unto the grantor herein, all oil, gas and mineral rights in and to said land, without however, any right of surface entry in and to a depth of 500 feet from the surface thereof.





"The desire for community is a constant of human nature."

— Steven Price  
Urban Advantage  
Berkeley, California

CITY OF  
**VENTURA**

A T T A C H M E N T S

ventura's general plan

21<sup>ST</sup> CENTURY TOOL KIT

## Prelude

The 2005 Ventura General Plan envisions a new direction to protect and preserve its citizens' quality of life. This direction is based on the recognition that zoning and land development, as practiced for the past several decades, has not served our citizens, our city, or our environment as well as it should.

Currently, the two most successful movements created to alleviate this situation are "Smart Growth" and "New Urbanism." Smart Growth is a government initiated approach against sprawl that addresses underlying policy from the top-down, and is primarily marketed by government and similar agencies. New Urbanism is a grass roots, market response to outdated zoning and land use policy as it impacts development and the physical properties of the public realm. Its chief advocates are architects and town designers.

Smart Growth grew out of early New Urbanist work, and both are concerned with the real outcomes of the built environment and how it affects communities environmentally, economically, culturally, and socially.

The Ahwahnee Principles and the Charter for the New Urbanism, listed below, were created early on as "constitutions" that governed these movements. Both are valuable tools that Ventura would be wise to include in its 21st Century Tool Kit to understand and solve long-standing problems associated with growth and change.

**AHWAHNEE PRINCIPLES****Preamble:**

Existing patterns of urban and suburban development seriously impair our quality of life. The symptoms are: more congestion and air pollution resulting from our increased dependence on automobiles, the loss of precious open space, the need for costly improvements to roads and public services, the inequitable distribution of economic resources, and the loss of a sense of community. By drawing upon the best from the past and the present, we can plan communities that will more successfully serve the needs of those who live and work within them. Such planning should adhere to certain fundamental principles.

**Community Principles**

1. All planning should be in the form of complete and integrated communities containing housing, shops, work places, schools, parks and civic facilities essential to the daily life of the residents.

2. Community size should be designed so that housing, jobs, daily needs and other activities are within easy walking distance of each other.
3. As many activities as possible should be located within easy walking distance of transit stops.
4. A community should contain a diversity of housing types to enable citizens from a wide range of economic levels and age groups to live within its boundaries.
5. Businesses within the community should provide a range of job types for the community's residents.
6. The location and character of the community should be consistent with a larger transit network.
7. The community should have a center focus that combines commercial, civic, cultural and recreational uses.
8. The community should contain an ample supply of specialized open space in the form of squares, greens and parks whose frequent use is encouraged through placement and design.
9. Public spaces should be designed to encourage the attention and presence of people at all hours of the day and night.
10. Each community or cluster of communities should have a well-defined edge, such as agricultural greenbelts or wildlife corridors, permanently protected from development.
11. Streets, pedestrian paths and bike paths should contribute to a system of fully-connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic.
12. Wherever possible, the natural terrain, drainage and vegetation of the community should be preserved with superior examples contained within parks or greenbelts.
13. The community design should help conserve resources and minimize waste.
14. Communities should provide for the efficient use of water through the use of natural drainage, drought tolerant landscaping and recycling.
15. The street orientation, the placement of buildings and the use of shading should contribute to the energy efficiency of the community.

### **Regional Principles**

1. The regional land-use planning structure should be integrated within a larger transportation network built around transit rather than freeways.
2. Regions should be bounded by and provide a continuous system of greenbelt/wildlife corridors to be determined by natural conditions.
3. Regional institutions and services (government, stadiums, museums, etc.) should be located in the urban core.
4. Materials and methods of construction should be specific to the region, exhibiting a continuity of history and culture and compatibility with the climate to encourage the development of local character and community identity.

### **Implementation Principles**

1. The general plan should be updated to incorporate the above principles.
2. Rather than allowing developer-initiated, piecemeal development, local governments should take charge of the planning process. General plans should designate where new growth, infill or redevelopment will be allowed to occur.

3. Prior to any development, a specific plan should be prepared based on these planning principles.
4. Plans should be developed through an open process and participants in the process should be provided visual models of all planning proposals.

### **CONGRESS FOR THE NEW URBANISM**

THE CONGRESS FOR THE NEW URBANISM views disinvestment in central cities, the spread of placeless sprawl, increasing separation by race and income, environmental deterioration, loss of agricultural lands and wilderness, and the erosion of society's built heritage as one interrelated community building challenge.

WE STAND for the restoration of existing urban centers and towns within coherent metropolitan regions, the reconfiguration of sprawling suburbs into communities of real neighborhoods and diverse districts, the conservation of natural environments, and the preservation of our built legacy.

WE RECOGNIZE that physical solutions by themselves will not solve social and economic problems, but neither can economic vitality, community stability, and environmental health be sustained without a coherent supportive physical framework.

WE ADVOCATE the restructuring of public policy and development practices to support the following principles: neighborhoods should be diverse in use and population; communities should be designed for the pedestrian and transit as well as the car; cities and towns should be shaped by physically defined and universally accessible public spaces and community institutions; urban places should be framed by architecture and landscape design that celebrate local history, climate, ecology, and building practice.

WE REPRESENT a broad-based citizenry, composed of public and private sector leaders, community activists, and multidisciplinary professionals. We are committed to reestablishing the relationship between the art of building and the making of community, through citizen-based participatory planning and design.

WE DEDICATE ourselves to reclaiming our homes, blocks, streets, parks, neighborhoods, districts, towns, cities, regions, and environment.

***We assert the following principles to guide public policy, development practice, urban planning, and design:***

### ***The region: Metropolis, city, and town***

1. Metropolitan regions are finite places with geographic boundaries derived from topography, watersheds, coastlines, farmlands, regional parks, and river basins. The metropolis is made of multiple centers that are cities, towns, and villages, each with its own identifiable center and edges.
2. The metropolitan region is a fundamental economic unit of the contemporary world. Governmental cooperation, public policy, physical planning, and economic strategies must reflect this new reality.
3. The metropolis has a necessary and fragile relationship to its agrarian hinterland and natural landscapes. The relationship is environmental, economic, and cultural. Farmland and nature are as important to the metropolis as the garden is to the house.
4. Development patterns should not blur or eradicate the edges of the metropolis. Infill development within existing urban areas conserves environmental resources, economic investment, and social fabric, while reclaiming marginal and abandoned areas. Metropolitan regions should develop strategies to encourage such infill development over peripheral expansion.
5. Where appropriate, new development contiguous to urban boundaries should be organized as neighborhoods and districts, and be integrated with the existing urban pattern. Noncontiguous development should be organized as towns and villages with their own urban edges, and planned for a jobs/housing balance, not as bedroom suburbs.
6. The development and redevelopment of towns and cities should respect historical patterns, precedents, and boundaries.
7. Cities and towns should bring into proximity a broad spectrum of public and private uses to support a regional economy that benefits people of all incomes. Affordable housing should be distributed throughout the region to match job opportunities and to avoid concentrations of poverty.
8. The physical organization of the region should be supported by a framework of transportation alternatives. Transit, pedestrian, and bicycle systems should maximize access and mobility throughout the region while reducing dependence upon the automobile.
9. Revenues and resources can be shared more cooperatively among the municipalities and centers within regions to avoid destructive competition for tax base and to promote rational coordination of transportation, recreation, public services, housing, and community institutions.



***The neighborhood, the district, and the corridor***

1. The neighborhood, the district, and the corridor are the essential elements of development and redevelopment in the metropolis. They form identifiable areas that encourage citizens to take responsibility for their maintenance and evolution.
2. Neighborhoods should be compact, pedestrian-friendly, and mixed-use. Districts generally emphasize a special single use, and should follow the principles of neighborhood design when possible. Corridors are regional connectors of neighborhoods and districts; they range from boulevards and rail lines to rivers and parkways.
3. Many activities of daily living should occur within walking distance, allowing independence to those who do not drive, especially the elderly and the young. Interconnected networks of streets should be designed to encourage walking, reduce the number and length of automobile trips, and conserve energy.
4. Within neighborhoods, a broad range of housing types and price levels can bring people of diverse ages, races, and incomes into daily interaction, strengthening the personal and civic bonds essential to an authentic community.
5. Transit corridors, when properly planned and coordinated, can help organize metropolitan structure and revitalize urban centers. In contrast, highway corridors should not displace investment from existing centers.
6. Appropriate building densities and land uses should be within walking distance of transit stops, permitting public transit to become a viable alternative to the automobile.
7. Concentrations of civic, institutional, and commercial activity should be embedded in neighborhoods, and districts, not isolated in remote, single-use complexes. Schools should be sized and located to enable children to walk or bicycle to them.
8. The economic health and harmonious evolution of neighborhoods, districts, and corridors can be improved through graphic urban design codes that serve as predictable guides for change.
9. A range of parks, from tot-lots and village greens to ball fields and community gardens, should be distributed within neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods and districts.

### ***The block, the street, and the building***

1. A primary task of all urban architecture and landscape design is the physical definition of streets and public spaces as places of shared use.
2. Individual architectural projects should be seamlessly linked to their surroundings. This issue transcends style.
3. The revitalization of urban places depends on safety and security. The design of streets and buildings should reinforce safe environments, but not at the expense of accessibility and openness.
4. In the contemporary metropolis, development must adequately accommodate automobiles. It should do so in ways that respect the pedestrian and the form of public space.
5. Streets and squares should be safe, comfortable, and interesting to the pedestrian. Properly configured, they encourage walking and enable neighbors to know each other and protect their communities.
6. Architecture and landscape design should grow from local climate, topography, history, and building practice.
7. Civic buildings and public gathering places require important sites to reinforce community identity and the culture of democracy. They deserve distinctive form, because their role is different from that of other buildings and places that constitute the fabric of the city.
8. All buildings should provide their inhabitants with a clear sense of location, weather and time. Natural methods of heating and cooling can be more resource-efficient than mechanical systems.
9. Preservation and renewal of historic buildings, districts, and landscapes affirm the continuity and evolution of urban society.

**Congress of the New Urbanism, 140 S. Dearborn St., Suite 310, Chicago, IL, 60603, (312) 551-7300**  
For information, visit [www.cnu.org](http://www.cnu.org)

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## GLOSSARY OF TERMS IN THE 2005 VENTURA GENERAL PLAN

### Abbreviations

ADT: Average number of vehicle trips per day  
 CEQA: California Environmental Quality Act  
 CIP: Capital Improvements Program  
 CNEL: Community Noise Equivalent Level  
 dB: Decibel  
 DOF: California Department of Finance  
 EIR: Environmental Impact Report  
 FAR: Floor Area Ratio  
 FEMA: Federal Emergency Management Agency  
 LAFCo: Local Agency Formation Commission  
 Ldn: Day and Night Average Sound Level  
 Leq: Sound Energy Equivalent Level  
 LOS: Traffic Intersection Level of Service  
 RDA: City of Ventura Redevelopment Agency  
 SCAG: Southern California Association of Governments  
 SOI: Sphere of Influence  
 TDM: Transportation Demand Management  
 TOD: Transit-Oriented Development  
 VCOG: Ventura County Council of Governments

### Definitions

**Acre:** Approximately 43,560 square feet.

**Acres, Gross:** The entire acreage of a site calculated to the centerline of proposed bounding streets and to the edge of the right-of-way of existing or dedicated streets.

**Acres, Net:** The portion of a site that can actually be built upon. The following generally are not included in the net acreage of a site: public or private road rights-of-way, public open space, and flood ways.

**Action:** A strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and action statements establish the “who,” “how” and “when” for carrying out the “what” and “where” of goals and objectives.

**Adaptive Reuse:** The conversion of obsolescent or historic buildings from their original or most recent use to a new use; for example, the conversion of former hospital or school buildings to residential use, or the conversion of a historic single-family home to office use.

**Affordable Housing:** Housing capable of being purchased or rented by a household with very low, low, or moderate income, based on a household’s ability to make monthly payments necessary to obtain housing. Housing is considered affordable when a household pays less than 30 percent of its gross monthly income (GMI) for housing including utilities.

**Alley:** A narrow service way, either public or private, which provides a permanently reserved but secondary means of public access not intended for general traffic circulation. Alleys typically are located along rear property lines.

**Ambient:** Surrounding on all sides; used to describe measurements of existing conditions with respect to traffic, noise, air and other environments.

**Annex, v:** To incorporate a land area into an existing district or municipality, with a resulting change in the boundaries of the annexing jurisdiction.

**Aquifer:** An underground, water-bearing layer of earth, porous rock, sand, or gravel, through which water can seep or be held in natural storage. Aquifers generally hold sufficient water to be used as a water supply.

**Arterial:** Medium-speed (30-40 mph), medium-capacity (10,000-35,000 average daily trips) roadway that provides intra-community travel and access to the county-wide highway system. Access to community arterials should be provided at collector roads and local streets, but direct access from parcels to existing arterials is common.

**Bicycle Lane (Class II):** A corridor expressly reserved for bicycles, existing on a street or roadway in addition to any lanes for use by motorized vehicles.

**Bicycle Path (Class I):** A paved route not on a street or roadway and expressly reserved for bicycles traversing an otherwise unpaved area. Bicycle paths may parallel roads but typically are separated from them by landscaping.

**Bicycle Route (Class III):** A facility shared with motorists and identified only by signs, a bicycle route has no pavement markings or lane stripes.

**Buffer:** An area of land separating two distinct land uses that acts to soften or mitigate the effects of one land use on the other.

**Building:** Any structure used or intended for supporting or sheltering any use or occupancy.

**Building Type:** a structure category determined by function, disposition on the lot, and configuration, including frontage and height. For example, a rowhouse is a type, not a style.

**Buildout:** Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

**California Environmental Quality Act (CEQA):** Law requiring State and local agencies to regulate activities with consideration for environmental protection. If a proposed activity has the potential for a significant adverse environmental impact, an Environmental Impact Report (EIR) must be prepared and certified before taking action on the proposed project.

**Capital Improvements Program (CIP):** A program that schedules permanent City improvements at least five years ahead to fit projected fiscal capability. The CIP is reviewed annually.

**Channelization:** The straightening and/or deepening of a watercourse for purposes of runoff control or ease of navigation; often includes lining banks with retaining material such as concrete.

**Character:** Special physical characteristics of a structure or area that set it apart from its surroundings and contribute to its individuality.

**Charrette:** An interactive, multi-day public process in which the community works together with planning and design professionals and City staff and officials to create and support a feasible plan for a specific area of the City that will produce positive and transformative community change.

**City:** When capitalized, refers to the governmental entity; “city” refers to the geographic area.

**Civic:** the term defining not-for-profit organizations dedicated to the arts, culture, education, recreation, government, transit, and municipal parking.

**Clustered Development:** Buildings placed close together with the purpose of retaining open space area.

**Co-housing:** A residential development with dwelling units for grouped around a common kitchen, gathering room, and child-care facilities. Co-housing developments normally are organized as condominiums.

**Collector:** Relatively-low-speed (25-30 mph), relatively low-volume (5,000-10,000 average daily trips) street that provides circulation within and between neighborhoods. Collectors usually serve short trips and are intended for collecting trips from local streets and distributing them to the arterial network.

**Commerce; Commercial:** The buying and selling of commodities and services.

**Community Noise Equivalent Level (CNEL):** A 24-hour energy equivalent level derived from a variety of single-noise events, with weighting factors of 5 and 10 dBA applied to the evening (7 PM to 10 PM) and nighttime (10 PM to 7 AM) periods, respectively, to allow for the greater sensitivity to noise during these hours.

**Community Park:** Land with full public access intended to provide recreation opportunities beyond those supplied by neighborhood parks. Community parks are larger in scale than neighborhood parks but smaller than regional parks.

**Corridor:** Linear features that may form boundaries, as well as connections, between neighborhoods. Corridors frequently encompass major access routes, especially ones with commercial destinations. Corridors also can incorporate parks or natural features such as streams or canyons.

**dB:** Decibel; a unit used to express the relative intensity of a sound as it is heard by the human ear.

**dBA:** The "A-weighted" scale for measuring sound in decibels; weighs or reduces the effects of low and high frequencies in order to simulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.

**Dedication:** The turning over by an owner or developer of private land for public use, and the acceptance of land for such use by the governmental agency having jurisdiction over the public function for which it will be used. Dedications for roads, parks, school sites, or other public uses often are made conditions for approval of a development by a city or county.

**Density, Residential:** The number of permanent residential dwelling units per gross acres of land.

**Density Bonus:** The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location. Under California law, a housing development that provides 20 percent of its units for lower income households, or 10 percent of its units for very low-income households, or 50 percent of its units for seniors, is entitled to a density bonus.

**Design Review:** The comprehensive evaluation of a development and its impact on neighboring properties and the community as a whole, from the standpoint of site and landscape design, architecture, materials, colors, lighting, and signs, in accordance with a set of adopted criteria and standards.

**Detention Basin:** A structure constructed to retard flood runoff and minimize the effect of sudden floods. Water is temporarily stored and released through an outlet structure at a rate that will not exceed the carrying capacity of the channel downstream. Basins often are planted with grass and used for open space or recreation in periods of dry weather.



**Developer:** An individual or business that prepares raw land for the construction of buildings or causes to be built physical space for use primarily by others, and in which the preparation of the land or the creation of the building space is in itself a business and is not incidental to another business or activity.

**Development:** The physical extension and/or construction of urban land uses, including: subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover (with the exception of agricultural activities). Routine repair and maintenance activities are exempted.

**Development Fee:** (See "Impact Fee.")

**District:** An area of the city that has a unique character identifiable as different from surrounding areas because of distinctive architecture, streets, geographic features, culture, landmarks, activities, and/or land uses. A neighborhood or parts of neighborhoods can form a district. Districts consist of streets or areas emphasizing specific types of activities. A corridor may also be a district, as when a major shopping avenue runs between adjoining neighborhoods.

**Dwelling Unit:** A room or group of rooms (including sleeping, eating, cooking, and sanitation facilities, but not more than one kitchen), which constitutes an independent housekeeping unit, occupied or intended for occupancy by one household on a long-term basis.

**Encourage, v:** To stimulate or foster a particular condition through direct or indirect action by the private sector or government agencies.

**Enhance, v:** To improve existing conditions by increasing the quantity or quality of beneficial uses or features.

**Environment:** The existing physical conditions in an area that will be affected by a proposed project, including land, air, water, mineral, flora, fauna, noise, and objects of historic or aesthetic significance.

**Environmental Impact Report (EIR):** A report required by CEQA that assesses all the environmental characteristics of an area and determines what effects or impacts will result if the area is altered or disturbed by a proposed action.

**Fault:** A fracture in the earth's crust forming a boundary between rock masses that have shifted.

**Flood, 100-Year:** The magnitude of a flood expected to occur on the average every 100 years, based on historical data. The 100-year flood has a one percent chance of occurring in any given year.

**Floodplain:** The relatively level land area on either side of the banks of a stream regularly subject to flooding. That part of the flood plain subject to a one percent chance of flooding in any given year is designated as an "area of special flood hazard" by the Federal Insurance Administration.

**Floodway:** The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the "base flood" without cumulatively increasing the water surface elevation more than one foot. No development is allowed in floodways.

**General Plan:** A compendium of city or county policies regarding its long-term development, in the form of maps and accompanying text. The General Plan is a legal document required by the State of California Government Code Section 65301 and adopted by the City Council.

**Gateway:** A point along the edge of a city at which a person gains a sense of having left the environs and entered the city.

**Goal:** A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort.

**Green:** A whole-building and systems approach to siting, design, construction, and operation that employs techniques that minimize environmental impacts and reduce the energy consumption of buildings while contributing to the health and productivity of occupants.

**Hazardous Material:** Any substance that, because of its quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. The term includes, but is not limited to, hazardous substances and hazardous wastes.

**Hillside Area:** All that area north of Foothill and Poli Street, and east of Cedar Street and within City limits. This area is subject to the Hillside Management Program.

**Hillside Open Space:** One of the 19 distinct communities within the City’s Planning Area; coterminous with the Hillside Voter Participation Area; generally referred to as “hillsides”.

**Hillside Voter Participation Area or HVPA:** The area subject to the “Hillside Voter Participation Act” (also known as Measure “P”) as set forth in Appendix X and coterminous with the “Hillside Open Space” area depicted on the Land Use Diagram.

**Hillsides:** Synonymous and coterminous with HVPA and “Hillside Open Space”.

**Historic:** Noteworthy for significance in local, state, or national history or culture, architecture or design, or housing works of art, memorabilia, or artifacts.

**Household:** Persons who occupy a housing unit.

**Housing Element:** A separately published State-mandated general plan element that assesses existing and projected housing needs of all economic segments of the community, identifies potential sites adequate to provide the amount and kind of housing needed, and contains adopted goals, policies, and implementation programs for the preservation, improvement, and development of housing. The Housing Elements is updated every five years.

**Housing Unit:** A rooms or a rooms intended for occupancy, separate from any other living space, with direct access from outside or through a common area.

**Impact:** The direct or indirect effect of human action on existing physical, social, or economic conditions.

**Impact or Development Fee:** A fee levied on the developer of a project as compensation for otherwise-unmitigated impacts the project will produce, not to exceed the estimated reasonable cost of providing the service for which the fee is charged.

**Industry/Industrial:** The manufacture, production, and processing of consumer goods. Industrial is often divided into "heavy industrial" uses, such as construction yards, quarrying, and factories; and "light industrial" uses, such as research and development and less intensive warehousing and manufacturing.

**Infill:** Development of vacant and/or underutilized land within areas already largely developed with urban uses.

**Infrastructure:** Public services and facilities, such as sewage-disposal systems, water-supply systems, and other utilities.

**In-lieu Fee:** Payment that substitutes for required dedication of land or provision of structures or amenities.

**Institutional:** Uses such as hospitals, museums, schools, places of worship, and nonprofit activities of a welfare, educational, or philanthropic nature that cannot be considered residential, commercial, or industrial activities.

**Landmark:** (1) A building, site, object, structure, or significant tree, having historical, architectural, social, or cultural significance and marked for preservation by the local, state, or federal government. (2) A visually prominent or outstanding structure or natural feature that functions as a point of orientation or identification.

**Ldn:** Day-Night Average Sound Level. The A-weighted average sound level for a given area (measured in decibels) during a 24-hour period with a 10 dB weighting applied to night-time sound levels. The Ldn is approximately numerically equal to the CNEL for most environmental settings.

**Leq:** The energy equivalent level, defined as the average sound level on the basis of sound energy (or sound pressure squared). The Leq is a "dosage" type measure and is the basis for the descriptors used in current standards, such as the 24-hour CNEL used by the State of California.

**Lease:** A contractual agreement by which an owner of real property (the lessor) gives the right of possession to another (a lessee) for a specified period of time (term) and for a specified consideration (rent).

**Level of Service, Intersection (LOS):** A scale that measures the amount of traffic an intersection is capable of handling. Levels range from A, representing free-flow, to F corresponding to significant stoppage.

**Liquefaction:** The transformation of loose water-saturated granular materials (such as sand or silt) from a solid into a liquid state, which can lead to ground failure during an earthquake.

**Live-Work:** A dwelling unit that contains, to a limited extent, a commercial component. A live-work unit is a fee-simple unit on its own lot with the commercial component limited to the ground level. (see Work-Live)

**Local Agency Formation Commission (LAFCo):** A commission in each county that reviews and evaluates proposals for formation of special districts, incorporation of cities, annexation to special districts or cities, consolidation of districts, and merger of districts with cities. LAFCo members include two county supervisors, two city council members, and one member representing the general public.

**Local Coastal Program (LCP):** A combination of City land use plans, zoning regulations, and zoning district maps that control land use in the Coastal Zone established under the California Coastal Act of 1976.

**Local Street:** Relatively low-volume, low-speed streets (not shown on the Roadway Classifications map), whose primary purpose is to provide access to fronting properties.

**Lot:** A legally-recognized parcel with frontage on a public or City-approved private street.

**Low Income:** Households with annual income 80 percent of the County median or less.

**Maintain:** Keep in an existing state. (See "Preserve.")

**Median:** The dividing area between opposing lanes of traffic.

**Mitigate:** Alleviate or avoid to the extent feasible.

**Mixed Use:** Properties on which various uses, such as office, commercial, and institutional, are combined with residences in a single building or site in an integrated development project with significant functional interrelationships and a coherent physical design. A single site may include contiguous properties.

**Neighborhood:** The basic building blocks of a community that together comprise the city. Each neighborhood is limited in physical area, with a defined edge and a center. The size of a neighborhood is usually based on the distance that a person can walk in five minutes from the center to the edge – a quarter-mile. Neighborhoods have a fine-grained mix of land uses, providing places to live, work, shop, and be entertained.

**Neighborhood Center:** The focal point of a neighborhood, commonly featuring places for work, shopping, services, entertainment, leisure, recreation, and social and civic interaction.

**Neighborhood Park:** A facility intended to serve the recreation needs of people living or working within a one-half mile radius of the park.

**Noise:** Sound that is undesirable because it interferes with speech and hearing, is intense enough to damage hearing, or is otherwise annoying.

**Noise Contour:** A line connecting points of equal noise level as measured on the same scale. Noise levels greater than the 60 Ldn contour (measured in dBA) require mitigation in residential development.

**Office:** Professional or consulting services in fields such as accounting, architecture, design, engineering, finance, law, insurance, medicine, real estate, and similar types of work.

**Open Space:** An area of land or water that is essentially unimproved and devoted to outdoor recreation and/or the preservation of natural resources.

**Outdoor Recreation:** Recreation in an urbanized outdoor setting (active recreation) or open-space outdoor setting (passive recreation).

- (a) *Active outdoor recreation* includes participant sports or other activities conducted in open or partially enclosed or screened recreational activities facilities. Typical uses include driving ranges, miniature golf courses, golf courses, amusement parks, swimming pools, and tennis courts and usually rely on permanent above-ground improvements, including, but not limited to, playing fields or courts, restrooms, and tables.
- (b) *Passive outdoor recreation* includes recreational activities, usually of an individual or small group nature, such as sunbathing, walking, hiking, bird watching, or nature study, conducted in an open-space setting and which, generally, do not rely on the use of permanent aboveground improvements or involve motorized vehicle use.

**Parcel:** A lot, or contiguous group of lots, in single ownership or under single control, usually considered a unit for purposes of development.

**Parks:** Open space lands whose primary purpose is recreation.

**Parkway:** The area between curb and sidewalk, usually planted with ground cover and/or trees.

**Pedestrian Shed:** an area defined by the average distance that may be traversed at an easy walking pace from its edge to its center. This distance is applied to determine the size of a neighborhood or extent of a community. A standard Pedestrian Shed is one quarter of a mile radius or 1,320 feet. With transit available or proposed, a long Pedestrian Shed has an average walking distance of ½-mile or 2,640 feet. Pedestrian Sheds should be conceived as oriented toward a central destination containing one or more important intersections, meeting places, civic spaces, civic buildings, and the capacity to accommodate a T5 Transect Zone in the future. Sometimes called a Walkshed.

**Planning Area:** The land area addressed by the General Plan, which includes the City Limits, potentially annexable land in the Sphere of Influence, and neighboring open space and agricultural areas of Ventura County that the City desires to remain in rural condition.

**Policy:** A statement of principle that anticipates specific actions to be undertaken to meet City goals.

**Pollution:** The presence of matter or energy whose nature, location, or quantity produces undesired environmental effects.

**Preserve:** Keep intact and safe from destruction or decay.

**Protect:** Maintain and preserve beneficial uses in their present condition.

**Public and Quasi-public Facilities:** Institutional, academic, governmental and community service uses, either publicly owned or operated by non-profit organizations.

**Public Art:** Signs, other monuments, sculptures, murals, statues, fountains, and other artistic installations in spaces accessible to the general public that accentuate or draw attention to a particular place or feature of the city, provide a focal point for public gathering, and/or serve a specific function, such as to provide seating.

**Recreation, Active:** A type of recreation that requires organized play areas, such as softball, baseball, football and soccer fields, tennis and basketball courts and various forms of children's play equipment.

**Recreation, Passive:** Recreation that does not require organized play areas.

**Recycling:** The process of extracting and reusing materials from waste products.

**Redevelop:** To demolish existing buildings, or increase the overall floor area existing on a property, or both, irrespective of whether a change occurs in land use.

**Redevelopment Agency:** The City division created under California Redevelopment Law for the purpose of planning, developing, re-planning, redesigning, clearing, reconstructing, and/or rehabilitating all or part of a specified area with residential, commercial, industrial, and/or public (including recreational) structures and facilities.

**Regional:** Pertaining to activities or economies at a scale greater than that of a single jurisdiction and affecting a broad geographic area.

**Regional Park:** A park typically 150-500 acres in size focusing on activities and natural features not included in most other types of parks and often based on a specific scenic or recreational opportunity.

**Restore:** Renew, rebuild, or reconstruct to a former state.

**Ridesharing:** Vehicle travel other than driving alone.

**Ridgeline:** A line connecting the highest points along a ridge and separating drainage basins or small-scale drainage systems from one another.



**Right-of-way:** Land intended to be occupied by transportation and public use facilities such as roadways, railroads, and utility lines.

**Riparian:** Areas adjacent to perennial and intermittent streams delineated by the existence of plant species normally found near fresh water.

**Runoff:** The portion of precipitation that does not percolate into the ground.

**Seismic:** Caused by or subject to earthquakes or earth vibrations.

**Sidewalk:** the paved layer of the public frontage dedicated exclusively to pedestrian activity.

**Specific Plan:** A legal tool allowed by State Government Code Section 65450 et seq. that prescribes detailed regulations, conditions, programs, and/or proposed legislation for a defined area of the city.

**Sphere of Influence:** The probable ultimate physical boundaries and service area of the city, as determined by LAFCo.

**Streetscape:** the urban element that establishes the major part of the public realm. The streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, and streetlights, etc.).

**Structure:** Anything constructed or erected that requires location on the ground (excluding swimming pools, fences, and walls used as fences).

**Subdivision:** The division of a land into defined lots or condominiums that can be separately conveyed by sale or lease.

**Sustainable:** Meeting the needs of the present without compromising the ability of future generations to meet their needs, and successfully balancing economic, environmental, and social equity concerns.

**Tourism:** The business of providing services for persons traveling for pleasure.

**Transect:** a system of ordering human habitats in a range from the most natural to the most urban. Based upon six Transect Zones that describe the physical character of place at any scale, according to the density and intensity of land use and urbanism.

**Transit-Oriented Development (TOD):** Relatively high-density development located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping designed primarily for pedestrians.

**Transit, Public:** A system of regularly-scheduled buses and/or trains available to the public on a fee-per-ride basis.

**Transportation Demand Management (TDM):** Strategies for reducing the number of vehicle trips by increasing ridesharing, transit use, walking, and biking.

**Trip:** A one-way journey that proceeds from an origin to a destination via a single mode of transportation.

**Truck Route:** A route required for all vehicles exceeding set weight or axle limits, which follows major arterials through commercial or industrial areas and avoids sensitive areas.

**Underutilized:** Non-vacant properties that have not been fully developed with improvements that reach the allowed density and/or floor area.

**Urban Design:** The attempt to give form, in terms of both beauty and function, to selected urban areas or to whole cities. Urban design is concerned with the location, mass, and design of various urban components and combines elements of urban planning, architecture, and landscape architecture.

**Use Permit:** The discretionary and conditional review of an activity or function or operation on a site or in a building or facility.

**Very Low Income:** Households with annual income 50 percent of the County median or less.

**View Corridor:** The line of sight of an observer looking toward an object of significance (e.g., ridgeline, river, historic building, etc.).

**Viewshed:** The area within view from a defined point.

**Watercourse:** Presently or once naturally perennially or intermittently flowing water, including rivers, streams, barrancas, and creeks. Includes waterways that have been channelized, but not ditches or underground drainage and sewage systems.

**Watershed:** The total area above a given point on a watercourse that contributes water to its flow; also, the entire region drained by a watercourse.

**Wetlands:** Transitional areas between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is covered by shallow water. Federal agencies establish hydrology, vegetation, and soil criteria to define wetlands.

**Work-Live:** A dwelling unit that contains a commercial component. A Work-Live unit is a fee-simple unit on a lot with the commercial component anywhere within the unit. (see Live-Work)

**Yield Street:** A street whereby by two vehicles, going in opposite directions, one car will often have to pull over slightly and yield to the other vehicle, depending on how many cars are parked on the street. A standard residential street.

**Zoning:** The regulation of building forms and land uses throughout the city.

## San Buenaventura, CA Code of Ordinances

SAN BUENAVENTURA CITY CHARTER and MUNICIPAL CODE VOLUME I

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CODE COMPARATIVE TABLE modified

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DIVISION 2 - ADMINISTRATION >

## **DIVISION 1 - GENERAL PROVISIONS**

⋮

### **Chapter 1.005 - Construction and Effect of Code**

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#### **Sec. 1.005.010. - Title of Code.**

⋮

This Code shall be known as the "San Buenaventura Municipal Code."

1. *Citing in prosecutions.* In any prosecution for the violations of any provision of this code, it shall be sufficient to refer to the Code as the "San Buenaventura Municipal Code."
2. *Amendatory ordinances.* Any ordinance added to, amending or repealing this Code may be designated as an addition or amendment to, or repeal of, the "San Buenaventura Municipal Code."

(Code 1971, § 1)

Code of Ordinances  
**Sec. 1.005.020 - Former ordinances.**



The provisions of this Code, insofar as they are substantially the same as existing provisions relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

(Code 1971, § 2)

**Sec. 1.005.030. - Violations; effect of amendments.**



Prosecutions for violations of provisions of this Code which occurred prior to the effective date of any amendment or repeal of such provision shall not be affected by the adoption of such amendment or by repeal of any such provision.

1. *Licenses and penalties.* Neither the adoption of this Code nor its repeal of any ordinance shall be construed as a waiver of any license or penalty due and unpaid under such ordinance at the effective date of the Code; nor shall such adoption or repeal be construed as affecting any provision of such ordinance relating to the collection of any such license or penalty or the penal provisions applicable to the violation thereof.
2. *Bonds and deposits.* Neither the adoption of this Code nor its repeal of any ordinance shall affect the validity of any bond or cash deposit required to be posted, filed or deposited pursuant to such ordinance; and all rights and obligations thereunder shall continue in full force and effect.

(Code 1971, § 3)

**Sec. 1.005.040. - Matters of record.**



This Code shall not affect deposits or other matters of record which refer to, or are otherwise connected with, ordinances which are therein specially designated by number or otherwise and which are included in the Code; but such references shall be construed to apply to the corresponding provisions of the Code.

(Code 1971, § 4)

**Sec. 1.005.050. - Repeal.**



All ordinances or portions thereof in conflict with this Code are hereby repealed.

(Code 1971, § 5)

**Sec. 1.005.060. - General.**





Code of Ordinances  
The provisions of this Code and all proceedings under it are to be construed to effect its object and to promote justice.

(Code 1971, § 6)

### **Sec. 1.005.070. - Headings.**

⋮

Division, chapter, article and section headings contained herein shall not govern, limit, modify or affect the scope, meaning or intent of the provisions of this Code.

(Code 1971, § 7)

### **Sec. 1.005.080. - Territorial limitation.**

⋮

This Code shall refer only to the omission or commission of acts within the territorial limits of the City of San Buenaventura and that territory outside of the city over which the city has jurisdiction or control by virtue of the Constitution, or any law, or by reason of ownership or control of property.

1. *Local signification.* All references in this Code to places, acts, persons or things shall be construed to mean that the same are applicable to this city, whether the city is mentioned in each particular section or not.

(Code 1971, § 8)

### **Sec. 1.005.090. - Titles.**

⋮

The use of the title of any officer, employee, office, board, commission or ordinance shall mean such officer, employee, office, board, commission or ordinance of the City of San Buenaventura, unless otherwise designated.

(Code 1971, § 9)

### **Sec. 1.005.100. - Number, gender and tense.**

⋮

The singular number includes the plural, and the plural includes the singular. Any gender includes the other genders. Words used in the present tense include the past and future tenses; and vice versa.

(Code 1971, § 11)

### **Sec. 1.005.110. - Severability.**

⋮

If any section, sentence, clause, phrase or portion of this Code is for any reason held to be invalid or unconstitutional by the decision of any court, such decision shall not affect the validity of the remaining portions of the Code. The council would have adopted this Code and each section, sentence, clause,

Code of Ordinances  
phrases and portion thereof, in respect of the fact that any one or more sections, sentences, clauses, phrases or portions be invalid or unconstitutional.

(Code 1971, § 12)

### **Sec. 1.005.120. - Legislative intent.**

The council recognizes and approves the preferred place given in our scheme of government to the great, indispensable democratic freedoms and liberties secured by the United States Constitution and the California Constitution, and that these liberties and freedoms have a sanctity and sanction not permitting dubious intrusions. The council has a zealous solicitude for rights falling within these constitutional guarantees. It is neither the express nor the implied intent of the council to permit or allow any city officials to exercise any discretionary power granted to them by this Code so as to directly or indirectly impose a censorship or previous restraint upon these, our most revered liberties and freedoms.

(Code 1971, § 12.1)

### **Sec. 1.005.130. - Interpretation, general.**

The provisions of this Code shall be construed so as to give them effect and to avoid unconstitutionality, wherever possible. No provision of this Code shall be construed by any court or person as being broad enough to permit or condone any direct or indirect censorship or previous restraint upon any constitutional right or freedom nor shall they be construed as broad enough to permit any other improper application.

(Code 1971, § 12.2)

## **Chapter 1.010 - Definitions**

### **Sec. 1.010.010. - Definitions.**

- A. *Generally.* As used in this Code, unless a different meaning is apparent from the context or is specified elsewhere in the Code:

*City* means the City of San Buenaventura, and geographically means the area within the territorial city limits of the City of San Buenaventura and such territory outside of this city over which the city has jurisdiction or control by virtue of any constitutional provision or any law.

*Council* means the city council of this city.

*Oath* includes affirmation.

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Section means natural person, firm, corporation, organization, company, association, business trust, joint-stock organization, partnership, joint venture, club, or the agent, servant, manager, officer, employee or lessee of any of them.

*Written* includes printed, typewritten, mimeographed or multigraphed.

*Section, article, chapter* and *division* means, respectively, section, article, chapter and division of this Code.

- B. *Civil Code provisions.* The provisions of the Civil Code of California, sections 13 and 1645, are hereby adopted in the interpretation of words and phrases, unless otherwise provided herein.
- C. *Non-technical meaning.* Words and phrases used in this Code and not specifically defined shall be construed according to the context and approved usage of the language.

(Code 1971, § 10)

## **Chapter 1.030 - Notices**

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### **Sec. 1.030.010. - Notices.**

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- A. *Service.* Whenever a notice is required to be given under this Code, unless different provisions are otherwise specifically made herein, such notice may be given either by personal delivery thereof, to the person to be notified, or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to such person to be notified, at the person's last known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in the post office.
- B. *Proof.* Proof of giving any notice may be made by the certificate of any officer or employee of the city, or by affidavit of any person over the age of 18 years, which shows service in conformity with this Code or other provisions of law applicable to the subject matter concerned.

(Code 1971, § 14)

## **Chapter 1.040 - Subpoenas**

⋮

### **Sec. 1.040.010. - Purpose and intent.**

⋮

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The chapter is adopted pursuant to the municipal affairs provision of the City Charter for the purpose of establishing a procedure for issuing subpoenas to compel the attendance of witnesses and the production of other evidence at city administrative actions or proceedings.

(Ord. No. 99-2, § 1, 1-25-99)

**Sec. 1.040.020. - Authority.**



On its own motion, at the request of any city officer, board or commission, or at the request of any person who is a party to any city administrative action or proceeding, the city council may authorize the issuance of a subpoena requiring the attendance of a witness and/or to compel the production of documents or other evidence at any city administrative action or proceeding. The city clerk will issue subpoenas in the name of the city when authorized to do so by the city council.

(Ord. No. 99-2, § 1, 1-25-99)

**Sec. 1.040.030. - Subpoena duces tecum.**



Any city officer, board or commission or any party to a city administrative action or proceeding requesting a subpoena duces tecum must comply with the provisions of Code of Civil Procedure § 1985, and any successor statute or regulation, before the city council authorizes the issuance of a subpoena duces tecum.

(Ord. No. 99-2, § 1, 1-25-99)

**Sec. 1.040.040. - Form of subpoena.**



City issued subpoenas will appear substantially as follows.

EXPAND

STATE OF CALIFORNIA )	IN THE MATTER OF _____
COUNTY OF VENTURA )	SUBPOENA
CITY OF SAN BUENAVENTURA )	[ ] Duces Tecum

THE CITY OF SAN BUENAVENTURA DIRECTS:

You are ordered to appear before \_\_\_\_\_, in \_\_\_\_\_ at City Hall, located at [501](#) Poli Street, Ventura, California, on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .m., to testify in a matter now pending before \_\_\_\_\_ concerning \_\_\_\_\_.

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- a.  ordered to appear in person.
- b.  not required to appear in person if you produce the records described in the accompanying affidavit and provide a copy of such records, accompanied with an affidavit or declaration that complies with Evidence Code §§ 1271, 1560, 1561, and 1562, to the city clerk before the date and time specified above.
- c.  ordered to appear in person and produce the records described in the accompanying affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena.

Disobedience of this subpoena or the refusal to testify (except upon constitutional grounds) will constitute a misdemeanor and will be punishable by the penalties provided for in Section 1936 of the San Buenaventura Ordinance Code.

IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO ASCERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE CITY CLERK BEFORE THE DATE ON WHICH YOU ARE TO APPEAR.

In Witness whereof, I have hereunto set my hand and affixed the City seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
City Clerk.

(Ord. No. 99-2, § 1, 1-25-99)

### **Sec. 1.040.050. - Service.**

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Subpoenas will be served in accordance with the provisions of Code of Civil Procedure §§ 1987 and 1988, and any successor statute or regulation.

(Ord. No. 99-2, § 1, 1-25-99)

### **Sec. 1.040.060. - Witness fees and mileage.**

⋮

- A. All witnesses appearing pursuant to subpoena, other than the parties, will receive fees, and all witnesses appearing pursuant to subpoena, except the parties, will receive mileage, in the same amount and under the same circumstances as prescribed by California law for witnesses in civil actions in a superior court.
- B. Fees and mileage will be paid by the party at whose request the witness is subpoenaed and will be tendered to the city clerk prior to a subpoena being issued.
- C.



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The City Clerk will forward witness fees to witnesses upon their appearance pursuant to a subpoena.

(Ord. No. 99-2, § 1, 1-25-99)

### **Sec. 1.040.070. - Violations.**

Disobedience of a subpoena or the refusal to testify (under other than constitutional grounds) is a misdemeanor.

(Ord. No. 99-2, § 1, 1-25-99)

## **Chapter 1.050 - Civil Penalties<sup>[1]</sup>**

### **Footnotes:**

--- (1) ---

**Editor's note**— Ord. No. 2007-001, adopted Jan. 22, 2007, amended ch. 1.050 in its entirety to read as herein set out. Former ch. 1.050, which consisted of §§ 1.050.110—1.050.550, pertained to administrative citations and derived from the 1971 Code.

## **ARTICLE 1. - GENERAL PROVISIONS**

### **Sec. 1.050.110. - Purpose.**

This chapter is adopted pursuant to the municipal affairs provision of the City Charter for the purpose of making any violation of the San Buenaventura Municipal Code subject to a civil penalty, and to set forth the procedures for the assessment, payment and collection of such penalties.

(Ord. No. 2007-001, § 1, 1-22-07)

### **Sec. 1.050.120. - Applicability.**

This chapter authorizes an enforcement officer, as defined herein, to issue an administrative citation assessing a civil penalty in order to enforce the provision of this Code. Issuance of an administrative citation in the manner provided for by this chapter shall be at the sole discretion of an enforcement officer. If an enforcement officer determines to issue an administrative citation assessing a civil penalty for a violation of this Code, such enforcement action shall be in lieu of any criminal citation or complaint that could have been issued for such violation. However, the issuance of the administrative citation does not prevent the issuance of a criminal citation or complaint for any subsequent violation or violations of the same or similar nature.

(Ord. No. 2007-001, § 1, 1-22-07)

### **Sec. 1.050.130. - Definitions.**

modified

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UNLESS THE CONTRARY IS STATED OR CLEARLY APPEARS FROM THE CONTEXT, THE FOLLOWING DEFINITIONS SHALL GOVERN THE CONSTRUCTION OF THE WORDS AND PHRASES USED IN THIS CHAPTER.

1. *Citee* means the person to whom an enforcement officer has issued an administrative citation that assesses a civil penalty against such person in the manner provided for by this Chapter.
2. *Enforcement officer* means any City officer or employee who is authorized by the City Manager, Police Chief, Fire Chief, Director of Public Works, General Manager of Ventura Water, or the Director of Community Development to issue a citation pursuant to this Chapter assessing a civil penalty for a violation of one or more provisions of this Code.
3. *Day* means calendar, not business, day.
4. *Chief Financial Officer* means the chief financial officer of the City or his or her designee.
5. *Hearing officer* means a person, other than a City officer or employee, who has been designated or retained by the City Clerk to conduct an administrative hearing on a contested civil penalty in the manner provided for by Article 4 of this Chapter.
6. *Review officer* means the City officer or employee designated by the City Manager or department head to conduct the administrative review of a contested civil penalty in the manner provided for by Article 3 of this Chapter.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 1, 3-21-22)

#### **Sec. 1.050.140. - Amount of civil penalties.**

⋮

The amount of the civil penalties assessed pursuant to this chapter shall be established by resolution of the city council. In addition to establishing civil penalties for an initial violation of the provisions of this Code, such resolution shall set forth any increased penalties for repeat violations of the same code provision by the same person within 12 months from the date of a previous violation, as well as the amount of the civil penalty delinquency fees and collection fees hereinafter provided for by this chapter.

(Ord. No. 2007-001, § 1, 1-22-07)

#### **Sec. 1.050.150. - Service of citations and notices.**

⋮

- A. *Notice to a citee.* Unless otherwise provided in this chapter, all citations and other notices required to be served on a citee pursuant to the provisions of this chapter shall be served either by personal service or by first-class mail, postage prepaid, addressed to the citee at his or her last known address. Such service shall be deemed effective on the date it is personally delivered to the citee or on the date it is deposited in the mail addressed as set forth above. The city officer or employee serving a citee with a citation or other notice by mail shall complete a declaration of service and attach it to the copy of the citation or other notice.

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to the city. Unless otherwise provided by this chapter, all notices required to be served on the city pursuant to the provisions of this chapter shall be served either by personal service at the office set forth on a citation or by first class mail, postage prepaid, addressed to the city at the address set forth on the citation. Such service shall be deemed effective on the date it is personally delivered to the city or on the postmark date when served on the city by mail.

(Ord. No. 2007-001, § 1, 1-22-07)

## **ARTICLE 2. - ASSESSMENT AND PAYMENT OF CIVIL PENALTIES**

⋮

### **Sec. 1.050.210. - Issuance of administrative citation assessing a civil penalty.**

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A person who is assessed a civil penalty for a violation of the provisions of this Code shall be served by the enforcement officer with an administrative citation that assesses the civil penalty in an amount established by resolution of the city council and that contains all of the information required by this article.

(Ord. No. 2007-001, § 1, 1-22-07)

### **Sec. 1.050.220. - Contents of administrative citation.**

⋮

Each administrative citation shall contain the following information:

1. The date of the violation;
2. The address or a definite description of the geographic location where the violation occurred or is occurring;
3. The section of this Code that was violated;
4. A description of the circumstances giving rise to the code violation;
5. The amount of the civil penalty for the code violation;
6. A description of the penalty payment process, including a description of the time within which and the place to which the penalty shall be paid;
7. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;
8. Notice that payment of a penalty under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the administrative citation;
- 9.

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7. The time and manner in which the citee may request administrative review of the civil penalty assessed by the citation in the event the citee seeks to contest the penalty; and

10. The name of the citing enforcement officer.

(Ord. No. 2007-001, § 1, 1-22-07)

### **Sec. 1.050.230. - Payment of civil penalties.**

A civil penalty assessed against a citee pursuant to the provisions of this chapter must be paid in full to the city at the place set forth in the administrative citation within 30 days from the date of the administrative citation; provided that:

1. If a request for administrative review of the civil penalty is submitted within the time and in the manner provided for by article 3 of this chapter, payment of the penalty shall be stayed until the review officer has made a determination on such request and served notice of the determination on the citee. In the event the review officer determines to approve the penalty, the review officer shall include in the notice of his or her determination a requirement that the civil penalty be paid within 30 days of the date such notice is served on the citee; and
2. If, following administrative review, a request for an administrative hearing on a civil penalty is submitted within the time and in the manner provided by article 4 of this chapter, and if, following such hearing, the hearing officer renders a decision sustaining the penalty, the city clerk shall cause a notice to be served on the citee along with the hearing officer's decision that requires payment of the civil penalty, or any remaining balance thereof, within 30 days of the date the decision and such notice is served on the citee.

(Ord. No. 2007-001, § 1, 1-22-07)

### **Sec. 1.050.240. - Delinquent payment of civil penalties; delinquency fee.**

modified

In the event a civil penalty is not paid within the time provided for in this Article, the Chief Financial Officer shall serve the citee with an initial delinquency notice that assesses a delinquency fee and that requires payment of the penalty and delinquency fee within 30 days of the date the initial delinquency notice is served on the citee. Such delinquency fee shall be in an amount established by Resolution of the City Council based on the estimated additional costs to the City of accounting for and otherwise processing penalty delinquencies.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 2, 3-21-22)

### **Sec. 1.050.250. - Delinquent civil penalties; collection fee.**

modified

If the civil penalty is not paid within the time provided for by this Article and remains unpaid more than 30 days following the date an initial delinquency notice is served on the citee, the Chief Financial Officer shall serve the citee with a second delinquency notice (i) that assesses an additional collection fee; (ii) that requires payment of the penalty, delinquency fee and collection fee within 30 days of the date the second delinquency notice is served on the citee, and (iii) that advises the citee of the process to be followed by the City if the penalty and all such fees are not paid within the time required by the notice. Such collection fee shall be in an amount established by Resolution of the City Council based on the average collection agency fees, attorney's fees or other costs incurred by the City in order to account for and collect a penalty delinquency.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 2, 3-21-22)

### **Sec. 1.050.260. - Financial inability to pay.**

modified



Penalties need not be delinquent in order to utilize the provisions of this Section. In the event a citee establishes to the satisfaction of the Chief Financial Officer that he or she does not have the financial ability to pay the full amount of a civil penalty assessed in the manner and within the time provided for by this Chapter, the Chief Financial Officer may permit the citee to satisfy the payment obligations required by this Chapter by executing a promissory note in the amount of the unpaid balance of the penalty, together with any unpaid delinquency fees and/or collection fees. Such promissory note shall provide for payment of the civil penalty in full on the terms specified by the Chief Financial Officer, shall include interest on the unpaid balance in an amount equal to the interest rate then earned by the City on its invested funds, shall be secured by any real property owned by the citee if the civil penalty arose out of the use or condition of such property, and shall be in a form approved by the City Attorney.

Where a citee's obligation to pay a civil penalty, delinquency fees and/or collection fees assessed in the manner provided by this Chapter is satisfied by the execution of a promissory note as provided herein, the citee shall be deemed to have paid the penalty for purposes of this Chapter as long as the citee is current on his or her obligations to pay any installment required by the promissory note within the time and in the manner required therein.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 2, 3-21-22)

### **Sec. 1.050.270. - Curfew violations; probation in lieu of penalty.**



First time violators of the nighttime juvenile curfews established by [chapter 10.300](#) of this code may elect to perform up to six hours of community work in any community work program established by the chief of police that is in effect on the date an administrative citation is issued for the violation in lieu of paying the civil penalty assessed in the citation. The civil penalty shall be waived upon the citee



submitting proof of the completion of such community work in a form prescribed by the chief of police  
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within 30 days from the date of the administrative citation. Subsequent violations of the nighttime juvenile curfew will disqualify the citee from any further penalty waiver.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.280. - Permit violations; deferred issuance of permits.**

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Should an enforcement officer issue an administrative citation assessing a civil penalty because the citee lacks a required permit and the penalty has not been vacated or dismissed in the manner provided for herein, the citee shall not be issued the permit until the civil penalty and any applicable delinquency fees and collection fees have been paid in full, unless the enforcement officer has determined that withholding the issuance of the required permit will perpetuate an existing hazardous condition.

(Ord. No. 2007-001, § 1, 1-22-07)

**ARTICLE 3. - ADMINISTRATIVE REVIEW PROCEEDINGS**

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**Sec. 1.050.310. - Request for administrative review.**

⋮

A citee who is issued a citation assessing a civil penalty arising out of a violation of this Code may request administrative review of the civil penalty in the manner provided for by this article. Such request must be made in writing and must be served on the city at the address set forth in the citation within 20 days following the date of the citation. Such request must include the citation number, must set forth, with particularity, the reasons the citee believes a violation did not occur or that the citee was not responsible for the violation, and must contain the address at which the city should serve the citee with notice of review officer's response to the request for administrative review.

A request for administrative review is a mandatory prerequisite to a request for an administrative hearing provided for by article 4 of this chapter.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.320. - Response to request for administrative review.**

⋮

Within ten days of receiving a citee's request for administrative review, the review officer shall review the request, the citation, and other pertinent information, and shall determine that:

1. The civil penalty assessed by the citation should be upheld because the violation occurred, the citee was responsible for the violation, and no other justification could be found for vacating the penalty.

2.

His penalty assessed by the citation has been vacated because there was no violation, or the citee was not responsible for the violation; or the citee has provided some other justification that, in the discretion of the reviewing officer, warrants vacating the penalty.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.330. - Notice of determination on administrative review.**

modified



Upon making his or her determination on a citee's request for administrative review, the review officer shall cause a notice of the determination to be served on the citee at the address set forth in the citee's request for administrative review and shall cause a copy of the notice to be provided to the finance officer and City Clerk. Where the review officer has upheld the penalty assessed by an administrative citation, the notice shall also set forth a new date by which the penalty must be paid that is 30 days following the date of the notice, as well as the citee's right to request an administrative hearing to further contest the penalty in the manner provided for by Article 4 of this Chapter.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 3, 3-21-22)

**ARTICLE 4. - ADMINISTRATIVE HEARING PROCEDURES**



**Sec. 1.050.410. - Request for administrative hearing.**



A citee dissatisfied with the determination of a review officer following a request for administrative review of a citation assessing a civil penalty may further contest the civil penalty by requesting an administrative hearing in the manner provided for by this article. Such request must be made in writing and must be served on the city at the address set forth in the review officer's notice of determination within 20 days after the date the citee is served with notice of such determination. Requests for an administrative hearing must be filed in the office of the city clerk and shall be in a form required by the city clerk.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.420. - Advance deposit of penalty amount.**



Except as otherwise provided in this article, each request for an administrative hearing must be accompanied by an advance deposit in an amount equal to the contested civil penalty or the sum of \$1,000.00, whichever is less.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.430. - Advance deposit of penalty amount; hardship waiver.**

modified



7. A citee who is financially unable to make an advance deposit in the amount required by this Article, may file an application in the Office of the City Clerk requesting a waiver of the advance deposit requirement based on such financial inability to pay. Such application shall be in a form required by the City Clerk, shall be filed with the request for an administrative hearing, and shall be accompanied by a declaration, signed under penalty of perjury, and any supporting documents required by the City Clerk demonstrating the citee's financial inability to pay.

- B. After reviewing a citee's application for a hardship waiver, together with the declaration and any supporting documents filed in connection therewith, the City Clerk shall determine whether to grant or deny the request. Thereafter the City Clerk will serve the citee with a notice of his or her determination by mail at the address provided in the waiver application. The City Clerk's determination on the application shall be final.
- C. Should the City Clerk determine that a waiver is unjustified, the citee must deposit the required advance deposit with the City Clerk not later than ten days following the date the notice of the City Clerk's determination on the application for a hardship waiver has been served on the citee. Failure to make a deposit within ten days after waiver denial shall be deemed a waiver of the citee's right to an administrative hearing, and the civil penalty shall be deemed delinquent. The City Clerk shall then serve notice of the penalty delinquency on the citee, and shall cause a copy of such notice to be provided to the review officer and Chief Financial Officer.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 4, 3-21-22)

#### **Sec. 1.050.440. - Hearing date.**

⋮

Upon receiving a timely request for an administrative hearing to contest a citation assessing a civil penalty, together with an advance deposit of all or that part of the penalty amount required by this article, the city clerk will set an administrative hearing on a date not less than 15, nor more than 60 days, from the date the hearing is requested. Written notice of the date, time, and location of the administrative hearing will be provided to the citee at least 15 days prior to the hearing date.

(Ord. No. 2007-001, § 1, 1-22-07)

#### **Sec. 1.050.450. - Conduct of hearings.**

⋮

- A. *Scope of the hearing.* The issues to be determined at the hearing are limited to the following:
  - 1. Whether the violation alleged in the administrative citation actually occurred; and
  - 2. Whether the citee was responsible for the violation.
- B.

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*Rules of Procedure and Evidentiary Rules.* At the hearing, the hearing officer shall render his or her decision based on the preponderance of the evidence. However, the administrative citation shall constitute prima facie evidence of the facts contained in the citation. Both the citee and enforcement officer shall have the opportunity to testify and present additional evidence concerning the administrative citation. Evidence may include, without limitation, witness testimony, documents, or other similar evidence. Evidence sought to be introduced shall not be limited to any legal rules of evidence, save and except for the rule that it be relevant and material to the issues of whether the violation alleged in the citation occurred and whether the citee was responsible for the violation.

- C. *Waiver of personal appearance at hearing.* In lieu of personally appearing at an administrative hearing, the citee may request that the hearing officer decide the matter based on the citation's face and any other documentary evidence submitted to the city clerk by the citee or enforcement officer prior to the hearing date.
- D. *Attendance of citee.* Failure of a citee to appear at the hearing shall be deemed a waiver of the right to be personally present at the hearing. The hearing officer shall then decide the matter based upon the facts set forth in the citation, any documentary evidence previously submitted, and any additional evidence that may be presented at the hearing by the enforcement officer.
- E. *Attendance of enforcement officer.* The enforcement officer who issued the administrative citation may, but is not required to, attend the administrative hearing. If the enforcement officer does not attend the hearing, the enforcement officer may, prior to the hearing date, submit reports, photographs, or other documentation regarding the violation to the city clerk who will forward such information on to the hearing officer for consideration at the hearing.
- F. *Continuation of hearings.* The hearing officer may continue any hearing and request additional information from the enforcement officer or citee prior to issuing a written decision.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.460. - Hearing officer's decision.**



- A. Within ten days after closing the hearing, the hearing officer shall issue a written decision to uphold or set aside the civil penalty assessed against the citee by the administrative citation, shall set forth the reasons for such decision, and shall forward a copy of the decision to the city clerk.

(Ord. No. 2007-001, § 1, 1-22-07)

**[Sec. 1.050.470. - Reserved.]**



Code of Ordinances **Sec. 1.050.480. - Action of the city clerk following receipt of the hearing officer's decision.**

modified

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- A. After receiving the hearing officer's decision, the City Clerk shall promptly cause the hearing officer's decision to be served on the citee at the address set forth in the citee's request for an administrative hearing together with the notice hereinafter required by this Section, and shall cause a copy of the decision and such notice to be provided to the Chief Financial Officer and review officer.
- B. If the decision of the hearing officer is to sustain the civil penalty assessed by the citation that was the subject of the hearing, then the City Clerk shall accompany the hearing officer's decision with a notice advising the citee that:
  - 1. The City will retain the advance deposit if the deposit was in the full amount of the civil penalty, or require payment of the penalty balance within the time required by Article 2 of this Chapter if the advance deposit was less than the civil penalty or if the advance deposit was waived on the basis of financial hardship; and,
  - 2. The citee has the right to file a petition with the Ventura County Superior Court seeking judicial review of the hearing officer's decision in the manner hereafter set forth in this Article if the citee chooses to further challenge the decision.
- C. If the decision of the hearing officer is to set aside and vacate the civil penalty assessed by the citation that was the subject of the hearing and the citee has made an advance deposit in the amount of the civil penalty or any portion thereof, the City Clerk shall accompany the hearing officer's decision with a notice advising the citee, review officer and Chief Financial Officer that the City will be refunding the amount of the advance deposit.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 5, 3-21-22)

**Sec. 1.050.490. - Right to judicial review.**

⋮

A citee may appeal a hearing officer's decision rendered in the manner provided for by this article by filing a petition for writ of mandate in the Ventura County Superior Court seeking to set aside the decision within 90 days of the date the decision is deemed to have been served on the citee, all as provided for in sections 1094.5 and 1094.6 of the California Code of Civil Procedure.

(Ord. No. 2007-001, § 1, 1-22-07)

**ARTICLE 5. - COLLECTION AND LIEN PROCEDURES**

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**Sec. 1.050.510. - Collection of delinquent and unpaid civil penalties, delinquency fees and collection fees.**

⋮



All judgment and unpaid civil penalties, together with any accrued delinquency fees and collection fees that were assessed thereon in the manner provided by this chapter, shall constitute a debt that is owed by the citee to the city and that shall be collected in the manner provided for in this article or in any other manner authorized by law.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.520. - Collection of unpaid civil penalties exceeding the jurisdiction of the small claims court.** modified ⋮

All civil penalties together with any accrued delinquency fees and collection fees assessed thereon (i) that are in excess of the current jurisdiction of the small claims court, and (ii) that remain unpaid for 60 days or more following the delinquency date, shall be referred to the city attorney who is hereby authorized and directed to commence an action in Ventura County Superior Court against the citee who is indebted to the city for such penalty and fees, and to cause any judgment entered in such action to be executed against the assets or income of the citee in the manner provided for by law.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.530. - Collection of unpaid civil penalties less than the jurisdiction of the small claims court.** modified ⋮

Except as hereinafter provided in this Article, all unpaid civil penalties together with any accrued delinquency fees and collection fees assessed thereon (i) that are within the current jurisdiction of the Ventura County Small Claims Court, and (ii) that remain unpaid for 60 days or more following the delinquency date shall be collected as directed by the Chief Financial Officer either by causing a complaint to be filed in the small claims court against the citee who is indebted to the City in the amount of such penalties, fees, and costs, or by referral of such debt to a reputable collection agency for collection.

Payment of the civil penalty will be considered complete once all city fines and fees have been paid by the citee.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 6, 3-21-22)

**Sec. 1.050.540. - Collection of property related civil penalties.** ⋮

Notwithstanding the provision of [section 1.050.530](#) to the contrary, all civil penalties together with any delinquency fees and collects costs that have been assessed against the owners of real property (i) that are less than the current jurisdiction of the Ventura County Small Claims Court, (ii) that remain unpaid for 60 days or more following the delinquency date, and (iii) that arose out of the condition or use of such property, shall be subject to a lien that is levied on such property by resolution of the city

Council, and filed to the Ventura County Assessor for inclusion on the annual property tax bill sent to the property owner or owners, and collected at the time and in the same manner as property taxes are collected.

(Ord. No. 2007-001, § 1, 1-22-07)

**Sec. 1.050.550. - Collection of property related civil penalties; lien procedures.** modified ⋮

The finance officer shall initiate and conduct proceedings to collect delinquent civil penalties (i) that are within the jurisdiction of the small claims court, and (ii) that arose out the condition or use of real property as follows:

1. At or before a date in each fiscal year of the City that is at least 30 days prior to the date established by the Ventura County Assessor for filing annual City assessments, the Chief Financial Officer shall prepare a proposed City Council Resolution levying assessments against all real property in the City of San Buenaventura that is subject of such delinquent civil penalties. Such Resolution shall set forth all of the following information and otherwise be in a form approved by the City Attorney:
  - (a) The address of each parcel of real property that is subject of a delinquent civil penalty;
  - (b) The assessor's parcel number assigned to the property;
  - (c) The amount of the delinquent civil penalty to be assessed against the property, together with any delinquency fees or collection fees added thereto by reason of such delinquency;
  - (d) The name and address of the owner or owners of the property as set forth on the assessor's tax rolls;
  - (e) The determination of the City Council to levy an assessment against each such property in the amount of the delinquent penalty, together with any delinquency fees and collection fees added thereto by reason of such delinquency; and
  - (f) A request and authorization for the assessor to add such assessments to the county tax rolls and to collect such assessment at the time and in the same manner as property taxes are collected.
2. The Chief Financial Officer shall submit the proposed Resolution to the City Clerk together with a written staff report that recommends City Council approval of the Resolution and that sets forth the basis for such recommended action.
3. Upon receiving the proposed Resolution and staff report, the City Clerk shall cause the matter to be noticed for a public hearing before the City Council, and shall cause a copy of the Resolution and written notice of the date, time, and place of the hearing, and the matter to be considered at the hearing to be served on the owner or owners of each

Code of Ordinances

parcel of real property that is a subject of the resolution. Such notice shall be addressed to each such person at his or her address as set forth on the county assessor's last equalized tax roll. The failure of any such person to receive actual notice of such proceeding shall not affect the legal validity of the proceeding.

- 4. At the time and place of the hearing, the City Council shall hear and consider the protests, if any, of all persons appearing at the hearing to object to the proposed assessments.
- 5. At conclusion of the hearing, the City Council shall determine whether to adopt the proposed Resolution, including any changes or amendments thereto; provided that if the Chief Financial Officer advises the City Council at such hearing that an assessment against a parcel of real property included in the Resolution has been paid in full subsequent to the date the Resolution was noticed for public hearing, the Resolution shall be changed or amended to delete such assessment.
- 6. Following adoption of a City Council Resolution levying assessments against real property in the City of San Buenaventura that is the subject of such delinquent civil penalties, the Chief Financial Officer shall cause a certified copy of the Resolution to be forwarded to county tax assessor for inclusion on the county tax rolls.

(Ord. No. 2007-001, § 1, 1-22-07; Ord. No. 2022-002, § 7, 3-21-22)

**Chapter 1.100 - Reserved**

⋮

**Chapter 1.150 - Criminal Penalties**

⋮

**Sec. 1.150.010. - Violations; misdemeanors; nuisances.**

⋮

No person shall violate any provision or fail to comply with any of the requirements of the San Buenaventura Municipal Code. Each and every violation of any provision of this Code is a misdemeanor unless otherwise provided. Every person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Code is committed, continued, or permitted by such person and shall be punishable accordingly. In addition to the penalties herein provided, any condition caused or permitted to exist in violation of any of the provisions of this Code shall be deemed a public nuisance and may be abated by this city, either summarily or otherwise as appropriate under law, at the expense of the person or persons creating, causing, committing or maintaining it and such expense shall be a lien against the property on which the nuisance is maintained and shall be a personal obligation against the owner of such property.

(Code 1971, § 13)

**Sec. 1.150.020. - Penalty.**

⋮

## Code of Ordinances

Any person convicted of a misdemeanor, the penalty for which is not otherwise prescribed, shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

(Code 1971, § 13.1)

### **Sec. 1.150.030. - Certain violations as infractions.**

- A. Notwithstanding the provisions of section 1.150.420 or any other provision of this Code, the violation of any of the provisions of the San Buenaventura Municipal Code contained in any of the following enumerated divisions, chapters, articles or sections shall be an infraction; provided, however, that a fourth or additional violation of the same Code section, regardless of the time of occurrence, shall constitute a misdemeanor: Municipal Code sections [8.050.510](#) and [22.170.010](#).
- B. Notwithstanding any other provision of this Code, a violation of any provision, requirement or prohibition of the following San Buenaventura Municipal Code sections is hereby made an infraction: [16.210.020](#); [16.210.030](#) (second paragraph); 16.210.040.A., B., C., and D.; [16.210.050](#); 16.210.050.B.; 16.210.060.A.; 16.210.060.B.; 16.210.060.C.; 16.210.060.D.2.; 16.210.060.E.2.; 16.210.060.F.; 16.210.060.G.; 16.210.060.H.; 16.210.060.I.; 16.210.060.J.; 16.210.070.B.; 16.210.070.C.; [16.215.030](#); 16.215.030.B.; 16.215.030.C.; 16.215.030.D.; 16.215.030.E.; 16.215.050.A. and B.; [16.215.060](#) (second paragraph); [16.215.070](#) (second paragraph); 16.220.010.B.1.(d); [16.220.020](#); [16.220.030](#); [16.220.040](#); 16.220.050.B.1., 2., 3., and 4.; 16.220.050.C.; 16.225.030.B.; 16.225.030.C.; 16.225.030.D.; 16.225.030.F.; 16.225.030.G.; all sections within [chapter 8.350](#) of [division 8](#).
- C. Notwithstanding any other provision of this Code, any violation constituting a misdemeanor under this Code may, in the discretion of the city attorney, where deemed to be in the interest of justice, be charged and prosecuted as an infraction.

(Code 1971, § 13.2; Ord. No. 2004-005, § 2, 4-5-04; Ord. No. 2005-007, § 1, 10-10-05)

### **Sec. 1.150.040. - Penalties for infractions.**

Each and every violation of a provision of this Code which is an infraction is punishable by:

1. A fine not exceeding \$100.00 for the first violation;
2. A fine not exceeding \$200.00 for a second violation of the same provision within one year;
3. A fine not exceeding \$500.00 for each additional violation of the same provision within one year of the first violation.

(Code 1971, § 13.3)

### **Sec. 1.150.050. - Unlawful acts.**

WHosoever makes any act or omission unlawful shall include causing, permitting, aiding, abetting, suffering, or concealing the fact of such act or omission.

(Code 1971, § 13.4)

## Sec. 1.150.060. - Code enforcement.

⋮

- A. *Code enforcement responsibilities.* The police department, fire department, utilities division, business license office, building official, and other designated persons shall be responsible for enforcement of the various provisions of this Code under their respective authority or as is specifically assigned to them by the city manager or council. Officials and employees designated to enforce provision of this Code shall have authority to arrest persons pursuant to Penal Code section 836.5 for purposes of issuing citations for violations of provisions of this Code. Notwithstanding the foregoing, police officers have full authority to arrest persons for violations of the provision of this Code pursuant to any applicable provision of the Penal Code.
- B. *Citation procedure for violations.*
1. Any city officer or employee arresting any person for a violation of any provision of this Code, who does not immediately take such arrested person before a magistrate, as prescribed in the Penal Code of the state, shall prepare in duplicate a written notice to appear in court. The notice shall contain:
    - (a) The name and address of the person arrested;
    - (b) The offense charged, the time and place of the alleged violation;
    - (c) Where and when such person shall appear in court.The time specified in the notice for appearance must be at least ten days after such arrest. The place specified in the notice to appear and the notice shall be in conformity with the applicable provisions of the Penal Code of the state.
  2. The arresting city officer or employee shall deliver one copy of the notice to appear to the alleged violator; the alleged violator in order to secure his immediate release must give his written promise to so appear in court at the time and place indicated on the notice by signing the duplicate notice, which signed copy shall be retained by the city officer or employee. Thereafter, the arresting city officer and employee shall release forthwith from custody the person so arrested. The duplicate copy of the notice to appear shall be filed in the manner prescribed in the Penal Code of the state.
- C. *Failure to appear.* Any person who willfully violates his written promise to appear in court by failing to appear at the time and place stated shall be deemed guilty of a misdemeanor regardless of the disposition of the charge upon which the person was originally arrested.



## Code of Ordinances

By warrant for arrest upon failure to appear. When a person signs a written promise to appear at the time and place specified therein, and has not posted bail as provided in the Penal Code of the state, the magistrate shall issue and have delivered for execution a warrant for the person's arrest within 20 days after such person has failed to appear as promised, or if such person promises to appear before an officer authorized to accept bail, other than a magistrate, and fails to do so on or before the date which the person promised to appear, then within 20 days after delivery of such written promise to appear by the officer to the magistrate having jurisdiction over the offense, such magistrate shall issue and have delivered for execution a warrant for the person's arrest. When such person violates his promise to appear before an officer authorized to receive bail other than a magistrate, the officer shall immediately deliver to the magistrate having jurisdiction over the offense charged the written promise to appear and the complaint, if any, filed by the arresting officer or employee.

(Code 1971, § 13.5)

### **Sec. 1.150.070. - Cost recovery for code enforcement.**

⋮

The city council, from time to time, may by resolution establish procedures and fees for the recovery of costs incurred by the city in enforcing the City of San Buenaventura Municipal Code.

(Code 1971, § 13.6)

## **Chapter 1.200 - Judicial Review**

⋮

### **Sec. 1.200.010. - State law applicable.**

⋮

The provisions of section 1094.6 of the California Code of Civil Procedure shall be applicable as respects the City of San Buenaventura, its officers, agents and/or employees and any actions filed under Code of Civil Procedure sections 1094.5 or 1085, except that where a shorter time limit is specified by this Code or other law, said shorter time limit shall be applicable.

(Code 1971, § 1421)

### **Sec. 1.200.020. - Expedited judicial review.**

⋮

Pursuant to California Code of Civil Procedure § 1094.8(c), and any successor statute or regulation, the following permits and entitlements of this Code are designated for expedited judicial review pursuant to the procedure set forth in California Code of Civil Procedure § 1094.8, or any successor statute or regulation:

- A. Permits issued pursuant to [chapter 8.120](#) entitled "Regulation of Commercial Motion Picture and Television Production";

## Code of Ordinances

- M. Permits issued pursuant to [Chapter 18.200](#) entitled "News Racks";
- C. Permits for free speech events issued pursuant to [chapter 18.250](#) entitled "Use of Public Streets and Other Rights-of-Way for Parades, Athletic Events, Block Parties and Other Public Assemblies";
- D. Permits for free speech events issued pursuant to [chapter 13](#) of the San Buenaventura Ordinance Code, as recodified in the SBMC (this Code), entitled "Permits Authorizing Events Conducted in City Parks and Park Facilities";
- E. Decisions regarding signage subject to design review pursuant to [section 24.420.060](#);
- F. Decisions regarding signage variances pursuant to [section 24.420.300](#);
- G. Decisions regarding adult-oriented business pursuant to [chapter 24.492](#) entitled "Adult-Oriented Business Regulations";
- H. Permits for signs issued pursuant to [section 24.505.020](#) in [chapter 24.505](#) entitled "Director's Permit Procedure"; and
- I. Any other provision of this Code designated by city council ordinance or resolution as being subject to expedited judicial review.

(Ord. No. 2000-06, § 2, 2-7-00)

## Chapter 1.250 - Disposition of Unclaimed Property

⋮

### Sec. 1.250.010. - Disposition of unclaimed property.

⋮

All unclaimed property in the possession of the police department shall be handled and disposed of in the following manner:

1. Such unclaimed property except unclaimed bicycles shall be held by the police department for a period of at least four months and unclaimed bicycles shall be held for a period of at least three months.
2. Thereafter, if the property has not been claimed as herein provided, it shall be transferred to that division or department of the city having responsibility for warehousing for sale to the public at public auction. In the event that the property cannot be sold at public auction, it may then be given away to any fraternal, benevolent, patriotic, charitable or religious organizations not organized for profit; and if any such property is of no value and cannot otherwise be disposed of by gift or sale, it may be destroyed as junk.
3. Notice of such sale at public auction shall be given at least five days before the time fixed therefor, by publication in a newspaper of general circulation published in the city and county specifying the time and place where such public sale will be held and generally

Code of Ordinances  
4. In the event the owner of any such property shall appear before the date when said property is transferred to the warehouse and reclaim said property and reimburse the city for all expenses incurred in the care and preservation of the property, then said property shall be restored to the owner. Once property has been transferred to that division or department of the city having the responsibility for warehousing, however, such property shall not be redeemable by the owner or other person entitled to possession.

(Code 1971, § 6311)

## **Chapter 1.300 - Damage Claims Against the City**

### **Sec. 1.300.010. - Authority.**

This chapter is enacted under the authority of Section 935 of the California Government Code.

(Ord. No. 2006-017, § 1, 11-20-06)

### **Sec. 1.300.020. - Claims presentation requirements.**

All claims against the city for money or damages not otherwise governed by the California Tort Claims Act (California Government Code Sections 900 et seq.), or another state law shall be presented within the time, and in the manner, prescribed by Part 3 of Division 3.6 of Title 1 of the California Government Code (commencing with Section [900](#)) for the claims to which Part 3 applies by its own terms, as those provisions now exist or shall hereafter be amended, and as further provided by this chapter.

(Ord. No. 2006-017, § 1, 11-20-06)

### **Sec. 1.300.030. - Form of claims.**

All claims presented under this chapter shall be made in writing and verified by the claimant or by his or her guardian, conservator, executor or administrator. No claim may be filed on behalf of a class of persons unless verified by every member of that class as required by this section. In addition, all claims shall contain the information required by California Government Code Section 910.

(Ord. No. 2006-017, § 1, 11-20-06)

### **Sec. 1.300.040. - Compliance with claim presentation requirements a prerequisite to lawsuit.**

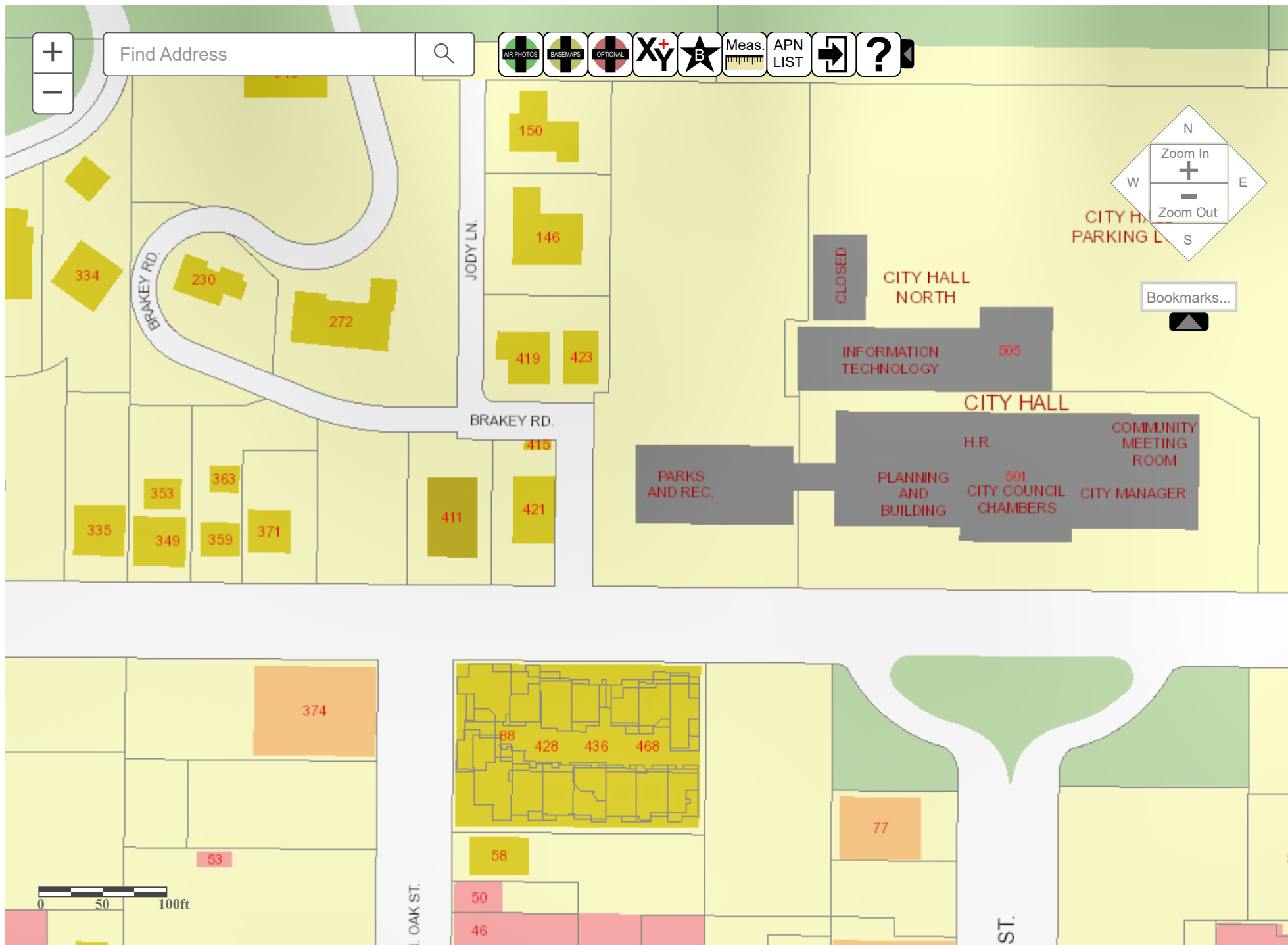
Code of Ordinances  
All ordinances shall be presented as provided in this chapter and acted upon by the city as a prerequisite to the filing of any action or suit on such claims. No such action or suit may be brought by a person who has not complied with the requirements of this section.

(Ord. No. 2006-017, § 1, 11-20-06)

### **Sec. 1.300.050. - Lawsuit must conform to requirements of California Tort Claims Act.**

Any action or suit brought against the city based upon any claim subject to this chapter shall conform to the requirements of Sections 940—949 of the California Government Code. Any action brought against any employee of the city shall conform with the requirements of Sections 950—951 of the California Government Code.

(Ord. No. 2006-017, § 1, 11-20-06)





Commission approved SOI reviews for the following cities and determined that no changes were necessary: Moorpark, Ojai, Oxnard, and Thousand Oaks.

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### Details

**Dataset**  
Feature Layer

**July 24, 2023**  
Info Updated

**July 24, 2023**  
Data Updated

**June 29, 2022**  
Published Date

**Records: 10**  
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Records: 10

Pacific Ocean

**Legend**

Cities Sphere

city_sphere	
OBJECTID	64
CITY_NO	5
CITY_NAME	San Buenaventura
ACRES	22,615.282
Shape__Area	134,355,243.766
Shape__Length	119,396.476

Zoom to

I want to use this >



## **INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**

**The County Counsel has prepared the following title and summary of the chief purpose and points of the proposed measure:**

**MEASURE TO EXTEND FROM 2020 THROUGH 2050 THE REQUIREMENT THAT CHANGES TO COUNTY'S GENERAL PLAN LAND USE DESIGNATIONS, GOALS AND POLICIES FOR OPEN SPACE, AGRICULTURAL, AND RURAL LANDS IN THE UNINCORPORATED AREA BE APPROVED BY A VOTE OF THE PEOPLE**

Currently, the County of Ventura's General Plan requires that changes to land use designations, goals and policies regarding open space, agricultural, and rural lands in the unincorporated area (lands outside city boundaries) be approved by a vote of the people at a countywide election, with limited exceptions. Those provisions are set to expire December 31, 2020. This measure, if adopted by the voters of the County, would extend the voter approval requirement through 2050, and make certain other changes to the General Plan.

Under the current General Plan, until 2021 voter approval is required for proposed changes to land use designations, goals or policies that would result in more intensive development uses of open space, agricultural or rural lands. To make such a change, the board of supervisors must conduct at least one public hearing on the suggested amendment, comply with the California Environmental Quality Act, and place the suggested amendment on the ballot. The proposed amendment would only become effective if a majority of those voters who cast ballots vote for the change.

The limited exceptions from the general rule of voter approval include changes to land use designations that would result in less intensive development uses, redesignations necessary to avoid an unlawful taking of private property, and certain others.

In addition to extending the core voter approval requirements of the current General Plan through 2050, the measure would make the following changes to the General Plan, among others: (1) eliminate voter approval requirements for redesignations needed to comply with state housing laws for all economic segments of the community (e.g., for low and very low income housing); (2) eliminate voter approval requirements for redesignations of up to 12 acres of land countywide for processing of locally grown food; (3) delete "irrigated" from the definition of agricultural lands; (4) add goal to promote infrastructure for farmworker housing; (5) add goal to encourage Land Conservation Act contracts on farming, grazing and open space lands; (6) designate Thomas Aquinas College as an Existing Community; and (7) amend Existing Community policies by expanding the types of zones that can be recognized beyond residential, commercial or industrial.

The measure's provisions, if approved by the voters, would remain in effect through 2050, unless repealed earlier by the voters. After December 31, 2050, any General Plan changes may be made without a vote of the people.

The above is a summary of the chief purpose and points of the proposed measure prepared by County Counsel pursuant to Elections Code section 9105. It does not reflect any legal analysis or opinion of the County Counsel concerning the proposed measure.

Prepared by: Leroy Smith, County Counsel  
November 25, 2015

## **NOTICE OF INTENT TO CIRCULATE PETITION and Request That A Ballot Title and Summary Be Prepared**

### **SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES COUNTY OF VENTURA SOAR MEASURE EXTENSION INITIATIVE**

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the County of Ventura, in the form accompanying this Notice, for the purpose of qualifying the measure for the November 8, 2016, ballot. A statement of the reasons of the proposed action as contemplated in the petition is as follows:

Prevention of urban sprawl, protection of open space and agricultural resources from urban incursion, and the maximization of infrastructure, are significant concerns of the citizens of the County of Ventura. This initiative advances those objectives by requiring a vote of the citizens of the County for changing the Agriculture, Open-Space or Rural designations currently in place in the county until the year 2050.

Additionally, pursuant to Elections Code § 9105, request is hereby made that the text of the petition be transmitted immediately to the County Counsel for preparation of a ballot title and summary, not exceeding 500 words, accurately expressing the purpose of the proposed measure.

Respectfully Submitted.  
November 25, 2015

Stephen A. Bennett  
1851 Terrace Drive  
Ventura, CA 93001

Linda Parks  
2018 Glastonbury Rd.  
Westlake Village, CA 91261

Richard L. Francis  
10799 Lassen Court  
Ventura, CA 93004

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**  
**COUNTY OF VENTURA MEASURE**  
**(SOAR) SAVE OPENSOURCE and AGRICULTURAL RESOURCES INITIATIVE – 2050**  
**FULL TEXT OF ORDINANCE (PAGE 1 OF 5)**

The people of the County of Ventura, having adopted the Save Open-space and Agricultural Resources Ordinance (SOAR) on November 3, 1998, and recognizing that said Ordinance will sunset on December 31, 2020, desire to continue the philosophy of and primary substantive matters contained in that initiative measure until December 31, 2050. Accordingly, they do hereby ordain as follows: [Changes from the text of the original initiative and any changes in the County's General Plan being restated and readopted are indicated with "strike-out" for deletions; *italics for additions*].

**Section 1. Findings and Purpose.**

A. Nearly two decades ago, the voters of Ventura County adopted the Save Open-space and Agricultural Resources (SOAR) in order to protect the County's agricultural, rural, and open space lands, to strengthen the local agricultural economy, and to preserve the County's quality of life. SOAR has been highly successful in achieving these goals, while allowing for reasonable residential development, allowing the County to meet its housing requirements under state law. Accordingly, for the benefit of existing and future residents, visitors and investors, the people of Ventura County hereby declare their intent to reaffirm, update and extend the provisions of SOAR until the year 2050.

B. Agriculture has been and remains a major contributor to the economy of the County of Ventura, directly and indirectly creating employment for many people, creating enormous actual income which multiplies through the community and generating substantial tax revenues for the County.

Specifically, the Ventura County General Plan provides as follows:

"Agriculture plays an important role in the National, State, and County economy. Ventura County is one of the principal agricultural counties in the State ranking tenth in 1987, with a total income of over 610 million dollars and ranking seventeenth in farm earnings out of 3,175 counties nationally.

This high productivity is made possible by the County's abundance of the natural resources required for agricultural production; primarily soils, water, climate and topography." [General Plan, ¶1.6].

C. The County of Ventura with its unique combination of soils, micro-climate and hydrology has become one of the finest growing regions in the world. Vegetable and fruit production from the county of Ventura and, in particular, production from the soils and silt from the Santa Clara and Ventura rivers have achieved international acclaim, enhancing the County's economy and reputation and standard of living.

D. For agriculture to be sustainable in Ventura County, it must remain economically viable. This SOAR ordinance seeks to add and improve necessary goals and policies to encourage agriculture to remain viable in the County for the life of the ordinance and beyond.

E. Open space likewise contributes to the welfare of the County, as recognized in paragraph 3.2 of the General Plan, not only through the productive use of the land for grazing and other non-irrigated usage, such as forest lands, rangelands, and agricultural lands not designated agricultural, but through the preservation of unique natural resources including but not limited to areas required for the preservation of plant and animal life, habitat for fish and wildlife, areas required for ecological and other scientific study purposes, rivers, bays, estuaries, wetlands, coastal beaches, lakeshores, banks of rivers and streams and watershed lands. Open space continues to contribute to the public health and safety additionally by setting aside from development those lands which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality, and water reservoirs and areas required for the protection and enhancement or air quality. Open space has worked to promote and continues to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl. Open space promotes efficient municipal services and facilities by confining urban development to defined development areas.

F. Open space designations also include productive lands that are used for agriculture and grazing. These lands are important to the overall economy of the County and the long-term economic viability of these productive lands shall be supported.

G. As importantly, the Rural designation under the General Plan serves not only to buffer intense urban usage from agricultural and open space lands, but it fosters small scale agricultural production while allowing for low-density and low intensity land uses and is a critical component in accommodating the full range of residential and farming/ranching environments.

H. Urban encroachment into Agricultural, Open Space and Rural designated areas can negatively impact agriculture by lessening cultivated acreage, threatening the viability of the agricultural industry and could threaten the public health, safety and welfare by causing increased traffic congestion, associated air pollution, and potentially serious water problems, such as pollution, depletion and sedimentation of available water resources. Such urban encroachment could eventually result in the unnecessary and expensive extension of public services and facilities as well as create inevitable conflicts between urban and open space and agricultural uses, degrading wildlife habitat and connectivity. To the extent possible, farm worker housing, located in existing urban areas, should be encouraged in order to help sustain the viability of agriculture.

I. The unique character of the County of Ventura and quality of life of County residents depend on the protection of a substantial amount of open space, agriculture, and rural lands. The protection of such lands not only ensures the continued viability of agriculture, but also protects the available water supply and contributes to flood control and the protection of wildlife, environmentally sensitive areas, and irreplaceable natural resources.

J. The purpose of this initiative is to continue to ensure that agricultural, rural and open space lands are not prematurely or unnecessarily converted to other more intensive development uses incompatible with the purposes of the Agricultural, Open Space and Rural land use designations. Thus, this initiative seeks to further Agricultural, Rural and Open Space objectives which could include, for example, adequate farm worker housing. This initiative further proposes to restate and readopt, with minor amendments, the section of the Ventura County General Plan document entitled Goals, Policies and Programs to support Agricultural, Rural and Open Space objectives thereby helping to ensure that agriculture will remain economically viable in the County for the life of the ordinance and beyond, and the beneficial aspects of the Rural and Open Space designations continue to be protected. Accordingly, the initiative ensures that until December 31, 2050 the General Plan provisions governing Agricultural, Rural and Open Space land use designations and intent, as amended herein, may not be changed except by vote of the people. In addition, the initiative provides that any lands designated as "Agricultural," "Rural" or "Open Space" on the County of Ventura's General Plan "General Land Use Maps" (North Half and South Half of each) [attached as exhibits A and B] adopted by the Board of Supervisors May 24, 1988 as revised through October, 2015 will remain so designated until December 31, 2050 unless the land is redesignated to another land use category by vote of the people, or redesignated by the Board of Supervisors for the County of Ventura pursuant to the procedures set forth in this initiative.

K. This initiative allows the Board of Supervisors to redesignate Rural, Agricultural, and Open Space lands to other more intensive land use designations only if certain findings can be made, including (among other things) that the land is proven to be unsuitable for any form of utilitarian use, and redesignation is necessary to avoid an unconstitutional taking of property without just compensation.

**Section 2. General Plan Amendment.**

1. Except as otherwise provided herein, this Save Open-space and Agricultural Resources Initiative hereby amends, reaffirms, restates, and readopts until December 31, 2050 the following aspects of the Ventura County General Plan. Deletions indicated by ~~strike-out~~; additions indicated by *italics* (The Urban land use designation is not part of this initiative, but is added here for context, only):

**Limitations on General Plan Amendments Relating to Agricultural,  
Open Space and Rural Designations**

**I.**

Pursuant to the provisions of the SAVE OPEN-SPACE and AGRICULTURAL RESOURCES (S.O.A.R.) INITIATIVE the following shall obtain until December 31, ~~2020~~ 2050:

a) *Until December 31, 2050*, the Agricultural, Open Space and Rural land use designations, and the goals and policies as they specifically apply to those land use designations in Sections ~~3+ 1.6~~ and 3.2 Ventura County General Plan - GOALS, POLICIES & PROGRAMS (10-20-15 edition) of this General Plan shall not be further amended unless such amendment is approved by vote of the people or by the Board of Supervisors pursuant to the procedures set forth herein.

b) *All* those lands designated as "Agricultural," "Open Space" or "Rural" on the "General Land Use Maps" ~~or the "Resources Protection Maps"~~ adopted by the Board of Supervisors for Ventura County on May 24, 1988, and amended through ~~September 16, 1997~~ *October 20, 2015*, shall remain so designated *until December 31, 2050*, unless redesignated to another general plan land use category by vote of the people, or redesignated by the Board of Supervisors pursuant to the procedures set forth herein. [*Said Maps are attached hereto and incorporated herein as Exhibit's A and B. The General Land Use maps cover the mainland only. Anacapa Island is designated "Open Space" and San Nicholas Island is designated "State or Federal Facility."*]

**INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS**  
**COUNTY OF VENTURA MEASURE**  
**(SOAR) SAVE OPENSOURCE and AGRICULTURAL RESOURCES INITIATIVE – 2050**  
**FULL TEXT OF ORDINANCE (PAGE 2 OF 5)**

- c) The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may place any amendment to land use designations of Agricultural, Open Space or Rural, or any provision, goal or policy as set forth in subsection *paragraph* “a”, above, on the ballot pursuant to the mechanisms provided by State Law.
- d) The Board of Supervisors without a vote of the people may reorganize, reorder or renumber individual provisions, *including the provisions set forth herein* in the course of ongoing updates of the General Plan in accordance with the requirements of state law. Additional technical, non-substantive language modifications may be made to the General Plan with reference to Agricultural, Open Space or Rural designations for clarification and internal consistency provided such modifications are consistent with the Findings and Purpose of the initiative creating these provisions.
- e) The Board of Supervisors, without a vote of the people, may re-designate ~~Rural designated~~ *properties otherwise designated (e.g., residential or commercial) to Rural, Agricultural, or Open Space; may redesignate Rural properties to either Agricultural or Open Space; or, may re-designate Open Space to Agricultural* pursuant to the provisions for making such amendments set forth in state law and Board adopted policies. *Once redesignated, those redesignated lands become subject to the rules contained in this initiative for any further redesignation. Moreover, the Board of Supervisors without a vote of the people may increase the minimum lot size for any land use designation, but may not decrease Rural, Agricultural or Open Space minimum lot sizes.*
- f) The Board of Supervisors, without a vote of the people, may redesignate “Agricultural” designated properties to Open Space if the Board of Supervisors makes all of the following findings supported by substantial evidence:
- i) The land proposed for redesignation has not been used for agricultural purposes in the past 2 years and is unusable for agricultural due to its topography, drainage, flooding, adverse soil conditions, or other physical reasons;
  - ii) The land proposed for redesignation is immediately adjacent to areas developed in a manner compatible with the uses allowed under Open Space;
  - iii) Adequate public services and facilities are available and have the capacity and capability to accommodate the Open Space uses allowed;
  - iv) The proposed redesignation is compatible with agricultural uses, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area; **and**
  - v) The land proposed for redesignation does not exceed 40 acres for any one landowner in any calendar year, and one landowner may not obtain redesignation pursuant to this subdivision (f) more often than every other year. Landowners with any unity of interest are considered one landowner for purposes of this limitation; **and**
  - vi) *Notice of such Proposed Modification is given according to the County’s standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the Board of Supervisors’ agenda, to LAFCo, to the City in whose Area of Interest the property to be redesignated is located, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the Clerk of the Board of Supervisors.*
- g) *The Board of Supervisors, following at least one public hearing for presentations by an applicant and the public, and after compliance with the California Environmental Quality Act, may amend, without a vote of the people, the Rural, Agricultural, or Open Space land use designations to comply with state law regarding the provision of housing for all economic segments of the community. Such amendment may be adopted only if the Board of Supervisors, based on substantial evidence makes each of the following findings:*
- i) *The land is immediately adjacent to existing compatibly developed areas and the applicant for the amendment has provided to the County evidence that the Fire Department, Police Department, Department of Public Works, the Resource Management Agency applicable water and sewer districts, and the school districts with jurisdiction over such land have or will provide adequate capacity to accommodate the proposed development and provide it with adequate public services; and,*
  - ii) *That the proposed development will address the highest priority need identified in the analysis by which the County has determined it is not in compliance with state law, i.e., low and very low income housing; and,*
  - iii) *That there is no existing residentially designated land available to accommodate the proposed development; and,*
  - iv) *Notice of such proposed amendment is given according to the County’s standard notice requirements to neighboring properties; and as well, not less than 30 days prior to the proposed modification appearing on the Board of Supervisors’ agenda, to LAFCo, to the City in whose Area of Interest the property to be redesignated is located, and to all individuals or organizations who or which have indicated a desire for such Notice by requesting the same by placing his/her/its name and contact information with the Clerk of the Board of Supervisors.*
- g)h) The Board of Supervisors, without a vote of the people, may redesignate Agricultural, Open Space or Rural properties provided the Board complies with the following two conditions:
- i) The Board makes a finding based upon the advice of the County Counsel that the designation of the property effects an unconstitutional taking of the landowners’ property; and
  - ii) In permitting the redesignation, the Board allows a less restrictive designation to be applied to the property only to the extent necessary to avoid the unconstitutional taking of the landowner’s property.
- i) *Approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection, the Board’s action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The Board of Supervisors shall follow the provisions of the Election Code in all matters pertaining to such an election.*
- h)j) The Board of Supervisors, without a vote of the people, may amend the provisions of the General Plan which apply to the Agricultural, Open Space or Rural designations, as set forth in subsection “a”, above, for the express purpose of further protecting and preserving resources identified in the General Plan, provided that said amendment(s) are consistent with the Findings and Purpose of the initiative adopting these provisions of the General Plan.
- i) ~~In recognition of the urban nature of the Piru community and to provide essential flexibility to the Board of Supervisors to address the special needs of that community, the Board of Supervisors, without a vote of the people, may amend the land use designations on the General Land Use Map, as set forth in subsection “b”, above, for land located within the Piru Redevelopment Area or land described by the following Assessor Parcel Numbers:~~

056-0-180-01	056-0-180-08
056-0-180-02	056-0-190-05
056-0-180-06	056-0-190-06
056-0-180-07	056-0-190-09

The total land represented by this subsection “i” is set forth on Exhibit “A”

k) *This initiative is not intended to impede The Board of Supervisors, without a vote of the people, from being able to rezone land consistent with the Existing Community Land Use designations on the General Plan Land Use Map(s), and related text, as set forth herein. Consistent with this subsection k), Thomas Aquinas College, 10000 Ojai Rd., Santa Paula, CA 93060 shall be deemed an Existing Community, and may be rezoned appropriately and developed according to its needs as a college subject to standard rules and regulations and permit requirements of the Board of Supervisors. The boundaries of the college are set forth herein as Exhibit “C.”*



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k) l) Following December 31, 2020 2050, redesignations of then existing General Plan designations may be occasioned by the Board of Supervisors without a vote of the people. Until then, approval by a vote of the people is accomplished when a General Plan amendment is placed on the ballot through any procedure provided for in the Election Code, and a majority of the voters vote in favor of it. Whenever the Board of Supervisors adopts an amendment requiring approval by a vote of the people pursuant to the provisions of this subsection ~~initiative measure~~ the Board's action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it.

m) *To preserve the maximum amount of land in agricultural production as possible, the processing of food beyond the limits currently allowed by Ventura County's general plan and policies should take place in existing urban areas that have appropriate supporting infrastructure.*

*Notwithstanding the foregoing limitations on the Board of Supervisors, in order to support the processing of locally grown food, before January 1 of 2030 the Board of Supervisors may, without a vote of the people, re-designate up to a total of 12 acres of land, dispersed throughout the County, provided they comply with the following conditions:*

- i) *The Board has amended the appropriate provisions of the County's General Plan and other planning policies, and the amendment(s) conform with state laws governing such land use designations;*
- ii) *The Board finds the re-designation will allow for the processing of locally grown food that would otherwise likely be transported out of county for processing;*
- iii) *The re-designated land is no greater than 3 acres in size and does not require the expansion or extension of new sewer lines to the facility; and,*
- iv) *The Board of Supervisors approved the action with at least four of the five Supervisors voting in the affirmative.*

j) n) The Board of Supervisors, without a vote of the people, may amend the land use designations on the General Land Use Maps, as set forth in subsection "b", above, to any Existing Community designation for land which, prior to the effective date of the ordinance setting forth these provisions, is found to contain lawfully established urban building intensities or urban land uses, to the minimum extent necessary to validate such pre-existing uses consistent with the Findings and Purpose of the ordinance adopting these provisions of the General Plan.

2. ~~In addition, this initiative\* General Plan Amendment hereby reaffirms~~ *This initiative restates and readopts the following referenced Goals and Policies (omissions do not indicate deletion, just irrelevance to the purposes of this initiative) of the Ventura County General Plan until December 31, 2050. Deletions continue to be indicated by strike-out; additions by italics:*

**1.6 Farmland Resources**

\* \* \*

**1.6.1 Goals**

1. Preserve and protect ~~irrigated~~ agricultural lands as a nonrenewable resource to assure the continued availability of such lands for the production of food, fiber and ornamentals.
2. Encourage the continuation and development of facilities and programs that *support agricultural production and* enhance the marketing of County grown agricultural products.
3. *Improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.*
4. *Encourage opportunities for Ventura County residents to buy local agricultural products.*

**1.6.2 Policies**

1. Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.
2. Hillside agricultural grading shall be regulated by the Public Works Agency through the Hillside Erosion Control Ordinance.
3. Land Conservation Act (LCA) Contracts shall be encouraged on ~~irrigated~~ farmlands *and Open Space lands*.
4. The Public Works Agency shall plan transportation capital improvements so as to mitigate impacts to important farmlands to the extent feasible.
5. The County shall preserve agricultural land by retaining and expanding the existing Greenbelt Agreements and encouraging the formation of additional Greenbelt Agreements.
6. Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.

**3.2 Land Use Designations**

Six basic land use designations are utilized on the General Land Use Map: Urban, Existing Community, Rural, Agricultural, Open Space, and State and Federal Facilities. In addition, the General Land Use Map includes an overlay designation of Urban Reserve. These designations are defined as follows:

- The **Urban** land use designation is utilized to depict existing and planned urban centers which include commercial and industrial uses as well as residential uses where the building intensity is greater than one principal dwelling unit per two acres.

This designation has been applied to all incorporated lands within a city's Sphere of Influence as established by the Local Agency Formation Commission (LAFCO), and unincorporated urban centers within their own Areas of Interest which may be candidates for future incorporation.

\* \* \*

- The **Existing Community** designation identifies existing urban residential, commercial or industrial enclaves located outside Urban designated areas. An Existing Community may include uses, densities, building intensities, and zoning designations which are normally limited to Urban designated areas but do not qualify as urban centers. This designation has been established to recognize existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses; to contain these enclaves within specific areas so as to prevent further expansion; and to limit the building intensity and land use to previously established levels. *Thomas Aquinas College is newly designated in this initiative as Existing Community, with the intention that it be confined to its current boundaries with the understanding that it may continue to intensify its building for its educationally related purposes.*

- The **Rural** designation identifies areas suitable for low-density and low-intensity land uses such as residential estates of two acres or greater parcel size and other rural uses which are maintained in conjunction with agricultural and horticultural uses or in conjunction with the keeping of farm animals for recreational purposes.

The Rural designation also identifies institutional uses such as boarding and non-boarding elementary and secondary schools. Additionally, the designation is utilized for recreational uses such as retreats, camps, recreational vehicle parks and campgrounds.

The designation of areas for Rural land uses is intended to accommodate the need for low density rural residential development, which, in conjunction with the higher density development of the Urban designated land uses, will provide a full range of residential environments.

The areas considered for inclusion in the Rural designation are existing clusters of rural development and areas deemed appropriate for future rural residential development.

- The **Agricultural** designation is applied to ~~irrigated~~ lands which are suitable for the cultivation of crops and the raising of livestock.

Because of the inherent importance of agriculture as a land use in and of itself, agriculture is not subsumed under the Open Space land use designation, but has been assigned a separate land use designation.

- The **Open Space** designation encompasses land as defined under Section 65560 of the State Government Code as any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or State open-space plan as any of the following:

- o Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, *wetlands*, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
- o Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands not designated agricultural; areas required for recharge of groundwater basins; bays, *wetlands*, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- o Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

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- o Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
- For purposes of the County General Plan, “open space” also includes the following:
  - o Open space to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.
  - o Open space to promote efficient municipal services and facilities by confining urban development to defined development areas.
- The State or Federal Facility \* \* \*
- The Urban Reserve overlay \* \* \*

The following goals and policies apply to land use designations:

**3.2.1 Goals**

**1. Urban:**

- (1) Recognize areas within the County planned for urban development which are currently incorporated or which are candidates for future incorporation.
- (2) Direct urban development to existing cities and unincorporated urban centers within their own Area of Interest, and maintain open space between urban areas.
- (3) Discourage outward expansion of urban development when suitable developable areas exist within cities and unincorporated urban centers.

**2. Existing Community:**

Recognize and confine existing urban enclaves which are outside Urban designated areas, even though the enclaves may include uses, densities, and zoning designations normally limited to Urban designated areas.

**3. Rural:**

Recognize and plan for low density rural residential and recreational development, while preserving resources, avoiding hazards, and providing adequate public facilities and services.

**4. Agricultural:**

- (1) Identify Recognize the farmlands within the County that are critical to the maintenance of the local agricultural economy and which are important to the State and Nation for the production of food, fiber and ornamentals.
- (2) Preserve and protect agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber and ornamentals.
- (3) Promote the economic viability of agricultural lands by assisting agricultural producers and establishing zoning policies that support long term investments in agriculture.
- (3) (4) Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.
- (4)(5) Establish policies and regulations which restrict encourage agricultural land to remain in farming and related uses. rather than other development purposes.
- (5)(6) Restrict the introduction of conflicting uses into farming areas.
- (7) Subject to state law, the Guidelines for Orderly Development, and applicable zoning requirements, actively promote infrastructure, sized not larger than necessary for the specific project, for farm worker housing to support the continuing viability of agriculture.

**5. Open Space:**

- (1) Preserve for the benefit of all the County’s residents the continued wise use of the County’s renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources.
- (2) Acknowledge the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public.
- (3) Retain open space lands in a relatively undeveloped non-urbanized state so as to preserve the maximum number of future land use options.
- (4) Retain open space lands for outdoor recreational activities, parks, trails and for scenic lands.
- (5) Define urban areas by providing contrasting but complementary areas which should be left generally undeveloped non-urbanized.
- (6) Recognize the intrinsic value of open space lands and not regard such lands as “areas waiting for urbanization.”
- (7) Land Conservation Act (LCA) Contracts shall be encouraged on farming and grazing and open space lands.
- (8) Support the productive agricultural activities of Open Space designated lands that are commonly used for agriculture, grazing, and ranching and that are important to the overall economy of Ventura County.

\* \* \*

**3.2.2 Policies**

\* \* \*

**2. Existing Community:**

- (1) The Existing Community designation shall include existing unincorporated urban enclaves located outside cities and unincorporated urban centers.
- (2) The Existing Community designation may recognize the range of zones present in the area, be they residential, commercial, or industrial, or otherwise as well as the range of existing population densities and building intensities.

\* \* \*

**3. Rural:**

- (1) Lands designated Rural are those located outside areas designated Urban or Existing Community which are deemed suitable and appropriate for low-density rural residential or recreational development.
- (2) The smallest minimum parcel size consistent with the Rural land use designation is two acres. Subzones may require larger minimum parcel sizes.

**4. Agricultural:**

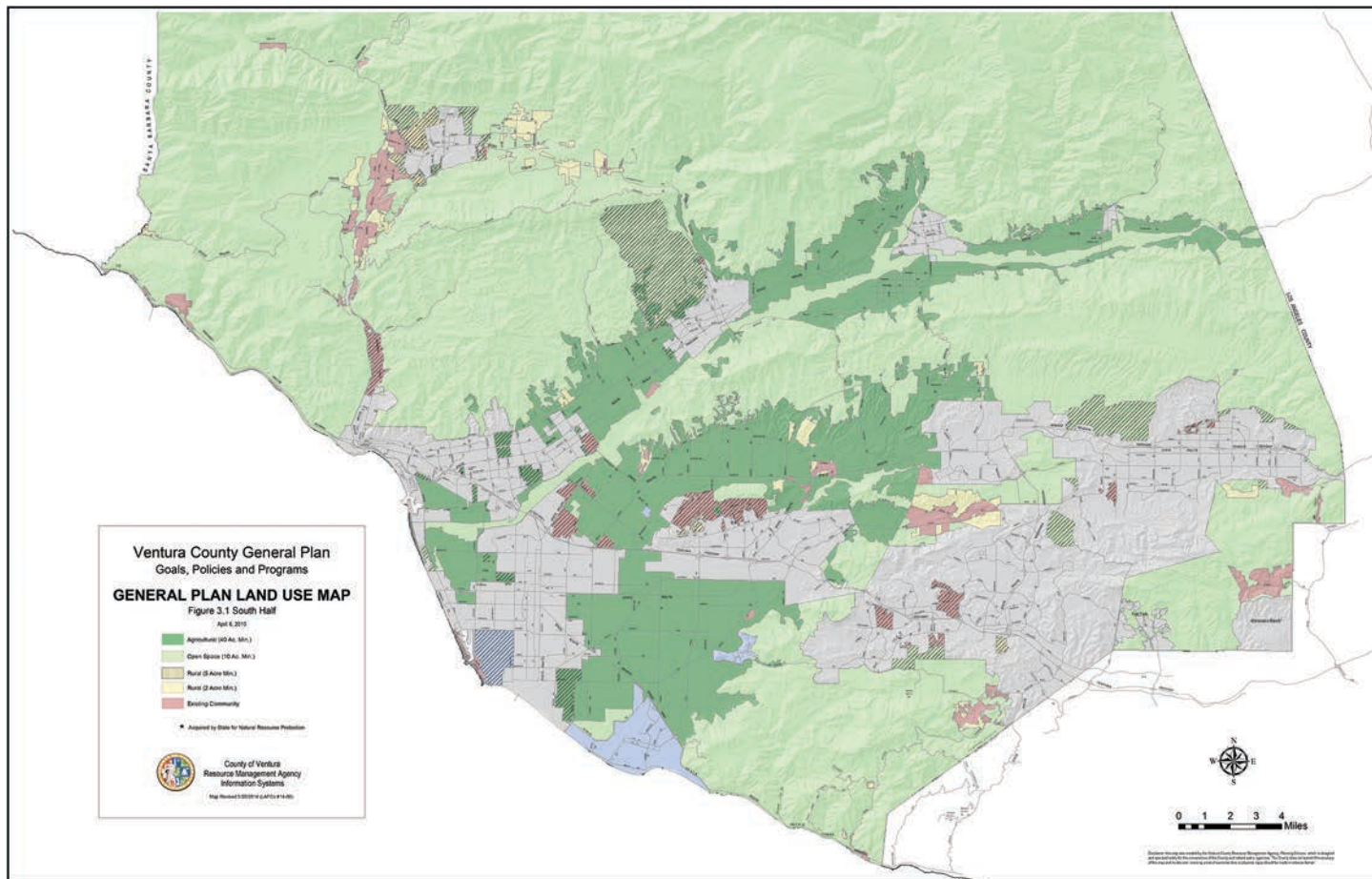
- (1) The Agricultural land use designation shall primarily include lands which are designated as Prime Farmlands, Farmlands of Statewide Importance or Unique Farmlands in the State’s Important Farmland Inventory (IFI), although land may not be designated Agricultural if small areas of agricultural land are isolated from larger blocks of farming land (in such cases, the agricultural land is assigned to the Open Space or Rural designation of the surrounding properties).
- (2) The smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. Subzones may require larger minimum parcel sizes.
- (3) Agricultural land shall be utilized for the production of food, fiber and ornamentals; animal husbandry and care; uses accessory to agriculture and limited temporary or public uses.

**5. Open Space:**

- (1) Open Space should include areas of land or water which are set aside for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, wetlands, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and important watershed lands.
- (2) Open Space should also include areas set aside for managed production of resources, including, but not limited to, forest lands, rangeland, agricultural lands not otherwise designated Agricultural; areas required for the recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- (3) Open Space should also include areas within which recreational activities can be pursued, including, but not limited to, use and enjoyment of recreational trails and areas for hunting and fishing. Preservation of open space also serves to protect areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.



## Exhibit A — County of Ventura's General Plan "General Land Use Maps" South Half



## Exhibit B — County of Ventura's General Plan "General Land Use Maps" North Half

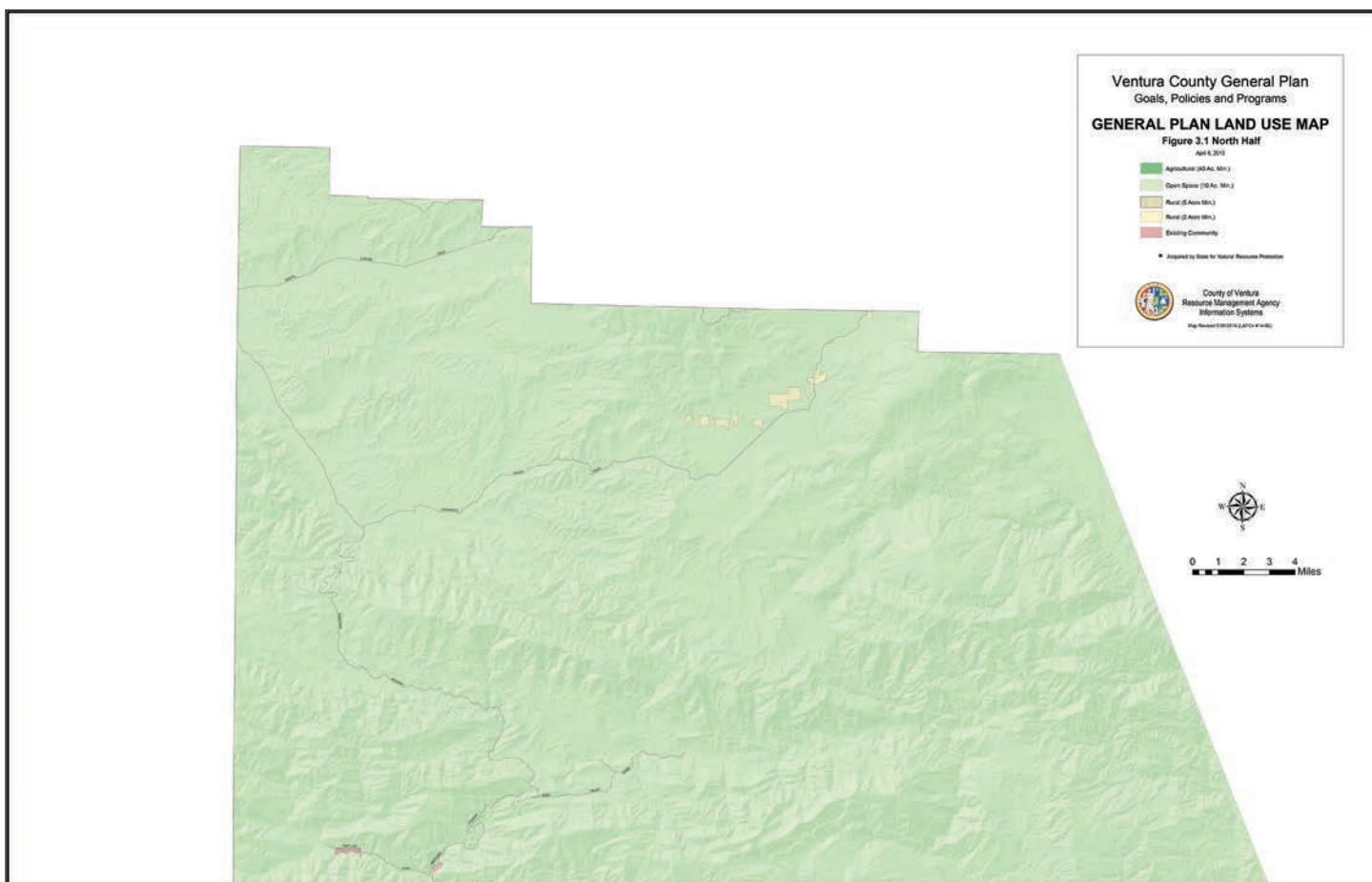
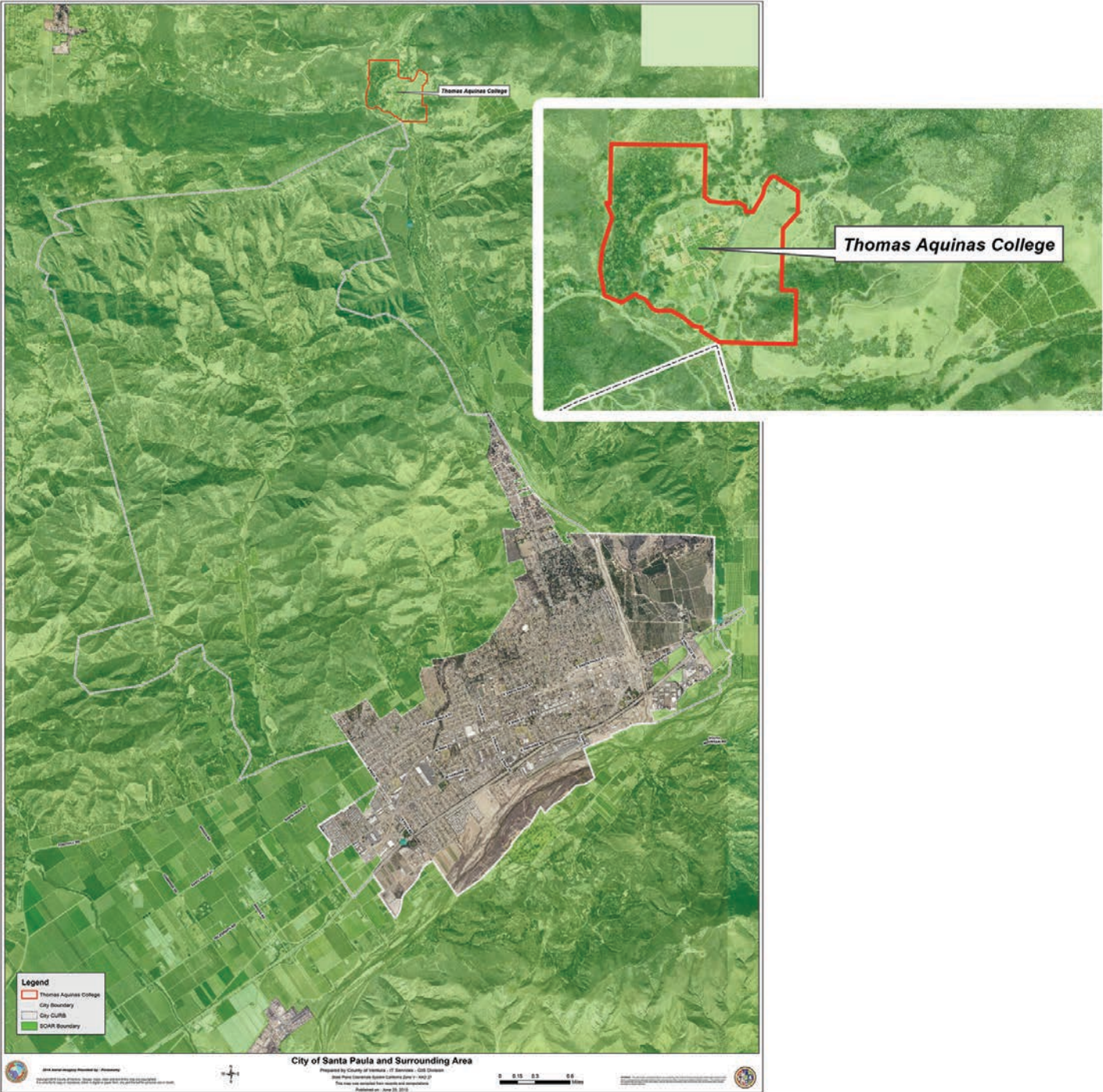




Exhibit C — Thomas Aquinas College, 10000 Ojai Rd., Santa Paula, CA 93060 — Existing Community.



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(4) Open Space should also include areas of land or water which are set aside for public health and safety, thereby safeguarding humans and property from certain natural hazards, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality.

(5) Open Space should also include undeveloped natural areas surrounding urban designated areas which have been set aside to define the boundaries of the urban-designated areas, to prevent urban sprawl, and to promote efficient municipal services and facilities by confining the areas of urban development.

(6) The smallest minimum parcel size consistent with the Open Space land use category is 10 acres. Subzones may require larger minimum parcel sizes.

(7) The minimum parcel size for Open Space properties contiguous with the Agricultural land use designation shall be 20 acres.

**Section 3. Implementation.**

A. Upon the effective date of this initiative, the General Plan Amendment shall be deemed inserted in the Ventura County General Plan, Goals, Policies and Programs document as an amendment thereof; except, that if the four amendments of the mandatory elements of the general plan permitted by state law for any given calendar year have already been utilized in 2016, prior to the effective date of this initiative, this General Plan amendment shall be deemed inserted in the County General Plan on the first day of January of the following calendar year.

*B. The provisions of this General Plan Amendment shall prevail over any conflicting revisions to the County of Ventura's General Plan as amended through the date of this initiative, or to the County of Ventura's "General Land Use Maps" as amended through the date of this initiative which conflict with the initiative. The County of Ventura is hereby authorized and directed to amend the Ventura County General Plan, all specific plans, the Ventura County Zoning Ordinance, the Ventura County Land Use and related zoning maps and other ordinances and policies affected by this initiative as soon as possible and in the manner and time required by any applicable state law, to ensure consistency between the policies adopted in this initiative and other elements of the Ventura County General Plan, all specific plans, the Ventura County Zoning Ordinance, the Ventura County Land Use and related zoning maps and other ordinances and policies. Upon the adoption date all General Plan amendments, rezonings, specific plans, tentative or final subdivision maps, parcel maps, conditional use permits, building permits or other ministerial or discretionary entitlements for use not yet approved or issued shall not be approved or issued unless consistent with the policies and provisions of this initiative. Other than for the exceptions provided herein, upon the effective date of this General Plan Amendment, the County and its departments, boards, commissions, officers and employees shall not grant, or by inaction allow to be approved by operation of law, any general plan amendment, rezoning, specific plan, subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with the purposes of this General Plan Amendment unless in accordance with the provisions of this General Plan Amendment.*

*C. The date that the notice of intention to circulate this initiative measure was submitted to the elections official of the County of Ventura is deemed the "submittal date." The County General Plan in effect on the submittal date and the General Plan as amended by this initiative comprise an integrated, internally consistent and compatible statement of policies for the County of Ventura. In order to ensure that nothing in this initiative measure would prevent the County of Ventura General Plan from being an integrated, internally consistent and compatible statement of the policies of the County, as required by state law, and to ensure that the actions of the voters in enacting this initiative are given effect, any amendment to the General Plan that is adopted between the submittal date and the date that the General Plan is amended by this initiative measure shall, to the extent that such interim-enacted provision is inconsistent with the General Plan provisions adopted by Section 2 of this initiative measure, be amended as soon as possible and in the manner and time required by state law to ensure consistency between the provisions adopted by this initiative and other elements of the Ventura County General Plan.*

**Section 4. Exemptions for Certain Projects.**

This General Plan Amendment initiative shall not apply to or affect the following:

A. Any project which has acquired any of the following:

- i. A vested right pursuant to state or local law;
- ii. A validly approved and fully executed development agreement with County; or,
- iii. Approval of a vesting tentative map.

B. This initiative shall not be interpreted to apply to any land or use that, under state or federal law, is beyond the power of the local voters to affect by the initiative power reserved to the people via the California Constitution. Nothing in this Initiative shall be applied to preclude the County's compliance with state laws governing second units or the use of density bonuses where authorized by state law.

**Section 5. Severability.**

This measure shall be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, subsection, sentence, clause, phrase, part, or portion of this measure is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this measure. The voters hereby declare that this measure, and each section, subsection, sentence, clause, phrase, part, or portion thereof would have been adopted or passed even if one or more sections, sub-sections, sentences, clauses, phrases, parts, or portions are declared invalid or unconstitutional. If any provision of this initiative is declared invalid as applied to any person or circumstance, such invalidity shall not affect any application of this measure that can be given effect without the invalid application. This initiative shall be broadly construed in order to achieve the purposes stated in this initiative. It is the intent of the voters that the provisions of this measure shall be interpreted by the County and others in a manner that facilitates the confinement of urban uses thereby protecting and promoting agricultural, open space and rural lands, and preventing urban sprawl for the duration of the Ordinance.

**Section 6. Amendment or Repeal.**

Until December 31, 2020-2050, this General Plan Amendment initiative may be amended or repealed only by the voters at a general a County-wide election.





2



*Please see the next page.*





## 2. Land Use and Community Character Element

The County of Ventura has land use regulatory authority over most unincorporated land in the county. In contrast, the County lacks land use authority within the city limits of Camarillo, Fillmore, Moorpark, Ojai, Oxnard, Port Hueneme, Santa Paula, Simi Valley, Thousand Oaks, and Ventura. The County lacks land use authority over land in the unincorporated area that is owned/managed by the state or federal government (e.g., state parks, national parks, Bureau of Land Management areas, and tribal lands), except for portions of state parks and other state land located in the coastal zone. Under state law the County has land use authority over land owned/managed by special districts in the unincorporated area (e.g., school districts, cemetery districts, water districts), subject to limited exceptions.

The purpose of the Land Use and Community Character Element is twofold. First, this Element includes policies establishing land use designations that identify the type and intensity of uses permissible in unincorporated areas. These designations are shown on the Land Use Diagram, which graphically illustrates the boundaries for distinct land use designations. The intent of these land use designations is also described through text and a table of accompanying development standards. Second, this Element includes a series of goals and policies identifying the County’s philosophy for future change, development, and natural resource protection. The focus of this section is to preserve agricultural, rural, and open space lands while directing growth to cities and unincorporated communities. Goals, policies, and implementation programs in this Element are organized under the following headings.

<b>Section</b>	<b>Title</b>	<b>Page</b>
2.1	Growth Management .....	2-2
2.2	Land Use Designations and Standards .....	2-13
2.3	Area Plans .....	2-47
2.4	Character and Design .....	2-50
2.5	Environmental Justice.....	2-51
2.6	Civic Engagement.....	2-54
2.7	Development Review and Inter-Agency Coordination.....	2-55
2.8	Military Compatibility.....	2-56
2.9	General Plan Maintenance .....	2-58
2.10	Implementation Programs.....	2-59

The Land Use and Community Character Element includes a series of diagrams (i.e., maps) to depict areas described in this element. These are as follows:

Figure	Title	Page
Figure 2-1	Urban and Existing Community Designated Areas .....	2-5
Figure 2-2	Area Plans .....	2-7
Figure 2-3	Areas of Interest .....	2-9
Figure 2-4	General Plan Land Use Diagram.....	2-15
Figure 2-5	General Plan Land Use Diagram, Southern Area .....	2-17
Figure 2-6	Designated Disadvantaged Communities .....	2-52

## 2.1 Growth Management

One of Ventura County’s distinguishing characteristics is its open space and scenic character. The County is dedicated to directing urban development to cities and existing unincorporated communities to preserve its working and rural landscapes, agricultural lands, scenic vistas, natural resources, and recreational opportunities. The County has a direct role in maintaining agricultural, rural, and open space areas and shaping the character of urban development. At the same time, the County seeks to support and encourage the cities in their land use planning efforts to ensure that a quality living environment is provided for all existing and future county residents. The County has adopted several regulatory measures to guide growth and development in the county, which are described below, as well as in Chapter 8, Agriculture Element. An overview of the annexation history and development trends in Ventura County is located in Section 3.3, “Annexation and Development Trends,” of the Background Report.

### Guidelines for Orderly Development

Ventura County’s Guidelines for Orderly Development (Guidelines) are a set of policies that have been adopted by the County, all incorporated cities in the county, and the Ventura Local Agency Formation Commission (LAFCO). The Guidelines intend to: (1) clarify the relationship between the cities and the County with respect to urban planning; (2) facilitate a better understanding regarding development standards and fees; and (3) identify the appropriate governmental agency responsible for making determinations on land use change requests. The Guidelines represent a unique, collaborative commitment to encourage urban development within cities whenever and wherever practical; enhance the regional responsibility of County government; and facilitate orderly planning and development in Ventura County.

The Guidelines were developed into their current form through the key milestones listed below:

- **1967:** Several cities and the County began adopting greenbelt agreements.
- **1969:** The Guidelines were adopted by the Ventura County Board of Supervisors and LAFCO as a set of policies related to growth and delivery of urban services.
- **1976:** The Guidelines were revised and adopted by the County, LAFCO, and all Ventura County incorporated cities except the City of Ojai. Changes to the Guidelines included the establishment of Areas of Influence, which were subsequently renamed Areas of Interest.



- **1983:** The Guidelines were revised and readopted by the County, LAFCO, and all incorporated cities in Ventura County. Revisions to the Guidelines included establishment of the Areas of Interest, with one city in each Area of Interest; establishment of Spheres of Influence for each city which identify where annexations could occur; and clarification of land use policies.
- **1995:** The Guidelines were revised and readopted by the County, LAFCO, and all incorporated cities in Ventura County. Changes to the Guidelines included defining “urban development” as referring to residential lots less than two acres in area; change in the County’s minimum lot size for the Rural land use designation from one to 2 acres; and clarified land use policies.

### Greenbelt Agreements

Greenbelt agreements, also referred to as greenbelts, are voluntary agreements between the County and one or more cities to limit development of agricultural and/or open space areas within the unincorporated county. Greenbelts protect open space and agricultural lands to prevent premature conversion to uses incompatible with agricultural uses. Through greenbelt agreements, cities commit to not annex any property within a greenbelt while the County agrees to restrict development to uses consistent with existing agricultural or open space zoning. There are seven greenbelts in Ventura County covering approximately 164,000 acres collectively.

### Save Open Space & Agricultural Resources (SOAR)

Ventura County voters first approved the countywide SOAR initiative in 1998. In general, and subject to certain exceptions, SOAR requires countywide voter approval of any 1) substantive change to the General Plan’s Agricultural, Open Space, or Rural land use goals or policies, and 2) re-designation of land with these General Plan land use designations. In November 2016, Ventura County voters renewed the County’s SOAR initiative and extended its provisions through 2050. Similarly, voters in eight of the county’s ten cities renewed SOAR initiatives adopted by the respective jurisdictions which are applicable within their boundaries. The County SOAR initiative’s Agricultural, Open Space and Rural goals and policies are included in this General Plan with only technical, non-substantive revisions for clarification and internal consistency with the rest of the General Plan.

#### LU-1

To ensure that the County can accommodate anticipated future growth and development while promoting orderly growth and development that enhances quality of life, maintains a safe and healthful environment, preserves valuable natural resources, and plans for adequate public facilities and services.

#### LU-1.1



#### Guidelines for Orderly Development

The County shall continue to promote orderly and compact development by:

- working with cities in Ventura County and the Ventura Local Agency Formation Commission (LAFCO) to promote and maintain reasonable city boundaries and Spheres of Influence to prevent growth-inducing urban development in unincorporated areas, and
- require unincorporated urban development to be located in areas designated as Existing Communities and unincorporated urban centers consistent with the Guidelines for Orderly Development and as defined in Policy LU-1.2.

(RDR, IGC)

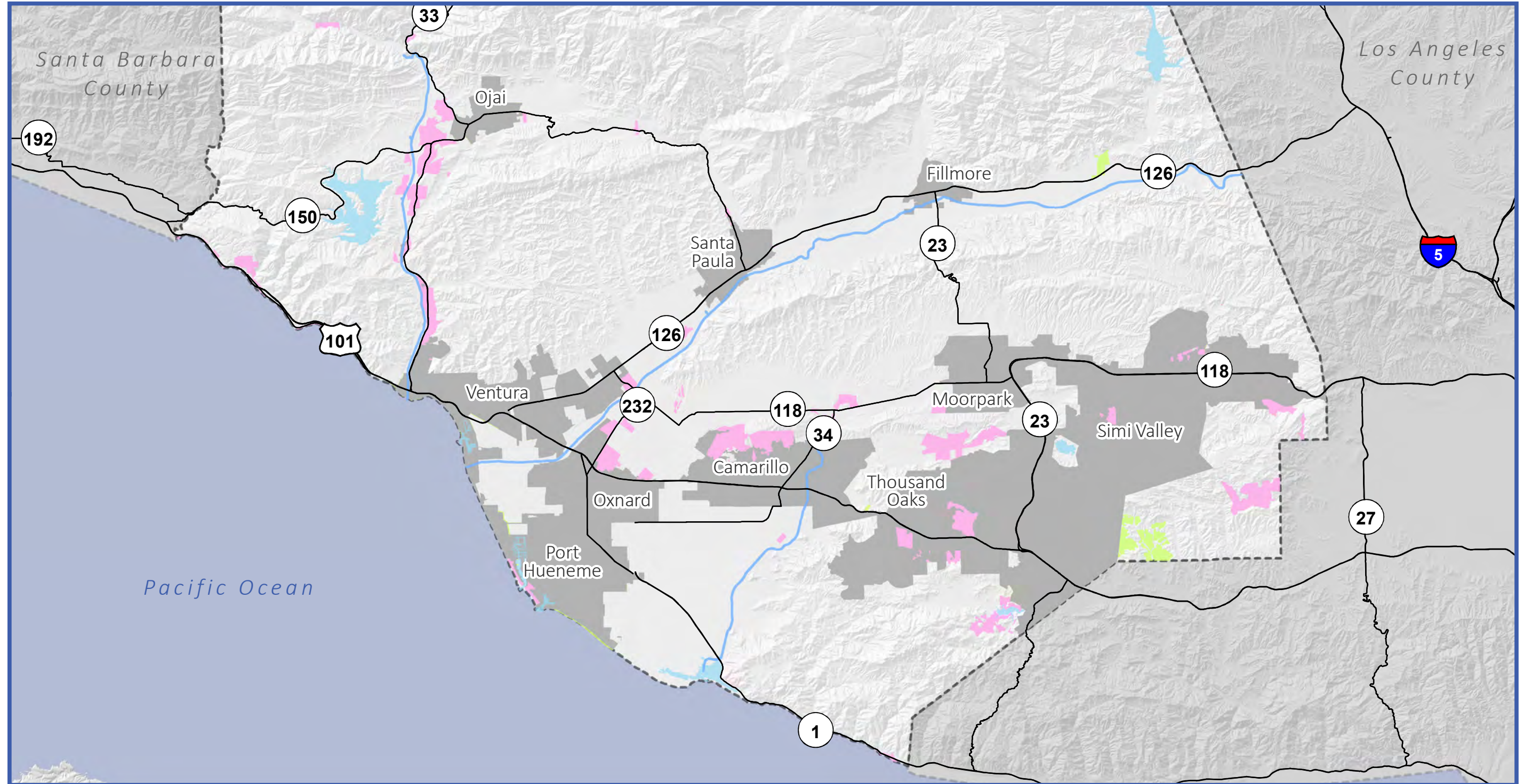
### LU-1.2

#### Area Designations

For purposes of planning within the county and as used in this General Plan, the County establishes the following area designations:

- **Urban.** Figure 2-1 indicates the boundary of the Urban area designation. All areas inside these boundaries are considered within the Urban area designation for purposes of this General Plan and implementation of the Guidelines for Orderly Development and Save Open Space & Agricultural Resources (SOAR). See Goal LU-2 and associated policies for further information on this designation.
- **Existing Community.** Figure 2-1 indicates the boundary of the Existing Community area designation. All areas inside these boundaries are considered within the Existing Community area designation for purposes of this General Plan and implementation of the Guidelines for Orderly Development and Save Open Space & Agricultural Resources (SOAR). See Goal LU-3 and associated policies for further information on this designation.
- **Area Plans.** Area Plans are an integral part of the County's General Plan, providing the basis for future land use development in specifically defined areas. These plans govern the distribution, general location, and extent of uses of the land for housing, business, industry, open space, agriculture, and public facilities. In the General Plan, the Area Plan designation defines the boundary for the specific geographic areas of the county that are covered by an adopted Area Plan. Area Plans shall be consistent with the General Land Use Diagram, although the Area Plans may be more specific. Figure 2-2 indicates the areas covered by the Area Plans in the county.
- An **Area of Interest** is part of a plan adopted by Ventura Local Agency Formation Commission (LAFCO) which divides the county into major geographic areas that are reflective of community and planning identity. Within each Area of Interest there should be no more than one city or unincorporated urban center, but there will not necessarily be a city or unincorporated urban center in each Area of Interest. Figure 2-3 shows the Area of Interest boundaries for the county.
- An **Unincorporated Urban Center** is an existing or planned community which is located in an Area of Interest where no city exists. The unincorporated urban center represents the focal center for community and planning activities within the Area of Interest. For example, the Community of Piru represents the focal center in the Piru Area of Interest.
- A **Sphere of Influence**, as used in this General Plan, is an area determined by the Ventura Local Agency Formation Commission (LAFCO) to represent the "probable" ultimate boundary of a city. LAFCO also recognizes Spheres of Influence for special districts, which are not discussed in this Element. The adoption of Spheres of Influence is required by Government Code Section 56425.

(RDR)



**Figure 2-1:**  
**Urban and Existing Community Designated Areas**

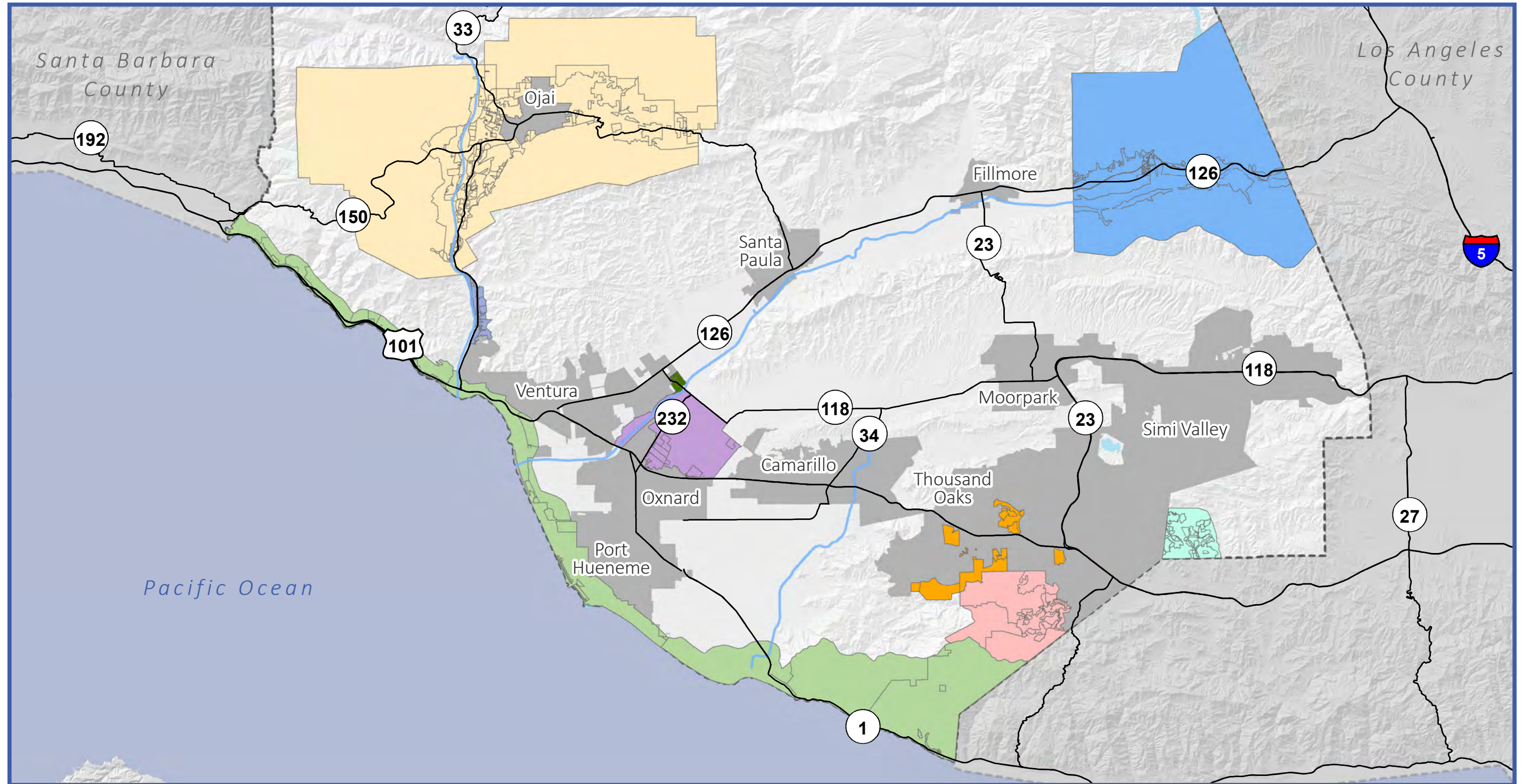
Map Date: April 30, 2019  
 Source: Mintier Harnish, 2019.

Ventura County Boundary  
 Cities  
 Major Roadways  
 Major Waterways  
 Urban  
 Existing Community

0 5 10 Miles N

*Please see the next page.*





**Figure 2-2: Area Plans**

Map Date: April 30, 2019  
Source: Mintier Harnish, 2019.

0 5 10 Miles

  Ventura County Boundary  
 Major Roadways  
 Major Waterways

Area Plans	
<span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90; border: 1px solid black;"></span> Coastal Area	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFD700; border: 1px solid black;"></span> Ojai Valley
<span style="display: inline-block; width: 15px; height: 10px; background-color: #800080; border: 1px solid black;"></span> El Rio/Del Norte	<span style="display: inline-block; width: 15px; height: 10px; background-color: #6495ED; border: 1px solid black;"></span> Piru
<span style="display: inline-block; width: 15px; height: 10px; background-color: #4682B4; border: 1px solid black;"></span> North Ventura Avenue	<span style="display: inline-block; width: 15px; height: 10px; background-color: #006400; border: 1px solid black;"></span> Saticoy
<span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90; border: 1px solid black;"></span> Oak Park	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FF8C00; border: 1px solid black;"></span> Thousand Oaks
	<span style="display: inline-block; width: 15px; height: 10px; background-color: #FFB6C1; border: 1px solid black;"></span> Lake Sherwood/Hidden Valley
	<span style="display: inline-block; width: 15px; height: 10px; background-color: #A9A9A9; border: 1px solid black;"></span> Cities

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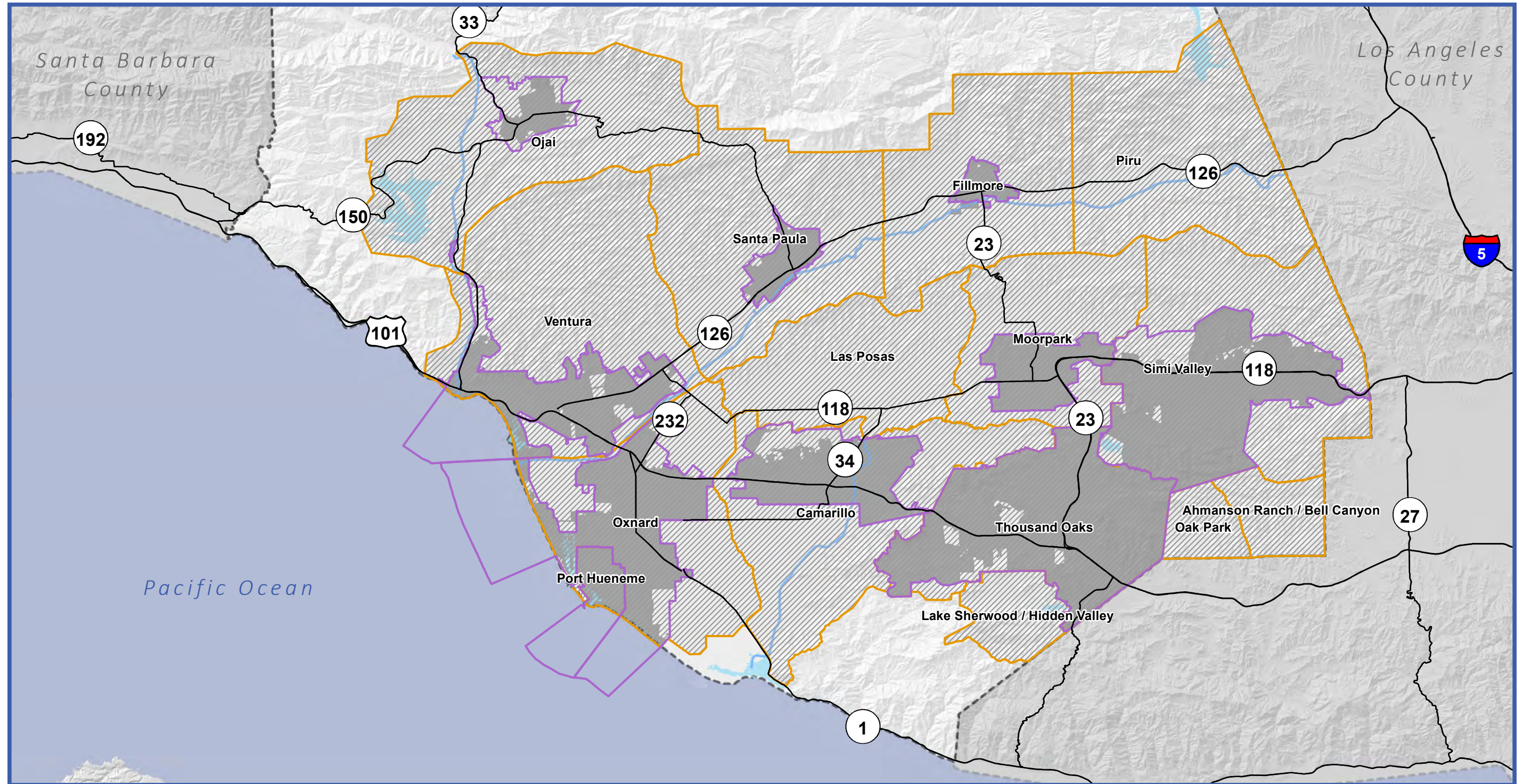


Figure 2-3:  
Areas of Interest and City Spheres of Influence (SOI)

Map Date: September 03, 2019  
Source: Mintier Harnish, 2019.



- Ventura County Boundary
- Cities
- Major Roadways
- Major Waterways
- Areas of Interest
- City Sphere of Influence (SOI)

*Please see the next page.*



## 2. Land Use and Community Character Element

### LU-1.3 **Regional Housing Needs Allocations**

The County shall coordinate with Southern California Association of Governments (SCAG) to direct state regional housing needs allocations predominantly to cities to ensure consistency with the County's Save Open Space & Agricultural Resources (SOAR) initiative and the SCAG's Sustainable Communities Strategy. (RDR, IGC)

### LU-1.4 **Land Use Patterns**

HC

The County shall ensure that new land use patterns emphasize efficient use of land and infrastructure, walkable neighborhoods, contemporary development practices, and sense of place consistent with the Guidelines for Orderly Development. (RDR)

### LU-1.5 **Infill Development**

The County shall encourage infill development within Existing Communities and within or adjacent to existing development within unincorporated urban centers to maximize the efficient use of land and existing infrastructure. (RDR)

### LU-1.6 **Accommodating Future Growth**

The County shall ensure that the General Plan designates adequate land for urban development to accommodate projected population and employment growth in the unincorporated areas as determined by the Board of Supervisors. (RDR)

### LU-1.7 **Safe and Sanitary Homes Education and Outreach**

EJ

The County shall engage with agencies, non-profit organizations, landlords, property owners and tenants in Disadvantaged Communities to disseminate information to educate about indoor mold and lead hazards, methods for reduction, and prevention.

## LU-2

To maintain an Urban designation that:

- recognizes areas within the county planned for urban development which are currently incorporated, or which are candidates for future incorporation ;
- direct urban development to existing cities and unincorporated urban centers within their own Area of Interest; and
- discourage outward expansion of urban development when suitable developable areas exist within cities and unincorporated urban centers.

### LU-2.1 **Urban**

The Urban area designation, referred to in the Save Open Space & Agricultural Resources (SOAR) initiative, is used to depict existing and planned urban centers which include commercial and industrial uses as well as residential uses where the building intensity is greater than one principal dwelling unit per two acres. This designation has been applied to all incorporated lands within a city's Sphere of Influence as established by the Local Agency Formation Commission (LAFCO), and unincorporated urban centers within their own Areas of Interest which may be candidates for future incorporation. In this General Plan, this term is synonymous with the combination of the areas shown as "Cities" and "Unincorporated Urban Centers" on Figure 2-1. (RDR, MPSP)



*This designation defines the boundary of Urban in the unincorporated areas of the county and the areas within these boundaries, as shown on Figure 2-1.*

LU-3

To recognize and confine existing urban enclaves, which are within Existing Community boundaries, to limit the location of uses, densities, and zoning designations normally limited to Urban designated areas.

LU-3.1

**Existing Community(ies)**

The Existing Community area designation, referred to in SOAR, identifies existing urban residential, commercial, or industrial enclaves outside of incorporated areas and unincorporated urban centers. The Existing Community area designation recognizes existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses, contains these enclaves within specific areas so as to prevent further expansion, and limits the building intensity and land use to previously established levels. Thomas Aquinas College is newly designated in this initiative as Existing Community, with the intention that it be confined to its current boundaries with the understanding that it may continue to intensify its building for its educationally related purposes.

Figure 2-1 indicates the boundary of the Existing Community area designation. All areas inside these boundaries are considered within the Existing Community area designation for purposes of this General Plan and implementation of the Guidelines for Orderly Development and Save Open Space & Agricultural Resources (SOAR) initiative. This term is considered synonymous with “Urban Enclave” as used in other planning documents. (RDR, MPSP)



*This designation defines the boundary of the Existing Communities in the unincorporated areas of the county and the areas within these boundaries, as shown on Figure 2-1.*

LU-3.2

**Areas Appropriate for the Existing Community Designation**

The County shall include existing unincorporated urban enclaves located outside cities and unincorporated urban centers within Existing Community designated boundaries. (MPSP)

LU-3.3

**Range of Uses in the Existing Community Designation**

The County shall recognize that the Existing Community area designation may cover the range of zones present in the area including, but not limited to, residential, commercial, and industrial, as well as the range of existing population densities and building intensities. The County shall allow the appropriate zoning, population densities, and building intensities based on the adopted Area Plan or, where no Area Plan exists, by the applicable Existing Community Map contained in Appendix A. Because of the degree of specificity on the Existing Community Maps, the County shall require a General Plan amendment for any zone change within an Existing Community. (MPSP)

### 2.2 Land Use Designations and Standards

A central component of the Land Use Element is the inclusion of a diversity of land use designations to adequately classify and distinguish the various land uses needed within the county, as well as descriptions that distinguish between corresponding levels of intensity, density, and allowable uses as required by Government Code Section 65302(a)). The General Plan Land Use Diagram (see Figures 2-4 and 2-5) provides a graphical representation of the distribution of allowed land uses within the unincorporated areas of Ventura County. It gives direction for how, where, and what kind of development may occur. An overview of land use designations and their locations in the county is described and illustrated in section 3.5, “General Plan and Area Plan Land Use Designations,” of the Background Report.

#### LU-4

To ensure that land uses are appropriate and compatible with each other and guide development in a pattern that will minimize land use conflicts between adjacent land uses.

##### LU-4.1

#### General Plan Land Use Diagram

The County shall maintain and implement a Land Use Diagram for purposes of describing the types of allowed land uses by geographic location and the density and/or intensity of allowed uses within each designation.

The goals and locational descriptions set forth in this Element are general guidelines for determining whether land should be within a particular land use designation depicted on the General Plan Land Use Diagram (Figures 2-4 and 2-5). The land use designation applied to a specific parcel of land shall be as designated on the General Land Use Diagram, whether or not such parcel meets all of the applicable criteria.

The General Plan Land Use Diagram covers the mainland areas of the county. The following designations apply to Anacapa and San Nicholas islands and are incorporated into the Land Use Diagram by reference.

- Anacapa Island is designated “OS” as Open Space
- San Nicholas Island is designated “P” as State, Federal, Other Public Lands

(RDR)



*It is common for the County to update the Land Use and Circulation Diagrams over time. Please check with the Planning Division of the Ventura County Resource Management Agency to ensure you have the current version.*

##### LU-4.2

#### Zoning Consistency

The County shall ensure that zoning designations are consistent with the General Land Use Diagrams (Figures 2-4 and 2-5) and the Zoning Consistency Matrix (Table 2-1). The County shall apply the following factors to determine the appropriate zone classification (from among those consistent with the appropriate land use designation):

- Recognizing the desirability of retaining existing uses and densities on the subject land;
- Recognizing the desirability of accommodating anticipated uses on the subject land;

- Maintaining continuity with neighboring zoning, land uses and parcel sizes;
- Implementing the recommendations of specific zoning and land use studies of the area in question;
- Recognizing and addressing the presence and significance of resources and hazards; and
- Evaluating the ability to provide public services and facilities.

(RDR)

### LU-4.3

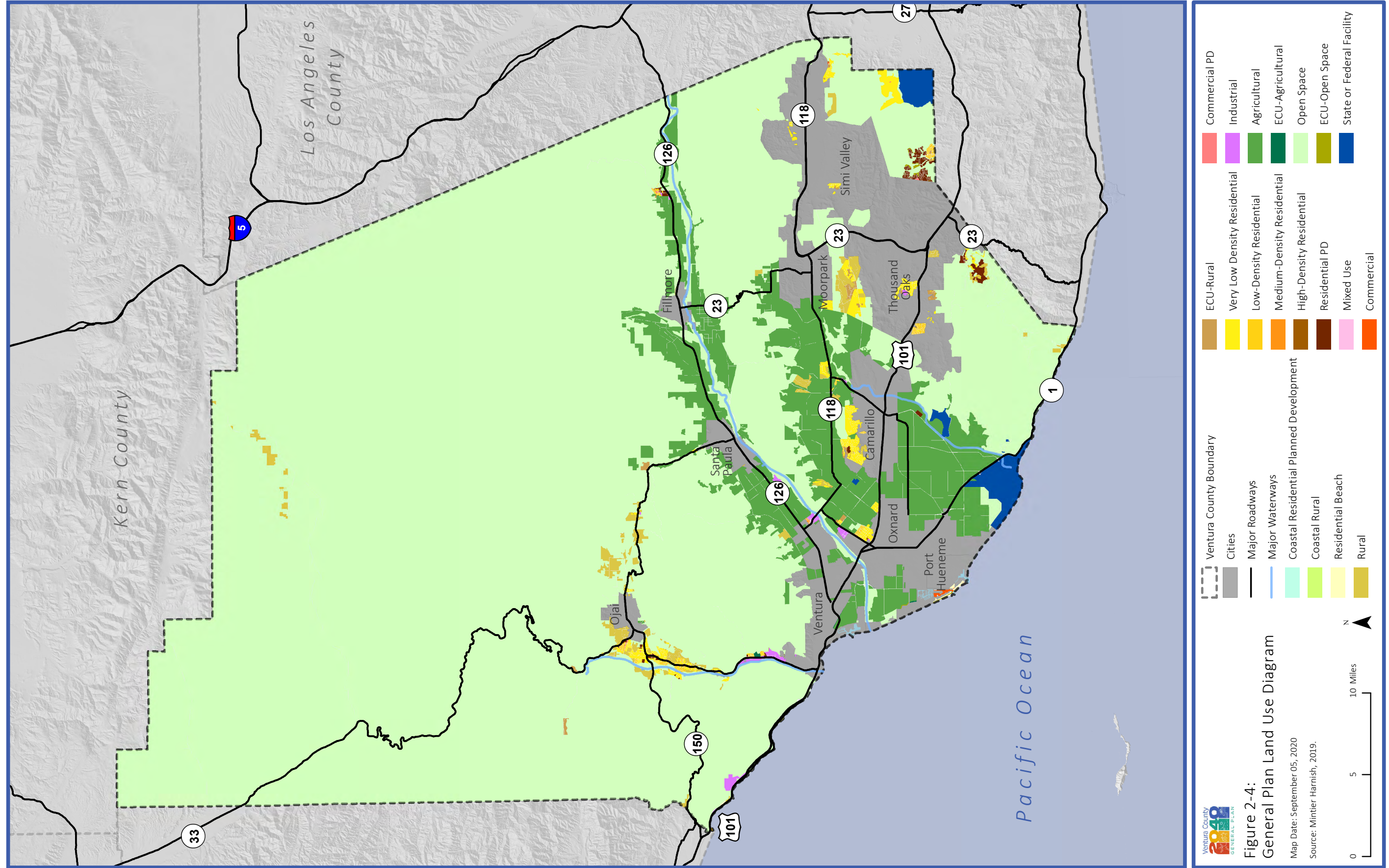
#### **Minimum Parcel Size**

The County shall require subdivisions of land to meet the minimum parcel size requirements established by Table 2-2, by the applicable Zoning Compatibility Matrix established by the respective Area Plans, or by the applicable Existing Community land use diagrams contained in Appendix A. Parcels smaller than the stated minimum may be allowed under the following circumstances:

- A parcel may be created for the sole purpose of transferring, by lease or sale, possession of an agricultural water well and the land around the well as may be necessary for its operation. Such parcels, and the wells they contain, shall be used for agricultural purposes only.
- Parcels for public purposes such as, but not limited to, fire, police, municipal water wells, flood control, and other public health and safety facilities.
- Affordable and elderly housing developments that are eligible for density bonuses as specified in Article 16 of the County Non-Coastal Zoning Ordinance may be granted a reduction from the minimum parcel size requirements in accordance with the provisions of Article 16 or pursuant to state law.
- Parcels designated as Cultural Heritage Sites may be granted a reduction from the minimum parcel size requirements in accordance with the Non-Coastal Zoning Ordinance.
- Parcels subdivided for resource conservation purposes in accordance with the conservation subdivision process established in the Ventura County Subdivision Ordinance.
- Parcels subdivided for the perpetual maintenance of biotic or wildlife habitat in accordance with California Government Code section 66418.2.
- Parcels of less than the prescribed minimum lot area may be allowed for farmworker housing complexes on land zoned Agricultural Exclusive (AE) within or adjacent to a city Sphere of Influence, provided the remaining non-farmworker housing complex parcel is a minimum of 10 acres.

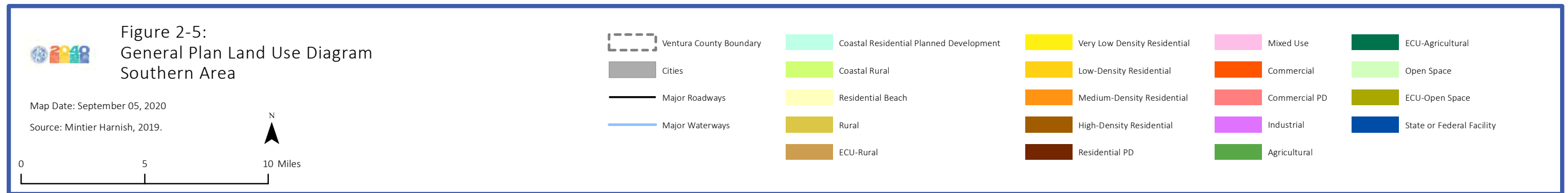
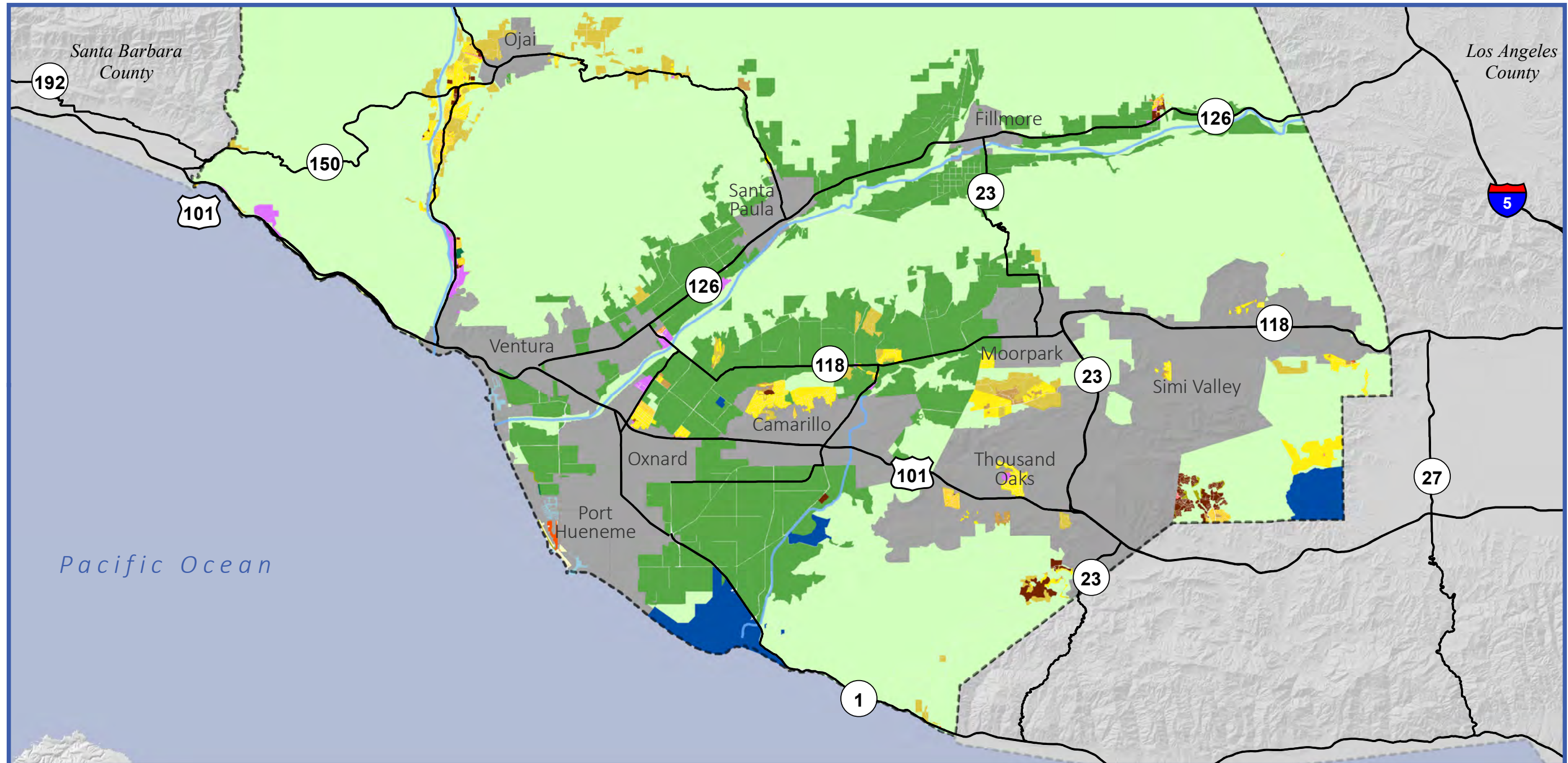
(RDR)





*Please see the next page.*





*Please see the next page.*

## 2. Land Use and Community Character Element

**Table 2-1 General Plan Land Use Designations and Zoning Compatibility Matrix**

General Plan Land Use Designations	Coastal and Non-Coastal Zones																																					
	AE	C1	CA	CC	CM	COS	CPD	CPD/CBD	CR	CR1	CR2	CRE	CRPD	CPD	IND	M1	M2	M3	OS	R/MU	R1	R2	RA	RB	RBH	RE	RES	RHD	RO	RPD	TC	TP	REC	OS-REC				
Rural								■				■											■			■												
ECU-Rural								■				■											■			■			■									
Agricultural	■		■																																			
ECU-Agricultural	■		■																				■											■				
Open Space <sup>1, 2</sup>	■		■			■													■																	■		
ECU-Open Space <sup>1, 2</sup>	■		■			■													■																		■	
Very Low Density Residential																					■			■			■			■								
Low-Density Residential										■	■											■	■															
Medium-Density Residential											■									■								■						■				
Residential High-Density																												■										
Residential Planned Development													■																							■		



General Plan Land Use Designations	Coastal and Non-Coastal Zones																																			
	AE	C1	CA	CC	CM	COS	CPD	CPD/CBD	CR	CR1	CR2	CRE	CRPD	CPD	IND	M1	M2	M3	OS	R/MU	R1	R2	RA	RB	RBH	RE	RES	RHD	RO	RPD	TC	TP	REC	OS-REC		
Coastal Residential Planned Development													■																							
Residential Beach																								■	■											
Mixed Use																				■												■				
Commercial		■		■			■	■						■																						
Commercial Planned Development							■	■																												
Industrial					■										■	■	■	■																		
Parks & Recreation <sup>2</sup>																																		■		
State, Federal, Other Public Lands						■													■																	

Notes: <sup>1</sup>The minimum lot size is 10 acres, or 20 acres if contiguous with Agricultural.

<sup>2</sup>Parcels and corresponding zone classifications have not yet been identified for the new Parks and Recreation land use designation, Recreation zone classification or Open Space Parks and Recreation zone classification.

## 2. Land Use and Community Character Element

**Table 2-2 Land Use Designation General Development Standards**

Acronym	Land Use Designation	Maximum Density / Intensity	Minimum Lot Size	Max. Lot Coverage
<b>Rural, Agricultural, and Open Space Designations</b>				
RUR	Rural	1 du/2 ac	2 acres, or zone suffix equal to or more restrictive than 2 acres	25%
ECU-R	ECU-Rural	1 du/2 ac	2 acres	25%
AG	Agricultural	1 du/40 ac	40 acres	5%
ECU-A	ECU-Agricultural	1 du/40 ac	40 acres	5%
OS	Open Space	1 du/parcel	10 acres, or 20 acres if contiguous w/Agricultural	5%
ECU-OS	ECU-Open Space	1 du/parcel	10 acres, or 20 acres if contiguous w/Agricultural	5%
<b>Residential Designations</b>				
VLDR	Very Low Density Residential	4 du/ac	10,000 SF	n/a*
LDR	Low-Density Residential	6 du/ac	6,000 SF	n/a*
MDR	Medium-Density Residential	14 du/ac	3,000 SF	n/a*
RHD	Residential High-Density	20 du/ac	No Minimum	n/a*
RPD	Residential Planned Development	20 du/ac	No Minimum	n/a*
CRPD	Coastal Residential Planned Development	36 du/ac	No Minimum	n/a*
RB	Residential Beach	36 du/ac	1,500 SF	n/a*
<b>Mixed Use, Commercial, and Industrial Designations</b>				
MU	Mixed Use	20 du/ac; 60% lot coverage	No Minimum	60%
C	Commercial	60% lot coverage	No Minimum	60%
CPD	Commercial Planned Development	60% lot coverage	No Minimum	60%
I	Industrial	50% lot coverage	10,000 SF	50%
<b>Other Designations</b>				
PR	Parks & Recreation	n/a	None	5%
P	State, Federal, Other Public Lands	n/a	None	n/a

\* Maximum lot coverage is per appropriate County Zoning classification.

### LU-4.4

#### **Nonconforming Parcel Size**

The County shall not prohibit the use or development of a parcel which is a legal lot for the purposes of the County Subdivision Ordinance, but which fails to meet the minimum parcel size requirements of the applicable land use designation, solely by reason of such failure. However, this policy shall not be construed to permit the division of any parcel into two or more lots if any of the new lots fail to meet the minimum parcel size requirements. (RDR)

### LU-4.5

#### **Jobs-Housing Balance**

The County shall evaluate employment generating discretionary development resulting in 30 or more new full-time and full-time-equivalent employees to assess the project's impact on lower-income housing demand within the community in which the project is located or within a 15-minute commute distance of the project. At such time as the Housing Impact Mitigation Fee Program is completed, this policy shall no longer apply. (RDR)

### LU-4.6

#### **Variances**

The County may grant variances to minimum parcel size requirements and building intensity standards, height and setback standards applicable to a given property subject to the following conditions:

1. There are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography, location, or surroundings, which do not apply generally to comparable properties in the same vicinity and land use designation;
2. Granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and land use designation;
3. Strict application of the minimum parcel size requirements and building intensity standards as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such requirements and standards; and
4. The granting of such variances will not be detrimental to the public health, safety, or general welfare, nor to the use, enjoyment or valuation of neighboring properties.

Any such variance shall be processed in the same manner and subject to the same standards as a variance respecting zoning regulations. (RDR)

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## LU-5

To promote the effective implementation and use of the General Plan Land Use Diagram.

---

### LU-5.1

#### **General Plan Land Use Amendments**

When reviewing proposed General Plan amendments to modify or change land use designations or the General Plan Land Use Diagram, the County shall consider if the proposal:

- maintains consistency with the General Plan Vision, Guiding Principles, and relevant goals, and policies;
- maintains consistency with the Guidelines for Orderly Development;
- minimizes the creation of a land use that is inconsistent with the policies, land uses, or development standards of surrounding parcels;

## 2. Land Use and Community Character Element

- enhances compatibility with existing or planned uses in the area;
- addresses new physical, social, or economic factors that are relevant and were not present at the time of the General Plan adoption;
- reduces the potential for undesired, growth-inducing precedent;
- demonstrates appropriate infrastructure and services are available, or amendment is conditioned on requirement to provide or appropriately fund needed infrastructure and services; and
- demonstrates acceptable effect on the fiscal health of the County.

(MPSP)

### LU-5.2

#### Land Use Boundary Interpretation

The County Planning Director shall have the interpretative authority, subject to appeal to the Planning Commission and Board of Supervisors, of the alignment of all land use boundaries depicted on the General Plan Land Use Diagram, consistent with the goals and policies of the General Plan. To the extent feasible, the boundaries on the Land Use Diagram should follow natural or human-made boundaries (including parcel lines), such as:

- water courses
- ridge lines
- toes of slopes
- lines marking changes in vegetation
- lines marking changes in slope
- parcel boundaries
- roads
- rail lines
- utility corridors
- lines separating different land uses
- lines marking the separation between a group of large lots from a group of small lots
- lines marking features or designations referenced in the definitions and criteria of the various land use categories

(RDR)

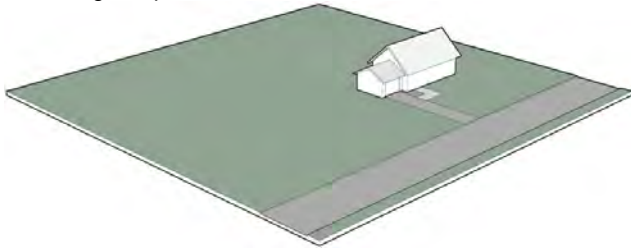
### LU-5.3

#### Concurrent Zoning Change Processing

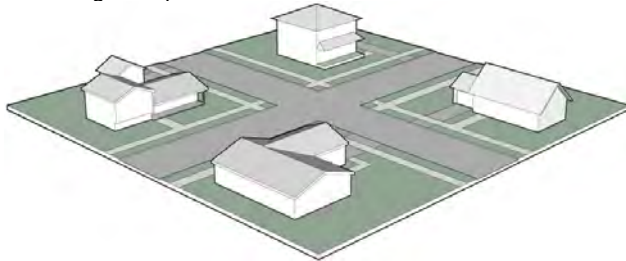
The County shall process zone changes, if necessary, concurrently with General Plan amendments to assure zoning consistency. (RDR)

### Residential Density Examples

1 dwelling unit per acre



4 dwelling units per acre



8 dwelling units per acre



12 dwelling units per acre



20 dwelling units per acre



### Typical Uses

The land use descriptions on the following pages (both residential and non-residential) outline the range of uses that are typically found within each designation.

### Residential Designations

Each land use designation in this section is described in terms of typical uses and basic development standards. Development standards for land use designations suitable for residential development as the principal use (e.g., Rural, Low/Medium/High Density Residential) are based on the **density** of the use, as expressed by the number of dwelling units per gross acre, and the **intensity** of use, as expressed by a minimum lot size standard. These development standards are described on the following pages (for each residential designation) and summarized in Table 2-2. Accessory dwelling units are not included in the calculation of residential density.

The drawings to the left illustrate the concept of residential density.



### Non-Residential Designations

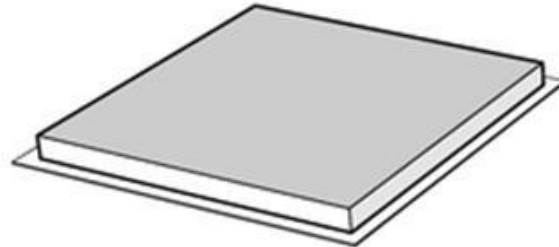
Standards of building intensity where the principle use is not residential (e.g., Agricultural, Open Space, Commercial, Industrial) development standards are based on the intensity of use, expressed as the maximum allowable lot coverage.

Lot coverage is the percent of the gross building footprint (area of the lot covered by the first floor of the building) to the net square footage of the lot. For example, a lot coverage of 100 percent will allow 10,000 square feet of gross building footprint area to be built on a lot with 10,000 net square feet of land area, regardless of the number of stories in the building. On the same lot, a lot coverage of 50 percent would allow 5,000 square feet of floor area, and a lot coverage of 25 percent would allow 2,500 square feet. These development standards are described on the following pages and summarized in Table 2-2.

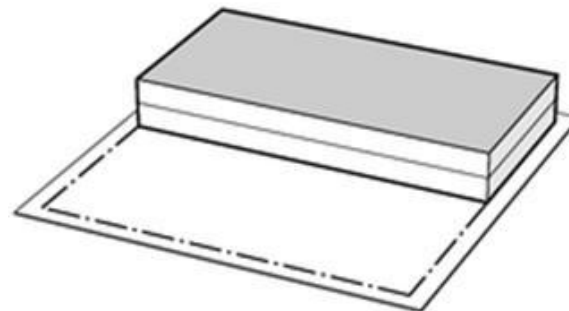
The drawings to the right illustrate this concept.

### Lot Coverage Examples

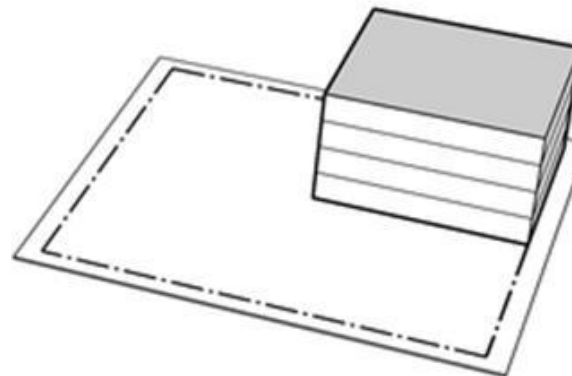
100% lot coverage



50% lot coverage

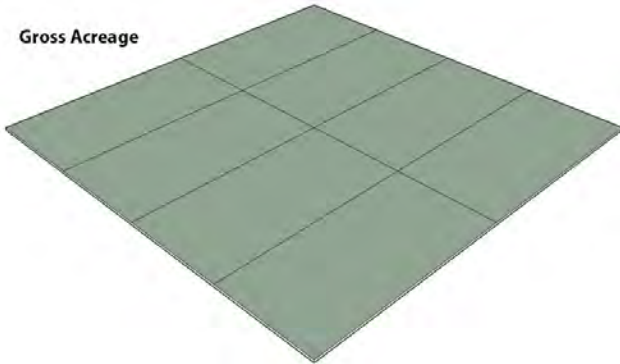


25% lot coverage

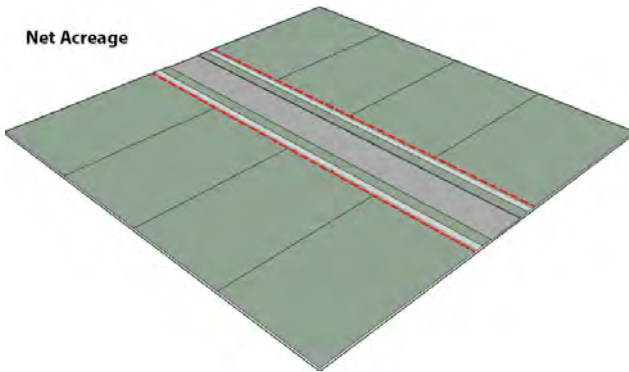


**Gross versus Net Acreage Examples**

Gross Acreage



Net Acreage



**Gross versus Net Acreage (Lot Area)**

The term “gross acre” includes all land within the boundaries of the lot (including, but not limited to, easements, streets, and rights-of-way) designated for a particular use. The gross acreage is defined as the total area, measured on a horizontal plane, within the lot lines of a lot. "Net lot area" means lot area less the area within any existing or proposed public or private street, road, or easement for ingress or egress, and less the area within any existing or proposed easement wherein the owner of the lot is prohibited from using the surface of the land.

The minimum lot area for subdivision purposes is expressed in “net” area for parcels of less than 10 acres, and “gross” area for parcels of 10 acres or more.

In areas with more commercial and industrial type development, net acreage may be 20 to 25 percent less for a given site than its gross acreage. In rural areas, the difference between net and gross can be as low as 5 percent.

The drawings to the left illustrate this concept.

### RURAL, AGRICULTURAL, AND OPEN SPACE DESIGNATIONS

Ventura County contains many rural, agricultural, and open space areas that provide a variety of natural assets and resources that establish the essence of the county's quality of life. These resources provide opportunities for residents and visitors to enjoy the county's heritage and natural setting. The focus of this section is to provide guidance for the future of these resources in the county.

The acronym "ECU-" preceding a designation name refers to land use designations that apply only within the boundaries of an Existing Community or Urban land use designation. See Policy LU-1.2 for definition of Existing Community and Urban area designations.

### RURAL LAND USE DESIGNATIONS

#### Rural (RUR)

The Rural designation identifies areas suitable for low-density and low-intensity land uses such as residential estates of two acres or greater parcel size and other rural uses which are maintained in conjunction with agricultural and horticultural uses or in conjunction with the keeping of farm animals for recreational purposes.

The Rural designation also identifies institutional uses such as boarding and non-boarding elementary and secondary schools. Additionally, the designation is used for recreational uses such as retreats, camps, recreational vehicle parks, and campgrounds.

The designation of areas for Rural land uses is intended to accommodate the need for low density rural residential development, which, in conjunction with the higher density development of the Urban designated land uses, will provide a full range of residential environments.

The areas considered for inclusion in the Rural designation are existing clusters of rural development and areas deemed appropriate for future rural residential development.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per 2 acres
- Minimum Lot Size: 2 acres
- Maximum Lot Coverage: 25 percent

### **ECU-Rural (ECU-R)**

This designation provides a physical transition between the outer edges of an Existing Community or Urban Area and nearby agricultural and open space areas and uses. The ECU-Rural designation generally applies to the outer edges of Existing Community and Urban Areas and around sensitive natural resources within the boundaries of an Existing Community designated area. Typical building types include large-lot single family homes in a rural setting.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per 2 acres
- Minimum Lot Size: 2 acres
- Maximum Lot Coverage: 25 percent

## **AGRICULTURAL LAND USE DESIGNATIONS**

### **Agricultural (AG)**

The Agricultural designation is applied to lands which are suitable for the cultivation of crops and the raising of livestock. Because of the inherent importance of agriculture as a land use in and of itself, agriculture is not subsumed under the Open Space land use designation, but has been assigned a separate land use designation.

Under this designation, the County shall:

- Identify, preserve, and protect agricultural lands as a non-renewable resource within the county that are critical to the maintenance of the local agricultural economy and are important to the state and nation for the production of food, fiber, and ornamentals.
- Maintain agricultural lands in parcel sizes which will assure that viable farming units are retained.
- Establish policies and regulations which restrict agricultural land to farming and related uses rather than other development purposes.
- Restrict the introduction of conflicting uses into farming areas.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per 40 acres
- Minimum Lot Size: 40 acres
- Maximum Lot Coverage: 5 percent

## 2. Land Use and Community Character Element

### ECU-Agricultural (ECU-A)

The ECU-Agricultural designation is applied to irrigated lands which are suitable for the cultivation of crops and the raising of livestock within the boundaries of an Existing Community designated area.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per 40 acres
- Minimum Lot Size: 40 acres
- Maximum Lot Coverage: 5 percent

## OPEN SPACE LAND USE DESIGNATIONS

### Open Space (OS)

The Open Space designation encompasses land, as defined under Section 65560 of the Government Code, as any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section and which is designated on a local, regional or State open space plan as any of the following:

- Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
- Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands not designated agricultural; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.
- Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- Open space for public health and safety, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
- Open space to promote the formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.
- Open space to promote efficient municipal services and facilities by confining urban development to defined development areas.



### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per parcel
- Minimum Lot Size: 10 acres, or 20 acres if contiguous with Agricultural
- Maximum Lot Coverage: 5 percent

### **ECU-Open Space (ECU-OS)**

This designation provides for areas with significant natural resources that should remain in open space, used for recreation, or preserved and used for resource production (e.g., mining) and are located within the boundaries of an Existing Community designated area.

### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 1 dwelling unit per parcel
- Minimum Lot Size: 10 acres, or 20 acres if contiguous with Agricultural
- Maximum Lot Coverage: 5 percent

## **RURAL, AGRICULTURAL, AND OPEN SPACE POLICY DIRECTION**

### **LU-6**

To provide appropriate land use designations that provide for the long-term preservation of the county's rural lifestyle, productive farmland and supporting services, and the vast open space resources that define the county.

#### **LU-6.1**

##### **Agricultural Buffers**

The County shall require non-agricultural land uses adjacent to agricultural uses to incorporate adequate buffers (e.g., fences, setbacks) to limit conflicts with adjoining agricultural operations. (RDR)

#### **LU-6.2**

##### **Maximum Lot Coverage Exclusions - Agricultural Land Use Designation**

The County shall exclude structures used for growing plants such as greenhouses, hothouses, and agricultural shade/mist structures from the Agricultural land use designation maximum lot coverage. This exclusion does not include structures used for preliminary packing, storage and preservation of produce and similar structures. Additionally, greater building coverage may be allowed under discretionary permits for Farmworker Housing Complexes. (RDR)

## 2. Land Use and Community Character Element

### LU-6.3

#### **Density Exceptions – Agricultural Land Use Designation**

The County shall exclude from the Agricultural land use maximum density farmworker dwellings, and accessory dwelling units pursuant to section 65852.2 of the Government Code. (RDR)



*Additional goals and policies on agricultural resources are in Chapter 8, Agriculture Element.*

*Goals and policies on farm-related housing are in Chapter 3, Housing Element.*

### **RURAL LAND USE POLICY DIRECTION**

#### LU-7

To recognize and plan for low- density rural residential and recreational development, while preserving resources, avoiding hazards, and providing adequate public facilities and services.

#### LU-7.1

#### **Areas Appropriate for the Rural Land Use Designation**

The County shall require that lands designated as Rural are those located outside areas designated Urban or Existing Community which are deemed suitable and appropriate for low-density rural residential or recreational development. (RDR)

#### LU-7.2

#### **Minimal Parcel Size for the Rural Land Use Designation**

The County shall require that the smallest minimum parcel size consistent with the Rural land use designation is two acres. The County may require larger minimum parcel sizes based on the parcel's Non-Costal Zoning Ordinance zoning classification. (RDR)

#### LU-7.3

#### **Maximum Lot Coverage Nonconforming Lots - Rural Land Use Designation**

The County shall require that the maximum lot coverage for lots of less than one acre (nonconforming) in area shall be as specified for the Rural designation, or 2,500 square feet plus 1 square foot for each 4.596 square feet of lot area over 5,000 square feet, whichever is greater. (RDR)

## AGRICULTURAL LAND USE POLICY DIRECTION

LU-8

To maintain an Agricultural designation that:

- Recognizes the farmlands within the county that are critical to the maintenance of the local agricultural economy and which are important to the state and nation for the production of food, fiber, and ornamentals;
- Preserves and protects agricultural lands as a nonrenewable resource to assure their continued availability for the production of food, fiber, and ornamentals;
- Promotes the economic viability of agricultural lands by assisting agricultural producers and establishing zoning policies that support long-term investments in agriculture;
- Maintains agricultural lands in parcel sizes which will assure that viable farming units are retained;
- Establishes policies and regulations which encourage agricultural land to remain in farming and related uses;
- Restricts the introduction of conflicting uses into farming areas;
- Subject to state law, the Guidelines for Orderly Development, and applicable zoning requirements, actively promotes infrastructure, sized not larger than necessary for the specific project, for farmworker housing to support the continuing viability of agriculture.

LU-8.1

### Areas Appropriate for the Agricultural Land Use Designation

The County shall ensure that the Agricultural land use designation primarily includes lands that are designated as Prime Farmlands, Farmlands of Statewide Importance, or Unique Farmlands in the state's Important Farmland Inventory (IFI), although the County may not designate land as Agricultural if small areas of agricultural land are isolated from larger blocks of farming land. In such cases, the Agricultural land is to be assigned to the Open Space or Rural designation for consistency with surrounding properties. (MPSP)

LU-8.2

### Land Uses Appropriate for the Agricultural Land Use Designation

The County shall ensure that land designated as Agricultural is used for the production of food, fiber, and ornamentals; animal husbandry and care; uses accessory to agriculture; and limited temporary or public uses which are consistent with agricultural or agriculturally related uses. (RDR)

LU-8.3

### Minimal Parcel Size for the Agricultural Land Use Designation

The County shall ensure that the smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. The County may require larger minimum parcel sizes based on the zone classification. (RDR, MPSP)

## 2. Land Use and Community Character Element

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- LU-8.4**      **Maximum Lot Coverage Nonconforming Lots - Agricultural Land Use Designation**  
The County shall ensure that the maximum lot coverage of lots of less than 10 acres (nonconforming) in area shall be as specified for the Agricultural designation, or 2,500 square feet plus 1 square foot for each 22.334 square feet of lot area over 5,000 square feet, whichever is greater. Greater lot coverage may be allowed under discretionary permits for Farmworker Housing Complexes and existing uses/structures listed in the Non-Coastal Zoning Ordinance under the heading of “Crop and Orchard Production”. (RDR)
- LU-8.5**      **Farmworker Housing**  
The County shall support the development of safe and quality farmworker housing that facilitates a reliable labor force and promotes efficient agricultural operations. Housing units shall include a variety of housing types, including group quarters and larger dwelling units that can accommodate a family. (RDR)

## OPEN SPACE LAND USE POLICY DIRECTION

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LU-9

To maintain an Open Space designation that:

- Preserves for the benefit of all county residents the continued wise use of the county's renewable and nonrenewable resources by limiting the encroachment into such areas of uses which would unduly and prematurely hamper or preclude the use or appreciation of such resources;
- Acknowledges the presence of certain hazardous features which urban development should avoid for public health and safety reasons, as well as for the possible loss of public improvements in these areas and the attendant financial costs to the public;
- Retains open space lands in a non-urbanized state so as to preserve the maximum number of future land use options;
- Retains open space lands for outdoor recreational activities, parks, trails and for scenic lands;
- Defines urban areas by providing contrasting but complementary areas which should be left non-urbanized;
- Recognizes the intrinsic value of open space lands and not regard such lands as "areas waiting for urbanization";
- Encourages Land Conservation Act (LCA) contracts on farming and grazing and open space lands; and
- Supports the productive agricultural activities of Open Space designated lands that are commonly used for agriculture, grazing, and ranching and that are important to the overall economy of Ventura County.

LU-9.1

### Areas Appropriate for the Open Space Land Use Designation

The County shall ensure that the Open Space land use designation includes areas of land or water that are set aside for the preservation of natural resources, including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays, wetlands, and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and important watershed lands. (MPSP)



## 2. Land Use and Community Character Element

- LU-9.2      Preservation of Areas for Public Health and Safety**  
 The County shall designate areas of land or water which are set aside for public health and safety as Open Space, thereby safeguarding humans and property from certain natural hazards, including, but not limited to, areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs, and areas required for the protection and enhancement of air quality. (MPSP)
- LU-9.3      Minimal Parcel Size for the Open Space Land Use Designation**  
 The County shall ensure that the smallest minimum parcel size consistent with the Open Space land use category is 10 acres. The County may require larger minimum parcel sizes based on the zone classification. (RDR, MPSP)
- LU-9.4      Minimal Parcel Size for the Open Space Contiguous with Agricultural**  
 The County shall require Open Space properties contiguous with Agricultural designated land to have a minimal parcel size of 20 acres. (RDR, MPSP)
- LU-9.5      Recreational Areas Appropriate for the Open Space Land Use Designation**  
HC The County shall designate areas appropriate for recreational activities as Open Space, including, but not limited to, use and enjoyment of recreational trails and areas for hunting and fishing. Preservation of open space also serves to protect areas of outstanding scenic, historic, and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors. (MPSP)
- LU-9.6      Undeveloped Areas Appropriate for the Open Space Land Use Designation**  
 The County shall designate undeveloped natural areas as Open Space if they surround urban-designated areas which have been set aside to define the boundaries of the urban-designated areas, to prevent urban sprawl, and to promote efficient municipal services and facilities by confining the areas of urban development. (MPSP)
- LU-9.7      Natural Resource Areas Appropriate for the Open Space Land Use Designation**  
 The County shall designate areas set aside for managed production of resources as Open Space, including, but not limited to, forest lands, rangeland, agricultural lands not otherwise designated Agricultural; areas required for the recharge of groundwater basins; bays, estuaries, marshes, rivers, and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply. (MPSP)
- LU-9.8      Maximum Lot Coverage Nonconforming Lots – Open Space Land Use Designation**  
 The County shall ensure that the maximum lot coverage of lots of less than 10 acres (nonconforming) in area shall be as specified for the Open Space designation, or 2,500 square feet plus 1 square foot for each 22,334 square feet of lot area over 5,000 square feet, whichever is greater. Greater building coverage may be allowed under discretionary permits for Farmworker Housing Complexes and existing uses/structures listed in the Non-Coastal Zoning Ordinance under the heading of “Crop and Orchard Production”. (RDR)

### LU-9.9

#### Open Space Land Use Designation Interpretations

The County shall ensure that Open Space Interpretations granted prior to May 17, 1983 permitting parcel sizes less than those specified in the General Plan shall be considered conforming to the General Plan. Zoning which is consistent with the purpose and intent of the Open Space Interpretations shall be considered conforming to the General Plan. (RDR)

## RESIDENTIAL DESIGNATIONS

The unincorporated county contains a wide array of housing types – from urban multifamily complexes along the coast and in some Existing Communities to rural residential uses on large acreages. The various densities of residential development in the county not only provide housing choices, but their locations and designs play a critical role in the character and quality-of-life of county residents. The focus of this section is to provide an appropriate range of residential land use designations that will guide the development of residential uses in keeping with the needs of the unincorporated county.

## RESIDENTIAL LAND USE DESIGNATIONS

### Very Low Density Residential (VLDR)

This designation provides a physical transition between the outer edges of an Existing Community or Urban Area and nearby agricultural and open space areas and uses. Typical building types include large-lot single family homes in a rural setting.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 4 dwelling units per acre
- Minimum Lot Size: 10,000 square feet
- Maximum Lot Coverage: Not applicable

## 2. Land Use and Community Character Element

### Low-Density Residential (LDR)

This designation provides for a variety of single-family homes and neighborhoods. Typical building types include small-lot single family homes, and other similar housing types, such as second units.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 6 dwelling units per acre
- Minimum Lot Size: 6,000 square feet
- Maximum Lot Coverage: Not applicable

### Medium-Density Residential (MDR)

This designation provides a transition from lower density, single family areas and more intensely developed residential and commercial areas. Development at the higher end of the density allowed should occur along major transportation routes or adjacent to commercial centers. The MDR designation generally applies to residential neighborhoods and central areas within Existing Communities and Urban Areas.

Typical building types include one- to three-story attached single-family dwellings and lower density multifamily developments.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 13 dwelling units per acre
- Minimum Lot Size: 3,000 square feet
- Maximum Lot Coverage: Not applicable

### Residential High Density (RHD)

This designation provides for residential development in more intensely developed residential and commercial areas. Development at the higher end of the density allowed should occur along major transportation routes and within major commercial centers. The RHD designation generally applies to central areas within Existing Communities and Urban Areas.

Typical building types include one- to three-story multifamily developments.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 20 dwelling units per acre
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: Not applicable

### **Residential Planned Development (RPD)**

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The purpose of this designation is to provide areas for residential communities which will be developed using modern land planning and unified design techniques that can be adjusted to better fit the unique needs of the project site. Using the RPD zoning, areas with this designation provide a flexible regulatory procedure to encourage:

- Compatibility with existing or potential development of surrounding areas;
- An efficient use of land particularly through the clustering of dwelling units and the preservation of the natural features of sites;
- Variety and innovation in site design, density and housing unit options, including garden apartments, townhouses, co-housing developments, and single-family dwellings;
- Lower housing costs through the reduction of street and utility networks; and
- A more varied, attractive and energy-efficient living environment as well as greater opportunities for recreation.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 20 dwelling units per acre
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: Not applicable

### **Coastal Residential Planned Development (CRPD)**

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The purpose of this designation is to provide areas for residential communities which will be developed using innovative site planning techniques. The CRPD designation generally applies to areas appropriate for modern residential development within the boundaries of an Existing Community designated area in the coastal zone.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 36 dwelling units per acre
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: Not applicable

### Residential Beach (RB)

This designation provides for small-lot, beach-oriented residential communities. The RB designation generally applies to areas appropriate for high-density residential development within the boundaries of an Existing Community designated area in the Coastal Zone.

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: 36 dwelling units per acre
- Minimum Lot Size: 1,500 square feet
- Maximum Lot Coverage: Not applicable

### RESIDENTIAL LAND USE DESIGNATIONS POLICY DIRECTION

#### LU-10

To provide opportunities for a variety of residential types and densities in established Existing Communities, Urban areas, within a city's adopted Sphere of Influence, and Area Plans.

#### LU-10.1

##### **Accessory Dwelling Units**

The County shall permit accessory dwelling units as provided for in the Non-Coastal and Coastal Zoning Ordinances, even if such a dwelling would result in a density greater than the standard density specified for the residential land use designations. (RDR)

#### LU-10.2

##### **Density Exceptions – Residential Land Use Designation**

The County shall exclude from the Residential land use maximum density farmworker dwellings, and accessory dwelling units pursuant to section 65852.2 of the Government Code . (RDR)

#### LU-10.3

##### **Maximum Lot Coverage Nonconforming Lots - Residential Land Use Designations**

The County shall ensure that the maximum lot coverage for lots of less than one acre (nonconforming) in area shall be as specified for the Residential designation, or 2,500 square feet plus 1 square foot for each 4,596 square feet of lot area over 5,000 square feet, whichever is greater.

#### LU-10.4

##### **Range of Housing Choices**

The County shall facilitate the creation of a variety of housing types that meet the needs of all residents. (RDR)



### MIXED USE, COMMERCIAL, AND INDUSTRIAL DESIGNATIONS

To support the needs of the county's residents and visitors, a balanced set of commercial and industrial designations is needed. The industrial designation provides appropriate areas to provide employment, products processing, and warehousing. The mixed use and commercial designations provide an appropriate mix of commercial services designed to meet the everyday needs of the community.

#### MIXED USE LAND USE DESIGNATION

##### Mixed Use (MU)

This designation provides for the development of activity centers that contain a mix of compatible and integrated commercial, office, residential, civic, and/or recreational uses.

The Mixed-Use designation is only allowed within areas designated as Existing Community, Urban areas, or Unincorporated Urban Centers under Policy LU-1.2. Areas designated as MU should be of a size sufficient to promote the economic success of future developments. Developments should be located on an arterial or higher roadway classification and shall include appropriate pedestrian and bicycle facilities. Typical building types include one- to three-story horizontal or vertical mixed-use structures. Development in the MU areas can have a mix of both residential and commercial uses, or a variety of commercial uses.

##### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: 20 dwelling units per acre
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: 60 percent

### COMMERCIAL LAND USE DESIGNATIONS

#### Commercial (C)

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This designation provides for a mix of retail and service uses that are typically needed by residents in rural communities and surrounding agricultural operations. The Commercial designation is only allowed in areas designated as Existing Community, Urban areas, or Unincorporated Urban Centers under Policy LU-1.2. Developments in Commercial designated areas may include a mix of uses. Developments should be located on a County-defined Minor Collector or higher classification roadway (as shown on Figure 4-3 or 4-4) and should include pedestrian and bicycle facilities. Typical building types include one- to two-story commercial structures.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: Not applicable
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: 60 percent

#### Commercial Planned Development (CPD)

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The purpose of this designation is to provide areas for vibrant commercial centers which will be developed utilizing modern land planning and unified design techniques that can be adjusted to better fit the unique needs of the project site. Using the CPD zoning, areas with this designation provide a flexible regulatory procedure in order to encourage the development of coordinated, innovative, and efficient commercial sites and to provide areas for a wide range of commercial retail and business uses, including stores, shops, and offices supplying commodities or performing services for the surrounding community.

The CPD designation is only allowed in areas designated as Existing Community, Urban areas, or Unincorporated Urban Centers under Policy LU-1.2.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: Not applicable
- Minimum Lot Size: No minimum
- Maximum Lot Coverage: 60 percent

## INDUSTRIAL LAND USE DESIGNATION

### Industrial (I)

This designation provides for a range of industrial employment-generating uses, including production, assembly, warehousing, and distribution, that are conducted within enclosed buildings or in appropriately sited and screened outdoor work spaces that are designed for compatibility with surrounding land uses. The Industrial designation should be limited to areas served by, or planned to be served by, public water, wastewater, and drainage systems. Developments must be located on a County-defined Minor Arterial or higher classification roadway (as shown on Figure 4-3 or 4-4).

#### **Development Standards**

Development within this designation is subject to the following standards:

- Maximum Density: Not applicable
- Minimum Lot Size: 10,000 square feet
- Maximum Lot Coverage: 50 percent

## MIXED USE, COMMERCIAL, AND INDUSTRIAL LAND USE DESIGNATIONS POLICY DIRECTION

### LU-11

To promote the development of mixed-use, commercial, and industrial uses in areas that are appropriate for these uses.

#### LU-11.1

##### Location

The County shall encourage mixed-use, commercial, and industrial development be located within cities, existing unincorporated urban centers, or designated Existing Communities where necessary public facilities and services can be provided to serve such development. (RDR)

#### LU-11.2

##### Applications Within Sphere of Influence

The County shall direct all applicants for commercial and industrial discretionary development located within a city's Sphere of Influence to that city for possible annexation and processing. (RDR)

#### LU-11.3

##### CAP

##### Design

The County shall require new commercial and industrial developments to be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximize pedestrian and vehicle safety, reduce vehicle miles traveled (VMT), encourage electric vehicle charging, and minimize the land use conflicts and traffic congestion. The County shall require that commercial and industrial discretionary development is designed to provide adequate buffering (e.g., walls, landscaping, setbacks) and operational conditions (e.g., hours of operation, and scheduling of deliveries) to minimize adverse impacts (e.g., noise, glare, and odors) on adjoining and adjacent residential areas. (RDR)

## 2. Land Use and Community Character Element

- LU-11.4** **Sustainable Technologies**  
 CAP The County shall encourage discretionary development on commercial- and industrial-designated land to incorporate sustainable technologies, including energy- and water-efficient practices and low- or zero-carbon practices.
- LU-11.5** **Mixed-Use Development**  
 The County shall require discretionary development on land designated mixed-use be developed under a single plan that details the full buildout of the development and any associated phasing for construction and includes specific design guidelines and standards that address the overall site design, scale of development, relationship to adjacent uses, circulation and parking, architecture, infrastructure, and landscaping. (RDR, PSP)
- LU-11.6** **Live-Work Development**  
 The County shall encourage mixed-use developments to include live-work floor plans for residents who desire office, commercial, or studio space adjacent to their living space. (RDR)
- LU-11.7** **Density Exceptions – Mixed Use Land Use Designation**  
 The County shall exclude from the Mixed Use land use maximum density farmworker dwellings and accessory dwelling units pursuant to section 65852.2 of the Government Code (RDR)
- LU-11.8** **Location of Retails Sales and Service Type Commercial and Office Facilities**  
 The County shall encourage retail sales and service type commercial and office facilities to locate in shopping centers, established commercial areas, or planned mixed-use districts. (RDR)
- LU-11.9** **Alternative Energy and Alternative Fuel Production**  
 The County shall allow the production of alternative energy and alternative fuels on land within the Industrial designation to reduce the reliance on petroleum-based fuel and greenhouse gas emissions. (RDR)

### OTHER DESIGNATIONS

This group of designations is applied to extensive areas of the county where good conservation practices and interagency coordination are imperative. These designations identify and geographically locate resource areas of the county for their conservation, development, and utilization. These areas are characterized by minimal development and the limited availability of public services.

## PARKS & RECREATION LAND USE DESIGNATION

### Parks & Recreation (PR)

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This designation provides for parks and recreation facilities and associated recreation uses. The Parks and Recreation (PR) designation is only allowed in areas designated as Existing Community, Area Plans, or Areas of Interest under Policy LU-1.2.

Typically, these areas are characterized by a high degree of open space, and a limited number of buildings. Recreational facilities frequently include sports fields, playground equipment, picnic areas, sitting areas, concession businesses, open turf and natural areas, trails, and golf courses.

Connectivity to surrounding areas via pedestrian and bicycle facilities is desired.

#### ***Development Standards***

Development within this designation is subject to the following standards:

- Maximum Density: Not applicable
- Minimum Lot Size: Not applicable
- Maximum Lot Coverage: 5 percent



### **STATE, FEDERAL, OTHER PUBLIC LANDS LAND USE DESIGNATION**

#### **State, Federal, Other Public Lands (P)**

This designation applies to those state- and federally-owned parks, forests, rangelands, coastal resources, and/or recreation areas. For state land within the coastal zone, the County has land use authority except for land under the California Coastal Commission's jurisdiction (i.e., beaches and tidelands). For all other areas the County has no land use authority. Areas so designated include land under federal or state ownership on which governmental facilities are located.

Principal uses of these areas include: continued provision of public recreational facilities and access; multi-use management where applicable; support for rangeland activities, and interconnection or coordination of state, federal, and local facilities and programs when possible.

#### ***Development Standards***


Development within this designation is subject to the following standards:

- Maximum Density: Not applicable
- Minimum Lot Size: Not applicable
- Maximum Lot Coverage: Not applicable

**PARKS & RECREATION LAND USE DESIGNATION POLICY DIRECTION**

**LU-12** To provide parks and recreational facilities to serve all residents of Ventura County.

**LU-12.1** **Parks and Recreational Facilities**  
 The County shall support the development of parks and recreation facilities within areas designated as Existing Community, Area Plans, or Areas of Interest. (RDR)

 *Additional policies on intergovernmental coordination are in Section 2.7, Development Review and Inter-Agency Coordination.*

**STATE, FEDERAL, OTHER PUBLIC LANDS LAND USE DESIGNATION POLICY DIRECTION**

**LU-13** To maintain a designation that:

- Recognizes lands devoted to governmental uses which are under the authority of the state or federal government and over which the County has no effective land use jurisdiction.
- Encourages the proper planning of governmental lands so that uses on these lands are compatible with existing and planned uses on adjacent privately-owned lands.

**LU-13.1** **Areas Appropriate for the State, Federal, Other Public Lands Land Use Designation**  
The County shall include state- or federally-owned lands on which a significant governmental use is located under the State, Federal, Other Public Lands land use designation, and which are under the control of the state or federal government. For state land within the coastal zone, the County has land use authority except for land under the California Coastal Commission’s jurisdiction. All other areas are beyond the land use jurisdiction of the County. (MPSP)

**LU-13.2** **Process for Changing the State, Federal, Other Public Lands Land Use Designation**  
When land designated as State, Federal, Other Public Lands is transferred to a private party or another public entity, the County shall require that the land be re-designated to an appropriate land use designation through the General Plan amendment process. (RDR, MPSP)

### CITY'S SPHERE OF INFLUENCE (SOI) POLICY DIRECTION

LU-14

To acknowledge the interests of cities and recognize the Ventura Local Agency Formation Commission (LAFCO) adopted Spheres of Influence as areas in which urbanization will likely occur under the authority of each city.

LU-14.1

#### Development Applications in a City's Sphere of Influence (SOI)

The County shall encourage applicants for General Plan amendments, zone changes, and discretionary development within a city's Sphere of Influence to consult with the appropriate city about submitting their application and shall discourage applicants from applying to the County. (RDR)

## 2.3 Area Plans

Area Plans are an integral part of the County General Plan, providing the basis for future land use development in specifically defined areas. "Area Plan" is a term for plans that focus on a particular region or community within the overall general plan area. Area Plans refine the policies of the General Plan as they apply to a smaller geographic area and are designed to reflect the needs and desires of those individual communities. In general, the purpose of an Area Plan is to specify the distribution, location, types, and intensity of land uses within a prescribed area, as well as provide specific policies concerning development in that area. The following nine adopted Area Plans each includes goals, policies, programs, and land use designations for the smaller, unincorporated communities they cover:

- Coastal Area
- El Rio/Del Norte
- Lake Sherwood/Hidden Valley
- North Ventura Avenue
- Oak Park
- Ojai Valley
- Piru
- Saticoy
- Thousand Oaks

This section addresses the goals and policies that apply to all Area Plans related to land use. The goals and policies that are specific to an area are in the separately contained Area Plan. A description of land use designations and locations of Area Plans in the county are illustrated in section 3.5. "General Plans and Area Plan Land Use Designations," of the Background Report.

## LU-15

To provide a clear policy framework that enhances the communities within each Area Plan boundary.

### LU-15.1

#### **Area Plan Requirements**

When the County comprehensively updates an Area Plan, the County shall ensure that the updated Area Plan includes specific policies and programs that address local issues, and a range of land use designations that accommodate the land uses appropriate to the area and commensurate with public infrastructure and services. Through the Area Plan Update process, the County shall ensure that all principles, goals, objectives, policies, and plan proposals set forth in the area plan are consistent with the County General Plan.

For consistency, the County shall organize the updated Area Plans using the following structure:

#### **Introduction**

- Purpose
- Area Plan Chronology
- Content and Organization

#### **Local Setting**

- Overview of Plan Area
- Community History

#### **Area Plan Elements**

- Land Use and Community Character
- Circulation, Transportation, and Mobility
- Public Facilities, Services, and Infrastructure
- Conservation and Open Space
- Hazards and Safety
- Water Resources

(MPSP)

### LU-15.2

#### **General Plan and Area Plan Consistency**

Area Plans for specific geographic subareas of the County may be adopted as part of the County General Plan. Area Plans shall be consistent with the General Land Use Diagram (Figures 2-4 and 2-5), although the Area Plans may be more specific and provide additional direction and restrictions concerning future development and resource management. (MPSP)

### LU-15.3

#### **General Plan and Area Plan Hierarchy**

Within locations covered by an area plan, where an inconsistency is identified between the General Plan and the Area Plan, the more restrictive of the two shall prevail. (RDR, MPSP)

## 2. Land Use and Community Character Element

- LU-15.4 Complete Communities**  
 The County shall encourage the development of an appropriately-scaled land use mix in each designated Area Plan where these plans include this type of use, and each designated Existing Community that contributes to an adequate economic base to fund capital improvements, including long-term maintenance, and to meet the daily needs of residents, including grocery stores, local-serving restaurants, community facilities, and civic centers. (RDR, MPSP)
- LU-15.5 Commercial and Industrial Land for Employment Uses**  
 The County shall provide sufficient commercially and industrially designated land to meet the employment needs of the community. (MPSP)
- LU-15.6 Neighborhood Configurations to Promote a Variety of Lifestyles**  
 The County shall encourage the development of neighborhood configurations that encourage a variety of lifestyles, a central community focus, and distinct identity. (MPSP, RDR)
- LU-15.7 Neighborhood Configurations to Preserve Natural Features**  
 The County shall encourage the development of neighborhood configurations that preserve the natural features of the site and minimize the requirements for grading. (RDR)
- LU-15.8 Nonconforming Uses in Residential Areas**  
 The County shall continue to work with land owners to eliminate nonconforming land uses in residential areas, as appropriate. (SO)
- LU-15.9 Area Plan Impacts on Jobs/Housing Balance**  
 The County shall require that as Area Plans are prepared or updated, planned industrial and commercial areas shall be evaluated to assess the impact on jobs/housing balance within the community and region. (RDR)



## 2.4 Character and Design

A key aspect of preserving agricultural, rural, and open space lands is actively investing in enhancing existing communities and urban areas. These are areas with adequate public services and infrastructure to support housing and employment centers. This section focuses on promoting attractive communities with a distinct sense of place. An overview of design standards based on zoning is located in section 3.6, “Existing Zoning,” of the Background Report.

### LU-16

To enhance the character and design of unincorporated communities in the county in order to cultivate self-contained communities designed to meet the daily needs of Ventura County residents.

#### LU-16.1

##### **Community Character and Quality of Life**

The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses. (RDR)

#### LU-16.2

##### **Urban Design Standards for Commercial and Industrial Development**

The County shall require that discretionary commercial and industrial developments maintain high standards of urban design and environmental quality by incorporating compact form, maximizing pedestrian access and safety, and minimizing land use conflicts and traffic congestion. (RDR)

#### LU-16.3

##### **Mixed Use Development**

The County shall support compatible, mixed-land use development in areas designated as Area Plans and Existing Communities, where these plans include this type of use. (MPSP, RDR)

#### LU-16.4

##### **Live/Work Spaces**

In Area Plans and Existing Communities, the County shall encourage the development of flexible live-work spaces for residents who desire office, commercial, or studio space adjacent to their living space, where these plans include this type of use. (RDR)

#### LU-16.5



##### **Multimodal Access to Commercial Development**

The County shall encourage discretionary commercial development to promote ease of pedestrian/bicycle access to encourage walk-in business, while providing sufficient off-street parking. (RDR)

#### LU-16.6

##### **Strip Commercial Development Concerns**

The County shall discourage the development of new or expansion of existing strip commercial development. (RDR)

#### LU-16.7

##### **Parking Location**

The County shall encourage discretionary development to locate central gateways and building entrances in areas that are visible from the street to contribute to an active commercial center and locate parking in areas that are less visible from the street. (RDR)

#### LU-16.8

##### **Residential Design that Complements the Natural Environment**

The County shall encourage discretionary development that incorporates design features that provide a harmonious relationship between adjoining uses and the natural environment. (RDR)

## 2. Land Use and Community Character Element

**LU-16.9** **Building Orientation and Landscaping**  
 CAP The County shall encourage discretionary development to be oriented and landscaped to enhance natural lighting, solar access, and passive heating or cooling opportunities to maximize energy efficiency. (RDR)

**LU-16.10** **Visual Access for Rural Development**  
 The County shall encourage discretionary development in rural areas to maintain views of hillsides, beaches, forests, creeks, and other distinctive natural areas through building orientation, height, and bulk. (RDR)

## 2.5 Environmental Justice

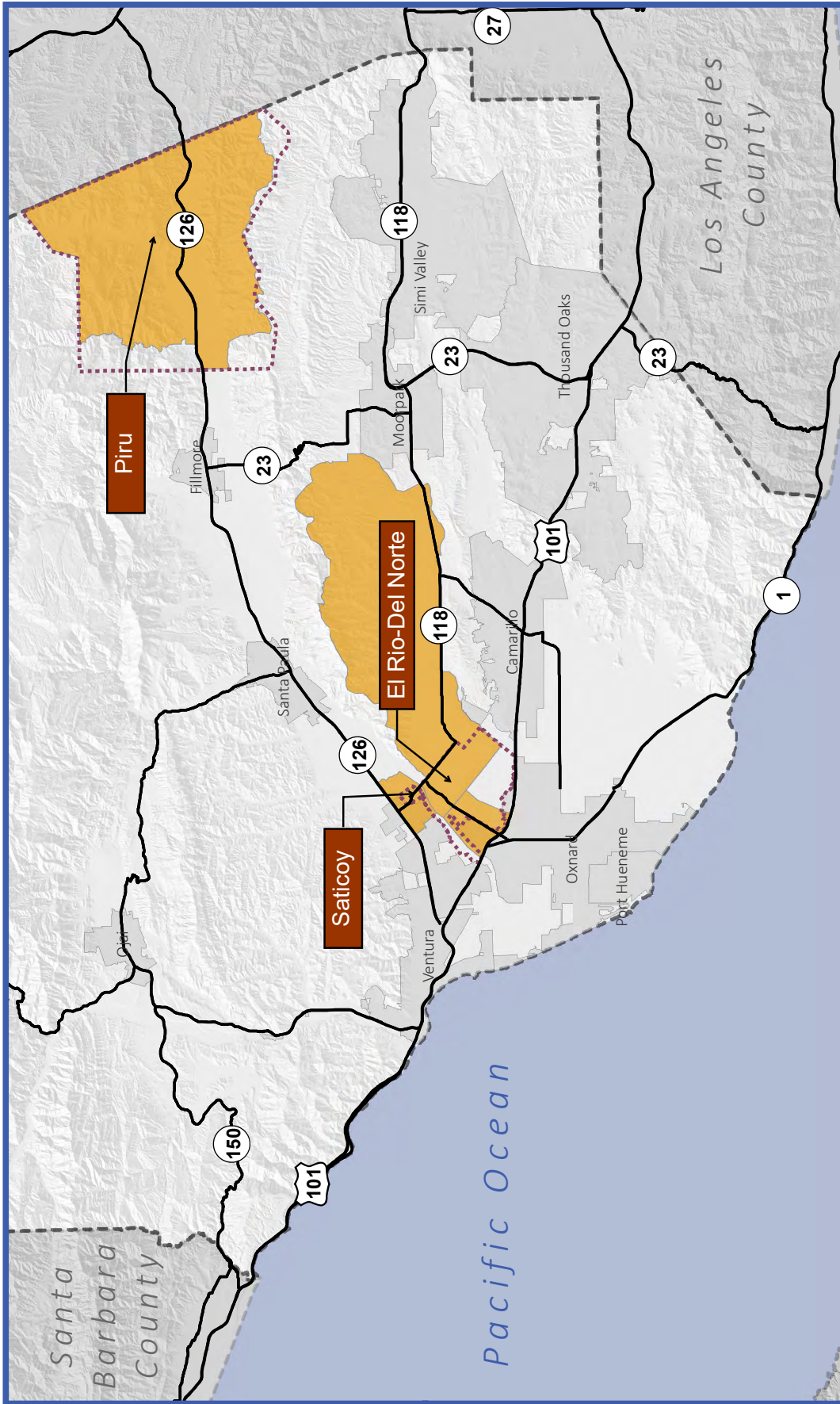
Pursuant to Senate Bill (SB) 1000 (2016), general plans adopted after January 1, 2018, must include an environmental justice element or include goals, policies, and objectives in other element(s) of the general plan addressing health risks within “designated disadvantaged communities.” Designated disadvantaged communities are identified by the California Environmental Protection Agency pursuant to Section 39711 of the Health and Safety Code or are low-income areas that are disproportionately affected by pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. Household incomes for “low-income areas” are at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development’s list of state income limits adopted pursuant to Section 50093 of the Health and Safety Code. Designated disadvantaged communities in Ventura County are shown on Figure 2-6.

SB 244 (2011) requires cities, counties, and local agency formation commissions (LAFCO) to identify disadvantaged unincorporated communities and provide an analysis of water, wastewater, stormwater, drainage, and structural fire protection needs or deficiencies. SB 244 defines a “disadvantaged unincorporated community” as a fringe, island, or legacy community in which the median household income is 80 percent or less than the statewide median household income.

For the Ventura County 2040 General Plan, environmental justice is addressed as a cross-cutting topic, with goals and policies incorporated throughout the General Plan as it relates to each element.

Ventura County has established a Guiding Principle on environmental justice issues. As stated in Chapter 1, Ventura County is “Commit[ted] to the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies, protect disadvantaged communities from a disproportionate burden posed by toxic exposure and risk, and continue to promote civil engagement in the public decision-making process.”

There are two major components of environmental justice. One is meaningful involvement in the decision-making process, and the second is the actual planning, siting, development, and operations of public facilities and infrastructure. An overview of environmental justice disadvantaged unincorporated communities in the county is located in Section 3.11, “Environmental Justice and Disadvantaged Communities,” of the Background Report.



**Figure 2-6**  
**Designated Disadvantaged Communities**

Map Date: September 09, 2020  
 Source: Ventura County, 2020; CalEPA OEHHA CalEnviroScreen 3.0.



- Senate Bill 1000 (2016) (Source: 2010 Decennial Census, US Census Bureau)
- Unincorporated areas within Senate Bill 1000 Eligible Census Tracts
- Cities

### LU-17

Within designated disadvantaged communities, to plan for and provide public facilities, services, and infrastructure that provide fair treatment and quality of life to all people regardless of race, color, national origin, or income.

#### LU-17.1



##### **Providing Equitable Public Services**

Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to the equitable provision of public services and infrastructure such as parks, recreational facilities, community gardens, public safety facilities, and other beneficial uses that improve the overall quality of life. (MPSP, FB, PSR, SO, JP)

#### LU-17.2



##### **Siting of Uses**

Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to potential health impacts associated with land use decisions to reduce the adverse health effects of hazardous materials, industrial activities, and other uses that may negatively impact health or quality of life for affected county residents. (RDR, MPSP, PSR)

#### LU-17.3



##### **Environmental Protection**

The County shall apply environmental protection measures equally among geographic and socioeconomic sectors within designated disadvantaged communities of the county. (RDR, MPSP, PSR)

#### LU-17.4



##### **New Incompatible Land Uses**

The County shall not approve new discretionary projects within or in the immediate vicinity of existing residential areas, especially designated disadvantaged communities, introducing a new incompatible land use that could have substantial adverse health impacts on an area's residents. (RDR, MPSP, PSR)

#### LU-17.5



##### **Placement of New Residential Uses**

Within designated disadvantaged communities, the County shall discourage the establishment of new residential and other sensitive land uses near incompatible industrial land uses unless appropriate mitigations or design consideration can be included. (RDR, MPSP, PSR)

#### LU-17.6



##### **Negative Impacts from Potential Hazards**

Within designated disadvantaged communities, the County shall work to reduce or prevent negative impacts associated with environmental hazards, including industrial and roadway-generated pollution, to people who are living and working in close proximity to these uses. (RDR, MPSP)

#### LU-17.7



##### **Brownfield Remediation**

Within designated disadvantaged communities, the County shall promote the remediation and reuse of contaminated brownfield sites to spur economic development, expand natural open spaces and parks, community gardens, and other similar health-promoting community revitalization activities. (MPSP)

#### LU-17.8



##### **Limit Concentrations of Unhealthy Food Providers**

Within designated disadvantaged communities, the County shall encourage farmer's markets and healthier food options within neighborhoods or near child-oriented uses (e.g., schools, family day care, parks). (RDR)



## 2.6 Civic Engagement

The state enacted Senate Bill (SB) 1000 (2016) in response to increasing concerns about vulnerable communities in California experiencing environmental injustice. A key requirement of SB 1000 is that the County must identify objectives and policies to promote increased access to the public decision-making process. While technical analysis can provide insight into the needs of an area, these practices can fall short without full participation by the individuals and groups that will be most affected by a decision. By enacting SB 1000, the state expressed the expectation for the County to ensure that these individuals and groups have a seat at the table to engage in meaningful dialogue and collaboration. An overview of SB 1000 is located in section 3.11, “environmental Justice and Disadvantaged Communities,” of the Background Report.

LU-18

To promote meaningful dialogue and collaboration between members of designated disadvantaged communities and decision-makers to advance social and economic equity.

LU-18.1

EJ

### Communication Channels

Within designated disadvantaged communities, the County shall continue to improve communication channels and methods for meaningful dialogue between community members and decision-makers, including County staff and elected and appointed representatives. (SO)

LU-18.2

EJ

### Input on Proposed Planning Activities

Within designated disadvantaged communities, the County shall facilitate opportunities for community members and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout the public review process. (SO)

LU-18.3

EJ

### Times and Locations of Public Engagement Opportunities

Within designated disadvantaged communities, the County shall aim to hold meetings, workshops, and other public engagement opportunities at times and locations that make it convenient for community members to attend, particularly stakeholders who are the most likely to be directly affected by the outcome. (SO)

LU-18.4

EJ

### Variety of Public Communication Methods

Within designated disadvantaged communities, the County shall continue to share public information across a variety of media, technological, and traditional platforms, and languages based on the demographics of the community. (PI)

LU-18.5

EJ

CAP

### Participation in Climate Change Planning

The County shall encourage stakeholders in designated disadvantaged communities who are vulnerable to sea level rise or other climate change impacts to have the opportunity to learn about and participate in the decision-making process for adaptation planning within Ventura County. (PI)



### 2.7 Development Review and Inter-Agency Coordination

There are many local, regional, state, and federal agencies that have land use planning, permitting, or development review authority in Ventura County. It is critical that there is clear direction on which agency is responsible at each step of the process and that there is coordination among agencies to ensure regulatory compliance, increase efficiency for development projects, and eliminate redundancies among agencies. A description of plans, policies and regulations relating to other agencies with permitting and review authority is located in sections 3.9, “Other Agency Plans,” of the Background Report.



*Additional policies on Inter-Agency Coordination are in Section 2.8, Military Compatibility.*

#### LU-19

To enhance inter-agency coordination to achieve mutually beneficial land use conservation and development.

##### LU-19.1

#### **County and City Cooperation**

The County shall work cooperatively with all cities in the county to enhance consistency among planning processes and to ensure that each jurisdiction’s general plan is compatible with the Ventura County General Plan, the Guidelines for Orderly Development, and adopted greenbelt agreements. (IGC, MPSP)

##### LU-19.2

#### **Policy Consultation within Spheres of Influence**

For General Plan amendments and other policy changes that may impact growth or the provision of public services within city Spheres of Influence, the County shall engage in meaningful consultation with the appropriate city early on in the process. (IGC, MPSP)

##### LU-19.3

#### **Development Incentives and Streamlined Review**

The County shall support expanded incentives and CEQA streamlining opportunities for projects that are consistent with the following:

- this General Plan,
- Save Open Space and Agricultural Resources (SOAR) Initiative,
- Guidelines for Orderly Development, and
- the adopted Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS).

(RDR, MPSP, IGC)

##### LU-19.4

#### **Consultation with State and Federal Agencies**

The County shall continue to consult with applicable state and federal regulatory agencies during project review and permitting activities. (IGC)

### LU-19.5

#### **Consultation with California State University Channel Islands**

The County shall notify and consult with California State University Channel Islands (CSUCI) Office of the President and CSUCI Site Authority prior to adopting any County-initiated land use regulation, policy, or plan that may impact the University, or residents living within the jurisdiction of the CSUCI Site Authority.

### LU-20

To encourage the protection and use of state- and federally-owned beaches, hillsides, woodlands, grasslands, rivers, streams, wetlands, estuaries, and cultural resources for the education and enjoyment of Ventura County residents and visitors.

### LU-20.1

#### **Recreational Access and Use**

The County shall encourage federal, state, and local agencies currently providing recreation facilities to maintain, at a minimum, and improve, if possible, their current levels of service. (IGC)

### LU-20.2

#### **Coastal Access from Federal and State Lands**

The County shall encourage federal and state agencies to consider existing uses in the area (residential, visitor-serving, and public) at beach and coastal sites so that access is optimized, potential conflicts are minimized, and existing qualities maintained. (IGC)

### LU-20.3

#### **Day-Use Opportunities**

The County shall encourage federal and state agencies to provide improved day-use recreational facilities in the county. (IGC)

## 2.8 Military Compatibility

Ventura County is home to several significant military installations and operations areas. These facilities are not only critical to the nation's defense, but also provide significant economic benefits and land use challenges. The locations of military installations are described and illustrated in section 3.10, "Military Institutions and Installations," of the Background Report.

Naval Base Ventura County (NBVC) consists of three operating facilities – Point Mugu, Port Hueneme, and San Nicolas Island – that encompass a diverse set of specialties, including three warfare centers (Naval Air Warfare Center – Weapons Division, Naval Surface Water Center – Port Hueneme Division, and Naval Facilities Engineering and Expeditionary Warfare Center). NBVC is also home to deployable units, including the Pacific Seabees and the West Coast E-2 Hawkeyes. The 204-acre Channel Islands Air National Guard Station is located adjacent to Naval Base Ventura County-Point Mugu. Additionally, the Instrument Route-200 (IR-200) military training route passes through Ventura County connecting the Point Mugu Sea Range and the Naval Air Weapons Station (NAWS) China Lake.

Compatibility between military installations, adjacent land uses, and local communities is essential to protect military missions, the health of local economies and industries, and the quality of life for county residents. In order to achieve compatibility, the military and local governments must be collaborative and cooperative in their planning efforts. The policies in this section are intended to support that collaboration.

## 2. Land Use and Community Character Element



Further information on Military Compatibility can be found in Chapter 7, Hazards and Safety Element and in these documents:

- Air Installations Compatible Use Zones (AICUZ) report for Naval Base Ventura County, Point Mugu
- Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS)

### LU-21

To ensure that County plans and policies are consistent with state laws concerning military compatibility and the recommendations contained in the Naval Base Ventura County Joint Land Use Study as they relate to land use and communications.

#### LU-21.1

##### **Joint Land Use Study (JLUS) Coordination Committee**

The County shall participate in the Naval Base Ventura County (NBVC), Joint Land Use Study (JLUS) Coordination Committee responsible for the efficient and effective coordination among JLUS partners and implementation of Joint Land Use Study (JLUS) recommendations to enhance long-term coordination on military compatibility issues. (IGC)

#### LU-21.2

##### **Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS)**

The County shall utilize the Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS) and the strategies contained therein that list Ventura County as a “Responsible” entity to guide land use and resource management decisions and plan updates and the NBVC Air Installations Compatible Use Zones (AICUZ) study to guide land use limitation and standards in the airport safety and noise zones. (MPSP)

#### LU-21.3

##### **Military Compatibility Areas**

The County shall utilize the Military Compatibility Areas (MCA), as defined in the Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS) and the NBVC Air Installations Compatible Use Zones (AICUZ) study, to guide land use and resource management decisions and plan updates. (MPSP)

#### LU-21.4

##### **Enhance Communications**

The County shall work to enhance communication and coordination with Naval Base Ventura County (NBVC) and other jurisdictions in the county to enhance public knowledge and access to information regarding military operations and compatibility challenges while adhering to operational security requirements. (IGC, PI)

#### LU-21.5

##### **Infrastructure Expansion Coordination**

The County shall notify and coordinate with Naval Base Ventura County (NBVC) Public Works Department on County-initiated major infrastructure expansion plans (e.g., mainline/trunk facilities) within the Military Compatibility Area (MCA) that may impact NBVC infrastructure or services. (SO, IGC)

#### LU-21.6

##### **Stormwater Infrastructure Improvement Coordination**

The County shall notify and coordinate with the Naval Base Ventura County (NBVC) Public Works Department on County-initiated major stormwater infrastructure (mainline/trunk facilities) improvement or expansion plans in the Calleguas Creek Watershed. (SO, IGC)

**LU-21.7**

**Capital Improvement Coordination**

The County shall coordinate with the Naval Base Ventura County (NBVC) and cities of Oxnard and Port Hueneme when updating its Capital Improvement Program for projects related to improvement projects on Victoria Avenue. (MPSP, IGC)

## 2.9 General Plan Maintenance

The General Plan is a living document that must reflect the County's needs and desires, which evolve over time. The effectiveness of the General Plan ultimately depends on how the County implements and maintains the General Plan over its lifetime. State law requires that most actions of local government affecting the physical environment be consistent with the general plan and sets out guidelines for general plan monitoring, updating, and amending. This section ensures that the County maintains a high level of attention to the General Plan by providing for regular review and updating to ensure that County regulations and ordinances are consistent with the General Plan.

**LU-22**

To provide a clear framework for the ongoing administration, maintenance, and implementation of the Ventura County 2040 General Plan.

**LU-22.1**

**Five-Year General Plan Review**

The County shall conduct a thorough review of the General Plan every five years from the date of final approval, and revise and update as necessary. This review can include the following:

- Modify, add, or delete goals, policies, or programs to reflect notable changes in the county over the previous period;
- Remove or modify programs that have been completed or require additional time;
- Modify or add new goals, policies, or programs to reflect changing needs within the county;
- Modify to reflect applicable changes in state law; and
- Modify as needed to comply with state housing law.

(PSR)

**LU-22.2**



**Implementation Program Monitoring**

The County shall maintain and annually review the General Plan Implementation Programs before the preparation of the County's Annual Budget. As part of this process, the County shall update the prioritization of programs based on applicability, relevance, timing of initiation, and availability of funding. (PSR, SO)

**LU-22.3**

**Taking of Property Without Just Compensation**

Notwithstanding any policy or provision of the General Plan, the Board of Supervisors, based on the advice of the County Counsel and upon making a finding that the application of a policy or provision of the General Plan will effect an unconstitutional taking of property without just compensation, may take any action or approve any project to the extent necessary to avoid such an unconstitutional taking. This provision does not apply to any General Plan amendment, including but not limited to any property land use re-designation, that is subject to the County of Ventura Save Open-Space and Agricultural Resources initiative measure - 2050 (Appendix C). (RDR)

## 2.10 Implementation Programs

Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<b>A Guidelines for Orderly Development Implementation</b> The County shall continue to implement the Guidelines for Orderly Development and work with cities to promote orderly and compact development, increased options for affordable housing, minimize vehicle miles traveled, and limit sprawl development.	LU-1.1	RMA CEO					■
<b>B General Plan Consistency</b> The County shall review and amend, as necessary, applicable ordinances and regulations to ensure consistency with the General Plan, including the Zoning Ordinances and Building Code.	LU-1.6 LU-4.2 LU-5.3 LU-15.2	RMA All County agencies, as necessary	■				
<b>C Expansion of Allowed Housing Types</b> The County shall research existing regulatory impediments to the creation of new housing types that have the potential to fulfill unmet housing needs (e.g., tiny homes, co-housing developments) and if necessary, shall amend applicable ordinances to allow for their development.	LU-10.4	RMA	■				
<b>D Technical Assistance Grants</b> To the extent that federal and state grants are available, the County shall continue to administer loan and technical assistance programs to small businesses and micro-enterprise to develop new and strengthen existing economic opportunities in the county, with a focus on job creation and retention.	LU-11.1 LU-15.5	CEO n/a					■
<b>E Update Non-Coastal Zoning Ordinance for Alternative Fuel Productions</b> The County shall update the Non-Coastal Zoning Ordinance to allow for the production of alternative fuels in the industrial zone.	LU-11.9	RMA n/a	■				



Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing	
		Supporting Department(s)						
<b>F Comprehensive Area Plan Updates</b> The County shall review and periodically prepare a comprehensive update to each of the Area Plans to ensure that they reflect community needs and expectations.	LU-15.1	RMA						
		All County agencies, as necessary						
		Coastal Area			■			■
		El Rio/Del Norte		■				■
		Lake Sherwood/Hidden Valley			■			■
		North Ventura Avenue		■				■
		Oak Park				■		
		Ojai Valley			■			■
		Piru				■		■
		Saticoy					■	■
Thousand Oaks				■		■		
<b>G Update Coastal Area Plan</b> The County shall move General Plan policies specific to the Coastal Zone to the Coastal Area Plan as part of the next Coastal Area Plan update.	LU-15.1	RMA		■				
		n/a						
<b>H Limit Alcohol and Tobacco Outlets</b> The County shall explore establishing zoning code limitations on the density of alcohol and tobacco outlets near sensitive receptors such as schools, childcare facilities, senior housing, parks, etc., and especially in designated disadvantaged communities, that is consistent with State law.	LU-17.2 LU-17.4	RMA	■					
		n/a						

EJ

## 2. Land Use and Community Character Element

Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<b>I Develop Memorandum of Understanding</b> The County should collaborate through the Naval Base Ventura County (NBVC) and Joint Land Use Study (JLUS) Coordination Committee to facilitate the development of a formal Memorandum of Understanding (MOU) that delineates the roles and responsibilities for each partner agency in the JLUS Study Area, including the County, NBVC, and incorporated cities. This document should contain information such as:	LU-21.1	CEO	■				
	LU-21.2						
	LU-21.3	n/a					
	LU-21.4						
	LU-21.5						
	LU-21.6						
	LU-21.7						

- Point of contact and contact information for each agency,
- Role in addressing compatibility issues with the base,
- Responsibility in addressing compatibility issues,
- Community and military response times, and
- Triggers for coordination and communication, e.g., infrastructure planning, water resources planning, economic development.

Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<p><b>J Develop a JLUS Resource Management Reference Guide</b>                      The County shall cooperate with Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS) partners in the development of a reference guide providing information about the various agencies in the JLUS Study Area with their respective responsibilities. It shall be tailored to existing JLUS issues and contain:</p> <ul style="list-style-type: none"> <li>▪ Map(s) identifying the important resources in the area, and</li> <li>▪ County and JLUS partner contact information for the agency representative that will help in cases of community-military compatibility.</li> </ul>	LU-21.1 LU-21.2 LU-21.3 LU-21.4	RMA <hr/> CEO		■			
<p><b>K Update Plans and Amend Regulations with AICUZ Recommended Land Uses</b>                      The County should amend the Zoning Ordinance and/or Initial Study Assessment Guidelines, if necessary, to incorporate the Air Installations Compatible Use Zones (AICUZ) recommended land use limitations and standards in the safety and noise zones. (MPSP)</p>	LU-21.2 LU-21.3	RMA <hr/> n/a		■			
<p><b>L Amend Zoning Ordinance</b>                      The County should amend the Zoning Ordinances, if necessary, to comply with the Federal Aviation Administration (FAA) vertical obstruction guidelines, more specifically with the Navy’s Airfield Imaginary Surfaces of the airfields located in the area. These surfaces are more restrictive and provide for greater safety of the public, pilots, and aircraft. The Navy’s Airfield Imaginary Surfaces include slopes and heights that are allowable from various distances from the airfield.</p>	LU-21.2 LU-21.3	RMA <hr/> AIR		■			■

## 2. Land Use and Community Character Element

Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<b>M Military Compatibility Areas (MCA)</b> The County shall update the Non-Coastal Zoning Ordinance and the Coastal Zoning Ordinance, if necessary, to delineate and establish the Military Compatibility Areas and Subzones illustrated on Figures 5 through 7 of the Naval Base Ventura County (NBVC) Joint Land Use Study (JLUS).	LU-21.3	RMA n/a	■				■
<b>N Acquisition of Land Near Airfield</b> The County shall support the acquisition of conservation easements that protect operations at Naval Base Ventura County, Point Mugu, while maintaining agricultural production capabilities.	LU-21.3	CEO AIR					■
<b>O Five-year General Plan Review</b> The County shall conduct a thorough review of the General Plan, (including the Background Report) every five years from the date of final approval.	LU-22.1	RMA Other County Agencies	■	■	■		■
<b>P Annual General Plan Implementation Review</b> The County shall review the General Plan annually, focusing on the status and progress of program implementation. The County shall prepare a report to the Board of Supervisors summarizing the status of implementation programs and any recommendations for General Plan amendments.	LU-22.2	RMA All County agencies, as necessary					■

CAP

Programs	Implements Which Policy(ies)	Responsible	2020 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<b>Q Identify Designated Disadvantaged Communities in Oxnard and Ventura Planning Areas</b> Within one-year of 2040 General Plan adoption, the County shall research the southwestern and northwestern Oxnard Planning Area and along the Ventura Avenue in the Ventura Planning Area using Cal EPA CalEnviroScreen to identify Designated Disadvantaged Communities (DDCs). Upon identification of DDCs, the General Plan maps and list of low income and disadvantaged communities in the General Plan will be updated. In addition, the Background Report will be updated to reflect the existing conditions and description of these DDCs.	LU-17.1	RMA	■				
	LU-17.2						
	LU-17.3	All County agencies, as necessary					
	LU-17.4						
	LU-17.5						
	LU-17.6						
	LU-17.7						
	LU-17.8						
<b>R Review of Designated Disadvantaged Communities</b> Every five years from the adoption of the 2040 General Plan, the County shall review changes to the CalEPA designations of disadvantaged communities as well as changes in localized income data and pollution burdens and amend, as necessary, the maps and lists of low income and disadvantaged communities in the General Plan.	LU-17.1	RMA					■
	LU-17.2						
	LU-17.3	n/a					
	LU-17.4						
	LU-17.5						
	LU-17.6						
	LU-17.7						
	LU-17.8						





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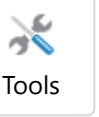
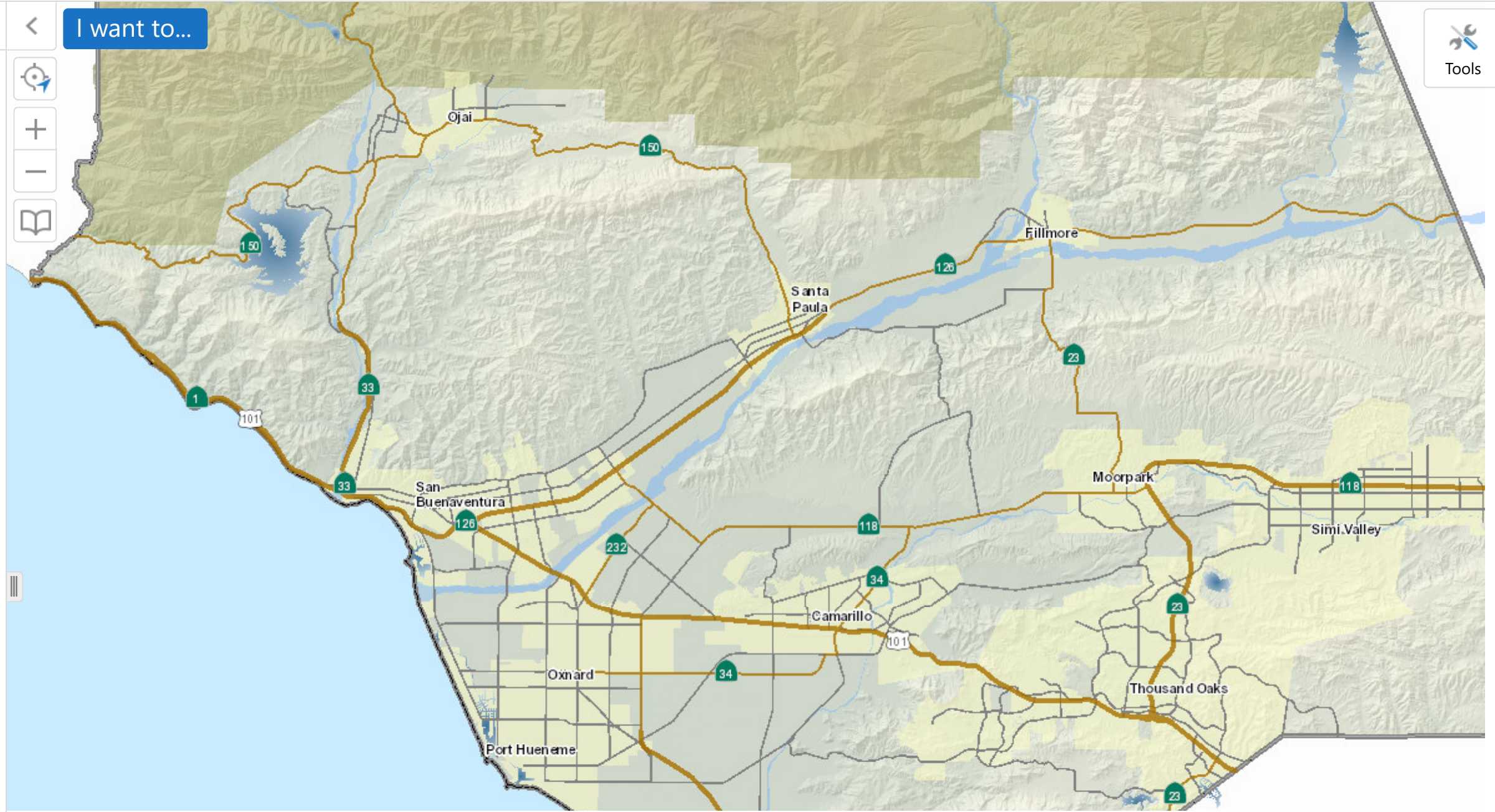


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Basemaps
 Layers
 1:500
 6km / 4mi

**VENTURA COUNTY  
NON-COASTAL  
ZONING ORDINANCE**

**DIVISION 8, CHAPTER 1  
OF THE  
VENTURA COUNTY ORDINANCE CODE**

**LAST AMENDED: 2-7-2023**

**EFFECTIVE: 3-9-2023**

**VENTURA COUNTY PLANNING DIVISION**

**To purchase the Ventura County Non-Coastal Zoning Ordinance:**

Call 805/654-2486 or

Go to the Resource Management Agency Planning Counter  
3rd floor of the Government Center Hall of Administration  
800 S. Victoria Avenue, Ventura, CA

(We can no longer provide free supplements as the ordinance is updated.)

**This Zoning Ordinance is also available on our website:**

<https://www.vcrma.org/divisions/planning>

under Ordinances

**For general questions about this ordinance, call**

the Planning Division at:

805/654-2488 or 654-2451

## **DISCLAIMER**

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The Non-Coastal Zoning Ordinance is Chapter 1 of Division 8 (Planning & Development). This version was produced by the Planning Division. The “Official” version of this ordinance is held by the Clerk of the Board of Supervisors. The Planning Division coordinates closely with the Clerk’s Office to ensure the accuracy of the Ordinance’s contents, even if its format may differ from the one produced by the Clerk’s Office. Informational notes may appear in *italics* that are not a part of the adopted ordinance, but provide clarification.

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## **BACKGROUND AND HISTORY**

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The Ventura County Zoning Ordinance was enacted on March 18, 1947, by Ordinance No. 412. Each formal action by the Board of Supervisors to establish or amend the code is done by enacting an "ordinance." These actions are numbered sequentially. For example, the creation of the first County Zoning Ordinance was the 412<sup>th</sup> ordinance action taken by the Supervisors. It should be noted that the Zoning Ordinance falls within Division 8 of the total Ventura County Ordinance Code and is specifically referenced as Chapter 1 of Division 8. The discussion that follows is intended to provide the reader with a general understanding of the Zoning Ordinance's evolution and structure. It is not a definitive analysis.

The Zoning Ordinance was adopted at the same time as the Uniform Building Code and collectively established the initial regulatory scheme for structures and land uses. The 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.

Amendments during the 1950s added significantly to the Ordinance and by 1962 it was necessary to "reorder" it into a more coherent format. Another major reformatting occurred in 1968. By the late 1960s, numerous individual zoning districts (e.g. M1 Industrial, RBH Residential Beach Harbor) had been created and most of the basic regulatory provisions of the present code had been established.

During the 1970s, environmental laws and legal decisions, particularly those requiring consistency between zoning and the General Plan, led to further expansions of the Ordinance. The 1980s saw amendments that enhanced the County's ability to regulate oil and mining activities, and recover costs for permit processing and abatement of violations.

The cumulative additions to the Ordinance since the 1960s led to an unwieldy document that once again needed restructuring. This was addressed through the re-codification of 1983 (Ordinance No. 3658). The restructured code appeared in "letter-size" format and introduced a "matrix" to depict uses allowed in each zone. It also reduced the number of separate zones and centralized development standards. The general format established at this time is still in use today.

1983 was also the year that the Zoning Ordinance was divided into the Coastal Zoning Ordinance (Ordinance No. 3654) for coastal areas and the Non-Coastal Zoning Ordinance that covers all areas outside the Coastal Zone. The two codes are structured in parallel, but differ in many detailed ways. Over the years they have grown apart as the Non-Coastal Zoning Ordinance has undergone more frequent amendments which were not simultaneously incorporated into the Coastal Zoning Ordinance.

The Non-Coastal Zoning Ordinance was amended substantially in 1995 by Ordinance No. 4092. The changes were primarily to clarify or correct existing language and simplify the permitting process. Another change to the ordinance in 1995 was the introduction of editorial notes in italics to provide guidance to readers. These notations, however, are not law and thus not a formal part of the Zoning Ordinance. The 1995 amendments were extensive enough to warrant the re-publication of the entire code.

Prior to July of 2002 the Ordinance was published solely by the County Clerk's Office. Beginning in mid-2002 the Planning Division began publishing an "un-official" version of the Non-Coastal Zoning Ordinance that is electronically indexed and located on the Division's website. Every possible effort has been made to ensure that the contents of the Planning Division's version are consistent with the Clerk's version. The Planning Division's version differs in format and style to facilitate its incorporation onto the internet. Versions of the Ordinance prepared by the Clerk's Office are identifiable by the "ordinance change" number (OC-1) in the lower right corner of each page. Any subsequent change to the text on a given page is noted with the next higher number, e.g., OC-2, OC-3, etc. This numbering system was started fresh following the 1995 re-publication of the Ordinance. The Planning Division's version of the Non-Coastal Zoning Ordinance does not include "OC" numbers. Instead, the footer on each page will identify when the code was last amended. An index of amendments by section number will be added so one can determine where amendments have occurred in the code.

The Clerk of the Board of Supervisors keeps the only official record of each individual amendment to the Zoning Ordinance. The Planning Division keeps copies of the milestone versions of the codified Zoning Ordinance, e.g. the versions from 1968, 1983, and 1995, among others. These documents may be useful if one wants to research various amendments. Changes since 1983 can be tracked by noting the parenthetical dates and ordinance numbers at the end of a given code section or following the heading of a given Article in the Zoning Ordinance. These notations indicate when the Section or Article was added or last amended. Where no note appears, the language typically dates from the re-codification of 1983, although some wording may have been carried forward from preceding versions of the code.

Individuals who purchase the Non-Coastal Zoning Ordinance can update it by consulting the Planning Division's website <https://www.vcrma.org/divisions/planning> and downloading the current version, or portions of it. The Planning Division no longer provides updated pages for previously purchased Ordinances.

*Planning Staff, Winter 2008*

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DIVISION 8 - PLANNING AND DEVELOPMENT  
CHAPTER 1 - ZONING

**ARTICLE 1:  
AUTHORITY, PURPOSE, AND APPLICATION OF  
CHAPTER**

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**Sec. 8101-0 - Adoption and Title of Chapter**

This Chapter is adopted pursuant to the authority vested in the County of Ventura by the State of California, including but not limited to the Government Code and the Public Resources Code. This Chapter shall be known as the "Non-Coastal Zoning Ordinance." (AM. ORD. 4377 - 1/29/08)

**Sec. 8101-1 - Purpose of Chapter**

The text (including tables and matrices) and references to the Official Zoning Data contained in this Chapter constitute the comprehensive zoning regulations for the unincorporated area of the County of Ventura, excluding the Coastal Zone, and are adopted to protect and promote the public health, safety and general welfare; to provide the environmental, economic and social advantages which result from an orderly, planned use of resources; to establish the most beneficial and convenient relationships among land uses and to implement Ventura County's General Plan. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4377 - 1/29/08)

**Sec. 8101-2 - Applicability of the Zoning Ordinance**

**Sec. 8101-2.1 - Applicability to Uses and Structures**

The provisions of this Chapter apply to all lots, structures and uses of land or bodies of water created, utilized, established, constructed or altered by any person unless specifically exempted by the following subsections:

**Sec. 8101-2.1.1 - Exemption, Public Roads**

The provisions of this Chapter are not applicable to construction and maintenance of public roads and other improvements within road rights-of-way.

**Sec. 8101-2.1.2 - Exemption, Preemption**

Specifically exempt is any area of regulation totally preempted by Federal or State laws and where divestiture has not occurred.

**Sec. 8101-2.2 - Applicability to Lots Split by the Coastal Zone Boundary**

The Coastal Zone boundary does not, in most cases, follow property lines and there may be a lot which is split by the boundary. If development, as defined in Chapter 1.1 of the Ordinance Code, is proposed on that portion of the lot outside the Coastal Zone and has the potential to affect adversely any property or resource within the Coastal Zone, the policies and standards of the Local Coastal Program shall be used in formulating conditions or requirements for the proposed development.



## **Sec. 8101-2.3 – Applicability to Uses and Structures within Old Town Saticoy**

(ADD. ORD. 4479 – 9/22/15)

The Old Town Saticoy Development Code is set forth in Article 19. Development or uses within the Old Town Saticoy boundary, as delineated in the Saticoy Zoning Map, shall be subject to the Old Town Saticoy Development Code, which includes applicable zoning and development standards. All other provisions of this Chapter apply to Old Town Saticoy for matters not addressed in the Old Town Saticoy Development Code. For ease of reference, cross-references have been added to specific articles in this Chapter and within the Old Town Saticoy Development Code. If there is a conflict between the Old Town Saticoy Development Code and other provisions of this Chapter, the former shall control.

### **Sec. 8101-2.3.1 – Saticoy Area Plan Boundary Map**

To determine if a parcel(s) is within Old Town Saticoy, refer to the Saticoy Zoning map (Figure A-1) in Appendix A of the Saticoy Area Plan.

### **Sec. 8101-2.3.2–Development outside of Old Town Saticoy**

The Old Town Saticoy Development Code does not apply to development in Saticoy that is outside of the boundaries of Old Town Saticoy (see Figure A-1 in Appendix A, Saticoy Area Plan).

(ADD. ORD. 4479 - 9/22/15)

## **Sec. 8101-3 - General Prohibitions**

### **Sec. 8101-3.1**

No structure shall be moved onto a site, erected, reconstructed, added to, enlarged, advertised on, structurally altered or maintained, and no structure or land shall be used or maintained for any purpose, except as specifically provided and allowed by this Chapter, with respect to land uses, building heights, setbacks, *minimum lot area*, maximum percentage of building coverage and lot width, and with respect to all other regulations, conditions and limitations prescribed by this Chapter as applicable to the same zone in which such use, structure or land is located. (AM. ORD. 4054 - 2/1/94)

### **Sec. 8101-3.2**

No person shall maintain a use or permit to be used or maintained any building, structure, or land or erect, structurally alter or enlarge any building or structure, contract for advertising space, pay for space, or advertise on any structure except as permitted by this Chapter and in accordance with the provisions of this Chapter applicable thereto.

### **Sec. 8101-3.3**

No permit or *entitlement* may be issued or renewed for any use, structure, construction, improvement or other purpose unless specifically provided for or permitted by this Chapter. (AM. ORD. 3730 - 5/7/85)

### **Sec. 8101-3.4**

No permit or *entitlement* shall be issued for any use, structure or construction on a *lot* that is not a legal *lot*. (ADD. ORD. 4054 - 2/1/94)

(AM. ORD. 4291 - 7/29/03)

## **Sec. 8101-4 - General Interpretation**

### **Sec. 8101-4.1 - Minimum Requirements**

The provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

### **Sec. 8101-4.2 - Interference**

It is not intended by this Chapter to interfere with, abrogate or annul any easement, covenant or other agreement between parties.

### **Sec. 8101-4.3 - Conflict**

When this Chapter imposes a greater restriction upon the use of buildings or land, or upon the height of buildings, or requires greater setbacks or larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Chapter shall govern. If conflict between requirements appears within this Chapter, the most restrictive requirement shall prevail.

### **Sec. 8101-4.4 - Terms Not Defined**

Terms not defined in this Chapter shall be interpreted as defined in the Ventura County General Plan or conventional dictionaries in common use. (AM. ORD. 4092 - 6/27/95)

### **Sec. 8101-4.5 - Misinformation**

Information erroneously presented by any official or employee of the County does not negate or diminish the provisions of this Chapter pertaining thereto.

### **Sec. 8101-4.6 - Quantity**

The singular includes the plural, and the plural includes the singular.

### **Sec. 8101-4.7 - Number of Days**

Whenever a number of days is specified in this Chapter, or in any permit, condition of approval, or notice issued, or given as set forth in this Chapter, such number of days shall be deemed to be consecutive calendar days starting on the day following the day a decision is rendered, unless otherwise specified. (AM. ORD. 4092 - 6/27/95)

### **Sec. 8101-4.8 - Rounding of Quantities**

Whenever application of this Chapter results in required parking spaces, required number of affordable or elderly units built pursuant to Article 16 or other standards being expressed in fractions of whole numbers, such fractions are to be rounded to the next higher whole number when the fraction is 0.5 or more, and to the next lower whole number when the fraction is less than 0.5, except that: a) calculation for the number of permitted animals shall be in accordance with Article 7; b) quantities expressing areas of land are to be rounded only in the case of square footage, and are not to be rounded in the case of acreage except to the nearest one-hundredth acre: e.g., 7.065 acres would be rounded to 7.07 acres. (AM. ORD. 3759 - 1/14/87; AM. ORD. 4092 - 6/27/95)

### **Sec. 8101-4.9 - Severability**

If any portion of the Zoning Ordinance is held to be invalid, that holding shall not invalidate any other portion of the Zoning Ordinance.

### **Sec. 8101-4.10 - Interpretation**

Because it is infeasible to compose legislative language which encompasses all conceivable land-use situations, the *Planning Director* shall have the power to interpret

the regulations and standards contained in this Ordinance, when such interpretation is necessitated by a lack of specificity in such regulations and standards.

**Sec. 8101-4.11 - Position of Planning Director**

Whenever the *Planning Director* (Deputy Director, RMA) position is unfilled for any reason, the Resource Management Agency Director automatically assumes the duties and powers of the position of *Planning Director*. (AM. ORD. 4054 - 2/1/94)

(ADD. ORD. 3730 - 5/7/85)

# ARTICLE 2: DEFINITIONS

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## **Sec. 8102-0 - Application of Definitions**

Unless the provision or context otherwise requires, the definitions of words and terms as follows shall govern the construction of this Chapter.

### **A**

Abut - To touch physically, border upon, or share a common property line with. *Lots* which touch at corners only shall not be deemed abutting. Adjoining and contiguous shall mean the same as abutting. (ADD. ORD. 3810 - 5/5/87)

Access - The place or way by which pedestrians and/or vehicles shall have safe, adequate, usable ingress and egress to a property or use.

Accessory Structure - A detached structure located upon the same *lot* as the building or use to which it is accessory, and the use of which is customarily incidental, appropriate and subordinate to the use of the principal building or to the principal use of the *lot*.

Accessory Structures, Habitable - Structures intended for human occupancy or which are primarily used for human occupancy. Such structures include recreation rooms, studios, etc. in contrast to non-habitable structures such as garages and storage sheds. (ADD. ORD. 4216 - 10/24/00)

Accessory Use - A use customarily incidental, appropriate and subordinate to the principal use of land or buildings located upon the same *lot*.

Agriculture - Farming, including animal husbandry and the production and management of crops (including aquatic crops) for food, fiber, fuel and ornament. (AM. ORD. 3730 - 5/7/85)

Agricultural Promotional Uses - Uses and attendant structures that promote the Ventura County agricultural industry in general and the specific farming operations associated with the promotional use through educational and/or entertainment activities that do not significantly compromise the agricultural use of the property or the area. (ADD. ORD. 4215 - 10/24/00)

Agricultural Sales Facility - Structures or areas accessory to permitted agricultural operations for the selling, or selling and display, of agricultural products. (ADD. ORD. 4092 - 6/27/95)

Agricultural Shade/Mist Structures - Fabric or membrane clad structures for the propagation of plant materials. (ADD. ORD. 4092 - 6/27/95)

Agricultural Water Impoundment - A human-made surface water source used for livestock watering or other agricultural purposes (e.g., agricultural reservoir), also referred to as farm pond or livestock pond, in which water supply is primarily fed by sources other than natural processes such as groundwater seep or precipitation. (ADD. ORD. 4537 - 3/19/19)

Agricultural Worker Housing - Housing occupied by *farmworkers and animal caretakers* in the form of *farmworker or animal caretaker dwelling units, farmworker housing complexes, group quarters or temporary trailers* pursuant to Section 8107-41 of this Chapter. (ADD. ORD. 4596 - 3/1/22)

Air Quality Management Plan (AQMP) - See Article 12.

Airfields, Landing Pads and Strips - Aircraft landing strips or heliports for agricultural crop dusting or personal use of the property owner or tenants, not available for public use, and

with no commercial operations. "Aircraft" includes helicopters, all fixed wing airplanes, gliders, hang-gliders and ultra-light aircraft.

Albedo – A measure of a material’s ability to reflect sunlight on a scale of 0 to 1, with a value of 0.0 indicating that the surface absorbs all solar radiation (e.g., charcoal) and a value of 1.0 representing total reflectivity (e.g., snow). (ADD. ORD. 4407 – 10/20/09)

Alley - A thoroughfare not more than 30 feet wide, other than a public road or street, permanently reserved as a secondary means of access to abutting property.

Amortize - To require the termination of (a nonconforming use or structure) at the end of a specified period of time. (ADD. ORD. 3810 - 5/5/87)

Amusement and Recreational Facilities - Facilities such as billiard and pool establishments, bowling alleys, dance halls and studios, golf driving ranges, indoor motion picture theaters, miniature golf, parks, playgrounds and yoga and martial arts instruction. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4411 – 3/2/10)

Animal - Any organism, other than Homo sapiens, belonging to the taxonomic classification of Animalia and of the phylum Mollusca or higher forms up to, and including, Chordata. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal, Domestic - An animal that is customarily kept as farm livestock, for animal husbandry purposes, or as a household pet, or is otherwise ordinarily under human control. Legally-owned exotic animals customarily kept as pets are also considered domestic animals. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal Husbandry - A branch of agriculture for the raising, nurturing, and management of any animal(s), through breeding, pasturing, or ranching, for such purposes as sales of animals, food production, fiber production, ornament, pleasure, or beneficial use (e.g., insectaries). (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

Animal, Inherently Dangerous - A wild animal which poses an inherent danger to its keepers, the public, property, or the environment. Such animals include, but are not limited to, crocodiles, alligators and the like; all venomous reptiles; all constrictor snakes over eight (8) feet in length; large cats (mountain lions, cheetahs and all larger cats); wolves, foxes, and coyotes; venomous arachnids such as black widow spiders and scorpions; and insects (e.g., Africanized honeybees) meeting this definition. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal Keeping - The keeping of animals other than for husbandry or pet purposes, with or without compensation; including such activities as boarding, stabling, pasturing, rehabilitating, training of animals and lessons for their owners, and recreational riding by the owners of the animals; but excluding such activities as the rental use of the animals by people other than the owners, and excluding events such as organized competitions, judgments and the like. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal, Pet - An animal which is not inherently dangerous, but is kept for pleasure, companionship or security purposes rather than for husbandry. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal, Security or Utility - An animal, such as a dog, goose, or primate, used for guard purposes or to assist physically challenged humans. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Animal, Wild - An animal which is normally found living in a natural state and not customarily domesticated. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Antenna – A whip (omni-directional *antenna*), panel (directional *antenna*), disc (parabolic antenna), or similar device used for transmission or reception of radio waves or microwaves. (ADD. ORD. 4470 – 3/24/15)

Apiary – Shall have the same definition as set forth in the State Food and Agricultural Code, Division 13, Chapter 1, section 29002, as may be amended, which states: “[An] “Apiary” includes bees, comb, hives, appliances, or colonies, wherever they are kept, located, or found.” (ADD. ORD. 4606 – 11/1/22)

Apiculture - Apiculture means the keeping or maintenance of one or more *beehives*, but does not include honey houses, extraction houses, or warehouses. Also see definition of *Beekeeping, Backyard*.(AM. ORD. 3730 - 5/7/85; AM. ORD. 4606 – 11/1/22)

Applicant - The individual, party or entity that files for and signs an "application request." There may be multiple applicants. (ADD. ORD. 4123 - 9/17/96)

Application Requests - Include, but are not limited to, filings for zoning clearances, permits, variances, appeals, suspensions, modifications and revocations, interpretations, amendments and zone changes.

Aquaculture/Aquiculture - A branch of agriculture that is devoted to the growing and harvesting of fish, shellfish, and plants in marine, brackish, and fresh water. (ADD. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

Arcade - A commercial amusement establishment containing four or more game machines, electronic or otherwise, or similar amusement devices.

Assembly Use – A building or structure where groups or individuals voluntarily meet to pursue their common social, educational, religious, or other interests. For the purposes of this definition, assembly uses do not include Outdoor Events, Conference Centers/Convention Centers, Amusement and Recreational Facilities, Equestrian Centers, or Sport and Athletic Recreational Facilities. (ADD. ORD. 4411 – 3/2/10; AM. ORD. 4526 – 7/17/18)

Athletic Field - A level, open expanse of land intended to be used for organized team sports such as baseball, football and soccer. (ADD. ORD. 3810 - 5/5/87)

Automobile Impound Yard - A building or premises for the storage of motor vehicles, such as impounded or repossessed vehicles, where such vehicles are intended to be stored for more than a 24-hour period. This definition shall not include automobile wrecking or salvage in any form. (ADD. ORD. 3730 - 5/7/85)

Automobile Service Station - A commercial activity, both retail and service in character, engaged in dispensing automotive fuels and motor oil; the sale and service of tires, batteries and other automobile accessories and replacement items; and washing and lubrication services. Activities associated with service stations do not include body and fender repair, painting or major motor repairs.

## **B**

Base Zone - Any of the zones listed in Article 4 of Chapter 1 which are not identified as an overlay zone in Article 4. (ADD. ORD. 3993 - 2/25/92)

Bathroom, Full - A room or location with a lavatory, a toilet, and a bathtub and/or shower. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95)

Bathroom, Half - A room or location with a toilet with or without a lavatory, and without bathing facilities. (ADD. ORD. 4092 - 6/27/95)

Bed-and-Breakfast Inn - A single-family dwelling with one family in permanent residence therein, and where, as an accessory use, one to six bedrooms (except as set forth in Section 8107-43.3), accommodating no more than 15 guests, are made available for transient occupancy for no more than seven consecutive days, with breakfast offered for compensation to overnight guests. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4317 – 3/15/05)



Bedroom Equivalent – All rooms in a *dwelling*, with the exception of *core rooms*, are considered bedroom equivalents. Bedroom equivalents include, but are not limited to the following rooms: sleeping rooms, dens, studios, sewing rooms, libraries, studies, offices, lounges, lofts, recreation rooms, and workshops.

Core Room – A room typically found in a single-family dwelling utilized for basic living functionality, generally recognized as being a kitchen, living room, bathroom, utility room, dining room, or *family room*.

Family Room – A room with an unobstructed opening into a living room, dining room, or kitchen, or a room where at least one-half of the area of the common wall is open and unobstructed.

(ADD. ORD. 4519-2/27/18)

Bee – For purposes of Section 8107-2.6 of this Chapter, any stage of life of the common domestic honey bee (*Apis mellifera*). (ADD. ORD. 4606 – 11/1/22)

Bee, Aggressive Behavior – For purposes of Section 8107-2.6 of this Chapter, aggressive bee behavior means a situation where two or more *bees* repeatedly strike, but not necessarily sting, any *person* or *domestic animal* at a distance of 15 feet or more from the front of the *beehive* entrance or a distance of 5 feet or more from the side or rear of the *beehive*. *Bee* foraging on flowering vegetation is not considered aggressive bee behavior. (ADD. ORD. 4606 – 11/1/22)

Bee Colony – An aggregate of worker *bees*, drones, and a queen(s) (or “laying worker” in the absence of a queen) living together in a *beehive* as a social unit, including the comb, and appliances. (ADD. ORD. 4606 – 11/1/22)

Beehive – A structure that houses a *bee colony*. (ADD. ORD. 4606 – 11/1/22)

Beekeeper – A *person* who owns, operates, maintains, possesses, or otherwise controls one or more hives of bees. (ADD. ORD. 4606 – 11/1/22)

Beekeeping, Backyard – A hobbyist beekeeping operation that consists of the keeping or maintenance of four or fewer hives, as verified by the Agricultural Commissioner’s Office, and is accessory to a *single-family dwelling* for personal consumption of *bee* products or enjoyment. (ADD. ORD. 4606 – 11/1/22)

Beekeeping Flyaway Barrier – For purposes of Section 8107-2.6.2 of this Chapter, a solid wall, fence, or dense vegetation or combination thereof that provides an obstruction through which *bees* cannot readily fly. (ADD. ORD. 4606 – 11/1/22)

Beekeeping Sensitive Sites – For purposes of Section 8107-2.6.2 of this Chapter, a land use that requires a greater safety buffer from an *apiary*. Beekeeping sensitive sites are public and private schools, medical facilities, and hospitals. (ADD. ORD. 4606 – 11/1/22)

Belt Course – A projection of masonry or similar material around a building or part of a building, which is attached to the building.

Bicycle Parking, Long-Term (LT) – A locker or locked enclosure providing bicycle storage and protection from theft, vandalism, and weather when the bicycle and accessories are not in use for extended periods during the day, overnight, or for a longer duration. (ADD. ORD. 4407 – 10/20/09)

Bicycle Parking, Short-Term (ST) – A rack or racks used to park bicycles for up to several hours. (ADD. ORD. 4407 – 10/20/09)

Biosolids – Solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment plant, also referred to as sewage sludge. (ADD. ORD. 4214 – 10/24/00)

Biosolids Composting Operation – A facility that processes biosolids (sewage sludge), along

with necessary additives and amendments, into compost. (ADD. ORD. 4214 - 10/24/00)

Boardinghouse – A dwelling with one household in permanent residence, where two or more rooms are used by other individuals for compensation, with or without daily meals. Single Room Occupancy units are included in this definition. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95) (AM. ORD. 4436 – 6/28/11)

Borrow Area - An area where soil, sand, gravel or rock is extracted and removed for use as fills, grades or embankments on property of a different ownership or noncontiguous property of the same ownership. (ADD. ORD. 3723 - 3/12/85)

Botanic Gardens and Arboreta - Scientific and educational institutions whose purpose is the advancement and diffusion of a knowledge and love of plants. A botanic garden must meet all four of the below criteria:

- (a) The garden functions as an aesthetic display, educational display, and/or site research.
- (b) The garden maintains plant records.
- (c) The garden has at least one professional staff member (paid or unpaid).
- (d) Garden visitors can identify plants through labels, guide maps, or other interpretive materials.

(ADD. ORD. 4317 – 3/15/05)

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals, chattel or property of any kind.

Business Services - Uses such as advertising agencies, blueprinting and photocopying, computer and data processing services, coupon and trading stamp redemption services, drafting services, employment agencies, laminating of photographs, packaging services and telephone answering services.

## C

Camp - A rural facility with permanent structures for overnight accommodation and accessory structures and buildings, which is used for temporary leisure, recreational or study purposes, and provides opportunities for the enjoyment or appreciation of the natural environment. A camp provides a structured program of outdoor and/or nature-oriented activities including but not limited to outdoor/camping skills, horseback riding, animal husbandry, hiking, mountain biking, wildlife and wildflower viewing, fishing, or hunting. For these reasons, camps need to be located in an undeveloped, open space environment. A camp requires a substantial land area for these activities, and much or all of its permit area is used for these purposes. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 3881 - 12/20/88; AM. ORD. 4317 – 3/15/05)

Campground - A rural facility without permanent structures for overnight accommodation, but with limited accessory structures and buildings, which is used for temporary leisure or recreational purposes and provides opportunities for the enjoyment or appreciation of the natural environment. (ADD. ORD. 3881 - 12/20/88)

Caretaker - An employee who must be on the property in conjunction with a principal use for a substantial portion of each day for security purposes or for the vital care of people, equipment or other conditions of the site.

Caretaker, Animal - A person employed full time on the same property for activities associated with Animal Husbandry or Animal Keeping, Non-Husbandry (see Sec. 8104-4). (ADD. ORD. 4281 - 5/6/03)

Certificate of Appropriateness (COA) - Ventura County Cultural Heritage Board or staff issued authorizations which indicate that the proposed subdivision, rezoning, maintenance, acquisition, stabilization, preservation, reconstruction, protection, alteration, restoration, rehabilitation, remodeling, addition, change of use, demolition, relocation, change, remodeling or other project affecting a potential or designated Cultural Heritage Site will not adversely affect its cultural heritage values; or unduly compromise the eligibility of a potential site to become a designated one. (ADD. ORD. 4220- 12/5/00)

CESQG - See Conditionally Exempt Small-Quantity Generator. (ADD. ORD. 4214– 10/24/00)

Change of Use - Where a new use of land or structures is initiated in place of, or in addition to, a previous use. (ADD. ORD. 4092 - 6/27/95)

Chemicals - Includes such compounds as adhesives, explosives, fertilizers, industrial gases, ink, lacquer, paints, pesticides, pigments and dyes, sealants, shellac, synthetic fibers, synthetic resins, synthetic rubber, thinners and varnishes.

Chipping/Grinding Operation - A type of organics processing operation that mechanically reduces the size of separated landscape trimmings or woody materials by means of chipping or grinding. Does not include the on-farm chipping or grinding of agricultural prunings or other agricultural organic discards. (ADD. ORD. 4214 - 10/24/00)

Clubhouse - (AM. ORD. 3730 - 5/7/85; DELETE ORD. 4411– 3/2/10)

Coastal Zone - That portion of the land and water area of Ventura County as shown on the "Coastal Zone" maps adopted by the California Coastal Commission.

Commercial Organics Processing Operation - An organics processing operation that includes the sale or off-site distribution of the product produced. Does not include the processing of mixed solid waste or Biosolids or On-Site Composting Operations. Those operations which have up to 200 cubic yards of any combination of separated feedstock, actively decomposing compost, or stabilized compost on-site at any one time are Small-Scale, and those with up to 1,000 cubic yards are Medium-Scale, and those with over 1,000 cubic yards are Large-Scale. (ADD. ORD. 4214 - 10/24/00)

Commission - Shall mean the Ventura County Planning Commission.

Communications Facilities - Unstaffed facilities that transmit or receive electromagnetic signals for the purpose of operating telephone, radio, television, or data communication services. Such facilities include transmitting and receiving antennas/dishes, radar stations microwave towers, and other associated equipment and structures primarily designed to support the transmission of electromagnetic signals. *Non-commercial antennas* and *wireless communication facilities* are included in this definition. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4470 – 3/24/15)

Community Center - (AM. ORD. 3730 - 5/7/85; DELETE ORD. 4411 – 3/2/10)

Community Wastewater Treatment Facility - A wastewater treatment plant that treats liquid waste which is received from off of the plant site. Such facilities include public agency-owned plants and privately-owned plants-, and may include accessory biosolids composting operations. (*See also On-site Wastewater Treatment Facility*). (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4214 - 10/24/00)

Compatible Use (TP Zone) - Any use which does not significantly detract from the use of the property for, or inhibit, the growing and harvesting of timber. "Compatible use" includes the accessory retail sale of Christmas trees. (AM. ORD. 4377 – 1/29/08)

Composting Operation - A type of organics processing operation that processes organic materials to a stabilized state through controlled biological decomposition or vermicomposting. This may include the chipping, shredding, or screening of material on-site prior to its being composted. (ADD. ORD. 4214 - 10/24/00)

Conditionally Exempt Small-Quantity Generator (CESQG) - A business concern that generates less than 100 kilograms (220 pounds or approximately 27 gallons) of hazardous waste per calendar month, or a maximum of 1 kilogram (2.2 pounds) of acutely or extremely hazardous waste per calendar month, and stores no more than 1000 kilograms of hazardous waste on-site at any one time. The definition of CESQG shall reflect the definition in Sec. 261.5 of Title 40 of the Code of Federal Regulations, as it may be amended from time to time. (ADD. ORD. 4214 - 10/24/00)

Conference Center/Convention Center - An urban facility for the assembly of persons for study and discussion, which includes permanent structures for dining, assembly and overnight accommodation. (ADD. ORD. 3881 - 12/20/88)

Conservation Organization - A public *conservation organization* is a federal, state or local agency responsible for protecting and managing natural resources and includes but is not limited to the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers, Regional Water Quality Control Board, California Department of Parks and Recreation, National Park Service and Ventura County Watershed Protection District. A private *conservation organization* is one operating under section 501(c)(3) of the U.S. Internal Revenue Code with the primary purpose of preserving and protecting land in its natural, scenic, historical, recreational or open space condition. (ADD. ORD. 4537 - 3/19/19)

Contractor's Service and Storage Yard - An open area, which may include garages and sheds, for the storage of vehicles, equipment and materials which are associated with a contracting business or operation, where sales, manufacturing and processing activities are specifically excluded. (AM.ORD. 3730 - 5/7/85)

Correctional Institution - An institutional care facility operated by, or at the direction of, a legally constituted Federal, State, or local government authority for the detention and treatment of public offenders, including ancillary uses and structures such as court facilities, classrooms, offices, kitchens, dining areas, laundry facilities, communications facilities, outdoor recreational yards, gymnasiums, utilities, and other necessary infrastructure. (ADD. ORD. 4227 - 1/9/01)

Correlated Color Temperature (CCT) - A measure in degrees *Kelvin* (K) of the warmth or coolness of light. Lamps with a CCT of less than 3,000 K are yellowish and considered warm. Lamps with a CCT greater than 4,000 K are bluish-white and considered cool. (ADD. ORD. 4528 - 9/25/18)

Covered Parking/Space - Parking spaces for motor vehicles or bicycles that have roofs that are permanently attached to the ground and imperforate. (ADD. ORD. 4407 - 10/20/09)

Cross Access - An element of vehicular, bicycle and pedestrian circulation which allows persons and cars to gain access from one land use, usually (but not limited to) commercial, to another without having to use the public road fronting those land uses. (ADD. ORD. 4407 - 10/20/09)

Cultural Heritage Site - An improvement, natural feature, site or district that has completed the legally required procedures stipulated in this Ordinance to have it designated by the Ventura County Cultural Heritage Board or the Ventura County Board of Supervisors as a District, Landmark, Site of Merit or Point of Interest and has received that designation. (ADD. ORD. 4220 -12/5/00)

## **D**

Day Care Center - Any care facility licensed by the State of California, other than a "Family Day Care Home," such as, but not limited to, infant centers, preschools, care of the developmentally disabled, and adult and child extended day care facilities. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4216 - 10/24/00)

Day Care Facility - (DELETE ORD. 4216 - 10/24/00)

Decision, Administrative - Any decision made by the *Planning Director* or his or her designee.

Decision, Discretionary - Discretionary decisions require the exercise of judgment, deliberation, or decision on the part of the decision-making authority in the process of approving or disapproving a particular activity, as distinguished from situations where the decision-making authority merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. (AM. ORD. 4377 – 1/29/08 - grammar)

Decision, Ministerial - Ministerial decisions are approved by a decision-making authority based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority. In these cases, the authority must act upon the given facts without regard to its own judgment or opinion concerning the propriety or wisdom of the act although the statute, ordinance or regulation may require, in some degree, a construction of its language by the decision-making authority. (AM. ORD. 4377 – 1/29/08 - grammar)

Decision-Making Authority - An individual or body vested with the authority to make recommendations or act on application requests. The final decision-making authority is the one which has the authority to act on a request by approving or denying it.

Denial With Prejudice - Denial of an application request based on the desire or intent of the decision-making authority to limit the filing of requests to use a specific property or structure for a specific use. When an application is denied with prejudice, it is usually because two or more similar applications on the same property have recently been denied by the same decision-making authority. (ADD. ORD. 3730 - 5/7/85)

Disability - For purposes of this section, “disability” shall have the same meaning as that term has in Section 12926 of the California Fair Employment and Housing Act, and Section 12012 of the federal Americans with Disabilities Act. (42 U.S.C. Sec. 12012) (ADD. ORD. 4436 – 6/28/11)

Disposal Facility, Hazardous Waste - A facility used for the final disposal of hazardous wastes. (ADD. ORD. 4214—10/24/00)

Disposal Facility, Oilfield Waste - A facility used for the final disposal of liquid and solid oilfield wastes. Such facility may be a Class II or Class III disposal facility but not a Class I Hazardous Waste Disposal Facility. (ADD. ORD. 4214—10/24/00)

Disposal Facility, Solid Waste - A facility, for example a landfill, used for the final disposal of solid wastes (as defined in Sec. 40191 of the California Public Resources Code). A Disposal Facility includes uses customarily incidental, appropriate, and subordinate to solid waste disposal, including but not limited to transfer stations and recycling centers. (ADD. ORD. 4214—10/24/00)

District - An area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. (ADD. ORD. 4220 - 12/5/00)

Domestic Birds - Finches, myna birds, parrots and similar birds of the psittacine family, pigeons, doves, ravens and toucans. (AM. ORD. 3730 - 5/7/85)

Drilling, Temporary Geologic - Bona fide temporary search and sampling activities which, in the case of oil-related testing, use drilling apparatus smaller than that used in oil production. Excluded from this definition is soil testing for wells, foundations, septic systems and similar construction.

Drive Aisle - A driving area within a parking area or parking structure used by motor vehicles to maneuver, turn around, and/or access parking spaces. (ADD. ORD. 4407 – 10/20/09)

Driveway – An area that provides vehicular access to a site, such as from a roadway or another site, and which may include areas in the right-of-way as well as areas that extend into the site from the property line. In a parking area, the driveway becomes a drive aisle once its function changes from that of providing site access to that of allowing maneuvering within the parking area or access to parking spaces. (ADD. ORD. 4407 – 10/20/09)

Driveway, Ribbon - Driveways made of 2 parallel strips or “ribbons” of pavement with a permeable surface in between the strips. (ADD. ORD. 4407 – 10/20/09)

Dwelling - A building or portion thereof designed or occupied exclusively for residential purposes.

Dwelling, Superintendent - An accessory dwelling for a person employed and working on the site containing the business, who is paid to manage the business. (ADD. ORD. 4216 - 10/24/00)

Dwelling Unit, Accessory - An attached or a detached residential *dwelling* unit, or a unit within the existing space of a primary *dwelling* unit, which provides complete independent living facilities for one or more persons and is located on a *lot* with a proposed or existing primary *dwelling*. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same *lot* as the proposed or existing *single-family or multifamily dwelling*. An accessory dwelling unit also includes the following:

- (a) An efficiency unit, as defined in section 17958.1 of the Health and Safety Code; and
- (b) A manufactured home, as defined in section 18007 of the Health and Safety Code.

(ADD. ORD. 3720 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4282 - 5/20/03; AM. ORD. 4507/4509 - 3/14/17 (Expired 3/14/18); ADD. ORD. 4519 - 2/27/18; AM. ORD. 4615 - 2/7/23)

Dwelling Unit, Animal Caretaker - A *dwelling unit* occupied by one or more *animal caretakers, employed full-time* and working on-site where the dwelling unit is located, or employed on other land in Ventura County that is under the same ownership or lease as the subject lot. Members of the *animal caretaker's* household may also occupy said dwelling unit. (ADD. ORD. 4281 - 5/6/03; AM. ORD. 4596 - 3/1/22)

Dwelling Unit, Caretaker - A dwelling unit occupied by a caretaker, and his or her family, employed full time and working on the same *lot* on which the dwelling unit is located or on other land that is under the same ownership or lease as the subject *lot*. (AM. ORD. 4281 - 5/6/03)

Dwelling Unit, Farmworker - A *dwelling unit* occupied by one or more *farmworkers, employed full-time* and working on-site where the dwelling unit is located, or employed on other land that is under the same ownership or lease as the subject lot. *Farmworkers* who are *principally employed* offsite in activities associated with agricultural packing and storage facilities, and transportation of agricultural products to the market may not occupy a farmworker dwelling unit. Members of the *farmworker's* household may also occupy said dwelling unit. (AM. ORD. 4281 - 5/6/03; AM. ORD. 4596 - 3/1/22)

Dwelling Unit, Junior Accessory (JADU) - A *dwelling unit* that is no more than 500 square feet in size and contained entirely within an existing or proposed *single-family dwelling*. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing *structure*. (ADD. ORD. 4615 - 2/7/23)

Dwelling, Multi-Family – A building, or portion of a building containing three or more dwelling units. Single Room Occupancy units are included in this definition. (AM. ORD. 4436 - 6/28/11)

Dwelling, Single-Family - A building constructed in conformance with the Uniform Building Code, or a mobilehome meeting the Standards of Section 8107-1.3, designed or used exclusively for occupancy by one family and containing one principal dwelling unit. (AM.



ORD. 4092 - 6/27/95)

Dwelling, Two-Family - A building containing two principal dwelling units. (AM. ORD. 4092 - 6/27/95)

Dwelling Unit - One or more rooms with internal access between all rooms, which provide complete independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities but containing only one set of kitchen related fixtures capable of serving only one kitchen for the exclusive use of one family. (See *Internal Access*) (AM. ORD. 4092 - 6/27/95)

## **E**

Eating Establishment - A commercial establishment where the selling of food prepared on the premises is the principal business. Such uses include cafes, cafeterias, coffee shops, delicatessens, dinnerhouses, fast food take-out establishments, ice cream parlors, sandwich shops, and similar uses. Such uses may include the licensed "on-site" provision of alcoholic beverages for consumption on the premises, when accessory to such food service, and nightclubs and lounges, where food service is accessory to the primary function of the establishment. The following uses are not included under this definition: a) Uses where the preparation of food is merely incidental to the sale of food products, such as grocery stores and food markets; b) Food serving uses connected with the operations of hospitals, nursing homes, boarding houses, schools, and government offices and private industry for employees and their guests. Eating establishments shall be classified in the following manner, and parking requirements shall be correlated with that classification:

Class I - An establishment where the product is intended to be consumed on the premises and table service by employees is customarily provided.

Class II - An establishment where the product is taken out or consumed on the premises. This facility provides seating and/or car service.

Class III - An establishment where the product is usually taken out because limited or no space is provided for eating.

Class IV - An establishment where the product is always taken out. This facility provides no seating or counter space for purposes of product consumption on premises.

(ADD. ORD. 4092 - 6/27/95)

Education and Training, Art, Craft, and Self-Improvement - Institutions and centers offering education, training, conferences, lectures, seminars, workshops, panel discussions, or the like devoted to the skill or professional improvement or personal enrichment of attendees. Education provided at such sites is not part of an onsite program or a structured curriculum that directly qualifies its attendees for degrees, licenses, certifications, etc., in specialized fields offering paid employment. Any units or credits provided may, or may not, be transferable to accredited institutions or recognized by professional, vocational, or trade associations or organizations. Examples include sites offering dance classes, art classes, driver education, music instruction, a continuing education seminar, swim classes, etc. (ADD. ORD. 4417 - 10/05/10)

Education and Training, Professional and Vocational - A specialized institution, school, center, or site offering a program or curriculum of training, coursework, skill development, or the like that leads to a degree, license, certification, or trade that is recognized by specific fields offering paid employment. Institutions, schools, centers, or sites that offer continuing education courses for the maintenance of degrees, licenses, certifications, or trades may be included in this definition. Examples include but are not limited to professional law schools, trade schools, vocational medical training schools, professional photography/film schools, etc. (ADD. ORD. 4417 - 10/05/10)

Emergency - A sudden, unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services. This may include such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage. (ADD. ORD. 4214 - 10/24/00)

Emergency Shelter – Housing with minimal supportive services that is limited to occupancy of up to 180 days within any 12-month period. Occupancy in emergency shelters is limited to homeless persons, victims of domestic violence, and other individuals and households made temporarily homeless due to natural disasters, (e.g., fires, earthquakes, etc.). No individual or household may be denied emergency shelter because of an inability to pay. (ADD. ORD. 4436 – 6/28/11)

Employed Full Time - “Employed full time” means that the person is working a minimum of 32 hours per week at the job for which they are employed. (ADD. ORD. 4281 - 5/6/03)

Employee Housing – Shall have the same meaning as “employee housing” as defined in Section 17008 of the Health and Safety Code, as may be amended, and that is regulated by the California Department of Housing and Community Development. (ADD. ORD. 4596 - 3/1/22)

Employee Housing, Agricultural – Housing occupied by agricultural employees, which may include *permanent employee housing, seasonal employee housing or temporary employee housing*, and that is regulated by the California Department of Housing and Community Development. (ADD. ORD. 4596 - 3/1/22)

Employee Housing, Permanent – *Employee housing* which is not *temporary* or *seasonal* as defined in Health and Safety Code Section 17010(c), as may be amended, and that is regulated by the California Department of Housing and Community Development. (ADD. ORD. 4596 - 3/1/22)

Employee Housing, Seasonal – *Employee housing* which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as defined in Health and Safety Code Section 17010(b), as may be amended, and that is regulated by the California Department of Housing and Community Development. (ADD. ORD. 4596 - 3/1/22)

Employee Housing, Temporary – *Employee housing* which is not operated on the same site annually and which is established for one operation and then removed, as defined in Health and Safety Code Section 17010(a), as may be amended, and that is regulated by the California Department of Housing and Community Development. (ADD. ORD. 4596 - 3/1/22)

Energy Production from Renewable Sources - Any facility or installation such as a windmill, hydroelectric unit or solar collecting or concentrating array, which is designed and intended to produce energy from natural forces such as wind, water, sunlight or geothermal heat, or from biomass, for off-site use. (ADD. ORD. 3730 - 5/7/85)

Entitlement - A permit or approval authorizing a right to some type of use, development or project. (ADD. ORD. 4092 - 6/27/95)

Equine - Any member of the taxonomic family Equidae, including horses, asses, mules, ponies, and zebras. (ADD. ORD. 4092 - 6/27/95)

Equestrian Center - A site, facility or commercial venture where horses and/or other animals are kept and made available to people other than the animals' owner(s) for such activities as riding lessons, exercise, and recreation; and where organized events such as competitions, judgments, and the like may be held. (ADD. ORD. 4092 - 6/27/95)

Expansion - Increasing the area or volume occupied by or devoted to a use, increasing the living space or occupant capacity of a structure, or adding uses or structures accessory to

a nonresidential use or structure. The following are not considered to be expansion: the addition of unenclosed porches, patio covers and the like; one enclosed addition of not more than 30 square feet to a dwelling; and the addition of detached accessory structures not for human habitation as accessory to a dwelling. (ADD. ORD. 3810 - 5/5/87)

## **F**

Family - An individual, or two or more persons living together as a single housekeeping unit in a dwelling unit; including residents and operators of a boardinghouse or other residential facility under the Community Care Facilities Act. (AM. ORD. 4092 - 6/27/95)

Family Day Care Home - A home licensed by the State of California to provide care, protection, and supervision for periods of less than 24 hours per day for fourteen (14) or fewer children, including children under the age of ten (10) years who reside at the provider's home. (ADD. ORD. 4216 - 10/24/00)

Family Day Care Home, Large - (DELETE ORD. 4216 - 10/24/00)

Family Day Care Home, Small - (DELETE ORD. 4216 - 10/24/00)

Farmworker - A person *principally employed in agriculture*. (AM. ORD. 4281 - 5/6/03; AM. ORD. 4596 - 3/1/22)

Farmworker Housing Complex - A residential development, distinct from a *farmworker dwelling unit*, where the units are rented to persons who are *principally employed* within Ventura County for activities associated with *agriculture*. Farmworker housing complexes may include studios, one-, two- or three-bedroom units within the complex. Members of the *farmworker's* household may also occupy said unit within the complex. (ADD. ORD. 4281 - 5/6/03; AM. ORD. 4596 - 3/1/22)

Farmworker, Principally Employed - A *farmworker* whose income from activities associated with *agriculture* is at least 50 percent of their gross personal income, as reflected in documents cited in Section 8107-41.2.2(f). For temporary or seasonal farmworkers, gross personal income may be calculated on a quarterly basis to meet the employment criteria. (ADD. ORD. 4281 - 5/6/03; AM. ORD. 4596 - 3/1/22)

Fence - An unroofed vertical structure which is intended primarily to serve as a visual screen or as a physical enclosure around a building or yard area for security, containment or privacy, or to indicate a boundary. This definition includes hedges, thick growths of shrubs, and walls used as screens, but does not include windbreaks for the protection of orchards or crops, or County-approved enclosures for the containment of wild animals. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4216 - 10/24/00)

Fence, See-through - A chain link *fence* or any other type of *fence* that permits at least 50 percent open visibility throughout the *fence*. (AM. ORD. 4216 - 10/24/00)

Festivals, Animal Shows, Receptions, and Similar Events, Temporary Outdoor - (DEL. ORD. 4526 - 7/17/18)

Filming Activities - All uses, structures and activities related to the production of motion pictures, television programming music and corporate videos, advertisements, and commercial still photography. Said activities include, but are not limited to, preparation, filming, and strike time, and the ancillary functions accessory thereto. (AM. ORD. 4092 - 6/27/95)

Filming Activities, Occasional - Filming activities which do not cumulatively exceed ninety (90) days in any 180 day period, on a given *lot*. Such activities may involve facilities and structures that are to be removed upon the completion of a given scene, movie, video, or television series. (ADD. ORD. 4092 - 6/27/95)

Filming Activities, Permanent - On-going filming activities that occur at a fixed location intended primarily for such purposes and usually using facilities and structures that are

permanent or intended to remain in place for an indefinite period of time. These facilities and structures may include, but are not limited to, components of film production such as studios, sound stages, production laboratories, equipment storage areas, fabrication shops, offices, accompanying food services, or permanent working sets. (ADD. ORD. 4092 - 6/27/95)

Filming Activities, Temporary - Filming activities on an individual *lot* which exceed 90 days in any 180-day period on that *lot* and which may involve the use of nonpermanent facilities and structures such as exterior sets or flats (pieces of scenery on portable wooden frames) that are not intended for human habitation and which do not require permanent foundations. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Financial Assurance - A monetary assurance that reclamation will be completed on mined lands pursuant to the approved reclamation plan. In the event that a mining site is abandoned or the owner and/or operator are financially incapable of reclaiming the site, the funds will be used by the County or the State Department of Conservation toward reclamation of the mined site. (ADD. ORD. 4187 - 5/25/99; AM. ORD. 4377 - 1/29/08 - grammar)

Financial Assurance Mechanism - An instrument acceptable to the State Department of Conservation and the County, that serves as the financial assurance, such as a surety bond, trust fund, certificate of deposit or an irrevocable letter of credit. (ADD. ORD. 4187 - 5/25/99)

Firewood Operation - Any commercial operation involving the cutting, sawing or chopping of wood in any form for use as firewood on property other than that on which the operation is located, irrespective of where such wood is grown. (ADD. ORD. 3730 - 5/7/85)

Foot-Candle - The unit of measure expressing the quantity of light received on a surface. One foot-candle is the illuminance cast on a surface by a candle source one-foot in height, from a distance of one foot. (ADD. ORD. 4528 - 9/25/18)

Fuel Modification - A method of modifying fuel load by reducing the amount of non-fire resistive *vegetation* or altering the type of *vegetation* to reduce the fuel load. Fire resistive *vegetation* is that which does not readily ignite from a flame or other ignition source. (ADD. ORD. 4537 - 3/19/19)

Functional Connectivity - The degree to which a physical setting (i.e., natural landscape and built environment) facilitates or impedes the movement of organisms. *Functional connectivity* is a product of both the features of the physical setting (e.g., *vegetation*, physical development) and the behavioral response of plants and animals to these physical features. (ADD. ORD. 4537 - 3/19/19)

## **G**

Garage/Yard Sales - Occasional sales events or similar events, in conjunction with approved residential uses, which occur no more than eight days per calendar year and no more than four days in any given calendar quarter. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

General Plan Consistency - Compatibility and agreement with the General Plan of the County of Ventura. Consistency exists when the standards and criteria of the Ventura County General Plan are met or exceeded. (ADD. ORD. 3730 - 5/7/85)

Geothermal Spa - A recreational or health facility without sleeping accommodations, open to the public, where pools or tubs designed for the immersion of the human body make use of locally available geothermally heated water, and which may include accessory massage services and accessory commercial eating facilities designed primarily for the users of the pools or tubs. (ADD. ORD. 3810 - 5/5/87)

GIS - Geographic Information System; the digital data system which is the basis for zoning

and other land use information. (ADD. ORD. 4377 – 1/29/08)

Glare – The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted causing annoyance, discomfort, or loss in visual performance and visibility. (ADD. ORD. 4528 – 9/25/18)

Government Building - A building, structure or other facility operated by a legally constituted Federal, State or local government authority, excluding a community waste treatment facility. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4227 - 1/9/01)

Grade - Adjacent ground level. For purposes of building height measurement, grade is the average of the finished ground level at the center of all walls of a building, or other datum point established by the Division of Building and Safety. (ADD. ORD. 3810 - 5/5/87)

Grading - The contouring of land through mechanical means. (ADD. ORD. 4092 - 6/27/95)

Green Roof—A green space created by adding plants and other growing media on the roof of a structure or building. (ADD. ORD. 4407 – 10/20/09)

Gross Floor Area (GFA) - The area included within the surrounding exterior walls of all floors or levels of a building or portion thereof, exclusive of vent shafts and courtyards, or, if the structure lacks walls, the area of all floors or levels included under the roofed/covered area of a structure. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

Gun Club - Any building or premises where there are facilities of any sort for the firing of handguns, rifles or other firearms. (ADD. ORD. 3730 - 5/7/85)

Gymnasium - An indoor recreational or athletic facility for such uses as aerobics, gymnastics, racquetball, swimming, skating rinks, tennis and table tennis, trampoline operations and weight training; but not including amusement and recreational facilities as defined in this Article. (ADD. ORD. 3730 - 5/7/85)

## **H**

Hardscape – The inorganic elements of landscaping, including, but not limited to, masonry, woodwork, stone walls, concrete, and brick design features. (ADD. ORD. 4528 – 9/25/18)

Hazardous Fire Area - See definition in the Ventura County Fire Code which is incorporated herein by this reference. (ADD. ORD. 4526 - 7/17/18)

Hazardous Material - A substance, or combination of substances, which, because of its quantity or concentration, or physical, chemical, or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious, irreversible, or incapacitating, reversible illness; or may pose a substantial present or potential hazard to human health or to the environment when improperly used, handled, treated, stored, transported, disposed of or otherwise managed. A material may be judged as hazardous if it is corrosive, reactive, ignitable or toxic. (ADD. ORD. 3810 - 5/5/87)

Hazardous Waste - A waste, or combination of wastes, which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may do either of the following:

- 1) Cause, or significantly contribute to an increase in, mortality, or increase serious irreversible, or incapacitating reversible, illness;
- 2) Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.

Unless expressly provided otherwise, the term "hazardous waste" shall be understood to also include extremely hazardous waste and acutely hazardous waste. (Section 25117 California Health and Safety Code). (ADD. ORD. 3945 -7/10/90; AM. ORD. 4123 - 9/17/96)

- grammar)

Hazardous Waste Collection Facility, Household/CESQG - A facility where household hazardous wastes or hazardous wastes generated by conditionally exempt small-quantity generators (CESQGs) are received, identified, sorted, packaged, labeled, and temporarily (up to 1 year) stored prior to transport for recycling, treatment, storage, or disposal. (ADD. ORD. 4214 - 10/24/00)

Hazardous Waste Collection Facility, Recyclable Household/CESQG - A facility where latex paints, used motor oil, automotive batteries, antifreeze, household batteries, other recyclable household hazardous wastes, or recyclable hazardous wastes generated by conditionally exempt small-quantity generators (CESQGs) are received, identified, sorted, packaged, labeled, and temporarily (up to 1 year) stored prior to transport for recycling. (ADD. ORD. 4214 - 10/24/00)

Hazardous Waste Collection, Treatment and Storage Facility - A facility used for the treatment, transfer, storage, resource recovery, or recycling of hazardous wastes of all types, excluding biological, radioactive and explosive waste. A hazardous waste collection, treatment and storage facility may consist of one or more treatment, transfer, storage, resource recovery, or recycling hazardous waste management units, or combinations of those units. (ADD. ORD. 4214 - 10/24/00)

Hazardous Waste Facility - (DELETE ORD. 4214 - 10/24/00)

Heat Island Effect - Developed areas where surfaces absorb light and radiation that heat the air to a higher temperature than the surrounding areas. (ADD. ORD. 4577 - 3/9/21)

Height - The vertical distance from the adjacent grade to the highest point of a structure or other object, other than a building with a pitched roof. The height of a building with a pitched roof is the distance from grade or averaged grade to the averaged midpoint, as measured pursuant to Article 6. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

High Fire Hazard Areas - An area in the unincorporated territory of the County designated by the County Fire Protection District as an area of uncultivated brush, grass, or forest-covered land, and land within 500 feet of such area, wherein authorized representatives of said District deem a potential fire hazard to exist due to the presence of such flammable material. (AM. ORD. 4123 - 9/17/96)

Historic Repository - A location where structures, facilities, equipment and the like, which are associated with the historic or cultural development of Ventura County, may be collected and displayed. (ADD. ORD. 4220 - 12/5/00)

Home Exchange - A practice in which the owner of a dwelling allows the use of that dwelling in exchange for the use of another person's dwelling for a limited time period with no rent exchanged. (ADD. ORD. 4523 - 6/19/18)

Home Occupation - Any commercial activity conducted on or from a residential *lot* where such activity is clearly incidental and secondary to the use of the residential *lot* for dwelling purposes and the activity does not change the character of the residential use. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95)

Homeshare - A dwelling which is the primary residence of an owner who possesses at least a twenty percent ownership interest in the subject parcel, with any portion of the dwelling rented for a period less than thirty consecutive days when said owner is physically present in the same dwelling, with no meals or food provided to the renter or renters. A homeshare is not considered a home occupation under this Chapter. Use of a dwelling for occasional home exchange is not considered a homeshare. (ADD. ORD. 4523 - 6/19/18)

Hospital - A licensed institution providing in-patient care or overnight accommodations for persons with illnesses, injuries, or other conditions, physical or mental, calling for medical



treatment or observation, including one or more of the following basic services: anesthesia, laboratory, nursing, pharmacy, radiology, rehabilitation or surgery.

Hospital for Large Animals - A facility providing acute veterinary care to horses or to cattle or other farm animals. (ADD. ORD. 3730 - 5/7/85)

Hotel - A building with one main entrance, or a group of buildings, containing guest rooms where lodging with or without meals is provided for compensation. (AM. ORD. 3810 - 5/5/87)

Household Hazardous Waste - Any hazardous waste generated incidental to owning or maintaining a dwelling. Household hazardous waste does not include any waste generated in the course of operating a business at a residence. (ADD. ORD. 4214 - 10/24/00)

Human Habitation - The use of a structure or portion thereof for any one or portions of the following purposes: living, sleeping, eating, cooking, and bathing. (ADD. ORD. 4092 - 6/27/95)

Hydrozone - A portion of the landscaped area that contains plants with similar water needs and rooting depth. (ADD. ORD. 4577 - 3/9/21)

## **I-K**

Idle Mine - Surface mining operations curtailed for a period of one year or more, by more than 90 percent of the operation's previous maximum annual mineral production, with the intent to resume those surface mining operations at a future date. (ADD. ORD. 4187 - 5/25/99)

Inauguration - The lawful commencement of uses, activities, or construction of structures and facilities permitted by this Chapter or by a specific *entitlement* issued pursuant to this Chapter. Use inauguration occurs after the *Planning Director* issues a Zoning Clearance, and other required County permits, such as finalized building permits and Certificates of Occupancy, have been obtained. (ADD. ORD. 4092 - 6/27/95)

Individual Sewage Disposal Systems (ISDS) - Liquid waste systems which dispose of sewage generated by an individual residence or business in unsewered areas, typically including a septic tank and a soil absorption system such as a leach field, seepage pit, mound, or sand filtration bed, or other approved system. (ADD. ORD. 4092 - 6/27/95)

Inoperative Vehicle - (DELETE ORD. 4123 - 9/17/96)

Intermediate Care Facility - A health facility which provides inpatient care to ambulatory or nonambulatory patients who have a recurring need for skilled nursing supervision and need supportive care, but who do not require continuous skilled nursing care. The term "intermediate care facility" shall include intermediate care facilities/developmentally disabled-habilitative for seven or more persons, nursing homes for seven or more persons, rest homes and convalescent homes. (AM. ORD. 3810 - 5/5/87)

Internal Access - Unobstructed, enclosed passageways with conditioned air systems connecting habitable rooms, which are not blocked by doors, fixed closed, or capable of being fixed closed with a one-way dead-bolt lock or similar devices. Access through garages or sleeping rooms is not considered internal access. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4282 - 5/20/03)

Interpretive Center - A site, with or without structures, for the display of architecture, art or other artifacts associated with the site and which may also depict the cultural and social history and prehistory of Ventura County. (ADD. ORD 4220 - 12/5/00)

Invasive Plant - Any species of plant included on the California Invasive Plant Council *Invasive Plant Checklist for California Landscaping*, as may be amended. (ADD. ORD. 4537 - 3/19/19; AM. ORD. 4577 - 3/9/21)

Invasive Species Management Plan – A maintenance plan designed to effectively control the spread of invasive or watch list species within *native vegetation* preservation areas that were retained for landscaping purposes. (ADD. ORD. 4577 - 3/9/21)

Kelvin – A unit of measure used to describe the hue (or *correlated color temperature*) of a light source. (ADD. ORD. 4528 – 9/25/18)

Kennel/Cattery - Any *lot* or premises, with or without structures, where pet animals such as dogs or cats are kept for limited periods of time, whether for compensation or not, for purposes of boarding, training, animal rescue and the like. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Kitchen - Any room, in an approved dwelling, all or part of which is designed, built, equipped, maintained, used, or intended to be used as a place for the preparation and cooking of food, and contains more than one of the following: (a) a counter sink with interior dimensions larger than 12" wide by 12" long and 9" deep; (b) a stove, hotplate, or conventional or microwave oven; (c) a refrigerator of more than four cubic feet capacity. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4282 - 5/20/03)

Kitchen, Outdoor – A kitchen located outside a dwelling unit, but within a structure fully open on at least 50 percent of its perimeter. (ADD. ORD. 4282 - 5/20/03)

## L

Landmark - A designation applied to sites and structures pursuant to the Ventura County Cultural Heritage Ordinance. (ADD. ORD. 4220 - 12/5/00)

Landscape Area – Includes all planting areas, turf areas, and man-made water features. The landscape area does not include the footprint of buildings or structures, sidewalks, driveways, parking *lots*, decks, patios, gravel or stone walks, other pervious or non-pervious *hardscapes*, or undeveloped non-irrigated areas that are not used for landscaping credit within Section 8106-8.2.4. (ADD. ORD. 4577 - 3/9/21)

Landscape Documentation Package –The set of documents that must be submitted to the County Building and Safety Division prior to issuance of a building permit when a project is subject to the Model Water Efficiency Landscape Ordinance (MWELo), as defined below. The elements of the Landscape Documentation Package are defined in Sections 492.3 through 492.8 of the MWELo, as may be amended, and include the following: project information, a water efficient landscape worksheet, a soil management report, a landscape design plan, an irrigation design plan and a grading design plan. (ADD. ORD. 4577 - 3/9/21)

Landscape Plan - A visual representation of the types and size of plants, *water features*, paths, walkways, walls, stormwater retention areas, etc. proposed for installation on a site. These plans may also include details associated with irrigation, fencing, and lighting, when required. A landscape plan is distinct from the landscape design plan required to be included with a MWELo *Landscape Documentation Package*. (ADD. ORD. 4577 - 3/9/21)

Landscape, Water Feature – A design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools where water is artificially supplied. (ADD. ORD. 4577 - 3/9/21)

Landscaping, Insect Nesting Habitat – Habitat that is suitable for ground and tunnel nesting insects. Ground nesting habitat consists of sunny areas of bare earth (mulch-free) with loose, well drained soils. Tunnel nesting insect habitat consists of shrubs with pithy or hollow stems (e.g., Elderberry, sumac, raspberry blackberry, wild roses) or artificial tunnel nests. (ADD. ORD. 4577 - 3/9/21)

Lattice Tower – A structure, guyed or freestanding, erected on the ground, which generally consists of metal crossed strips or bars to support *antennas* and equipment. (ADD. ORD.

4470 – 3/24/15)

Legitimate Poultry Hobbyist – Shall have the same definition as set forth in Ventura County Ordinance Code, Division 4, Chapter 4, Article 9, Section 4494.2(b), as may be amended, which states: “A *person* who owns and breeds poultry for exhibition or for sale of offspring in accordance with accepted poultry raising practices.” (ADD. ORD. 4580 – 4/13/21)

Light Fixture – See definition of *luminaire*. (ADD. ORD. 4528 – 9/25/18)

Light Pollution – Adverse effects of artificial light including, but not limited to, *glare, light trespass, sky glow*, and impacts on the nocturnal environment, including light sources that are left on when they no longer serve a useful function. (ADD. ORD. 4528 – 9/25/18)

Light Trespass or Light Spillover - Light emitted by a *luminaire* that shines beyond the boundaries of the property on which it is sited. (ADD. ORD. 4528 – 9/25/18)

Lighting, Directional – Adjustments made to a *luminaire* to focus light where it is needed. (ADD. ORD. 4528 – 9/25/18)

Lighting, Outdoor - Any *luminaire* that is installed outside the interior of a structure. The *luminaire* could be mounted to the exterior of a structure, mounted to poles, *fences* or other freestanding structures, or placed so as to provide direct illumination on any exterior area, object or activity. Outdoor lighting includes but is not limited to *luminaires* used for porches, *hardscapes*, landscapes, *security lighting*, driveways and walkways, parking areas, and *outdoor recreation areas*. (ADD. ORD. 4528 – 9/25/18)

Lighting, Seasonal or Festive – Temporary lighting installed and operated in connection with holidays, traditions or festivities. (ADD. ORD. 4528 – 9/25/18)

Lighting, Security – A *luminaire* that is primarily intended to deter or detect intrusions or other unwanted activity. It can also be used to allow safe passage. (ADD. ORD. 4528 – 9/25/18)

Lot - An area of land having fixed boundaries depicted on or described by a tentative map, final map, parcel map or instrument of conveyance for the purpose of defining land to be held, actually or potentially, in fee title as a discrete unit, or a permit area as determined by the *Planning Director*. Licenses, easements, and streets, alleys and similar rights-of-way are not *lot*. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Lot Area, Gross - "*Gross lot area*" and "*gross area*" mean the total area, measured in a horizontal plane, within the lot lines of a lot. (AM. ORD. 4092 - 6/27/95)

Lot Area, Minimum - The minimum required gross or *net area* of a lot for subdivisions, uses of land and/or structures, and for other activities specified in this Chapter. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Lot Area, Net - "*Net lot area*" and "*net area*" mean lot area less the area within any existing or proposed public or private street, road, or easement for ingress or egress, and less the area within any existing or proposed easement wherein the owner of the lot is prohibited from using the surface of the land. Included in the "*net area*" is the area lying within public utility easements (except as otherwise provided in Chapter 2 of this code), sanitary sewer easements, landscaping easements, public service and tree maintenance easements, and open space easements, flowage easements, subsurface drainage easements, subsurface flood control easements, and other such easements wherein the owner of the lot is not prohibited from using the surface of the land. (ADD. ORD. 4092 - 6/27/95)

Lot, Corner - A lot situated at the intersection of two or more streets or highways.

Lot Depth - The mean horizontal distance between the front and rear lot lines, measured in the mean direction of the side lot lines.

Lot, Interior - A lot other than a corner lot.

Lot, Legal - A lot that met all local Subdivision Ordinance and Subdivision Map Act requirements when it was created, and still exists, and can lawfully be conveyed in fee as a discrete unit separate from any contiguous lot. "Legal Lot" also means a lot for which a Certificate of Compliance or Conditional Certificate of Compliance has been issued under the State Subdivision Map Act and the Ventura County Subdivision Ordinance and the boundaries of which have not subsequently been altered by merger or further subdivision. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

Lot Line

Front - A line separating an interior lot from a street, or a line separating the narrower street frontage of a corner lot from the street, except for L-shaped *lots*.

Side - Any lot boundary line which is not a front lot line or a rear lot line.

Rear -

- a. Rectangular *lots* - A lot line which is opposite and most distant from the front lot line.
- b. Triangular and irregularly-shaped *lots* - A line ten feet long within the lot, opposite and most distant from the front lot line, which is parallel to the front lot line or parallel to the chord of a curved front lot line, where such chord is drawn perpendicular to the mean direction of lot depth.

Lot, Reverse Corner - A corner lot, the rear of which abuts the side of another lot.

Lot, Through - A lot other than a corner lot having frontage on two parallel or approximately parallel streets.

Lot Width - The distance between the side lot lines measured at the front setback.

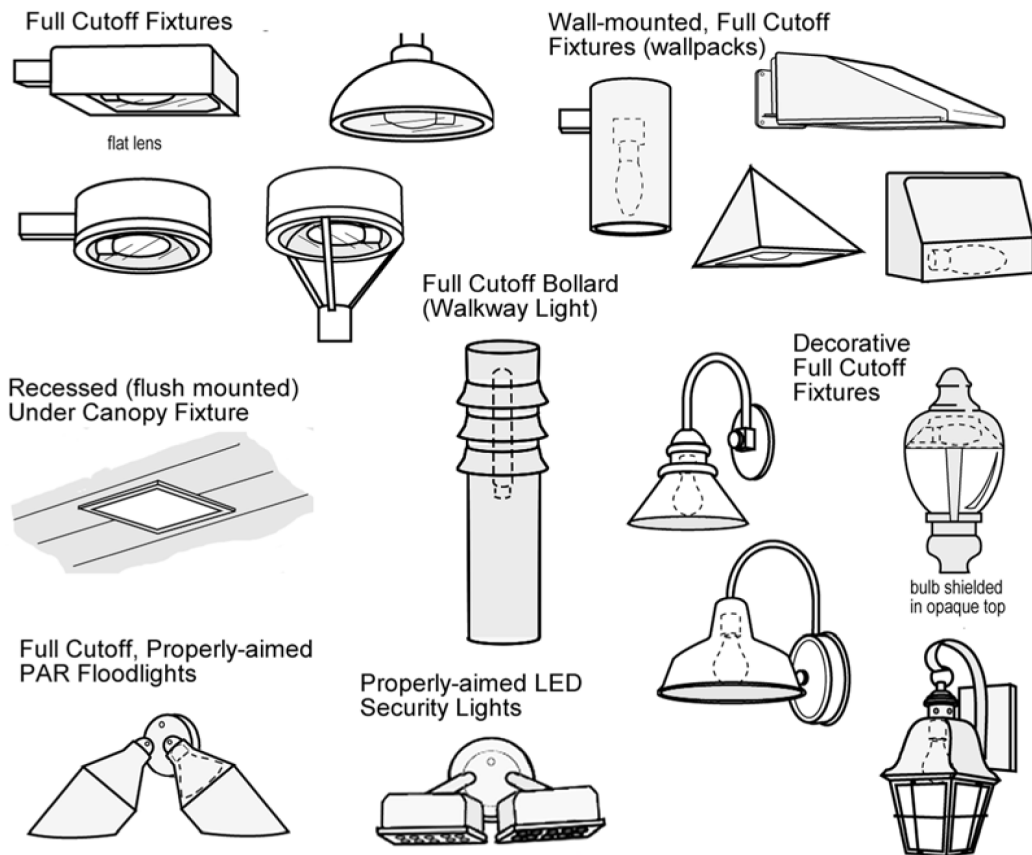
Lumen - Unit of measure used to quantify the amount of light produced by a lamp or emitted from a *luminaire* (as distinct from a "watt," which is a measure of power consumption). (ADD. ORD. 4528 - 9/25/18)

Luminaire - A complete lighting unit — i.e., the lamp and all components directly associated with the distribution, positioning and protection of the lighting unit. This is also referred to as a *light fixture*. (ADD. ORD. 4528 - 9/25/18)

Luminaires, Essential - A *luminaire* that is used for safety purposes, for *security lighting*, to illuminate a circulation area such as a walkway or driveway, or to illuminate a building entrance. (ADD. ORD. 4528 - 9/25/18)

**Luminaire, Fully-Shielded** - A luminaire constructed and installed in such a manner that all light emitted by the fixture is projected below the horizontal plane through the fixture's lowest light-emitting part. Examples of fully-shielded luminaires are included in Figure 1. (ADD. ORD. 4528 - 9/25/18)

**Figure 1. Examples of Fully-Shielded Luminaires**



Luminaire, Partially-Shielded - A *luminaire* constructed and installed such that most light emitted by the fixture is projected below the horizontal plane through the fixture's lowest light-emitting part. Light emitted above the horizontal plane arises only from decorative elements or diffusing materials such as frosted/colored glass or plastic. Examples of partially-shielded luminaires are included in Figure 2. (ADD. ORD. 4528 – 9/25/18)

**Figure 2. Examples of Partially-Shielded Luminaires**



## **M**

Mechanical Parking Lifts – Automated or manual, indoor or outdoor, lift systems designed to stack one or more motor vehicles vertically. (ADD. ORD. 4407 – 10/20/09)

Mineral Resource Development - The exploration for or extraction of surface or subterranean compounds and materials; this includes oil and gas exploration and production, and the mining of metallic and nonmetallic minerals, sand, gravel and rock. (ADD. ORD. 3723 - 3/12/85)

Mining - A form of mineral resource development involving the extraction and removal of more than 1,000 cubic yards of material from the same site, or from separate *lots* within one mile of each other that are owned or mined by the same person, through such activities and uses as borrow areas, sand, gravel and rock quarries, etc. Mining does not include extraction and removal of material from construction sites or following floods, landslides or natural disasters where the land is being restored to its prior condition. (ADD. ORD. 3723 - 3/12/85; AM. ORD. 3810 - 5/5/87)

Mining, Accessory Uses - Uses customarily incidental, appropriate and subordinate to mining located on the same site, such as stockpiling; sorting; screening; washing; crushing; and maintenance facilities. Other accessory uses include the following: ready mix concrete batching; asphalt concrete batching; recycling of concrete, asphalt and related construction materials; trucking operations associated with products from the site; and contractors' service and storage yards and concrete and asphalt concrete products manufacturing which make use of the products produced from the subject mining site. These uses may require separate permits as principal uses if not addressed under the primary mining permit. (ADD. ORD. 3723 - 3/12/85; AM. ORD. 4092 -6/27/95; AM. ORD. 4123 - 9/17/96 - grammar; AM. ORD. 4187 - 5/25/99)

Mining, Agricultural Site - An area, or areas within a site where the *Planning Director* has determined that the excavation and/or removal of more than 1,000 cubic yards of earthen material is integral and beneficial to the development or enhancement of a bona fide farming operation on that site. (ADD. ORD. 4187 - 5/25/99)



Mining, Public Works Maintenance - (DELETE ORD. 4389 - 09/16/08)

Mixed-Use Development – A development project with planned integration of residential and non-residential development within a building with the upper floors used for residential and the ground floor used for non-residential land uses. (ADD. ORD. 4393 - 12/16/08)

Mixed Solid Waste - The solid waste discarded from homes, businesses, institutions, and manufacturing plants that has not been separated or sorted by type and usually contains unrecyclable residuals that must be disposed of in a waste disposal facility. (ADD. ORD. 4214 - 10/24/00)

Mobile Food Facility - A wheeled vehicle or a stand, allowed by the California Health and Safety Code, from which food or beverages are sold. (ADD. ORD. 4123 - 9/17/96)

Mobilehome - A transportable structure designed to be used as a dwelling unit, and meeting the requirements of Federal, State and/or Ventura County codes as they pertain to such structures. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

Mobilehome Park - An area of land where two or more spaces are rented or leased for mobilehomes or manufactured homes to be used as dwellings. For the purposes of this definition, mobilehome parks do not include County park campgrounds, County overnight parking zones, or residences provided by employers for the use of farmworkers or other employees and their families. (ADD. ORD. 4554 - 12/10/19)

Model Water Efficient Landscape Ordinance (MWELO) - New development and retrofitted landscape water efficiency standards governed by California Code of Regulations, Title 23, Division 2, Chapter 2.7, as may be amended. (ADD. ORD. 4577 - 3/9/21)

Module—A drive aisle with vehicles parked on one or two sides of the aisle. (ADD. ORD. 4407 - 10/20/09)

Monopole – A structure composed of a single spire, pole, or tower used to support *antennas* and connecting appurtenances for a *non-commercial antenna* or *wireless communication facility*. (ADD. ORD. 4470 - 3/24/15)

Motel - One or more buildings containing guest rooms with one or more such rooms or units having a separate entrance providing entry directly from the outside of the building or from an inner court. Such facilities are designed, used or intended to be used, rented or hired out for temporary or overnight accommodations for guests, and are offered primarily to automobile tourists or transients by signs or other advertising media. "Motel" includes auto courts, motor lodges and tourist courts.

Motocross/OHV (Off Highway Vehicle) Park - An activity involving two-wheeled motorized vehicles (limited to 2 engine cylinders or less), conducted on a closed course, laid out over natural terrain, that may include left and right turns, hills, jumps and irregular terrain, and which does not include high-speed sections. (ADD. ORD. 4118 - 7/2/96)

Mulch - Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, or decomposed granite left loose and applied to the soil surface for environmental beneficial purposes such as reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion. (ADD. ORD. 4214 - 10/24/00; AM. ORD. 4577 - 3/9/21)

Museum - A place or structure where objects of interest are displayed and viewed by the public. (ADD. ORD. 4220 - 12/5/00)

## **N-O**

Native Vegetation – Naturally occurring vegetation in Ventura County. *Native vegetation* includes, but is not limited to, oak woodland, coastal sage scrub, chaparral, perennial grassland, California annual grassland, riparian woodland and riparian scrub. *Native vegetation* does not include ruderal vegetation and plant species listed by the California

Invasive Plant Council. In addition, *native vegetation* does not include ornamental, landscape or crop vegetation, including sod and lawn grasses and actively managed fallow farmland. (ADD. ORD. 4413 – 04/6/10)

Native Vegetation Community – Natural occurring vegetation community in Ventura County as classified and recognized by the California Native Plant Society (CNPS) in collaboration with the California Department of Fish and Wildlife (CDFW). Also referred to as a “Natural Community” or listed in “A Manual of California Vegetation” (CNPS, Online Edition), as may be amended. (ADD. ORD. 4577 - 3/9/21)

Non-Commercial Antenna - A device for transmitting or receiving radio signals, as defined by the Federal Communications Commission (FCC), 47 C.F.R. Part 97, of the Commission’s Rules, or its successor regulation. *Non-commercial antennas* are used to operate amateur radios, such as HAM radios and citizen band *antennas*, for purposes of the non-commercial exchange of messages, including emergency response training and operations.

Nonconforming Structure - A structure or portion thereof which was lawfully erected or altered and maintained, which, solely because of revisions in development standards of this Chapter dealing with lot coverage, lot area per structure, height, and setbacks, no longer conforms.

Nonconforming Use - A use which was lawfully established and maintained but which, because of the application of this Chapter (1) is no longer permitted in the zone in which it is located or (2) is no longer in conformance with parking requirements. (AM. ORD. 4407 – 10/20/09)

Nonmotorized Wheeled Conveyances - Those conveyances of a wheeled nature that do not require motorized propulsion, such as, but not limited to, skateboards, bicycles, unicycles, and rollerskates. (ADD. ORD. 3895-4/25/89)

Nonprofit Humane Organization Animal Facility – Shall have the same definition as set forth in Ventura County Ordinance Code, Division 4, Chapter 4, Article 9, Section 4494.2(c), as may be amended, which states: “An animal facility operated by a bona fide charity in good standing under the provisions of Section 501(c)(3) of the Internal Revenue Code, where *roosters* are kept for adoption, recovery or sanctuary.” (ADD. ORD. 4580 – 4/13/21)

Official Zoning Data – The approved zoning classifications for all parcels in unincorporated Ventura County, maintained technologically in digital format. (ADD. ORD. 4377 – 1/29/08)

Off-Site Parking -\_Parking provided at a site other than the site on which the use served by such parking is located. (ADD. ORD. 4407 – 10/20/09)

Oil and Gas Exploration and Production - The drilling, extraction and transportation of subterranean fossil gas and petroleum, and necessary attendant uses and structures, but excluding refining, processing or manufacturing thereof.

On-Site Composting Operation - Composting activities at residences, parks, community gardens, homeowners associations, residential planned developments, universities, schools, hospitals, golf courses, industrial parks, or other similar land uses where the purpose is to compost material generated on-site, in conjunction with any necessary bulking agents, additives, and amendments. Those operations which have less than 10 cubic yards of any combination of separated feedstock, actively decomposing compost, and stabilized compost or ground uncomposted material on site at any one time are small-scale, those with between 10 and 200 cubic yards are medium-scale, and those with more than 200 cubic yards are large-scale. This category does not include activities related to normal farming activities. (ADD. ORD. 4214-10/24/00)

On-site Wastewater Treatment Facility - A wastewater treatment plant that treats liquid waste which is generated on the same project site where the plant is located, with both the plant and the project site under common ownership. The plants are sized, and explicitly

restricted to serve only the project site and cannot serve uses off-site or under different ownership (see Community Wastewater Treatment Facility). (ADD. ORD. 4092 - 6/27/95)

Open storage - The placement or keeping, in an area not fully enclosed by the walls of a building, of miscellaneous objects and materials accessory to the principal use of the property, including inoperative motor vehicles, boats and trailers; building materials; reusable parts and equipment, and the like; but excluding trash, garbage and debris. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Organics Processing Operations - A category of operations that actively processes organic materials (materials originally derived from living organisms) for the purpose of producing compost, mulch, wood chips, or other similar products. This category includes but is not limited to on-site composting operations, small, medium and large; commercial organics processing operations, small, medium and large (includes vermicomposting and chipping/grinding operations); and biosolids composting operations. This category does not include activities related to normal farming activities. (ADD. ORD. 4214 - 10/24/00)

Outdoor Events - An outdoor event held in a stationary location on a privately owned parcel in the Open Space, Agricultural Exclusive, Rural Agricultural, or Commercial Planned Development zone at which the primary event activities occur outside of structures, such as harvest festivals; carnivals; historic re-enactments; animal events; art shows; athletic events; concerts; craft fairs; farmer's markets; receptions; ceremonies; fundraisers; social, political, spiritual or organizational gatherings; and similar events except for those that are either separately regulated under this Chapter, addressed by a permit or *entitlement* issued under this Chapter or that occur at a permitted school or college. See outdoor event regulations in Sec. 8107-46. (ADD. ORD. 4526 - 7/17/18)

Outdoor Recreational Facility - An outdoor area designed for active recreation, whether publicly or privately-owned, including, but not limited to, baseball and softball diamonds, soccer and football fields, golf courses, equestrian arenas, and tennis courts. (ADD. ORD. 4528 - 9/25/18)

Outdoor Sales and Services, Temporary - Such temporary outdoor uses as sidewalk sales (except swap meets), seasonal sales and auctions, but excluding mobile food facilities. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4123 - 9/17/96)

Overlay Zone - Any of the zones listed in Sec. 8104-7, Article 4 of Chapter 1. An overlay zone adds special requirements to those which are part of the base zone on which the overlay zone is placed. (ADD. ORD. 3993 - 2/25/92)

## **P-Q**

Parcel - For the purposes of this Chapter, the word "parcel" shall have the same meaning as the word "lot" and the two words shall be synonymous.

Park - An area of land available for public use, at least 75 percent of which is landscaped or otherwise left in a natural state, and which does not involve off-road motor vehicle uses of any kind. (ADD. ORD. 3810 - 5/5/87)

Parking Area - An area outside the public right-of-way containing 5 or more parking spaces and designed and used primarily for the parking of operable motor vehicles and bicycles. Parking areas may be located at grade, above ground, or below ground. Parking areas include parking facilities, *lots*, structures and underground parking. Elements of parking areas include parking spaces, drive aisles, loading areas and required landscaping and screening. Parking areas do not include: individual residential garages, parking spaces/areas for single-family (including caretaker and farmworker) or two-family dwelling units, or vehicle storage or inventory display areas. (ADD. ORD. 4407 - 10/20/09)

Parking Facility - A type of parking area that is a principal use. (ADD. ORD. 4407 - 10/20/09)

Periodic Outdoor Sporting Events - Recreational events or activities, other than spectator-type animal events, which require a natural environment, are carried on by one or more organized groups of people, and do not involve structures, motorized vehicles, aircraft or firearms. (ADD. ORD. 3810 - 5/5/87)

Permittee - A person or entity that holds a permit or operates a use allowed by a permit. The owner of the property for which an *entitlement* has been approved is the permittee, unless an alternative person or entity is designated as the permittee in the subject use permit, in which case that other person or entity is the permittee. (ADD. ORD. 4123 - 9/17/96)

Person - Any individual, organization, partnership, or other business association or corporation, including any utility, and any federal, state, local government, or special district or an agency thereof.

Personal Goods - Items such as bristle goods, umbrellas, grooming items and tobacco paraphernalia.

Personal Services - Enterprises serving individual necessities, such as barber shops, beauty salons and spas, clothing rental, coin-operated laundromats, funeral homes, marriage bureaus, massage services by masseurs/masseuses, personal laundry and dry cleaning establishments, photographic studios, tattoo parlors and travel agencies.

Petroleum Refining - Oil-related industrial activities involving the processing and/or manufacture of substances such as: asphalt and tar paving mixtures; asphalt and other saturated felts (including shingles); fuels; lubricating oils and greases; paving blocks made of asphalt, creosoted wood and other compositions of asphalt and tar with other materials; and roofing cements and coatings.

Pigeons/Squab - Any pigeon not designated as a Homing, Racing, or Roller pigeon, including but not limited to, show pigeons, pigeons raised for food, or pigeons matching the basic description of a homing, racing or roller pigeon, but lacking the required seamless band. (ADD. ORD. 4092 - 6/27/95)

Pigeons, Homing/Racing - Member of the family Columbidae, identified as such by presence of a seamless metal or metal/plastic band permanently affixed to the leg, indicating year of birth and unique identification number, issued by the "American Racing Pigeon Union"; A.U.; "International Federation of Pigeon Fanciers"; I.F. or other internationally recognized federation. (ADD. ORD. 4092 -6/27/95)

Pigeons, Rollers - Member of the family of pigeons known as "Birmingham Rollers," identified as such by the presence of a seamless metal or metal/plastic band permanently affixed to the leg, issued by the "National Birmingham Roller Club"; N.B.R.C.; "Ventura County Roller Club"; V.C.R.C or other nationally recognized federation or club. (ADD. ORD. 4092 - 6/27/95)

Planning Director - The Deputy Director, Resource Management Agency, for the Planning Division. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

Point of Interest - A designation applied to site of a former improvement or event location pursuant to the Ventura County Cultural Heritage Ordinance. (ADD. ORD. 4220 - 12/5/00)

Preliminary Processing - Basic activities and operations instrumental to the preparation of agricultural goods for shipment to market, excluding canning or bottling.

Principal Use - The primary or main use on a lot to which other uses and structures are accessory. More than one principal use may legally exist on a lot (e.g., agriculture, oil production and a residence). (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

Processed Commodities - Agricultural products which have been bottled, canned, supplemented with preservatives or coloring agents, or chemically altered. Processed commodities do not include those agricultural products which have been only washed,

sorted, mixed, packaged, squeezed, juiced or pressed. (ADD. ORD. 4092 - 6/27/95)

Produce Stand - (DELETE ORD. 4123 - 9/17/96)

Protected Tree - A tree which is any one of a variety of tree species or types as identified in Article 7. (ADD. ORD. 3993 - 2/25/92)

Public Works Maintenance - Public Works maintenance includes work performed by the Ventura County Watershed Protection District to restore public facilities or structures to their original design capacity. All maintenance activities must be conducted in accordance with provisions of Public Resource Code and Title 14 CCR Section 3505(a)(2) ("SMARA"), including any activities necessary for the preservation of public facilities or structures, or to alleviate imminent threats to public health and safety, to restore the facilities or structures to their original design capacity and where such activity has been declared in writing by the Public Works Agency to be under its administrative control. Said uses include but are not limited to removing material to avert potential landslides, the repair and/or maintenance of flood control facilities as defined by Section 3505(a)(2) and accessory processes such as stockpiling, sorting, and screening of material. (AM. ORD 4389 - 09/16/08; ADD. ORD. 3723 - 3/12/85; AM. ORD. 4123 - 9/17/96; AM. ORD. 4187 - 5/25/99)

Public Road or Street - Any road or street or thoroughfare of whatever nature, publicly maintained and open to the use of the public for the purpose of vehicular travel.

Qualified Affordable/Elderly Housing Development - (ADD. ORD. 3759 - 1/14/86; DELETE ORD. 4455 - 10-22-13).

## **R**

R-Zone - A zone classification under this Chapter which contains the letter "R" in its abbreviation, excluding overlay zones.

Radio Studios - A staffed commercial facility used for the creation and production of AM/FM radio and other electronic media programming, which includes studios, stages, editing facilities, post-production facilities, associated *antennas* and accessory *antenna* equipment used for the transmission of radio and microwave signals. (ADD. ORD. 4470 - 3/24/15)

Reclamation - The combined process of land treatment that minimizes water degradation, air pollution, damage to aquatic or wildlife habitat, flooding, erosion, and other adverse effects from surface mining operations, including adverse surface effects incidental to underground mines, so that mined lands are reclaimed to a usable condition which is readily adaptable for alternate land uses and create no danger to public health or safety. The process may require the removal of mining related structures, equipment and improvements, backfilling, grading, resoiling, revegetation, soil compaction, slope stabilization, erosion control or other measures which may also extend into adjacent lands surrounding mined lands. (ADD. ORD. 4187 - 5/25/99)

Recreational Vehicle - A vehicle of any size which (a) is self-propelled or is towed by another vehicle, (b) is not designed to be used as a permanent dwelling, and (c) has self-contained plumbing, heating and electrical systems which may be operated without connection to outside utilities. Recreational vehicles do not fall within the definition of mobilehomes. (AM. ORD. 3730 - 5/7/85)

Recreational Vehicle Park - Any area of land developed primarily for temporary use by recreational vehicles for which utility connections (sewer, water, electricity) are provided. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 3881 - 12/20/88)

Recyclable Materials - Materials which have been retrieved or diverted from disposal, that can be collected, sorted, cleaned, reconstituted and returned to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace. (ADD. ORD. 4214 - 10/24/00)

Recyclables Collection Center - An indoor or outdoor facility such as a buy-back center, a drop-off center, or a mobile unit, that occupies less than 500 square feet, and has a capacity of no more than 80 cubic yards, and that receives separated, nonhazardous, nonputrescible, recyclable or reusable materials—containing less than 10 percent unrecyclable residuals that must be disposed in a waste disposal facility—generated off-site and which may aggregate or sort these materials for the purpose of shipment off-site. This definition does not apply to reverse vending machines that occupy less than fifty square feet per principal use. (ADD. ORD. 4214 - 10/24/00)

Recyclables Collection and Processing Facility - A facility that receives separated, nonhazardous, nonputrescible, recyclable or reusable materials, or receives unseparated loads, for the purpose of preparation for shipment off-site. Loads received contain less than 10 percent unrecyclable residuals that must be disposed in a waste disposal facility. Processing may include separation, baling, crushing, cleaning, sorting, shredding, or chopping. This definition includes facilities for recycling construction and demolition debris. This definition does not include automobile wrecking yards. (ADD. ORD. 4214 - 10/24/00)

Rent - The terms rent, rented and rental mean allowing use of a dwelling or property, or any portion thereof, in exchange for consideration in any form. (ADD. ORD. 4523 - 6/19/18)

Residential Care Facility - A facility providing nonmedical care on a 24-hour basis to people who are mentally ill, mentally handicapped, physically disabled, or elderly, or are dependent or neglected children, wards of the Juvenile Court, or other persons in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are "intermediate care facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code. A facility is considered nonmedical if the only medication given or provided is the kind that can normally be self-administered. (AM. ORD. 3810 - 5/5/87)

Resource Recovery - The reclamation or salvage of discards for reuse, conversion to energy, or recycling. (ADD. ORD. 4214 - 10/24/00)

Rest Home - A licensed facility where lodging, meals, nursing, dietary and other personal services are rendered for nonpsychiatric convalescents, invalids, and aged persons for compensation. Excludes cases of contagious or communicable diseases, and surgery or primary treatments such as are customarily provided in sanitariums and hospitals.

Restoration Project - A project that involves the manipulation of the physical, chemical, or biological characteristics of a site to re-establish the site's natural or historic habitat, species, or ecological functions. It may include the re-establishment of habitat at sites where ecological function was wholly or partially lost or degraded. (ADD. ORD. 4537 - 3/19/19)

Retail Trade - Businesses such as auto supply stores, book and stationery stores, camera shops, clothing and fabric stores, department and variety stores, drug stores, florists, food stores, furniture stores, gift and novelty shops, hardware and paint stores, home furnishings stores, household appliance stores, jewelry stores, liquor stores, music stores, newsstands, pet stores, shoe stores, sporting goods stores, toy and hobby shops and used merchandise stores. (AM. ORD. 3730 - 5/7/85)

Retreat - A facility which (a) provides opportunities for small groups of people to congregate temporarily on a site for such purposes as education, enlightenment, contemplation, renewal or solitude; and (b) by its nature, needs to be located in a quiet, sparsely-populated, natural environment. (ADD. ORD. 3810 - 5/5/87; AM. ORD. 4317 - 3/15/05)



Reuse Salvage Facility - A facility or yard that accepts, salvages, and sells or distributes a variety of separated, nonhazardous discards including building materials, household fixtures, and furniture, and which requires some outdoor storage and which may conduct minor repair or upgrading of the materials. This definition does not apply to automobile salvage operations. (ADD. ORD. 4214 - 10/24/00)

Riparian/Riparian Area/Riparian Habitat Area - The bank of a stream, creek or river. *Riparian* habitat is the aquatic and terrestrial habitats that occur along streams, creeks and rivers. (ADD. ORD. 4537 - 3/19/19)

Roof Structures - Structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building; fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, solar collectors, residential satellite and digital T.V. dishes less than one meter in diameter and similar structures. (AM. ORD. 3730 - 5/7/85; AM. ORD 4470 - 3/24/15)

Rooster - Shall have the same definition as set forth in Ventura County Ordinance Code, Division 4, Chapter 4, Article 9, Section 4494.2(g), as may be amended, which states: "Any male chicken that: (1) Is six months old or older; or (2) Has full adult plumage; or (3) is capable of crowing." (ADD. ORD. 4580 - 4/13/21)

## **S**

Sales and Display Areas - Indoor or outdoor areas that are accessible to customers and used for the sale, rental, lease, or display of inventory, but does not include indoor or outdoor storage areas that customers cannot access. (ADD. ORD. 4407 - 10/20/09)

Schools, Boarding or Nonboarding - Educational facilities for pre-college levels of instruction; specifically limited to elementary, middle school and high schools offering full curricula as required by State law. Boarding schools are those which provide lodging and meals for the pupils. (AM. ORD. 4407 - 10/20/09)

Senior Mobilehome Park - A mobilehome park with a minimum of 10 spaces in which at least 80 percent of the occupied mobilehomes or manufactured homes are inhabited by, or intended for habitation by, at least one person who is 55 years of age or older. (ADD. ORD. 4555 - 12/10/19)

Setback - The minimum distance by which structures are to be separated from the boundary lines of the lot on which they are located, in order to provide an open yard area which is unoccupied and unobstructed from the ground upward.

Setback, Front - An open yard area extending between side lot lines across the front of a lot, the depth of which is the required minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

Setback, Rear - An open yard area extending across the rear of the lot between the inner site lot lines which is the required minimum horizontal distance between the rear lot line and a line parallel thereto on the lot.

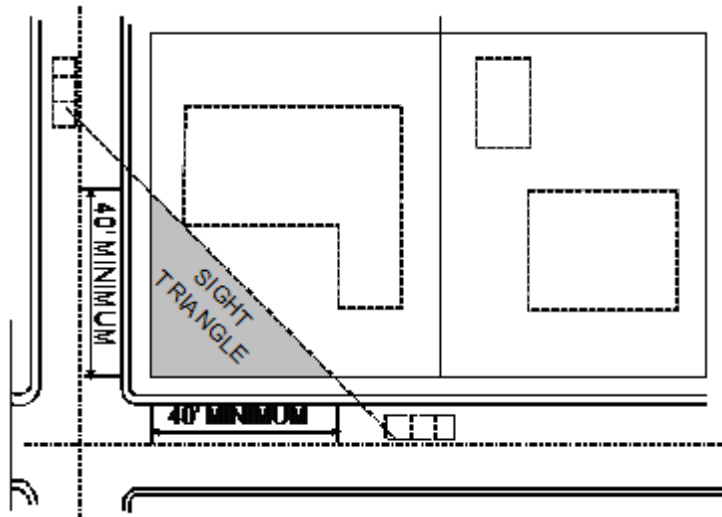
Setback, Side - An open yard area extending from the front yard, or the front lot line where no front yard is required, to the rear yard; the width of the required side yard shall be measured horizontally from the nearest part of the side lot line.

Shall and May - "Shall" is mandatory; "May" is permissive.

Shared Parking - Shared parking is a tool through which adjacent property owners share their parking areas and thereby reduce the number of parking spaces that each would provide on their individual properties. Shared parking is commonly applied when land uses have different parking demand patterns and are able to use the same parking spaces/areas throughout the day. (ADD. ORD. 4407 - 10/20/09)

Short-Term Rental – A dwelling, any portion of which is rented for a period less than thirty consecutive days when the owner is not physically present, with no meals or food provided to the renter or renters. A short-term rental is not considered a home occupation under this Chapter. Use of a dwelling for occasional home exchange is not considered a short-term rental. (ADD. ORD. 4523 – 6/19/18)

Sight Triangle - A triangular area on a corner lot, two of the sides of such triangle being formed by extending two imaginary lines from the corner of the lot adjacent to the street intersection at least 40 feet back to two points along the sides of the lot parallel to the two intersecting streets, the third side then being formed by the connection of such points. (ADD. ORD. 3810 - 5/5/87)



Signs - For sign definitions, see Article 10.

Single Room Occupancy (SRO) – Housing units that are restricted to occupancy by no more than two persons and may include a kitchen and/or a bathroom, in addition to a bed. These units are typically comprised of one or two rooms. (ADD. ORD. 4436 – 6/28/11)

Site - One or more *lots* planned and developed as a unit under one permit.

Site of Merit - A designation applied to sites and structures pursuant to the Ventura County Cultural Heritage Ordinance. (ADD. ORD. 4220 - 12/5/00)

Sky Glow - Brightening of the nighttime sky resulting from the scattering and reflection of artificial light in the atmosphere that reduce one's ability to view the night sky. (ADD. ORD. 4528 – 9/25/18)

Small Utility Structures - Electrical boxes, traffic signal controllers, ventilation columns, transformers, valve apparatus, and telephone and cable TV vaults and boxes that have no covered floor area for human occupancy. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

SMARA - The Surface Mining and Reclamation Act (Public Resources Code § 2710 et seq.) (ADD. ORD. 4187 - 5/25/99)

Soil Amendment Operation - An operation engaged in the resale and/or blending of various soil amendment and *mulch* products. Soil amendments are soil additives (such as gypsum, sand, rice hulls, peat moss, or compost) that stabilize the soil, improve resistance to erosion, increase permeability to air and water, ease cultivation, improve texture and resistance of the surface to crusting, or otherwise improve soil quality. This definition does not include organics processing operations. (ADD. ORD. 4214 - 10/24/00)

Stabilized Compost - The finished product of the composting process. Stabilized compost is no longer undergoing significant biological decomposition. (ADD. ORD. 4214 - 10/24/00)

Stockpiling of Construction Related Debris and/or Fill Material for Non-Agricultural Operations - The depositing of inert materials from off-site onto land for temporary storage in non-agricultural operations until such time as it can be removed to another site. Such materials include soil, sand, rock, and broken concrete removed from construction sites, debris basins, landslides and the like.

Store - An enclosed building housing an establishment offering a specified line of goods or services for retail sale direct to walk-in customers.

Stormwater Management Landscaping - Landscape features that make use of vegetation, land forms, soil or filtering media to provide retention, treatment, evapotranspiration, or infiltration of stormwater. Examples include bioretention areas, rain gardens, vegetated drainage swales, vegetated buffer strips, tree box filters, infiltration trenches, and dry swales. (ADD. ORD. 4407 - 10/20/09)

Structural Alteration - Any change in roof lines or exterior walls, or in the supporting members of a building such as foundations, bearing walls, columns, beams, girders, floor joists, roof joists, or rafters. This includes any physical change which could affect the integrity of a wall, including partial or total removal, moving a wall to another location or expanding the wall in terms of height or length. Minor actions such as adding a doorway, walkway, passage or window, or attaching architectural features or adornments, are not considered to be structural alterations.

Structure - Anything constructed or erected on the ground, or that requires location on the ground, or is attached to something having a location on or in the ground. "Structure" does not include *fences*, or walls used as *fences*, less than six feet in height, or plant materials. (AM. ORD. 3810 - 5/5/87)

Supportive Housing - A *residential care facility* with no limit on length of stay that is occupied by the target population as defined in California Health and Safety Code Sec. 50675.14 and that is linked to onsite or offsite services that assist the supportive housing resident in retaining housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (ADD. ORD. 4436 - 6/28/11)

Surface Water Feature - An area containing a stream (including intermittent and ephemeral), creek, river, wetland, seep, or pond, the *riparian habitat area* associated with the feature, as well as a development buffer area that is 200 feet as measured from the farthest extent of the surface water feature and its associated *riparian area*. The data used to designate the areas are obtained from the U.S. Fish and Wildlife Service National Wetlands Inventory Dataset. Areas designated as *surface water features* are shown on the "Surface Water Feature Buffer" map within the Planning GIS Wildlife Corridor layer of the County of Ventura - County View Geographic Information System (GIS), as may be amended by the *Planning Director*. The term *surface water feature* does not include ponds, lakes, marshes, wetlands or *agricultural water impoundments* or associated *riparian habitat areas* that are legally established and human-made. (ADD. ORD. 4537 - 3/19/19)

Swap Meet - A market operating on weekends and holidays for the sale or exchange of merchandise at retail by a number of sellers. (AM. ORD. 3810 - 5/5/87)

## **T**

Tandem Parking - The placement of parking spaces one behind the other, such that one parking space must be driven across in order to access the other space. (AM. ORD. 4407 - 10/20/09)

Temporary - A period of thirty (30) calendar days or less, unless otherwise specifically defined in this Chapter or in the conditions of a permit issued pursuant to this Chapter.

(ADD. ORD. 4092 - 6/27/95)

Temporary Collection Activity - An activity of short duration (not exceeding seven consecutive days and not occurring more frequently than twice in any 30-day period, and seven times per year at the same location) where mixed solid wastes, hazardous wastes, or recyclables are collected from the public at a central point and transported for recycling, processing, transformation, or disposal. This definition does not include individual refuse bins sited for the temporary collection of seasonal recyclables, such as Christmas trees and telephone books. (ADD. ORD. 4214 - 10/24/00)

Temporary Rental Unit - A dwelling which is used as a short-term rental or homeshare. (ADD. ORD. 4523 - 6/19/18)

Through Lot - See Lot, Through.

Timber - Trees of any species maintained for eventual harvest for forest product purposes, whether planted or of a natural growth, standing or down, on privately or publicly owned land, including Christmas trees but excluding nursery stock.

Townhouse Development - A subdivision consisting of attached dwelling units in conjunction with a separate lot or *lots* of common ownership, wherein each dwelling unit has at least one vertical wall extending from ground to roof dividing it from adjoining units, and each unit is separately owned, with the owner of such unit having title to the land on which it sits.

Traffic Safety Sight Area - The area that provides an unobstructed view for motorists to avoid or anticipate potential collisions along a roadway, intersection, parking lot, etc. (ADD. ORD. 4577 - 3/9/21)

Transitional Housing - Dwellings utilized as rental housing used to facilitate the movement of homeless individuals and families to permanent housing. A homeless person(s) may live in a transitional dwelling for up to two years. Transitional housing can include single or multifamily dwellings, residential care facilities, or boarding houses. Any dwelling used for transitional housing is subject to the zone and use standards applicable to the zone in which it is located. (ADD. ORD. 4436 - 6/28/11)

Transportation Services - Establishments primarily engaged in undertaking the transportation of goods and people for compensation, and which may in turn make use of other transportation establishments in effecting delivery. This definition includes parking areas for overnight truck storage, and such establishments as commercial distribution services, freight forwarding services and freight agencies. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4407 - 10/20/09)

## **U-V**

Use - The purpose for which land or a building or structure is arranged, designed or intended to be used, or for which it is or may be used, occupied or maintained.

Vector - Any insect, rodent, or other animal capable of transmitting pathogens (disease-causing agents, especially microorganisms) from one host to another. (ADD. ORD. 4214 - 10/24/00)

Vegetation - Native and nonnative trees and plant communities such as grassland, coastal scrub, *riparian* vegetation, and chaparral, including *invasive plants*. The term *vegetation* does not include human-planted landscaping associated with legally established development or commercial agricultural products. (ADD. ORD. 4537 - 3/19/19)

Vegetation Modification - Human-caused alteration of *vegetation* through direct actions including, but not limited to, complete removal, mowing, thinning, or chaining. (ADD. ORD. 4537 - 3/19/19)

Vehicle, Commercial - A vehicle, and any equipment accessory thereto, used to transport

products or raw materials, or to provide services of a commercial nature. The vehicle may or may not have markings indicating its association with commercial activities. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

Vehicle, Inoperative - A vehicle which is not licensed, not currently registered, or is not capable of meeting vehicle codes for operating legally on a public right-of-way or navigable waterway; or nonfunctional motorized equipment such as tractors and similar farm vehicles not intended for use on a public right-of-way. Vehicles with Certificates of Nonoperation issued by the Department of Motor Vehicles are not considered registered pursuant to this Chapter and are therefore inoperative vehicles. (ADD. ORD. 4123 - 9/17/96)

Vehicle, Food Service - (DELETE ORD. 4123 - 9/17/96)

Vending Machine - A commercial mechanical or electric machine for the dispensing of objects usually in exchange for the deposit of money or tokens, or which dispenses money or tokens in exchange for objects. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

Vermicomposting Operation - An organics processing operation that uses live worms, with or without thermophilic composting, to transform organic materials into a biologically degraded and stabilized material. (ADD. ORD. 4214 - 10/24/00)

Vermiculture - A form of animal husbandry involving the raising of worms of the taxonomic phylum Annelida (segmented worms). Vermiculture is not included in Organic Processing Operations. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4214 - 10/24/00)

## **W**

Waste Collection and Processing Activities to Mitigate an Emergency - Any waste collection, sorting, storage, handling, or processing activity that must be established promptly in response to an emergency—as determined by the *Planning Director*—to prevent or mitigate loss of or damage to life, health, property, or essential public services, and to maximize recovery of recyclable and reusable materials. Such activities must often be established in zones where they are not typically allowed. (ADD. ORD. 4214 - 10/24/00)

Waste Handling, Waste Disposal and Recycling Facilities - A category of facilities that receives, processes, salvages, transforms (e.g., burns), landfills, or transfers mixed solid wastes, recyclables, reusables, hazardous wastes, or household hazardous wastes. This category includes but is not limited to recyclables collection centers; recyclables collection and processing facilities; temporary collection activities; recyclable household/CESQG hazardous waste collection facilities; household/CESQG hazardous waste collection facilities; hazardous waste collection, treatment and storage facilities; reuse salvage facilities; waste processing facilities; waste transfer stations; solid waste disposal facilities; oilfield waste disposal facilities; hazardous waste disposal facilities; and waste collection and processing activities to mitigate an emergency. (ADD. ORD. 4214 - 10/24/00)

Waste Hauling Yard - A transportation services operation that specializes in transporting mixed solid waste, and may also transport recyclables, reusables, and other discards. (ADD. ORD. 4214 - 10/24/00)

Waste Processing Facility - A facility that receives, stores, transfers, and processes mixed solid waste, or recyclable, reusable or discarded materials, other than hazardous waste, for the purpose of preparation for shipment off-site, and which generates more than 10 percent unrecyclable residuals that must be disposed in a waste disposal facility. Processing may include separation, baling, crushing, cleaning, sorting, shredding, or chopping. Included in this category are mixed solid waste composting operations, which are facilities that specialize in the composting of mixed solid waste. This category does not include organics processing operations. (ADD. ORD. 4214 - 10/24/00)

Waste Transfer Station - A facility used to transfer mixed solid wastes from one vehicle to another, often smaller to larger vehicles, such as transfer vehicles, truck trailers, railroad cars, or barges, for transport elsewhere. (ADD. ORD. 4214 - 10/24/00)

Waste Treatment and Disposal - (DELETE ORD. 4214 - 10/24/00)

Watch List Invasive Species – Any species of plant that has been classified by the California Invasive Plant Council to be at a high risk to become invasive in California in the future. (ADD. ORD. 4577 - 3/9/21)

Wet Bar - An area within a dwelling or habitable accessory structure thereto, distinct from a kitchen and not within a bedroom, which is not used for the preparation and cooking of food, and has no: a) cooking appliance or other food heating appliance, b) garbage disposal, c) dishwasher, d) electrical outlets in excess of 110 volts, e) gas stub-outs, f) bar sink with interior dimensions greater than 12" wide by 12" long and 9" deep, and g) plumbing greater than 1 and ¼ inches in diameter connected to the bar sink drain. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4282 - 5/20/03)

Wholesale Nurseries for Propagation - Wholesale operations where plants, seedlings, trees and other horticultural materials are raised on site to a point in their development where they would customarily be sold to a wholesale distributor or to a retail outlet for resale to the public. (ADD. ORD. 4215 - 10/24/00)

Wildlife Crossing Structure – A *structure* such as a culvert, bridge or underpass containing features that enhance its suitability for use by wildlife to safely cross human-made barriers such as roadways and highways. Examples of such features include the presence of *vegetation* providing cover or habitat near the entrances and/or natural light visible at the opposite entrance. The locations of the *wildlife crossing structures* are shown on the "Wildlife Crossing Structures" map within the Planning GIS Wildlife Corridor layer of the County of Ventura, County View Geographic Information System (GIS), as may be amended by the *Planning Director*. The term *wildlife crossing structures* does not include cattle guards. (ADD. ORD. 4537 – 3/19/19)

Wildlife Impermeable Fencing – A *fence* or wall, other than a retaining wall, that prevents various species of wildlife including amphibians, reptiles, mammals, and birds, from freely passing through with little or no interference. Except for gates and associated gate support components, a *fence* that includes one or more of the following design features is considered *wildlife impermeable fencing*:

- (1) Any *fence* that is higher than 60 inches above grade, inclusive of any wire strands placed above a top rail of a *fence*.
- (2) Any electric *fence* comprised of any material or number of electrified strands.
- (3) Any *fence* that is constructed of wrought iron, plastic mesh, woven wire, razor wire, or chain link or that consists entirely of a solid surface, such as cinderblock.

(ADD. ORD. 4537 – 3/19/19)

Wireless Communication Facility (or Facilities) – A facility that transmits or receives signals for AM/FM radio, television, satellites, wireless phones and data, personal communication services, pagers, wireless internet, specialized mobile radio services, or other similar services. The facility may include, but is not limited to, *antennas*, radio transmitters, equipment shelters or cabinets, air vents, towers, masts, air conditioning units, fire suppression systems, emergency back-up generators with fuel storage, and structures primarily designed to support *antennas*. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Building-Concealed – A *wireless communication facility* designed and constructed as an architectural feature of an existing building in a manner where the *wireless communication facility* is not discernible from the remainder of the building. Standard building architectural features used to conceal a *wireless communication*



facility include, but are not limited to, parapet walls, windows, cupolas, clock towers, and steeples. (ADD. ORD. 4470 – 3/24/15)



Examples of Building-Concealed Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Collocation – The placement or installation of one or more *wireless communication facilities* on a single tower, mast/pole, structure, or building with one or more existing *wireless communication facilities*. Collocated *wireless communication facilities* may be separately owned and used by more than one public or private entity. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Faux Trees – A stealth, *ground-mounted wireless communication facility* camouflaged to resemble a tree, including mono-broadleaves, mono-pines, mono-palms, mono-elms, and mono-eucalyptus. (ADD. ORD. 4470 – 3/24/15)



Examples of Faux Trees (Wireless Communication Facilities) (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Flush-Mounted – A *wireless communication facility* with an *antenna* attached directly to the exterior of a structure or building and that remains close and is generally parallel to the exterior surface of the structure or building. Associated equipment for the *antenna* is not flush-mounted and is located inside an existing building, on a rooftop, at the ground level, or underground. (ADD. ORD. 4470 – 3/24/15)



Examples of Flush Mounted Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Ground-Mounted – A *wireless communication facility* that is placed on the ground, which consists of a *monopole, lattice tower, or any other freestanding structure* that supports an *antenna*. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Modification – Any physical change to a *wireless communication facility* or a change to operational characteristics for that facility that are subject to existing permit conditions. Modifications do not include *routine maintenance*. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Non-Stealth – A *wireless communication facility* that is

not disguised or concealed and does not meet the definition of a *stealth facility* or *building-concealed facility*. (ADD. ORD. 4470 – 3/24/15)



Examples of Non-Stealth Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Prominently Visible – A *wireless communication facility* is considered to be prominently visible without the aid of any magnifying equipment such as cameras, binoculars, etc. if it stands out as an obvious or noticeable feature within its setting when seen from a *public viewpoint*. A *wireless communication facility* may be prominently visible when its size, shape, color or material contrasts with other objects in the surrounding setting. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Public Viewpoint – Public roads and public recreational areas such as parks, beaches, state designated trails, and Ventura County regional and local trails/corridors that are accessible to the general public. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Roof-Mounted – A *wireless communication facility* that is mounted directly on the roof of a building. (ADD. ORD. 4470 – 3/24/15)



Examples of Roof-Mounted Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Routine Maintenance – Work performed by the operator to restore a facility to its permitted condition, including the restoration or replacement of existing faux design elements, *antennas*, and equipment in equipment cabinets. In all cases, the replacement of *antennas* or faux design elements shall be limited to reproductions of the originally permitted equipment. *Routine maintenance* also includes testing and repair of operational features which do not alter the physical dimensions of the permitted *wireless communication facility* - such as backup generators, fire suppression systems, air ventilation systems, and cable modifications in cable conduits. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Section 6409(a) Modification – A *modification* of an existing wireless tower or base station that involves the *collocation*, removal or replacement of transmission equipment that does not substantially change the physical dimensions of such wireless tower or base station and that otherwise qualifies for approval pursuant to Section 6409(a) of the federal 2012 Middle Class Tax Relief and Job Creation Act (now codified at 47 U.S.C. §1455(a)), as such law may be amended. (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Stealth – A *wireless communication facility* that blends into the surrounding visual setting. A *stealth facility* utilizes concealment elements such as design (size, height, color material, and *antenna* type) or siting techniques to camouflage, partially conceal, or integrate the *wireless communication facility* into the design of an existing facility, structure or its surrounding visual setting. Examples of *stealth facilities* include but are not limited to the following:

1. Facilities disguised as other objects typically found within a setting, such as *faux trees*, monorocks, and water tanks (photos 1 and 2);
2. Panel *antennas flush-mounted* on existing utility facilities, water tanks, and integrated with building facades (photos under *flush-mounted*);
3. Facilities that are camouflaged or partially concealed by objects within an existing setting, such as a cluster of trees or utility poles (photo 3); or,
4. Whip *antennas* and slim line poles that use simple camouflage techniques, such as size and color, and are located sufficient distance from *public viewpoints* to render them virtually unnoticeable (photo 4). (ADD. ORD. 4470 – 3/24/15)



Photo 1

Photo 2

Photo 3

Photo 4

Examples of Stealth Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

# ARTICLE 3: ESTABLISHMENT OF ZONES, BOUNDARIES AND MAPS

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## Sec. 8103-0 - Purpose and Establishment of Zones and Minimum Lot Areas

In order to classify, regulate, restrict, and segregate uses of land and buildings; to regulate the height and size of buildings; to regulate the area of yards and other open spaces around buildings; and to regulate the density of population, the following classes of use zones are established along with their abbreviations and *minimum lot areas*. Alternative *minimum lot areas* may be established pursuant to Section 8103-1 et seq. *Minimum lot area* requirements are expressed in "gross" area for land uses and structures. The *minimum lot area* for subdivision purposes is expressed in "*net*" area for parcels of less than 10 acres, and "*gross*" area for parcels of 10 acres or more.

<b>Zoning District Base Zones</b>	<b>Abbreviation</b>	<b>Minimum Lot Area*</b>
Open Space.....	OS.....	10 Acres
Agricultural Exclusive.....	AE.....	40 Acres
Rural Agricultural.....	RA.....	1 Acre
Rural Exclusive.....	RE.....	10,000 sq.ft.
Single-Family Estate.....	RO.....	20,000 sq.ft.
Single-Family Residential.....	R1.....	6,000 sq.ft.
Two-Family Residential.....	R2.....	7,000 sq.ft.
Residential Planned Development.....	RPD.....	As Specified by Permit
Residential High Density.....	RHD.....	0.80 acre (1)
Commercial Office.....	CO.....	No Requirement
Neighborhood Commercial.....	C1.....	No Requirement
Commercial Planned Development.....	CPD.....	No Requirement
Industrial Park.....	M1.....	10,000 sq.ft.
Limited Industrial.....	M2.....	10,000 sq.ft.
General Industrial.....	M3.....	10,000 sq.ft.
Timberland Preserve.....	TP.....	160 Acres
Specific Plan.....	SP.....	Established by Plan
Residential.....	RES.....	OTSDC (2)
Residential Mixed Use.....	R/MU.....	OTSDC (2)
Town Center.....	TC.....	OTSDC (2)
Industrial.....	IND.....	OTSDC (2)

### Overlay Zones

Refer to Article 9 (Standards for Specific Zones and Zone Types) for development standards applicable in Overlay Zones

Scenic Resource Protection.....	/SRP.....	Not Applicable
Mineral Resource Protection.....	/MRP.....	Not Applicable
Community Business District.....	/CBD.....	Not Applicable
Temporary Rental Unit Regulation.....	/TRU.....	Not Applicable
Dark Sky.....	/DKS.....	Not Applicable
Habitat Connectivity and Wildlife Corridors/HWCW.....		Not Applicable
Critical Wildlife Passage Areas.....	/CWPA.....	Not Applicable
Mobilehome Park.....	/MHP.....	Not Applicable
Senior Mobilehome Park.....	/SMHP.....	Not Applicable

\*See Sections 8103-1.1, 8103-1.2, and 8103-2 for exceptions.

(1) (ADD. ORD. 4436 – 6/28/11)

(2) As specified in Article 19, Old Town Saticoy Development Code (OTSDC). (ADD. ORD. 4479 – 9/22/15)

(AM. ORD. 3749 - 10/29/85; AM. ORD. 3797 - 12/09/86; AM. ORD. 4018 - 12/15/92; AM. ORD. 4054 - 2/1/94; AM. ORD. 4144 - 7/22/97; AM. ORD. 4333 - 12/06/05; AM. ORD. 4377 - 1/29/08; AM. ORD. 4390 - 9/9/08; AM. ORD. 4523 - 6/19/18; AM. ORD. 4528 - 9/25/18; AM. ORD. 4537 - 3/19/19; AM. ORD. 4554 - 12/10/19; AM. ORD. 4555 - 12/10/19)

## **Sec. 8103-1 - Establishment of Alternative Minimum Lot Area by Suffix**

### **Sec. 8103-1.1 - Lot Area Suffix**

The minimum area of *lots* created in each of the OS, AE, RA, RE, RO, R1, and R2 base zones may be determined by a suffix number following the base zone designation on a given zoning map. The application of said suffixes shall be consistent with the General Plan and Article 6 of this Chapter. All other requirements of the base zone contained in this Chapter shall apply to the respective zone designated by a suffix. The suffix numbers shall only be assigned in 1,000 square foot increments for *lots* of less than one acre in area (i.e., RE-20 means: Rural Exclusive, 20,000 square foot *minimum lot* size), and in increments of one acre for *lots* of one acre or larger area (i.e., OS-160 means: Open Space, one-hundred-sixty-acre *minimum lot* size). Unless designated as acres, suffix numbers from 1 through 43 are assumed to be in thousands of square feet. The application of suffix numbers shall not create lot areas less than the minimum area specified for the various base zones established by Sec. 8103-0. Where no suffix number appears, it is understood that the *minimum lot area* specified in Sec. 8103-0 for that zone shall apply.

### **Sec. 8103-1.2 - Average Minimum Lot Area**

The suffix "av" may be added to any of the base zone designations (example: RA-10 ac av). When added to a given zone designated by a specified suffix, the additional "av" suffix converts the *minimum lot area* zone suffix indicator to an average area designation. When land is subdivided which has the "av" suffix, *lots* may be created which are no smaller in area than 80 percent of the applicable minimum area zone designated by the suffix number, provided the collective average area of the *lots* created is not smaller than that required by the applicable lot area zone suffix designator (example: RA-10 ac av x 80 percent = 8ac as the smallest lot that can be created). In computing the collective average area of newly created *lots*, only those *lots* which are no larger than 1.9 times the minimum area zone designated by the suffix number may be counted (example: RA-10 ac av x 1.9 = 19ac as the area of the largest *lots* that can be counted). Legal *lots* in an "av" suffix designated zone, not smaller than 80 percent of the applicable designated zone suffix number, are deemed to be conforming as to lot area.

### **Sec. 8103-1.3 - Suffix Designators and Maximum Density for the RPD Zone**

Minimum lot areas for the RPD Zone shall be established by a suffix designation. The requirements for the RPD Zone shall apply to the respective suffix designated RPD zones except that the suffix for the RPD designation shall be the maximum number of dwelling units per acre followed by the letter "U" (example: RPD-25U). The suffix designated zones for the RPD Zone may be any number between RPD-1U and RPD-30U provided the maximum allowable density specified in the RPD Zone is not exceeded. RPD without a suffix designator shall allow a maximum of 30 dwelling units per acre.

(AM. ORD. 4054 - 2/1/94; AM. ORD. 4377 - 1/29/08)

## **Sec. 8103-2 - Exceptions to Minimum Lot Area**

The following are exceptions to the *minimum lot area* regulations stated in Sec. 8103-0, Sec. 8103-1, and 8106-1:

### **Sec. 8103-2.1 – Agricultural Water Well Sites**

A water well site or sites, each no more than 1,200 square feet, may be created on a lot for the sole purpose of transferring, by lease or sale, possession of the well and so much of the land around the well as may be necessary for its operation. Such wells shall be for agricultural purposes only.

### **Sec. 8103-2.2 - Public Safety Facilities and Minor Public Facilities**

There shall be no minimum area for a lot: 1) during the period of time the lot is held by a public entity for present or future use as a fire or police station or is dedicated to a public entity for such use; and 2) for minor public facilities owned or operated by a public agency in connection with the provision of water, sewer, communication services (e.g.: sewer pump stations, communication booster stations, etc.) or other public health and safety facilities, during the period of time that the lot is held by the public entity for present or future use, or is dedicated to a public entity for such use. Any lot which is held by a public entity may not be used for any purpose other than as a site for such types of public facilities by the public entity or its successors in interest.

### **Sec. 8103-2.3 – DELETED**

(DEL. ORD. 4455 – 10-22-13)

### **Sec. 8103-2.4 – Cultural Heritage Sites**

Parcels designated Cultural Heritage Sites may be granted a reduction from the minimum parcel size requirements in accordance with Sec. 8107-37.

### **Sec. 8103-2.5 - Parcel Map Waiver/Conservation Subdivision.**

Parcels created through the Parcel Map Waiver/Conservation Subdivision process set forth in the Subdivision Ordinance, Section 8202-3 (f).

### **Sec. 8103-2.6 - Park and Recreational Facilities**

Any lot area reductions granted to subdividers before the effective date of this Chapter under the Community Park and Recreation Facilities provisions of the previous Zoning Ordinance and recorded with the final map shall remain in effect in accordance with Section 8113-10 of this Chapter.

### **Sec. 8103-2.7 – Parcels for Farmworker Housing Complexes**

Parcels of less than the prescribed *minimum lot area* may be allowed for Farmworker Housing Complexes on land zoned AE within or adjacent to a city Sphere of Influence, provided the remaining non-farmworker housing complex parcel is a minimum of 10 acres. (ADD. ORD. 4436 – 6/28/11)

(AM. ORD. 4333 - 12/06/05)

## **Sec. 8103-3 - Adoption and Validity of the Official Zoning Data**

Prior to the enactment of this ordinance, a zone classification has been established on all land in the unincorporated area of the County of Ventura. Said comprehensive zoning was effected by ordinance adopting zoning maps which were contained in the previous Zoning Ordinance, Section 8118. The designations, locations, and boundaries therein are set forth



and indicated in the Official Zoning Data. Said Data, and all information shown therein for all land in the unincorporated areas of the County of Ventura, is hereby made a part of this Chapter at Article 18, Section 8118, or may be made a part of this Chapter by the progressive amendment thereto. The Board hereby declares that adoption of the Official Zoning Data does not change the zone classification of any land. Official Zoning Data displays can be generated only by the GIS Department of the Resource Management Agency. In the event that a court of competent jurisdiction should decree or adjudge that the adoption of the zoning maps as provided in this section is invalid, the old Official Zoning Data which existed prior to the adoption of this section are hereby reinstated as the official zoning maps of the County of Ventura. (AM. ORD. 4333 - 12/06/05; AM. ORD. 4377 - 1/29/08)

### **Sec. 8103-4 - Uncertainty of Zone Boundaries**

Where uncertainty exists as to the boundaries of any zone indicated in the Official Zoning Data the following rules of construction shall apply:

- a. Boundaries Following Lot Lines - Where such boundaries are indicated as approximately following street and alley lines or lot lines, such lines shall be construed to be such boundaries.
- b. Boundary By GIS Technology - In the case of unsubdivided property and where a zone boundary divides a lot, the locations of such boundaries, unless the same are indicated by dimensions, shall be determined by the use of GIS tools and/or datasets.
- c. Boundary Upon Street Abandonment - Where a public street or alley is officially vacated or abandoned the zoning regulations applicable to abutting property on each side of the center line shall apply up to the center line of such vacated or abandoned street or alley on each respective side thereof.
- d. Determination of Uncertainties - In cases where the precise location on the ground of lines or boundaries depicted in the Official Zoning Data is still uncertain after application of the above rules, the *Planning Director* is hereby authorized to resolve the uncertainty.

(AM. ORD. 4333 - 12/06/05; AM. ORD. 4377 - 1/29/08)

### **Sec. 8103-5 - Establishment and Changes of Zone Classifications**

The establishment and changes of the zone classification on land in the unincorporated area of the County of Ventura, excluding the Coastal Zone, shall be effected by ordinance adopting zoning data in the manner set forth in Article 15 of this Code. (AM. ORD. 4333 - 12/06/05)

### **Sec. 8103-6 - Absence of Zoning**

In the event a parcel of land has no zoning designation assigned to it, or the assigned zoning is from a jurisdiction other than the County of Ventura, regulation of land uses on the parcel shall be governed by the General Plan land use designation and related policies until an action is taken by the County to assign a new zoning designation. (ADD. ORD. 4054 - 2/1/94, (AM. ORD. 4333 - 12/06/05)

# **ARTICLE 4: PURPOSES OF ZONES**

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## **Sec. 8104-0 - Purpose**

The categories and purposes of land use zones in Ventura County are established as follows:

## **Sec. 8104-1 - Open Space/Agricultural Zones**

### **Sec. 8104-1.1 - Open Space (OS) Zone**

The purpose of this zone is to provide for any of the following on parcels or areas of land or water that are essentially unimproved:

- a. The preservation of natural resources including, but not limited to: areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and, coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.
- b. The managed production of resources, including but not limited to: forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and, areas containing major mineral deposits, including those in short supply.
- c. Outdoor recreation, including but not limited to: areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and, areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.
- d. The public health and safety, including, but not limited to areas which require special management or regulation because of hazardous or special conditions such as earthquake fault zones, unstable soil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.
- e. The formation and continuation of cohesive communities by defining the boundaries and by helping to prevent urban sprawl.
- f. The promotion of efficient municipal services and facilities by confining urban development to defined development areas.
- g. Support of the mission of military installations that comprises areas adjacent to military installations, military training routes, and underlying restricted airspace that can provide additional buffer zones to military activities and complement the resource values of the military lands.
- i. The protection of places, features, and objects described in Sections 5097.9 and 5097.993 of the Public Resources Code.

(AM. ORD. 4411 – 3/2/10)

### **Sec. 8104-1.2 - Agricultural Exclusive (AE) Zone**

The purpose of this zone is to preserve and protect commercial agricultural lands as a limited and irreplaceable resource, to preserve and maintain agriculture as a major industry in Ventura County and to protect these areas from the encroachment of nonrelated uses which, by their nature, would have detrimental effects upon the agriculture industry.

(AM. ORD. 4377 – 1/29/08)

## **Sec. 8104-2 - Rural Residential Zones**

### **Sec. 8104-2.1 - Rural Agricultural (RA) Zone**

The purpose of this zone is to provide for and maintain a rural setting where a wide range of agricultural uses are permitted while surrounding residential land uses are protected.

### **Sec. 8104-2.2 - Rural Exclusive (RE) Zone**

The purpose of this zone is to provide for and maintain rural residential areas in conjunction with horticultural activities, and to provide for a limited range of service and institutional uses which are compatible with and complementary to rural residential communities.

### **Sec. 8104-2.3 - Single-Family Estate (RO) Zone**

The purpose of this zone is to provide areas exclusively for single-family residential estates where a rural atmosphere is maintained by the allowing of a range of horticultural activities as well as animals for recreational purposes.

(AM. ORD. 4377 – 1/29/08)

## **Sec. 8104-3 - Urban Residential Zones**

### **Sec. 8104-3.1 - Single-Family Residential (R1) Zone**

The purpose of this zone is to provide for and maintain areas which are appropriate for single-family dwellings on individual *lots*.

### **Sec. 8104-3.2 - Two-Family Residential (R2) Zone**

The purpose of this zone is to provide for and maintain residential areas allowing two single-family dwelling units or a two-family dwelling unit on *lots* which meet the minimum area requirements of this zone.

### **Sec. 8104-3.3 - Residential Planned Development (RPD) Zone**

The purpose of this zone is to provide areas for communities which will be developed utilizing modern land planning and unified design techniques; this zone provides a flexible regulatory procedure in order to encourage:

- a. Coordinated neighborhood design and compatibility with existing or potential development of surrounding areas;
- b. An efficient use of land particularly through the clustering of dwelling units and the preservation of the natural features of sites;
- c. Variety and innovation in site design, density and housing unit options, including garden apartments, townhouses and single-family dwellings;
- d. Lower housing costs through the reduction of street and utility networks; and

- e. A more varied, attractive and energy-efficient living environment as well as greater opportunities for recreation than would be possible under other zone classifications.

**Sec. 8104-3.4 – Residential High Density (RHD) Zone**

The purpose of this zone is to make available parcels that are appropriate for multi-family residential projects at densities considered by state law to be affordable by design to lower-income households. (ADD. ORD. 4436 – 6/28/11)

(AM. ORD. 4377 – 1/29/08)

**Sec. 8104-3.5 – Residential (RES) Zone**

The purpose of this zone is primarily for construction of single family and duplex residential development, but triplex and quadplex residential development is allowed on larger *lots* within the residential neighborhood (The regulatory provisions, including development standards that are applicable to the RES zone are set forth in the Old Town Saticoy Development Code, Article 19, Sec. 8119-1.3.3). (ADD. ORD. 4479 – 9/22/15)

**Sec. 8104-3.6 – Residential Mixed Use (R/MU) Zone**

The purpose of this zone is primarily for construction of multi-family dwellings with a maximum density of 20 dwellings per acre. Compatible commercial uses are also allowed in R/MU and such uses are required in specific locations (The regulatory provisions, including development standards that are applicable to the R/MU zone are set forth in the Old Town Saticoy Development Code, Article 19, Sec. 8119-1.3.2). (ADD. ORD. 4479 – 9/22/15)

**Sec. 8104-4 - Commercial Zones**

**Sec. 8104-4.1 - Commercial Office (CO) Zone**

The purpose of this zone is to provide suitable locations for offices and services of a professional, clerical or administrative nature.

**Sec. 8104-4.2 - Neighborhood Commercial (C1) Zone**

The purpose of this zone is to provide areas for retail convenience shopping and personal services to meet the daily needs of neighborhood residents.

**Sec. 8104-4.3 - Commercial Planned Development (CPD) Zone**

The purpose of this zone is to encourage the development of coordinated, innovative and efficient commercial sites and to provide areas for a wide range of commercial retail and business uses, including stores, shops and offices supplying commodities or performing services for the surrounding community.

(AM. ORD. 4377 – 1/29/08)

**Sec. 8104-4.4 –Town Center (TC) Zone**

The purpose of this zone is primarily for commercial use, but compatible light industrial use is also allowed, and residential use is allowed as a secondary use (The regulatory provisions, including development standards that are applicable to the TC zone are set forth in the Old Town Saticoy Development Code, Article 19, Sec. 8119-1.3.1). (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8104-5 - Industrial Zones**

### **Sec. 8104-5.1 - Industrial Park (M1) Zone**

The purpose of this zone is to provide suitable areas for the exclusive development of light industrial, service, technical research and related business office uses in an industrial park context, in conjunction with stringent standards of building design, noise, landscaping and performance.

### **Sec. 8104-5.2 - Limited Industrial (M2) Zone**

The purpose of this zone is to provide suitable areas for the development of a broad range of industrial and quasi-industrial activities of a light manufacturing, processing or fabrication nature, while providing appropriate safeguards for adjoining industrial sites, nearby nonindustrial properties and the surrounding community.

### **Sec. 8104-5.3 - General Industrial (M3) Zone**

The purpose of this zone is to provide suitable areas for the development of a broad range of general manufacturing, processing and fabrication activities. The M3 Zone is intended for uses which do not require highly restrictive performance standards on the part of adjoining uses. The M3 Zone, as the heaviest manufacturing zone, is intended to provide for uses involving the kinds of processes, activities and elements which are specifically excluded from the M1 Zone.

(AM. ORD. 4377 – 1/29/08)

### **Sec. 8104-5.4 – Light Industrial (IND) Zone**

The purpose of this zone is to accommodate light industrial, manufacturing and commercial uses that are compatible with adjacent residential and commercial uses (The regulatory provisions, including development standards that are applicable to the IND zone are set forth in the Old Town Saticoy Development Code, Article 19, Sec. 8119-1.3.4). (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8104-6 - Special Purpose Zones**

### **Sec. 8104-6.1 - Specific Plan (SP) Zone**

The purposes of the SP Zone are:

- a. To provide for the unified planning and diversified urban communities which reflect modern site design standards and concepts and incorporate a variety of uses, while providing for the separation of incompatible uses;
- b. To encourage the provision of a broad range of community facilities, including recreational and commercial; and
- c. To provide for flexibility in the design and development of such communities.

(AM. ORD. 4018 - 12/15/92)

### **Sec. 8104-6.2 - Timberland Preserve (TP) Zone**

The purposes of the TP zone are:

- a. To maintain the optimum amount of the limited supply of timberland so as to ensure its current and continued availability for the growing and harvesting of timber, and compatible uses;
- b. To discourage premature or unnecessary conversion of timberland to urban and other uses;
- c. To discourage the expansion of urban services into timberland; and

- d. To encourage investment in timberlands based on reasonable expectation of harvest.

(AM. ORD. 4377 - 1/29/08)

## **Sec. 8104-7 - Overlay Zones**

The purpose of overlay zones is to superimpose particular zones on existing base zones, thus establishing additional regulations and either reducing or extending permitted uses.

### **Sec. 8104-7.1 - Scenic Resource Protection (SRP) Overlay Zone**

The purposes of this zone are:

- a. To preserve and protect the visual quality within the viewshed of selected County lakes, along the County's adopted scenic highways, and at other locations as determined by an Area Plan.
- b. To minimize development that conflicts with the value of scenic resources.
- c. To provide notice to landowners and the general public of the location and value of scenic resources which are of significance in the County.

(AM. ORD. 4390 - 9/09/08)

### **Sec. 8104-7.2 - Mineral Resources Protection (MRP) Overlay Zone**

The purposes of this zone are:

- a. To safeguard future access to an important resource.
- b. To facilitate a long term supply of mineral resources within the County.
- c. To minimize land use conflicts.
- d. To provide notice to landowners and the general public of the presence of the resource.
- e. The purpose is not to obligate the County to approve use permits for the development of the resources subject to the MRP Overlay Zone.

(ADD. ORD. 3723 - 3/12/85; AM. ORD. 3900 - 6/20/89)

### **Sec. 8104-7.3 - Deleted**

(DEL. ORD. 4390 - 9/09/08)

### **Sec. 8104-7.4 - Community Business District (CBD) Overlay Zone**

The purposes of this zone are to:

- a. Identify community business districts with unique historic character which justify special permit requirements and standards so as to preserve or re-create the historic character of the district;
- b. Preserve the historic character of buildings and structures within the district; and
- c. Allow deviations of certain development standards, parking standards, landscape standards, and sign standards of the zoning ordinance to permit the alteration or construction of buildings and structures, consistent with the design guidelines adopted under the applicable Area Plan or Specific Plan, so as to preserve or re-create the historic character of the district.

(ADD. ORD. 4144 - 7/22/97)

- d. Encourage mixed-use development projects as a means to revitalize a community business district, encourage pedestrian circulation, maximize site development



potential, create an active environment while promoting a traditional village-style mix of retail, restaurants, offices, civic uses, multi-family housing and other compatible land uses. (ADD. ORD. 4393 - 12/16/08)

### **Sec. 8104-7.5 – Temporary Rental Unit Regulation (TRU) Overlay Zone**

The purposes of this zone are to establish standards and requirements for the temporary rental of dwellings as accessory uses thereof within the overlay zone boundaries in order to:

- a. Ensure that the use of dwellings as temporary rental units does not adversely impact long-term housing opportunities in the Ojai Valley.
- b. Safeguard affordable housing opportunities for individuals working in service and other relatively low-wage sectors in the Ojai Valley so that such individuals can live in close proximity to their places of work.
- c. Preserve the residential, small-town community character of the Ojai Valley, and ensure that temporary rental units are compatible with surrounding land uses.
- d. Protect the health, safety and welfare of the temporary rental units' renters, occupants, neighboring residents, as well as the general public and environment.

(ADD. ORD. 4523 - 6/19/18)

### **Sec. 8104-7.6 – Dark Sky (DKS) Overlay Zone**

The purpose of this overlay zone is to protect and promote the public health, safety, welfare, the quality of life and the ability to view the night sky and reduce sky glow, by establishing regulations and a process for review of outdoor lighting. This overlay zone is intended to accomplish the following:

- a. Protect and reclaim the ability to view the night sky and stars, and thereby help preserve the generally rural quality of life;
- b. Protect against direct glare and excessive lighting, thereby minimizing light pollution caused by inappropriate or misaligned luminaires;
- c. Minimize light pollution while ensuring that sufficient lighting can be provided where needed to promote safety and security;
- d. Provide standards for efficient and moderate use of outdoor lighting; and
- e. Promote energy efficient and cost-effective lighting, while allowing for flexibility in the style of luminaires.

(ADD. ORD. 4528 - 9/25/18)

### **Sec. 8104-7.7 – Habitat Connectivity and Wildlife Corridors Overlay Zone**

The general purposes of the Habitat Connectivity and Wildlife Corridors overlay zone are to preserve functional connectivity for wildlife and vegetation throughout the overlay zone by minimizing direct and indirect barriers, minimizing loss of vegetation and habitat fragmentation and minimizing impacts to those areas that are narrow, impacted or otherwise tenuous with respect to wildlife movement. More specifically, the purposes of the Habitat Connectivity and Wildlife Corridors overlay zone include the following:

- a. Minimize the indirect impacts to wildlife created by outdoor lighting, such as disorientation of nocturnal species and the disruption of mating, feeding, migrating, and the predator-prey balance.

- b. Preserve the functional connectivity and habitat quality of surface water features, due to the vital role they play in providing refuge and resources for wildlife.
- c. Protect and enhance wildlife crossing structures to help facilitate safe wildlife passage.
- d. Minimize the introduction of *invasive plants*, which can increase fire risk, reduce water availability, accelerate erosion and flooding, and diminish biodiversity within an ecosystem.
- e. Minimize wildlife impermeable fencing, which can create barriers to food and water, shelter, and breeding access to unrelated members of the same species needed to maintain genetic diversity.

(ADD. ORD. 4537 – 3/19/19)

**Sec. 8104-7.8 – Critical Wildlife Passage Areas Overlay Zone**

There are three critical wildlife passage areas that are located entirely within the boundaries of the larger Habitat Connectivity and Wildlife Corridors overlay zone. These areas are particularly critical for facilitating wildlife movement due to any of the following: (1) the existence of intact native habitat or other habitat with important beneficial values for wildlife; 2) proximity to water bodies or ridgelines; 3) proximity to critical roadway crossings; 4) likelihood of encroachment by future development which could easily disturb wildlife movement and plant dispersal; or 5) presence of non-urbanized or undeveloped lands within a geographic location that connects core habitats at a regional scale.

(ADD. ORD. 4537 – 3/19/19)

**Sec. 8104-7.9 – Mobilehome Park (MHP) Overlay Zone**

The purposes of this zone are:

- a. To promote the continued use of mobilehomes and manufactured homes in the unincorporated County as an accessible housing option for households of all income levels.
- b. To respect the interests of tenants and owners of mobilehome parks in maintaining parks of desirable character, stable operation, and economic viability.
- c. To recognize mobilehome parks as communities in which residents are substantially invested, and to provide for security of tenancy comparable to that of other residential communities less vulnerable to redevelopment.
- d. To establish that for all land in the unincorporated County occupied by mobilehome parks, and as long as this ordinance is in effect, mobilehome parks shall be the primary land use allowed.
- e. To ensure a sufficient supply of land for this type of use in the future.
- f. To promote and preserve residential development that is high density and single family in character.

(ADD. ORD. 4554 – 12/10/19)

**Sec. 8104-7.10 – Senior Mobilehome Park (SMHP) Overlay Zone**

The purposes of this zone are:

- a. To recognize senior mobilehome parks as walkable communities where seniors may live actively and independently among peers, the preservation of those qualities being central to residents’ continued health, welfare and financial stability.

- b. To recognize that senior mobilehome parks provide one of the few housing options within Ventura County available to seniors that are affordable and allow for independent living in a detached dwelling.
- c. To preserve a significant source of affordable, senior housing by ensuring that senior mobilehome parks within the unincorporated area remain predominantly available to seniors and are not converted to allow occupancy by persons of all ages.
- d. To meet the purpose of the federal Housing for Older Persons Act of 1995 (42 U.S.C. § 3607).
- e. To ensure a sufficient supply of land for this type of use in the future.

(ADD. ORD. 4555 – 12/10/19)

# ARTICLE 5: USES AND STRUCTURES BY ZONE

(AM ORD. 4317 – 03-15-05)

## Sec. 8105-0 - Purpose

Section 8105-4 and 8105-5 list in matrix form the land uses and structures that are allowed in each zone, under this Chapter, and indicate the type of land use *entitlement* required to establish a particular use in that zone. Land uses permitted herein may also require additional licensing/permitting from other Ventura County, State of California, or United States government agencies. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4291 - 7/29/03)

### Sec. 8105-0.5 Old Town Saticoy Development Code

All land uses and structures on parcels located within the Old Town Saticoy boundary, as specified in the Saticoy Area Plan and Old Town Saticoy Development Code (Article 19, Figure 1.1.2), shall be governed by the Old Town Saticoy Development Code. (ADD. ORD. 4479 – 9/22/15)

## Sec. 8105-1 - Use of Matrices

### 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: (AM. ORD. 4377 – 1/29/08; AM. ORD. 4532 – 10/30/18)

<p><b>E</b> = Exempt <b>ZC</b> = Zoning Clearance unless specifically exempted</p>	<p><b>ZCW</b> = Zoning Clearance with signed waivers <b>PD</b> = Planned Development Permit <b>CUP</b> = Conditional Use Permit</p>	<p><b>Not Allowed</b></p>	<p>Exempt</p>	<p>Approved by Planning Director or Designee</p>	<p>Approved by Planning Commission</p>	<p>Approved by Board of Supervisors</p>
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(ADD. ORD. 3749 - 10/29/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4532 – 10/30/18)

### Sec. 8105-1.2

Italicized notes appearing in this Zoning Ordinance are editorial in nature and are not a part of the Ordinance or its regulatory scheme. (AM. ORD. 4187 - 5/25/99 - grammar)

### Sec. 8105-1.3

No use or structure is allowed unless expressly identified in Section 8105-4 and 8105-5 (Matrices) or determined to be equivalent in accordance with Section 8105-2 or Section 8101-4.10. Furthermore, prior to the commencement of any use listed in the matrices, the *entitlement* identified as required for the use shall be obtained. Each use is subject to all of the provisions of this chapter even if it is exempt from a Zoning Clearance. (AM. ORD. 4291 - 7/29/03)

### Sec. 8105-1.4

For the purposes of this Article, changing type style indicates where language is indented. Any use listed in matrix form which is indented shall be construed as a subheading of the heading under which it is indented.

### **Sec. 8105-1.5**

Any use requested as an accessory use which is listed in the matrix at Sections 8105-4 and 8105-5 as a principal use shall be processed in accordance with the indicated requirements of the principal use. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3749 - 10/29/85; AM. ORD. - 5/5/87; AM. ORD. 4092 - 6/27/95)

### **Sec. 8105-1.6**

The abbreviations used in Sections 8105-4 and 8105-5 are to be interpreted as follows:

agric. - agriculture

CCR - California Code of Regulation

GFA - gross floor area

H.&S.C. - California Health and Safety Code

prelim. - preliminary

sq.ft. - square feet

W.&I.C. - California Welfare and Institutions Code

(ADD. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4187 - 5/25/99)

### **Sec. 8105-1.7**

The following list of specifically prohibited uses is provided for informational purposes, and is not intended to be comprehensive:

- a. Nuclear power plants;
- b. Public polo events
- c. Racetracks for horses or motorized vehicles, except motocross/OHV parks otherwise permitted:
- d. Stadiums;
- e. The parking of motor vehicles on vacant land containing no principal use;
- f. Retail sales from wheeled vehicles, except as permitted pursuant to Sections 8105-4 and 8105-5.
- g. Retail sales in the OS, AE, RA, RE, RO, R1, R2, RPD, and TP zones, except as expressly permitted by this Ordinance or as an accessory use as expressly allowed in the *discretionary* permit conditions. (ADD. ORD. 3810 - 5/5/87 AM. ORD. 4092 - 6/27/95; AM. ORD. 4118 - 7/2/96; AM. ORD. 4216 - 10/24/00; AM. ORD. 4377 - 1/29/08)
- h. (ADD. ORD. 4484 - 11/26/16, AM. ORD. 4513 - 11/14/17, DEL. MEASURE O - 11/3/20)
- i. (ADD. ORD. 4484 - 11/26/16, DEL. ORD. 4513 - 11/14/17)

## **Sec. 8105-2 - Equivalent Uses Not Listed**

Where a proposed land use is not identified in this Article, the *Planning Director* shall review the proposed use when requested to do so by letter and, based upon the characteristics of the use, determine which of the uses listed in this Article, if any, is equivalent to that proposed. (AM. ORD. 4092 - 6/27/95)

### **Sec. 8105-2.1**

Upon a written determination by the *Planning Director* that a proposed unlisted use is equivalent in its nature and intensity to a listed use, the proposed use shall be treated

in the same manner as the listed use in determining where it is allowed, what permits are required and what standards affect its establishment.

**Sec. 8105-2.2**

Determinations that specific unlisted uses are equivalent to listed uses shall be recorded by the Planning Department, and shall be considered for incorporation into the Zoning Ordinance in the next scheduled ordinance amendment.

(ADD. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87)

**Sec. 8105-3 - Allowed Uses Exempt From Planning Entitlements**

Exempted uses do not require a Planning Division issued *entitlement* if the uses meet and are maintained in accordance with the requirements of Section 8111-1.1.1b and all other provisions of this Chapter. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)



## Sec. 8105-4 - Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>AGRICULTURE AND AGRICULTURAL OPERATIONS</b>											
<i>Animal Husbandry</i>											
<i>Domestic Animals Per Art. 7</i>	E	E	E	E	E						
more domestic animals than are permitted by Art. 7 (excluding the keeping of roosters – see sec. 8107-2.3.7) (3, 19, 53)	CUP	CUP	CUP	CUP	CUP						
Reduced Setbacks for Animals (Excluding the Keeping of Roosters) Per Table 2, Sec. 8107-2.5.1 (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW						
Apiculture (Other than Backyard Beekeeping) See Sec. 8107-2.6.1 (2, 15, 56)	E	E	E							E	
Aquaculture/Aquiculture (15)	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture										
Vermiculture * (16)											
up to 5,000 sq. ft. of open beds	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds	CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)	CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)	CUP	CUP									
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)	CUP	CUP	CUP								
Crop and Orchard Production (6, 12, 42, 54)	Exempt (See Sec. 9600 et seq. of the Ventura County Ordinance Code for regulations pertaining to industrial hemp cultivation.)										
Packing, Storage Or Preliminary Processing Involving No Structures	E	E	E	E						E	
Timber Growing And Harvesting, And Compatible Uses											
protected trees	Pursuant to Articles 7 and 9										

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

<b>E</b> = Exempt <b>ZC</b> = Zoning Clearance unless specifically exempted	<b>ZCW</b> = Zoning Clearance with signed waivers <b>PD</b> = Planned Development Permit <b>CUP</b> = Conditional Use Permit	<b>Not Allowed</b>	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
other trees	E	E	E	E						E	
Principal Structures Related To Agriculture (Greenhouses, Hot Houses, Structures for Prelim. Packing, Storage and Preservation of Produce & Similar Structures; Cumulative GFA Per Lot) Except Agricultural Shade/Mist Structures * (See Sec. 8106-6.4 & 8107-20) (15)											
Up to 1,000 sq. ft. (6)	ZC	ZC	ZC	ZC						ZC	
Over 1,000 sq. ft. to 20,000 sq. ft. (15)	ZC	ZC	CUP								
Over 20,000 sq. ft. to 100,000 sq. ft.	CUP	CUP	CUP								
Over 100,000 sq. ft. (6)	CUP	CUP									
Wineries (Including Processing, Bottling & Storage)(2, 15)											
Up to 2,000 sq. ft. structure	ZC	ZC	ZC								
Over 2,000 to 20,000 sq. ft. structure	CUP	CUP	CUP								
Over 20,000 sq. ft. structure	CUP	CUP	CUP								
With public tours or tasting rooms	CUP	CUP	CUP								
<b>ACCESSORY USES AND STRUCTURES * (15)</b>											
Accessory Structures Related to Agriculture and Animal Husbandry/Keeping * (e.g. Barns, Storage Buildings, Sheds; Cumulative GFA Per Lot) (15, 25)											
up to 2,000 sq. ft. (15, 25)	ZC	ZC	ZC	ZC	ZC	ZC		ZC		ZC	
over 2,000 sq. ft. to 5,000 sq. ft. (15, 25)	ZC	ZC	CUP	CUP	CUP	CUP		CUP		CUP	
over 5,000 sq. ft. to 20,000 sq. ft. (25)	ZC	ZC	CUP								
over 20,000 sq. ft. to 100,000 sq. ft. (25)	CUP	CUP									
over 100,000 sq. ft. (25)	CUP	CUP									
exceeding height limits (25)	CUP	CUP	CUP								
Offices * (7, 19, 25)	See Article 7										
Accessory bathrooms * (See Sec. 8107-1.9) (25)	ZC	ZC	ZC								

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>Agricultural Sales Facilities *</b> <i>(16, 19)</i>											
Small facilities: up to 500 sq. ft., meeting standards established by Section 8107-6.2 (25)	ZC	ZC	ZC							ZC	
Meeting standards of Sections 8107-6.2.1, 8107-6.2.2, and 8107-6.3.4 (25)	CUP	CUP	CUP								
Large facilities: over 500 to 2,000 sq. ft. (25)	CUP	CUP	CUP								
Large facilities: over 2,000 to 5,000 sq. ft. (25)	CUP	CUP	CUP								
Wholesale nurseries for propagation: with sales facilities up to 500 sq. ft. (26, 34)	ZC	ZC	ZC								
with sales facilities of over 500 to 2,000 sq. ft. (26, 34)	CUP	CUP	CUP								
with sales facilities of over 2,000 to 5,000 sq. ft. (26, 34)	CUP	CUP	CUP								
with sales of non-agricultural items or materials not propagated on site. (26, 34)	CUP	CUP	CUP								
<b>Agricultural Shade/Mist Structures *</b> <i>(16, 25, 34)</i>											
up to 1,000 sq. ft. (25)	ZC	ZC	ZC	ZC						ZC	
over 1,000 sq. ft. to 20,000 sq. ft. (25)	ZC	ZC	ZC	CUP							
over 20,000 sq. ft. or 15% of lot area (whichever is greater) (25)	ZC	ZC	CUP								
over 15% of lot area (25)	CUP	CUP									
<b>Agricultural Worker Housing</b> <i>(55)</i>	See Sec. 8107-41										
<b>Farmworker Dwelling Units*</b> <i>(15, 25, 55)</i>											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	
<b>Animal Caretaker Dwelling Units</b> <i>(26, 55)</i>											

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	PD	PD	PD							PD	
Farmworker and Animal Caretaker Temporary Trailers (55)	ZC	ZC									
<b>Animal Shade Structures (26)</b>											
Up to 500 sq. ft. (26)	ZC	ZC	ZC	ZC						ZC	
Over 500 sq. ft. to 1,000 sq. ft. (26)	ZC	ZC	ZC	CUP						CUP	
Over 1,000 sq. ft. to 10,000 sq. ft. (26)	ZC	ZC	ZC	CUP							
Over 10,000 sq. ft. or up to 7.5% of lot area (whichever is greater) (26)	ZC	ZC	CUP	CUP							
Over 20,000 sq. ft. or up to 15% of lot area (whichever is greater), Permeable Structures only (26)	CUP	CUP	CUP								
Over 15% of lot area, Permeable Structures only (26)	CUP	CUP									
Over 7.5% of lot area, Impermeable Structures only (26)	CUP	CUP	CUP	CUP						CUP	
Open Storage Per Art. 7 (6, 15, 25)	E	E	E	E						E	
Fuel Storage (6, 25)	ZC	ZC	ZC							ZC	
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5) (57)	E	E	E	E	E	E	E	E	E	E	
Underground Fuel Storage Permitted By Other County Agencies (25)	E	E	E	E						E	
Agricultural Promotional Uses (26)	CUP	CUP	CUP							CUP	
<b>ANIMAL KEEPING, NON-HUSBANDRY * (6, 2, 15)</b>											

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<i>Domestic Animals Per Art. 7</i>	E	E	E	E	E	CUP		E		E	
More <i>Domestic Animals</i> Than Are Permitted By Art. 7 (Excluding the Keeping of <i>Roosters</i> - See Sec. 8107-2.3.7) (15, 53)	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
Horses And Other <i>Equines</i> Per Art. 7 (15)	E	E	E	E	E	CUP		E		E	
More Horses and Other <i>Equines</i> Than Are Permitted By Art. 7 (15, 53)	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>Kennels/Catteries</i> (2, 15, 19)	CUP	CUP	CUP	CUP							
<i>Equestrian Centers</i> (16, 19)	CUP		CUP	CUP	CUP						
<i>Wild Animals</i> , Not Inherently Dangerous (15, 19)	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>Inherently Dangerous Animals</i> (16)	CUP	CUP	CUP								
Reduced <i>Setbacks</i> for <i>Animals</i> , (Excluding the Keeping of <i>Roosters</i> ), Per Table 2, Sec. 8107-2.5.1(16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW		ZCW		ZCW	
Accessory Structures	See Accessory Structures Related to Agriculture and Animal Husbandry/Keeping; Animal Shade Structures; Animal Caretaker Dwelling Units (32)										
<b>AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE</b>	CUP	CUP	CUP	CUP							
<b>ASSEMBLY USES (39)</b>			CUP	CUP	CUP	CUP	CUP	CUP			
<b>BOARDING HOUSES AND BED-AND-BREAKFAST INNS* (2) (35)</b>	CUP	CUP	CUP	CUP		CUP	CUP	CUP			
On Designated Cultural Heritage Sites (29, 34)	CUP	CUP	CUP	CUP		CUP	CUP	CUP			
<b>CARE FACILITIES (SEE ALSO H. &amp; S. C. AND W. &amp; I. C.)</b>											

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Day Care Centers (19)			CUP	CUP		CUP	CUP	CUP			
Family Day Care Home (28, 42)	E	E	E	E	E	E	E	E	E		
Intermediate: Care Of 7 Or More Persons (2, 42)			CUP	CUP		CUP	CUP	CUP	CUP		
Residential: Care Of 6 Or Fewer Persons (42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD	PD		
Care Of 7 Or More Persons (7)			CUP	CUP		CUP	CUP	CUP			
<b>CEMETERIES * (SEE SEC. 8107-27) (15)</b>	CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Accessory Crematories, Columbaria And Mausoleums	CUP		CUP	CUP							
<b>COMMERCIAL CANNABIS ACTIVITY AS DEFINED BY SECTION 2701 OF THE VENTURA COUNTY CODE OF ORDINANCES * (52)</b>		ZC									
<b>COMMUNICATIONS FACILITIES * (15, 46)</b>											
Non-Commercial Antenna, Ground-Mounted (45)	This use only applies if the facility is an accessory structure to a dwelling, as outlined in §8106-7.1 and §8107-1.1. For other types of Non-Commercial Antenna, see Wireless Communication Facility use below.										
Up to 40 ft. in height (16, 19, 42, 46) (see Section 8107-1.1)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Over 40 ft. to 75 ft. in height (6, 42, 46)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Wireless Communication Facility (45)											
Stealth Facilities (Building-Concealed, Flush-Mounted, etc.) 80 feet or less in height (see §8107-45.4) (45)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Non-Stealth Facilities, 50 feet or less in height (45)	CUP	CUP	CUP	CUP	CUP					CUP	
Non-Stealth Facilities, over 50 feet in height, or Stealth Facilities over 80 feet (See § 8107-45.4(f)) (45)	CUP	CUP	CUP	CUP	CUP					CUP	
<b>CULTURAL/HISTORIC USES (29)</b>											
Cultural Heritage Sites with Ordinance Deviations (29)	Pursuant to Article 7 and principal or accessory uses										
Historic Repository (29) (40)			CUP	CUP							
Interpretive Centers (29)	CUP	CUP	CUP	CUP	CUP	CUP		CUP			

\*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>DWELLINGS (43)</b>											
Dwellings, Single-Family * (Mobilehomes - See Sec. 8107-1.3)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
Mobilehome, Continuing Nonconforming (15)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
Dwellings, Two-Family, Or Two Single-Family Dwellings							ZC	PD			
Dwellings, Multi-Family (42)(43)(44)								PD	ZC		
Accessory Dwellings											
<i>Accessory Dwelling Unit (ADU)* (2, 11, 15, 33, 47, 58)</i>	Pursuant to Sec. 8107-1.7										
<i>Junior Accessory Dwelling Unit (JADU)* (58)</i>	Pursuant to Sec. 8107-1.7										
<i>Employee Housing (55)</i>	See Sec. 8107-26										
<i>Agricultural Employee Housing</i>											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
More than 4 dwelling units or not meeting standards established by Sec. 8107-26.3	PD	PD	PD							PD	
Other Employee Housing (6 or fewer employees)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
<i>Farmworker Housing Complex (55)</i>	PD	PD	PD								
Farmworker Group Quarters (55)	PD	PD	PD								
Dwellings, Accessory Structures To											
Buildings For Human Habitation: (3, 19)											
temporary housing during construction/prior to reconstruction* (19, 42, 50)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Buildings Not For Human Habitation Or Agricultural And Animal Husbandry/Keeping Purposes (E.G. Garage, Storage Building): (3, 15, 19, 27)											
up to 2,000 sq. ft. GFA per lot (3, 6, 19,42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
over 2,000 sq. ft. GFA per lot (3, 6, 15, 19, 42)	PD	PD	PD	PD	PD	PD	PD	PD	ZC		
exceeding height limits of main structure (18, 42)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	PD	PD	CUP	
accessory bathrooms *(18, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
<b>Other Structures (18)</b>											
heating and cooling equipment, <i>emergency</i> backup generators, backup battery packs, and the like (see sec. 8106-5.5) (57)	E	E	E	E	E	E	E	E	E	E	
freestanding light fixtures per sec. 8106-8.6*	PD	PD	PD	PD	PD	PD	PD	PD		PD	
nonmotorized wheeled conveyances, within standards * (19,42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
which exceed standards (42)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Non-Commercial Antennas, Ground-Mounted* (46)	See Communication Facilities										
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 (18, 42)	E	E	E	E	E	E	E	E	E	E	
Play Structures, Outdoor Furniture, Mailboxes And Similar Structures Exempt From Setback Requirements Of Art. 6 (18, 42)	E	E	E	E	E	E	E	E	E	E	
Swimming, wading and ornamental pools less than 18" depth capacity (18, 42)	E	E	E	E	E	E	E	E	E	E	
Soil and geologic testing for water wells, foundations, septic systems and similar construction (18, 42)	E	E	E	E	E	E	E	E	E	E	
<b>Dwellings, Accessory Uses To</b>											
Keeping Of <i>Animals</i> ; Nonhusbandry *											
<i>apiculture (backyard beekeeping)</i> see sec. 8107-2.6.2* (57)	E	E	E	E	E	E	E	E	E	E	
<i>equines</i> and other <i>domestic animals</i> per art. 7 (19)	E	E	E	E	E	CUP		E		E	

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
more <i>animals</i> than are permitted by art. 7 (excluding the keeping of <i>roosters</i> – see sec. 8107-2.3.7) (3, 15, 53)	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>pet animals</i> in accordance with standards of art. 7 (42)	E	E	E	E	E	E	E	E	E	E	
more <i>animals</i> than are permitted by art. 7 (3, 15)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
<i>wild animals</i> as pets (sec. 8107-2.3.1) (15)	ZC	ZC	ZC	ZC	ZC	ZC		ZC		ZC	
more <i>wild animals</i> than are permitted (16)	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>inherently dangerous animals</i>	Not permitted										
youth projects, (excluding the keeping of <i>roosters</i> ) * (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW		ZCW		ZCW	
<i>rooster</i> youth projects and <i>rooster</i> hobbyists (see secs. 8107-2.3.7 and -2.5.5)* (53)	ZCW	ZCW	ZCW	ZCW	ZCW			ZCW		ZCW	
Commercial uses, minor, for project residents (See sec. 8109-1.2.5) (4)								PD			
Garage/yard sales (See definition)(42)	E	E	E	E	E	E	E	E	E	E	
Home occupations * (3, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Homeshare (48) (See Sec. 8109-4.6)	E	E	E	E	E	E	E	E	E	E	ZC
Open storage, per art. 7 * (19, 42) (See Section 8107-15)	E	E	E	E	E	E	E	E	E	E	
Short-Term Rental (48) (See Sec. 8109-4.6)	E	E	E	E	E	E	E	E	E	E	
<b>EDUCATION AND TRAINING</b>											
Colleges and universities (40)			CUP								
Schools, elementary and secondary (boarding and nonboarding)			CUP	CUP	CUP	CUP	CUP	CUP			
<b>ENERGY PRODUCTION FROM RENEWABLE SOURCES (3)</b>	CUP	CUP	CUP								
<b>FENCES AND WALLS 7' HIGH OR LESS PER ART. 6 (42, 56)</b>	E	E	E	E	E	E	E	E	E	E	

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Wildlife Impermeable Fencing In Overlay Zone* (51)	Pursuant to Article 9										
Over 7' High Per Art. 6 (18, 42, 56)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
<b>FILMING ACTIVITIES * (2, 15)</b>	Not permitted										
Permanent	Not permitted										
Temporary	CUP	CUP	CUP	CUP							
Occasional For Current News Programs/ Noncommercial Personal Use (42)	E	E	E	E	E	E	E	E	E	E	
Occasional Per Sec. 8107-11.1 (42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Occasional With Waivers Per Sec. 8107-11.2	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW					
Occasional, Not Meeting Standards (18)	CUP	CUP	CUP	CUP	CUP	CUP					
<b>FIREWOOD OPERATIONS (3, 12)</b>	CUP	CUP	CUP								
<b>GOVERNMENT BUILDINGS (2) (40)</b>		CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Correctional Institutions	CUP		CUP								
Fire Stations	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Law Enforcement Facilities	CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Public Works Projects Not Otherwise Listed As Uses In This Section Constructed By The County Or Its Contractors	E	E	E	E	E	E	E	E		E	
<b>GRADING (A PWA GRADING PERMIT MAY STILL APPLY) (7, 42)</b>	E	E	E	E	E	E	E	E	E	E	
Within An Overlay Zone	Pursuant to Article 9										
<b>HOSPITALS</b>								CUP			
<b>LIBRARIES</b>			CUP	CUP	CUP	CUP	CUP	CUP			
<b>MAINTENANCE, ROUTINE/MINOR REPAIRS TO BUILDINGS, NO STRUCTURAL ALTERATIONS (42)</b>	E	E	E	E	E	E	E	E	E	E	
<b>MINERAL RESOURCE DEVELOPMENT * (1)</b>	CUP	CUP	CUP								

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Mining And Accessory Uses * (1)	CUP	CUP	CUP								
Less Than 1 Year In Duration (1, 22)	CUP	CUP	CUP	CUP							
Public Works Maintenance (1,22,36)	E	E	E	E	E	E	E	E		E	
Reclamation Plan (22)	Following a public hearing where a reclamation plan is required per SMARA in conjunction with a land use <i>entitlement</i>										
Mining, Agricultural Site * (22)	ZCW	ZCW									
Oil And Gas Exploration And Production (7)	CUP	CUP	CUP	CUP							
Drilling, Temporary Geologic (Testing Only)	CUP	CUP	CUP	CUP						CUP	
<b>MOBILE FOOD FACILITIES * (18, 42)</b>	E	E	E	E	E	E	E	E	E	E	
<b>MOBILEHOME PARKS *</b>			CUP	CUP	CUP	CUP	CUP	CUP			
<b>MODEL HOMES/LOT SALES: 2 YEARS * (42)</b>			ZC	ZC	ZC	ZC	ZC	ZC	ZC		
More Than 2 Years (42)			CUP	CUP	CUP	CUP	CUP	CUP	CUP		
<b>ORGANICS PROCESSING OPERATIONS (COMPOSTING, VERMICOMPOSTING, CHIPPING AND GRINDING) (24)</b>											
Biosolids Composting Operations * (24)	CUP										
Commercial Organics Processing Operations * (24)											
Small-Scale (up to 200 cubic yards on-site) * (24)	ZC	CUP	ZC	CUP						ZC	
Medium-Scale (over 200 cubic yards to 1,000 cubic yards on-site) * (24)	CUP	CUP	CUP							CUP	
Large-Scale (over 1,000 cubic yards on-site) * (24)	CUP	CUP	CUP							CUP	
<b>OUTDOOR EVENTS (49)</b>											
If Event Meets Criteria And Requirements of Sec. 8107-46.3 (49)	E	E	E								
If Event Does Not Meet Criteria And Requirements of Sec. 8107-46.3 (49)	CUP	CUP	CUP								

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>PIPELINES/TRANSMISSION LINES, ABOVEGROUND * (42)</b>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
<b>PUBLIC SERVICE/UTILITY FACILITIES (27)</b>											
Small Utility Structures (17)	E	E	E	E	E	E	E	E		E	
Excluding Office And Service Yards (28)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Public Service/Utility Offices And Service Yards, When Located On Lots Containing The Majority Of The Agency's Facilities (28)	CUP			CUP							
<b>RECREATIONAL, SPORT AND ATHLETIC FACILITIES (40)</b>											
Botanic Gardens and Arboreta* (35)	CUP										
Camps * (8) (35)	CUP		CUP	CUP							
Campgrounds * (8)	CUP		CUP	CUP							
Fields, athletic, without buildings, With Or Without Night Lighting (7, 19, 27)*				CUP	CUP	CUP	CUP	CUP			
Without Night Lighting (18, 27)	CUP										
Geothermal Spas with or without accessory commercial eating facilities (7)	CUP										
Golf Courses And/Or Driving Ranges, Except Miniature Golf (15)	CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Motocross/Off-Highway Vehicle Parks *(17)	CUP										
Parks (6)	ZC	CUP	ZC	ZC	ZC	ZC	ZC	PD			
With Buildings	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Periodic Outdoor Sporting Events (7)	CUP										
Recreational Vehicle Parks *	CUP		CUP	CUP							
Recreation Projects, County-Initiated (5)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Caretaker Recreational Vehicle, Accessory * (5)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Retreats, Without Sleeping Facilities * (8)	CUP		CUP	CUP							
With Sleeping Facilities (8)	CUP		CUP	CUP							
Shooting Ranges And Outdoor Gun Clubs (4)	CUP										
<b>SIGNS PER ARTICLE 10 UNLESS EXEMPT FROM ZONING CLEARANCE PER SEC. 8110-3 (7, 42)</b>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
<b>SOIL AMENDMENT OPERATIONS (16)</b>	CUP	CUP	CUP								
<b>STORAGE OF BUILDING MATERIALS, TEMPORARY * (3, 42)</b>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
<b>TREES AND NATIVE VEGETATION: REMOVAL, RELOCATION, PRUNING OR VEGETATION MODIFICATION (7, 12, 51)</b>											
Protected Trees, Vegetation, And Vegetation Modification In Overlay Zone* (51)	Pursuant to Articles 7 and 9										
Other Trees And Vegetation Outside Overlay Zone (42, 51)	E	E	E	E	E	E	E	E	E	E	
<b>USES AND STRUCTURES, ACCESSORY (OTHER THAN TO AGRICULTURE, ANIMALS OR DWELLINGS) (42)</b>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	CUP	
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5) (57)	E	E	E	E	E	E	E	E	E	E	
Freestanding Light Fixtures <i>Per</i> Sec. 8106-8.6*	PD	PD	PD	PD	PD	PD	PD	PD		PD	
Organics Processing Operations *(24)											
On-Site Composting Operations (not related to normal farming activities) *(24)											
Small-scale (up to 10 cubic yards on-site) * (24, 42)	E	E	E	E	E	E	E	E	E	E	

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Medium-scale (over 10 cubic yards to 200 cubic yards on-site) * (24)	ZC	ZC	ZC	ZC	ZC			CUP		ZC	
Large-scale (over 200 cubic yards on-site) * (24)	CUP	CUP	CUP	CUP				CUP			
Waste Handling, Waste Disposal and Recycling Facilities (24)											
Household/CESQG Hazardous Waste Collection Facilities And Hazardous Waste Collection, Treatment and Storage Facilities * (24)	CUP										
Recyclable Household/CESQG Hazardous Waste Collection Facilities * (24)	E										
Not meeting standards established by Section 8107-36.3.7 * (24)	CUP										
Soil And Geologic Testing For Water Wells Foundations, Septic Systems And Similar Construction (19, 42)	E	E	E	E	E	E	E	E	E	E	
Stockpiling Of Construction Related Debris and/or Fill Material for Non-agricultural Operations (28)											
Less Than 1,000 Cu. Yds. (28)	ZC		ZC	ZC							
1,000 Cu. Yds Or More (28)	CUP		CUP	CUP							
Swimming, Wading, And Ornamental Pools Less Than 18" Depth Capacity (19, 42)	E	E	E	E	E	E	E	E	E	E	
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 (18, 42)	E	E	E	E	E	E	E	E	E	E	
Play Structures, Outdoor Furniture And Similar Structures Exempt From Setback Requirements Of Art. 6 (18, 42)	E	E	E	E	E	E	E	E	E	E	
Open Storage Per Art. 7 * (42)	E	E	E	E	E	E	E	E	E	E	
Parking/Storage of Large Vehicles (38)	Pursuant to Article 8 Sec. 8108-3.4										
To A Use Requiring A PD Permit Or CUP (2)	Pursuant to Article 11 Sec. 8111-6.1										
Dwelling, Caretaker											

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<b>VETERINARY HOSPITALS FOR LARGE ANIMALS *</b>	CUP	CUP									
<b>WASTE HANDLING, WASTE DISPOSAL AND RECYCLING FACILITIES (24)</b>											
Disposal Facilities, Hazardous Waste * (24)	CUP										
Disposal Facilities, Oilfield Waste * (24)	CUP										
Disposal Facilities, Solid Waste * (24)	CUP										
Recyclables Collection And Processing Facilities *(24)	CUP										
Recyclables Collection Centers * (24)	ZC		ZC	ZC	ZC	ZC	ZC	ZC			
Temporary Collection Activities *(24, 42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
Waste Collection And Processing Activities To Mitigate An Emergency *(24)	Pursuant to Sec. 8107-36.3.12										
Waste Processing Facilities And Transfer Stations * (24)	CUP										
<b>WASTEWATER/SEWAGE TREATMENT FACILITIES</b>											
Individual Sewage Disposal Systems (42)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
On-Site Wastewater Treatment Facilities (19, 42)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
Community Wastewater Treatment Facilities (19)	CUP	CUP	CUP	CUP				CUP			
<b>WATER PRODUCTION, STORAGE, TRANSMISSION, &amp; DISTRIBUTION FACILITIES: (6)</b>											
4 Or Fewer Domestic Service Connections (Privately Operated)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		ZC	
5 Or More Domestic Service Connections (Privately Operated)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	

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	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
For Agricultural Purposes (Privately Operated)	ZC	ZC	ZC								
Well Drilling For Use Only On Lot Of Well Location (42)	E	E	E	E	E	E	E	E	E	E	

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## Sec. 8105-5 - Permitted Uses in Commercial and Industrial Zones

	CO	C1	CPD	M1	M2	M3
<b>AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE</b>				CUP	CUP	CUP
<b>AIRPORTS</b>						CUP
<b>AMUSEMENT AND RECREATIONAL FACILITIES (SEE DEFINITIONS)</b>			PD			
Amusement Parks And Carnivals			CUP			
Arcades			CUP			
Batting Cages And Golf Driving Ranges, Indoor (3, 15)				CUP		
Bicycle Racing Tracks, Outdoor (3)				CUP		
Gymnasiums (See Definitions) (3, 15)			PD	CUP		
Motion Picture Theaters, Outdoor (Drive-In)			CUP			
Racetracks (For Motorized Vehicles), Outdoor Shooting Ranges And Stadiums	Prohibited					
Shooting Ranges, Indoor				CUP	CUP	CUP
<b>ASSEMBLY USES (39)</b>	CUP	CUP	CUP	CUP	CUP	
<b>ART GALLERIES, MUSEUMS AND BOTANICAL GARDENS</b>			PD			
<b>AUTOMOBILE SERVICE STATIONS</b>		PD	PD			
<b>BANKS AND RELATED FINANCIAL OFFICES AND INSTITUTIONS</b>	PD	PD	PD			
<b>BARS, TAVERNS AND NIGHTCLUBS *</b>			CUP			
<b>CARE FACILITIES: (SEE ALSO H. &amp; S.C. AND W. &amp; I. C.) (6)</b>						
Day Care Center (2, 15, 27)	CUP	CUP	CUP	CUP		
Intermediate And Residential, Care Of 7 Or More Persons (6)	CUP		CUP			
Emergency Shelter (42)			ZC			
<b>CAR WASHES, SELF-SERVICE OR AUTOMATIC (2, 15)</b>			CUP		CUP	CUP
<b>CEMETERIES, COLUMBARIA AND MAUSOLEUMS</b>				CUP	CUP	
Crematories, Accessory				CUP	CUP	

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	CO	C1	CPD	M1	M2	M3
<b>CLUB PROJECTS, TEMPORARY OUTDOOR</b>		CUP	CUP			
<b>COMMERCIAL CANNABIS ACTIVITY AS DEFINED BY SECTION 2701 OF THE VENTURA COUNTY CODE OF ORDINANCES * (52)</b>					ZC	ZC
<b>COMMUNICATIONS FACILITIES (46)</b>	This use only applies if the facility is an accessory structure to a dwelling (See § 8105-4)					
Non-Commercial Antenna, Ground Mounted (46)						
Wireless Communication Facility (45)						
Stealth Facilities (Building-Concealed, Flush-Mounted, etc.) 80 feet or less in height (see §8107-45.4) (45)	CUP	CUP	CUP	CUP	CUP	CUP
Non-Stealth Facilities, 50 feet or less in height (See § 8107-45.4(f)(4)) (45)				CUP	CUP	CUP
Non-Stealth Facilities, over 50 feet in height, or Stealth Facilities over 80 feet (See § 8107-45.4(f)(4)) (45)				CUP	CUP	CUP
<b>CONFERENCE CENTER/CONVENTION CENTER (9)</b>			CUP			
<b>CONTRACTORS' SERVICE AND STORAGE YARDS AND BUILDINGS</b>					PD	PD
<b>CROP PRODUCTION (12,54)</b>	Exempt (See Sec. 9600 et seq. of the Ventura County Ordinance Code for regulations pertaining to industrial hemp cultivation.)					
<b>USES AND STRUCTURES, ACCESSORY</b>				ZC	ZC	ZC
Fuel Storage				ZC	ZC	ZC
Underground Fuel Storage Permitted By Other County Agencies				E	E	E
Offices				CUP	CUP	CUP
Packing, Preliminary Processing Or Storage Of Crops; Without Structures				ZC	ZC	ZC
Agricultural Sales Facility; Small Up To 500 Sq. Ft. * (15)		ZC	ZC	ZC	ZC	ZC
not meeting standards established by Section 8107-6.2		CUP	CUP	CUP	CUP	CUP
<b>CULTURAL/HISTORIC USES (29)(40)</b>	Pursuant to Article 7 and principal or accessory uses					
Cultural Heritage Sites with Ordinance Deviations (29)						
Historic Repository (29)			CUP	CUP	CUP	
Interpretive Centers (29)	CUP	CUP	CUP	CUP	CUP	CUP
Museums		CUP	CUP	CUP	CUP	
<b>DOG AND CAT GROOMING</b>			PD			
<b>EDUCATION AND TRAINING (41)</b>						

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	CO	C1	CPD	M1	M2	M3
Colleges and Universities	CUP		PD			
Schools; Elementary and Secondary (Nonboarding Only)	CUP		PD			
Professional and Vocational	CUP	CUP	PD	PD	CUP	
Art, Craft, and Self-Improvement	CUP	CUP	PD	PD		
<b>ENERGY PRODUCTION FROM RENEWABLE SOURCES (3)</b>					CUP	CUP
<b>FENCES AND WALLS 7' HIGH OR LESS PER ART. 6 (56)</b>	E	E	E	E	E	E
Wildlife Impermeable Fencing in Overlay Zone* (51)	Pursuant to Article 9					
Over 7' High Per Art. 6 (18, 56)	ZC	ZC	ZC	ZC	ZC	ZC
<b>FILMING ACTIVITIES * (2, 15)</b>						
Permanent		PD	PD	PD	CUP	CUP
Temporary	CUP	CUP	CUP	CUP	CUP	CUP
Occasional For Current News Programs/Noncommercial Personal Use	E	E	E	E	E	E
Occasional Per Sec. 8107-11.1	ZC	ZC	ZC	ZC	ZC	ZC
Occasional With Waivers Per Sec. 8107-11.2	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW
Occasional, Not Meeting Standards (18)	CUP	CUP	CUP	CUP	CUP	CUP
<b>GOVERNMENT BUILDINGS, EXCLUDING CORRECTIONAL INSTITUTIONS (2)</b>	PD	PD	PD	PD		
Correctional Institutions * (30)					CUP	
Public Works Projects Not Otherwise Listed As Uses In This Section Constructed By The County Or Its Contractors	E	E	E	E	E	E
Fire Stations (15)	PD	PD	PD	PD	PD	PD
<b>GRADING (A PWA GRADING PERMIT MAY STILL APPLY) (3)</b>	E	E	E	E	E	E
Within An Overlay Zone	Pursuant to Article 9					
<b>HEALTH SERVICES SUCH AS PROFESSIONAL OFFICES AND OUT-PATIENT CLINICS</b>	PD	PD	PD			
Ambulance Services	CUP		PD	PD		
Hospitals	CUP		CUP			
Pharmacy, Accessory Retail, For Prescription Pharmaceuticals Only	PD	PD	PD			

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	CO	C1	CPD	M1	M2	M3
<b>HOTELS, MOTELS AND BOARDING HOUSES</b>			PD			
<b>KENNELS/CATTERIES (15)</b>						CUP
<b>LABORATORIES; RESEARCH AND SCIENTIFIC</b>				PD	PD	PD
Medical And Dental	PD		PD	PD	PD	
<b>LIBRARIES AND INFORMATION CENTERS</b>	PD	PD	PD			
<b>MANUFACTURING INDUSTRIES</b>						
Apparel And Related Products				PD	PD	PD
Dressmaking And Tailor Shops		PD	PD			
Chemicals ( <i>See Definitions</i> ), Gases And Related Products Excluding Nerve Gas						CUP
Drugs, Pharmaceuticals, Perfumes, Cosmetics And The Like				PD	PD	PD
Soaps, Detergents And Cleaners						PD
Electrical And Electronic Machinery, Equipment And Supplies				PD	PD	PD
Batteries					CUP	PD
Household Appliances				CUP	PD	PD
Transmission And Distribution Equipment, And Industrial Apparatus (15)				CUP	PD	PD
Food And Related Products				CUP	PD	PD
Alcoholic Beverages						PD
Bakery Products				PD	PD	PD
Meat, Seafood And Poultry Packing Plants					CUP	CUP
Slaughtering; Refining And Rendering Of Animal Fats And Oils						CUP
Sugar Refining						CUP
Furniture And Related Fixtures					PD	PD
Instruments; Measuring, Analyzing And Controlling				PD	PD	PD
Jewelry, Silverware, And Plated Ware				PD	PD	PD
Leather And Leather Products				PD	PD	PD
Tanning, Curing And Finishing Of Hides And Skins						CUP
Lumber And Wood Products And Processes					PD	PD
Cabinet Work				PD	PD	PD
Firewood Operations (3, 12)				CUP	CUP	CUP
Plywood, Particleboard And Veneer Manufacture; Wood Preserving						PD
Sawmills And Planing Mills						PD
Machinery, Except Electrical					PD	PD

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	CO	C1	CPD	M1	M2	M3
Office, Computing And Accounting Machines				PD	PD	PD
Metal Industries, Primary						CUP
Rolling, Drawing And Extruding					CUP	PD
Metal Products, Fabricated					PD	PD
Ammunition						CUP
Machine Shops (3)				PD	PD	PD
Plating, Polishing, Anodizing, Engraving And Related Operations				CUP	PD	PD
Musical Instruments, Including Pianos And Organs				PD	PD	PD
Paper And Related Products						CUP
Products From Paper And Paperboard, Including Containers				PD	PD	PD
Pens, Pencils And Other Office And Artists' Materials				PD	PD	PD
Personal Goods				PD	PD	PD
Petroleum Refining And Related Industries						CUP
Photographic, Medical And Optical Goods, And Watches And Clocks				PD	PD	PD
Printing, Publishing And Related Industries				PD	PD	PD
Print Shops (Up To 1,500 Sq. Ft. Of GFA) (3)			PD			
Rubber And Plastics Products (2)					CUP	CUP
Tire Retreading And Recapping					PD	PD
Signs And Advertising Displays				PD	PD	PD
Soil Amendment Operations (16)				CUP	CUP	CUP
Stone, Clay And Glass Products (4)					CUP	PD
Asbestos Products						CUP
Cement, Concrete, Gypsum And Plaster, And Products Fabricated Therefrom (2)					CUP	CUP
Glass And Glassware, Pressed And Blown, Including Flat Glass						CUP
Glass Product, Made Of Purchased Glass				PD	PD	PD
Rock Crushing And Sandblasting Plants						CUP
Textile Mill Products						PD
Tobacco Products					PD	PD
Toys And Amusement, Sporting And Athletic Goods				PD	PD	PD
Transportation Equipment (15)					CUP	PD
Motorcycles, Bicycles And Related Parts					PD	PD
<b>MINERAL RESOURCE DEVELOPMENT (1)</b>						CUP
Mining And Accessory Uses * (1, 19)						CUP

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	CO	C1	CPD	M1	M2	M3
Less Than 1 Year In Duration (1, 22)				CUP	CUP	CUP
Public Works Maintenance (1,22,36)	E	E	E	E	E	E
Reclamation Plan (22)	Following a public hearing where a reclamation plan is required per SMARA in conjunction with a land use <i>entitlement</i>					
Oil And Gas Exploration And Production *				CUP	CUP	CUP
Drilling, Temporary Geologic (Testing Only)				CUP	CUP	CUP
<b>MIXED USE DEVELOPMENT WITHIN THE CBD OVERLAY ZONE PER SECTION 8109-4.5.5 (37)</b>			PD			
<i>Accessory Dwelling Unit (ADU) within the CBD overlay zone* (58)</i>			Pursuant to Sec. 8107-1.7			
<b>OFFICE; BUSINESS, PROFESSIONAL &amp; ADMINISTRATIVE, EXCEPT HEALTH &amp; VETERINARY (6, 15)</b>	PD	PD	PD	PD	CUP	
Telemarketing Offices (21)	PD	PD	PD	PD	CUP	CUP
<b>ORGANICS PROCESSING OPERATIONS (COMPOSTING, VERMICOMPOSTING, CHIPPING AND GRINDING) (24)</b>						
Biosolids Composting Operations (24)					CUP	CUP
Commercial Organics Processing Operations (All Types) (24)					CUP	CUP
<b>OUTDOOR EVENTS (49)</b>						
If Event Meets Criteria And Requirements of Sec. 8107-46.3 (49)			E			
If Event Does Not Meet Criteria And Requirements of Sec. 8107-46.3 (49)			CUP			
<b>PARKING FACILITIES (38)</b>	PD	PD	PD	PD	PD	PD
<b>PIPELINES/TRANSMISSION LINES, ABOVEGROUND (19)</b>	CUP		CUP	CUP	CUP	CUP
<b>PROPULSION (ENGINE) TESTING</b>						CUP
<b>PUBLIC UTILITY FACILITIES</b>	CUP	CUP	CUP	CUP	CUP	CUP
Small Utility Structures (19)	E	E	E	E	E	E
Offices Only	PD	PD	PD	PD	PD	PD
Service Yards					PD	PD
<b>RADIO STUDIOS (see Sec. 8107-45.2.3) (45)</b>			CUP	PD	PD	PD
<b>RECORDING STUDIOS (3, 15)</b>			PD	CUP		

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	CO	C1	CPD	M1	M2	M3
<b>RENTAL AND LEASING OF DURABLE GOODS (6, 15, 19)</b>			CUP	CUP	CUP	CUP
Bicycle Rental			PD			
<b>REPAIR AND RECONDITIONING SERVICES (2)</b>			CUP	CUP	PD	PD
Automobile Bodywork And Painting					PD	PD
Automobile Repair, Including Component Repair (15)			CUP	CUP	PD	PD
Electrical And Electronic Machinery And Equipment (3, 6, 15)				PD	PD	PD
Heavy Machinery Repair, Including Trucks, Tractors And Buses					PD	PD
Instruments, Including Musical Instruments (3, 6)				PD	PD	
Office, Computing And Accounting Machines (3, 6)				PD	PD	
Photographic And Optical Goods (3, 6)				PD	PD	
Repair Of Personal Goods Such As Jewelry, Shoes And Saddlery		PD	PD			
<b>RETAIL TRADE (SEE DEFINITIONS) (2, 19)</b>		PD	PD			
Christmas Tree Sales * (3)		ZC	ZC			
Eating Establishments * (18)		PD	PD	CUP	CUP	
Feed Stores			CUP			
Lumber And Building Materials Sales Yards (6, 15)			CUP		CUP	
Mail Order Houses (Nonstore)			PD	PD		
Mobile Food Facilities * (18)	E	E	E	E	E	E
More Than 30 Minutes In One Location (18)	ZC	ZC	ZC	ZC	ZC	ZC
Motor Vehicle, Mobilehome, Recreational Vehicle And Boat Dealers			CUP			
Nurseries			CUP			
Uses And Structures, Accessory						
Outdoor Sales And Services, Temporary (See Definitions) * (2)		ZC	ZC			
Repair Of Products Retailed		ZC	ZC			
<b>SALES/LEASING OF COMMERCIAL/INDUSTRIAL OFFICE SPACE IN EXISTING BUILDING ON SAME SITE AS UNIT/UNITS BEING SOLD/LEASED (18)</b>	E	E	E	E	E	E
<b>SALVAGE YARDS, INCLUDING AUTOMOBILE WRECKING YARDS WITH ANCILLARY RETAIL SALES OF SALVAGED MATERIALS</b>						CUP

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	CO	C1	CPD	M1	M2	M3
<b>SERVICE ESTABLISHMENTS</b>						
Business (See Definitions)	PD		PD	PD		
Auction Halls, Not Involving Livestock (2)			CUP	CUP	PD	
Disinfecting And Exterminating Services (6)			CUP	CUP	CUP	CUP
Exhibits, Building Of				PD	PD	PD
Industrial Laundries And Dry Cleaning Plants					PD	PD
Sign Painting And Lettering Shops			PD	PD	PD	
Personal		PD	PD			
<b>SIGNS PER REQUIREMENTS OF ARTICLE 10 UNLESS EXEMPT FROM ZONING CLEARANCE PER SEC. 8110-3 (7, 15)</b>	ZC	ZC	ZC	ZC	ZC	ZC
Freestanding Off-Site Advertising Signs					CUP	CUP
<b>SWAP MEETS (15)</b>			CUP	CUP	CUP	CUP
<b>TAXIDERMY</b>			PD			
<b>TRANSPORTATION SERVICES (SEE DEFINITIONS)</b>				CUP	PD	PD
Bus And Train Terminals			CUP			
Stockyard, Not Primarily For Fattening Or Selling Livestock						CUP
Truck Storage, Overnight, And Waste Hauling Yards (7, 23)					PD	PD
<b>TREES AND NATIVE VEGETATION: REMOVAL, RELOCATION OR DAMAGE, OR VEGETATION MODIFICATION (7, 12, 51)</b>						
Protected Trees, Vegetation, And Vegetation Modification In Overlay Zone * (51)	See Articles 7 and 9					
Other Trees And Vegetation Outside Overlay Zone (51)	E	E	E	E	E	E
<b>USES AND STRUCTURES, ACCESSORY, OTHER THAN LISTED ABOVE (19)</b>						
Animals, Security, Per Art. 7 (See Sec. 8107-2.4.4)	E	E	E	E	E	E
More Animals Than Permitted	CUP	CUP	CUP	CUP	CUP	CUP
Dwelling, For Superintendent Or Owner (2, 6)		CUP	CUP	CUP	CUP	CUP
Dwelling, Caretaker (3, 6)				CUP	CUP	CUP
Game Machines; Three Or Fewer		ZC	ZC			

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	CO	C1	CPD	M1	M2	M3
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Section 8106-5.5) (57)	E	E	E	E	E	E
Organics Processing Operations (24)						
On-Site Composting Operations (24)						
Small-Scale (up to 10 cubic yards on-site) (24)	E	E	E	E	E	E
Medium-Scale (over 10 cubic yards to 200 cubic yards on-site) (24)	CUP	CUP	CUP	ZC	ZC	ZC
Large-Scale (over 200 cubic yards on-site) (24)				CUP	CUP	CUP
Waste Handling, Waste Disposal and Recycling Facilities (24)						
Recyclable Household/CESQG Hazardous Waste Collection Facilities(24)		E	E	E	E	E
not meeting standards established by Sec. 8107-36.3.7 (24)		CUP	CUP	CUP	CUP	CUP
Patios, Paving, And Decks Not More Than 30" Above Finished Grade Per Article 6 (19)	E	E	E	E	E	E
Recreational Facilities, Restaurants And Cafes; For Employees Only				PD	PD	PD
Retail Sale Of Products Manufactured On-Site				ZC	ZC	ZC
Soil And Geologic Testing For Water Wells, Foundations, Septic Systems, And Similar Construction	E	E	E	E	E	E
Swimming, Wading, And Ornamental Pools Less Than 18" Depth Capacity (19)	E	E	E	E	E	E
Temporary Buildings During Construction * (2)			ZC	ZC	ZC	ZC
Vaccination Clinics, Temporary, For Pet Animals * (5)		ZC	ZC			
Play Structures, Outdoor Furniture, Similar Structures Exempt From Setback Requirements Of Article 6	E	E	E	E	E	E
Ordinary Maintenance/Minor Repairs To Buildings; No Structural Alterations	E	E	E	E	E	E
Vending Machines Not Displacing Required Parking Or Landscaping, Nor Blocking Pedestrian Access (19)	E	E	E	E	E	E
<b>VETERINARY CLINICS, PET ANIMALS ONLY * (2, 15)</b>		CUP	PD	PD	PD	PD
<b>WAREHOUSING AND STORAGE, INCLUDING MINISTORAGE ETC.</b>				PD	PD	PD
Automobile Impound Yards; Dead Storage Of Trucks, Buses And The Like (2, 4)						CUP
Building Materials, Movers' Equipment And The Like; Indoor (1, 8)				PD	PD	PD

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	CO	C1	CPD	M1	M2	M3
Outdoor (2)						CUP
Ministorage, with or without RV Storage * (27)			CUP		PD	PD
Fertilizer And Manure						CUP
Hazardous Materials, Including Pesticides And Herbicides (7)						CUP
Petroleum And Gas (Butane, Propane, Lpg, Etc.); Explosives And Fireworks						CUP
Recreational Vehicle					PD	PD
Storage Of Building Materials, Temporary * (3)	ZC	ZC	ZC	ZC	ZC	ZC
<b>WASTE HANDLING, WASTE DISPOSAL AND RECYCLING FACILITIES (24)</b>						
Disposal Facilities, Oilfield Waste (24)						CUP
Disposal Facilities, Solid Waste (24)						CUP
Household/CESQG Hazardous Waste Collection Facilities And Hazardous Waste Collection, Treatment And Storage Facilities (24)					CUP	CUP
Recyclables Collection And Processing Facilities (24)				CUP	CUP	CUP
Recyclables Collection Centers (24)	ZC	ZC	ZC	ZC	ZC	ZC
Recyclable Household/CESQG Hazardous Waste Collection Facilities (24)					CUP	CUP
Reuse Salvage Facilities (Indoor Or Outdoor) (24)			CUP	CUP	CUP	CUP
Temporary Collection Activities, Outdoor (24)	ZC	ZC	ZC	ZC	ZC	ZC
Waste Collection And Processing Activities To Mitigate An Emergency (24)	ZC	ZC	ZC	ZC	ZC	ZC
Waste Processing Facilities And Transfer Stations (24)					CUP	CUP
<b>WASTEWATER/SEWAGE TREATMENT FACILITIES</b>						
Individual Sewage Disposal Systems	ZC	ZC	ZC	ZC	ZC	ZC
On-Site Wastewater Treatment Facility			CUP	CUP	CUP	CUP
Community Wastewater Treatment Facility					CUP	CUP
<b>WATER PRODUCTION, STORAGE, TRANSMISSION, &amp; DISTRIBUTION FACILITIES:</b>						
4 Or Fewer Domestic Service Connections (Privately Operated) (6, 15)	ZC	ZC	ZC	ZC	ZC	ZC
5 Or More Domestic Service Connections (Privately Operated)	CUP	CUP	CUP	ZC	ZC	ZC

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	CO	C1	CPD	M1	M2	M3
Well Drilling For Use Only On Lot Of Well Location (Privately Operated)	E	E	E	E	E	E
<b>WHOLESALE TRADE</b>				PD	PD	PD
<b>ZOOLOGICAL GARDENS, ANIMAL EXHIBITS AND COMMERCIAL AQUARIUMS</b>			CUP			

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- (1) ADD. ORD. 3723 - 3/12/85
- (2) AM. ORD. 3730 - 5/7/85
- (3) ADD. ORD. 3730 - 5/7/85
- (4) AM. ORD. 3749 - 10/29/85
- (5) ADD. ORD. 3749 - 10/29/85
- (6) AM. ORD. 3810 - 5/5/87
- (7) ADD. ORD. 3810 - 5/5/87
- (8) AM. ORD. 3881 - 12/20/88
- (9) ADD. ORD 3881 - 12/20/88
- (10) ADD. ORD. 3895 - 4/25/89
- (11) AM. ORD. 3920 - 12/19/89
- (12) AM. ORD. 3993 - 2/25/92
- (13) AM. ORD. 3995 - 3/24/92
- (14) ADD. ORD. 3995 - 3/24/92
- (15) AM. ORD. 4092 - 6/27/95
- (16) ADD. ORD. 4092 - 6/27/95
- (17) ADD. ORD. 4118 - 7/2/96
- (18) ADD. ORD. 4123 - 9/17/96
- (19) AM. ORD. 4123 - 9/17/96
- (20) AM. ORD. 4166 - 4/14/98
- (21) AM. ORD. 4175 - 10/6/98
- (22) AM. ORD. 4187 - 5/25/99
- (23) AM. ORD. 4214 - 10/24/00
- (24) ADD. ORD. 4214 - 10/24/00
- (25) AM. ORD. 4215 - 10/24/00
- (26) ADD. ORD. 4215 - 10/24/00
- (27) AM. ORD. 4216 - 10/24/00
- (28) ADD. ORD. 4216 - 10/24/00
- (29) ADD. ORD. 4220 - 12/5/00
- (30) ADD. ORD. 4227- 1/9/01
- (31) ADD. ORD. 4281 -5/6/03
- (32) AM. ORD. 4281 - 5/6/03
- (33) AM. ORD. 4282 - 5/20/03
- (34) AM. ORD. 4291 - 7/29/03
- (35) AM. ORD. 4317 - 3/15/05
- (36) AM. ORD. 4389 - 9/16/08
- (37) ADD. ORD. 4393 - 12/16/08
- (38) AM. ORD. 4407 - 10/20/09
- (39) ADD. ORD. 4411 - 3/2/10
- (40) AM. ORD. 4411 - 3/2/10
- (41) AM. ORD. 4417 - 10/05/10
- (42) ADD.ORD. 4436 - 06/28/11
- (43) AM. ORD. 4455 - 10/22/13
- (44) AM.ORD. 4461 - 3/18/14
- (45) ADD. ORD. 4470 - 3/24/15
- (46) AM. ORD. 4470 - 3/24/15
- (47) AM. ORD. 4519-2/27/18
- (48) ADD. ORD. 4523 - 6/19/18
- (49) ADD. ORD. 4526 - 7/17/18
- (50) ADD. ORD. 4532 - 10/30/18
- (51) AM. ORD. 4537 - 3/19/19
- (52) ADD. MEASURE O - 11/3/20
- (53) AM. ORD. 4580 - 4/13/21
- (54) AM. ORD. 4574 - 12/15/20
- (55) AM. ORD. 4596 - 3/1/22
- (56) AM.ORD. 4606 - 11/1/22
- (57) ADD. ORD. 4606 - 11/1/22
- (58) AM. ORD. 4615 - 2/7/23

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

## Sec. 8106-0 - Purpose

The purpose of this Article is to set forth specific development standards which are applicable to the zones specified, and to delineate certain instances where exceptions to the requirements are allowed. Sec. 8106-1 lists in matrix form specific development standards applicable to specific zones.

## Sec. 8106-1 - Schedules of Specific Development Standards by Zone and Exceptions Thereto

The following tables indicate the *lot* area, setback, height and building coverage standards which apply to individual *lots* in the zones specified. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3759 - 1/14/86; AM. ORD. 3995 - 3/24/92; AM. ORD. 4054 - 2/1/94; AM. ORD. 4377 - 1/29/08; AM. ORD. 4455 - 10/22/13)

### Sec. 8106-1.1 - Development Standards for Uses and Structures in OS, AE, and R Zones

(ADD. ORD. 3730 - 5/7/85; AM. ORD. 4054 - 2/1/94; AM. ORD. 4092 - 6/27/95; AM. ORD. 4216 - 10/24/00; AM. ORD. 4291 - 7/29/03; AM. ORD. 4377 - 1/29/08; ADD. ORD. 4436 - 6/28/11; ADD. ORD. 4479 - 9/22/15)

Zone	Minimum Lot Area(a)	Maximum Percentage of Building Coverage	Required Minimum Setbacks(b)				Maximum Structure Height		
			Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure (c)
				Interior & Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				
OS	10 acres	As Determined by the General Plan or Applicable Area Plan	20'	10'	20'	15'	25'	Height may be increased above 25' (to maximum 35') if each side yard is at least 15' or as specified by permit	15', except as noted in Section 8106-7.4
AE	40 acres			5'	10'				
RA	One acre								
RE	10,000 sq. ft								
RO	20,000 sq. ft								
R1	6,000 sq. ft.			20'(d)					
R2	7,000 sq. ft. (1)								
RHD	0.80 acre (3)		From adjacent street	Interior Side Yard	Rear Lot Line	35'	35'		
		10'	5'	10'					
RPD	As specified by permit (2)	See Section 8109-1.2.2				35'	As specified by permit		
RES	As specified in the Old Town Saticoy Development Code (Article 19)								
R/MU									

#### REGULATORY NOTES:

- (1) Minimum lot area per dwelling unit: 3,500 square feet.
- (2) Minimum density; one dwelling unit per acre; maximum density; 30 dwelling units per acre.
- (3) Section 65583.2(h) of the California Planning and Zoning Laws prescribes a minimum 16 units per site.



**EDITORIAL NOTES:**

- (a) Zone suffix (Sec. 8103-1) may require greater minimum lot area. See Sec. 8106-2 for other exceptions.
- (b) See Sections 8106-5, 8106-6, and 8107-20 for exceptions. See Sec. 8106-4.3 for flag lot setbacks.
- (c) See Sections 8106-5, 8106-7, and 8106-8 for exceptions.
- (d) See Sec. 8106-5.11 for "swing driveway" exception.

**Sec. 8106-1.2 - Development Standards for Uses and Structures in Commercial, Industrial and Special Purpose Zones**

(ADD. ORD. 3730 - 5/7/85; AM. ORD. 4018 - 12/15/92; AM. ORD. 4377 - 1/29/08; ADD. ORD. 4479 - 9/22/15)

Zone	Minimum Lot Area (Gross)	Maximum Percentage of Building Coverage	Required Minimum Setbacks (a)		Maximum Structure Height				
			From Street	Each Interior Yard	Main Structure	Exceptions (Main Structure)	Accessory Structure		
CO	No requirement	See General Plan	Front: 20' Side: 5'	None required, but if provided, or if any side is adjacent to R-zoned property then 10 feet on that side	25'	Height may be increased (to maximum 60') with Planning Commission C.U.P.	As specified by permit		
C1			5 feet on Corner Lots (d)	5 feet if adjacent to an R-zone; otherwise as specified by permit (d)	35'				
CPD				As specified by permit	25'				
TP	160 acres (b)		20' (c)	5 feet if adjacent to an R-zone; otherwise as specified by permit (c, d)	30'	May be increased to 60' with Planning Director approval			
M1	10,000 sq. ft.		15' (c)		As specified by permit	Maximum 60' when located within 100' of R-zoned property			
M2			10' (c)						
M3									
TC	As specified in the Old Town Saticoy Development Code (Article 19)								
IND									
SP	As established by Specific Plan (See Sec. 8109-4.2)								

- (a) See Sec. 8106-5 for exceptions. See Sec. 1806-4.3 for flag lot setbacks.
- (b) See Sec. 8109-4.3.6.
- (c) A 30-foot setback, in conjunction with appropriate opaque screening, may be required (1) when the industrial site is adjacent to or across the street from an R-zone; (2) to maintain uniformity with existing adjacent development; or (3) on the basis of the configuration of the industrial site.
- (d) AM. ORD. 3810-5/5/87

**Sec. 8106-1.3 - Measurement of Building Heights**

The heights of buildings and structures shall be measured in accordance with the following subsections and as illustrated in Figure 1 that follows.

**Sec. 8106-1.3.1 - Building Heights on Flat Grades**

The height of any building located on a flat grade is the vertical distance from the grade to the highest point of the roof; this includes A-frame buildings, Quonset huts, geodesic domes and other such buildings that have the roof and walls forming a continuous architectural unit. In the case of a pitched roof, height is measured to the "averaged midpoint" of the roof. This "averaged midpoint" is arrived at by identifying two points ("midpoints") along the finished roof which are

midway between the peak of the highest finished ridge line(s) and the intersection of the outermost portion of the finished roof with the upward extensions of the two exterior finished walls running parallel to the same ridge line(s), measuring the distance from these two points to the grade, adding together the two vertical heights from grade to the midpoints, and dividing the result by two. For purposes of determining the "finished roof", "finished roof" shall mean the roof with the roof sheeting in place, but not the other roofing materials.

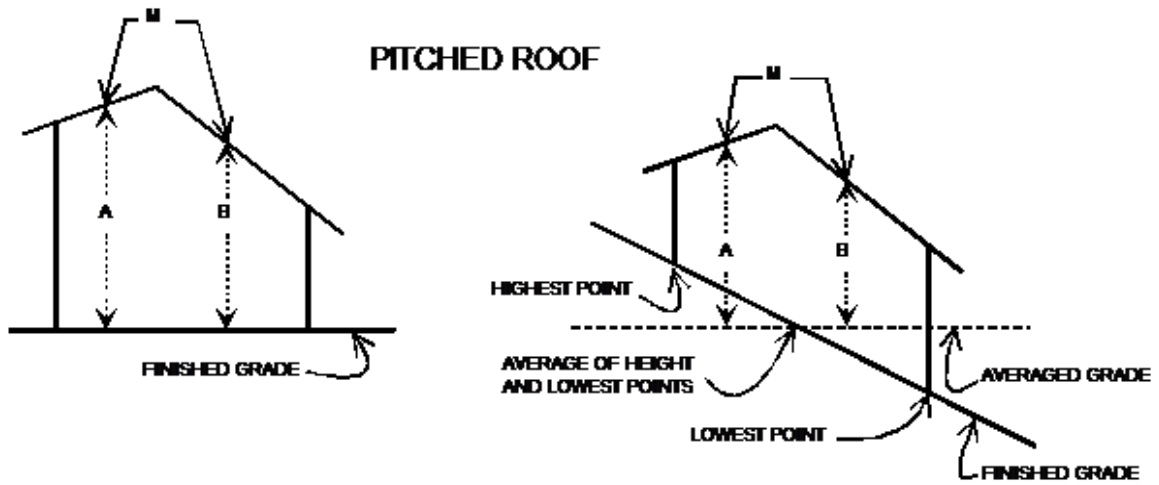
(ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4291 - 7/29/03)

**Sec. 8106-1.3.2 - Building Heights on Sloping Grades**

The height of any building located on a sloping grade is the vertical distance from the "averaged grade," which is arrived at by finding the midpoint of the lowest and highest grade at each building elevation (meaning side view or face of the structure), to the highest point of the roof or (in the case of a pitched roof) to the "averaged midpoint," as described in Sec. 8106-1.3.1 and illustrated in Figure 1 (Sec 8106-1.3). These sums are then divided by the number of elevations. If the site has compound grades, height should be measured at each building face. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

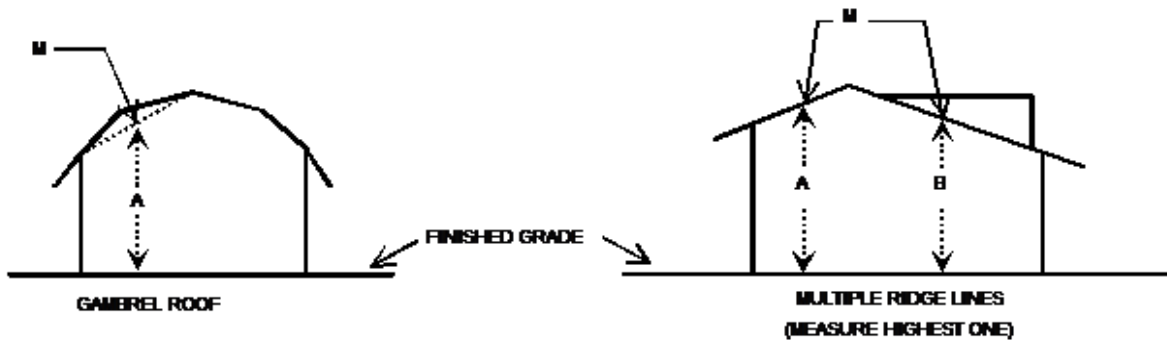
**FIGURE 1**  
 (Sec. 8106-1.3)

(ADD ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

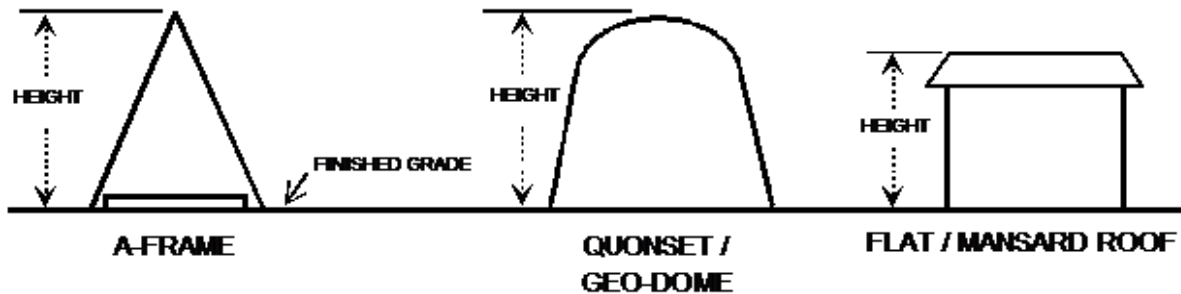


$$\text{AVERAGED MIDPOINT} = \frac{A + B}{2}$$

M = MIDPOINT OF ROOF LINE



**OTHER ROOF TYPES**



Sec. 8106-2 - (Reserved for Future Use)(See Sec. 8103-2) (Del. ORD 4333 - 12/06/05)

## **Sec. 8106-2 – (Reserved for Future Use)**

### **Sec. 8106-3 - Purpose and Use of Setbacks**

The setback regulations are intended to prevent the overcrowding of land, provide privacy, preclude narrow, unusable spaces between buildings and provide clear areas for fire safety purposes, both to retard the spread of fire and to enable emergency personnel to reach side and rear areas of buildings. The setback regulations are intended to apply to buildings with foundations, and other structures such as those for parking and storage, whether or not they have foundations, and to open storage. No required setback shall be used for parking or storage of any vehicles, nor for open storage or garages or any other structures except as allowed by Section 8106-8.6 and Section 8106-5.3, or specifically provided for in this Chapter. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4282 - 5/20/03)

### **Sec. 8106-4 - Measurement of Setbacks**

#### **Sec. 8106-4.1 - Measurement of Rear Setback from an Alley**

In computing the depth of a rear setback for any *lot* abutting an alley, the setback may be measured from the midpoint of the rear alley.

#### **Sec. 8106-4.2 - Setbacks from Easements**

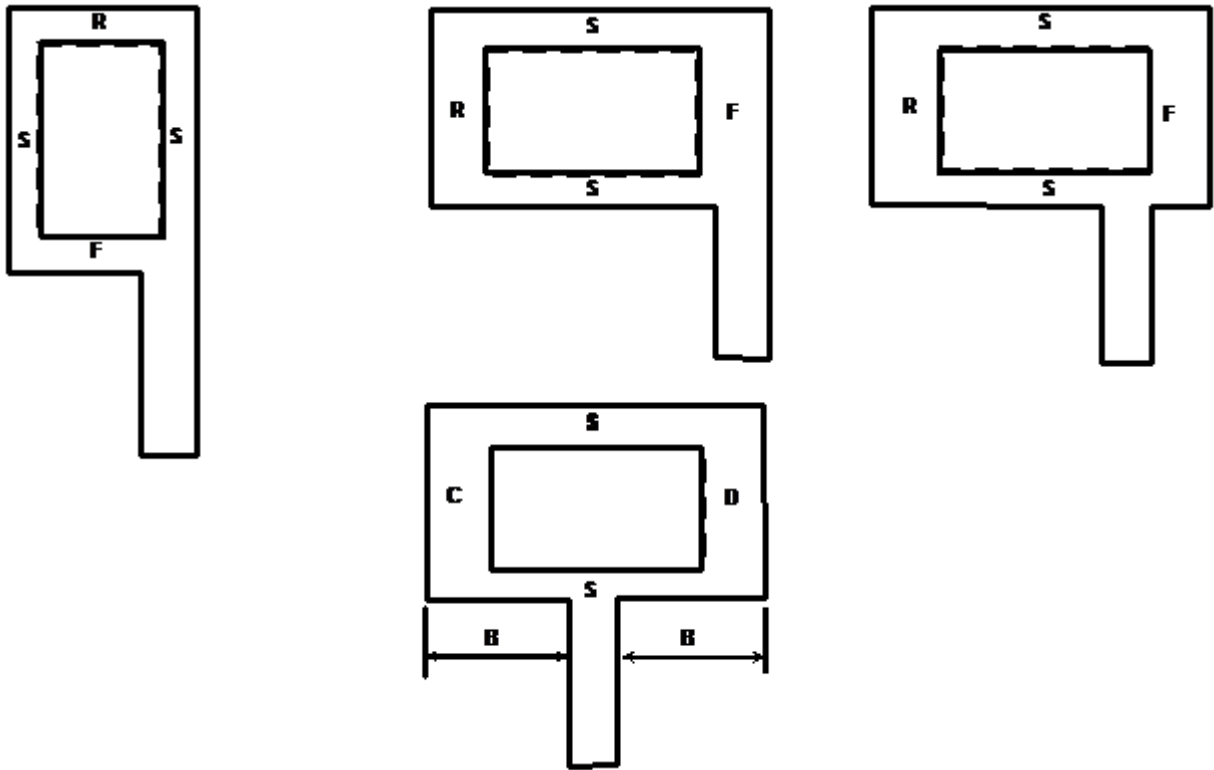
If the only means of access to one or more *lots* is by way of an easement, the easement shall be considered as a street for purposes of determining setbacks on *lots* over which the easement passes. (AM. ORD. 3730 - 5/7/85)

#### **Sec. 8106-4.3 - Determination of Setbacks for Flag Lots and Irregularly Shaped Lots**

In the case of “flag *lots*” and “irregularly shaped *lots*”, the setbacks shall be measured from the applicable front (F), rear (R) and side (S) of the *lot* as designated in the following diagrams.

- a. In cases involving flag *lots* or irregularly shaped *lots* of a type not represented in any of the following diagrams, the *Planning Director* shall determine the minimum setbacks utilizing good planning practices.
- b. Any portion of a flag *lot* or irregularly shaped *lot* that is adjacent to a street is a “required setback adjacent to a street” for purposes of *fence* regulations.  
(AM. ORD. 3810 - 5/5/87; AM. ORD. 4216 - 10/24/00)

**Illustration of Setbacks for Flag Lots  
(Section. 8106-4.3)**

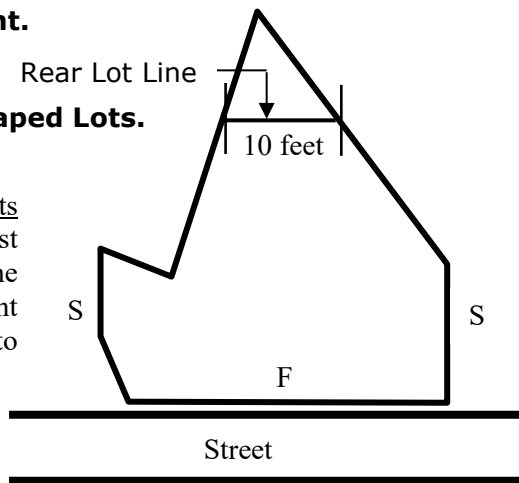


**If a=b, applicant designates C or D as front.**

**Illustration of setbacks for Irregularly Shaped Lots.**

Rear lot lines for triangular and irregularly shaped lots  
 – A line ten feet long within the lot, opposite and most distant from the front lot line, which is parallel to the front lot line or parallel to the chord of a curved front lot line, where such chord is drawn perpendicular to the mean direction of lot depth.

(AM. ORD. 4216 - 10/24/00)



### **Sec. 8106-4.4 - Determination of Setbacks for Through Lots**

- a. If the area of a through *lot* is less than twice the minimum *lot* area for the zone, one street frontage shall be designated as the front, and the other frontage shall be the rear.
- b. If the *lot* area is two or more times the minimum area for the zone, each street frontage shall be considered a front for purposes of determining setbacks.

(ADD. ORD. 3810 - 5/5/87)

## **Sec. 8106-5 - Exceptions to Required Setbacks and Height**

The following are exceptions to the standards given in Sec. 8106-1:

### **Sec. 8106-5.1 - Accessory Structures in Certain Setback Areas**

Detached accessory structures not used for human habitation may be constructed to within three feet of interior and rear *lot* lines, provided that:

- a. In no case shall any such accessory structure(s) occupy more than 40 percent of the rear setback area which is measured by multiplying the required minimum rear setback set forth in Section 8106-1 by the particular *lot* width; and
- b. Setbacks for the street side of the *lot* shall be maintained as set forth in Section 8106-1.

### **Sec. 8106-5.2 - Accessory Structures in Front Setbacks on Through Lots**

An accessory structure not used for human habitation and not exceeding 15 feet in height may be located in one of the required front setbacks on a large through *lot*, as described in Sec. 8106-4.4b, provided that every portion of such accessory structure is at least ten feet from the nearest front line. (AM. ORD. 3810 - 5/5/87)

### **Sec. 8106-5.3 - Parking in Setbacks**

- a. Vehicles shall not be parked within any front or street-side setback, except that fully operative, licensed and registered motorized vehicles may be parked in the driveway access to the required parking. Said vehicles and operative non-motorized vehicles may park on a paved area (no wider than 10 feet) adjacent to the driveway, as an accessory use to a dwelling, and except as provided elsewhere in this Chapter.
- b. No required setback may be used for the provision of required parking spaces, except as specifically provided in this Chapter.
- c. In the M1 and M2 zones, required setbacks from streets may be used for required off-street parking spaces, provided that such spaces are located behind required landscaping and screening and any other required amenities such as sidewalks. (AM. ORD. 4377 - 1/29/08; AM. ORD. 4407 - 10/20/09)
- d. On interior *lots*, a minimum three-foot-wide area adjacent to one side *lot* line must be kept free of operative vehicles and open storage. (See Sec. 8107-1.6) (AM. ORD. 3730 - 5/7/85; AM. ORD. 3749 - 10/29/85)

(AM. ORD. 3810 - 5/5/87)

### **Sec. 8106-5.4 - Architectural Features**

Eaves, cornices, canopies, belt courses, sills, buttresses and other similar architectural features that do not create additional floor area or living space, may project a maximum of 2½ feet into required front setbacks, two feet into side setbacks and four feet into rear setbacks, and may not be closer than two feet from any side or rear



property line. Such features shall not be closer than two feet to a line midway between the exterior walls of buildings located on the same *lot*. (AM. ORD. 3810 - 5/5/87)

#### **Sec. 8106-5.5 - Heating and Cooling Equipment and the Like**

Accessory equipment such as heating, cooling, filtering and circulation pumps, *emergency* backup generators, backup battery packs, and other necessary appurtenances may be located to within 3 feet of any side or rear *lot* line. Such equipment is exempt from a Planning Division *entitlement* pursuant to Sections 8105-4 and 8105-5 of this Chapter. Unless otherwise determined by the *Planning Director*, equipment that is accessory to a *use* with an underlying discretionary *entitlement* will require a permit adjustment or modification to the approved *entitlement*. (AM. ORD. 4216 - 10/24/00; AM. ORD. 4606 - 11/1/22)

#### **Sec. 8106-5.6 - Balconies, Fire Escapes and Stairways**

Open, unenclosed stairways or balconies not covered by roofs or canopies may extend into required rear setbacks not more than four feet, and into required front setbacks not more than two and one-half feet. (AM. ORD. 3810 - 5/5/87) (AM. ORD. 4092 - 6/27/95)

#### **Sec. 8106-5.7 - Chimneys and Fireplaces**

Masonry chimneys and fireplaces may project into required setbacks or required common open space not more than two feet provided that such chimneys or fireplaces shall not be closer than three feet to any side property line of the *lot*. Where more than one building is located on the same *lot*, such chimneys or fireplaces shall not be closer than three feet to a line midway between the main walls of such buildings.

#### **Sec. 8106-5.8 - Depressed Ramps**

Open-work *fences*, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps may be located in required setbacks or required common open space, provided that such devices are not more than three and one-half feet in height.

#### **Sec. 8106-5.9 - Uncovered, Unenclosed Landings and Porches**

Uncovered porches, platforms or landings which do not extend above the level of the first floor of the building may extend into required front setbacks not more than six feet, and into required side and rear setbacks no closer than three feet to the property line. An open-work railing not more than three feet high may be installed or constructed on such porch, platform or landing.

#### **Sec. 8106-5.10 - Decks**

When constructed at or below the level of the first floor of the building, a deck may extend into required side or rear setbacks, but may not occupy more than 40 percent of a required rear setback, nor be located closer than three feet to a side or rear property line. This does not apply to *hardscape* directly on grade and/or to decks on grade adjacent to swimming pools. (AM. ORD. 3730 - 5/7/85)

#### **Sec. 8106-5.11 - Front Setback with "Swing" Driveways**

In the R1 and R2 zones, dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the carports or garages facing the side property line, may have a minimum front setback of 15 feet. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4377 - 1/29/08)

### **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. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4532 - 10/30/18)

### **Sec. 8106-5.13 - Swimming Pools and Spas**

Swimming pools, spas, hot tubs and similar structures may be constructed to within three feet of rear and interior side *lot* lines, provided that they do not intrude into any front or street-side setback. Pools designed to hold less than 18 inches of water depth are exempt from setback requirements. (ADD. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87)

### **Sec. 8106-5.14 - Miscellaneous Exceptions**

These regulations are not intended to apply to trees or other natural vegetation, nor to construction that does not extend above grade level, nor to such things as outdoor furniture or unenclosed play structures for children (except if designed for use by non-motorized wheeled conveyances of any kind), provided that such items are placed so as not to hinder setback objectives (as described in Article 6).

(AM. ORD. 4092 - 6/27/95)

### **Sec. 8106-5.15 - Building Additions**

Horizontal or vertical additions to legally existing principal buildings that do not meet current side yard setback requirements may be constructed with the same side setbacks as the existing construction, provided that:

- a. The existing side yard setback is at least three feet on the side of the expansion; and
- b. The linear front-to-rear dimension of any such forward or rearward expansion, or combination thereof, does not exceed 75 percent of the existing linear front-to-rear dimension of the nonconformity; and
- c. New construction that is directly adjacent to existing conforming construction complies with current setback requirements; and

(ADD. ORD. 4123 - 9/17/96)

- d. No new setback nonconformity is created in a side yard that does not have an existing setback nonconformity; and
- e. Except for architectural features and similar setback intrusions that have no floor area and are allowed elsewhere in this Article, new construction over ten feet in height shall conform to current setback requirements.

(ADD. ORD. 4123 - 9/17/96)

### **Sec. 8106-5.16 - Mailboxes**

Structures that support mailboxes in areas of the County with curbside mail delivery may be placed in the front setback, provided that they do not exceed a height of fifty (50) inches, and are not larger than 24 inches on each side. (ADD. ORD. 4123 - 9/17/96)

## **Sec. 8106-6 - Miscellaneous Setback Regulations**

### **Sec. 8106-6.1 - Distance Between Structures on the Same Lot**

- a. The minimum distance between *structures* on the same *lot* shall be 6 feet, except that:

(1) Below-grade, uncovered swimming pools, spas, hot tubs and similar *structures* (having a water depth of 18 inches or more) shall be sited at least 3 feet from any other *structure*, and shall be structurally designed and engineered in compliance with the Ventura County Building Code. Gazebos, patio covers and similar above-grade shade *structures* that are part of the swimming pool, spa, and/or hot tub shall be sited at least 6 feet from any other *structure*; and

(2) Detached *dwellings* shall be sited at least 10 feet to any other detached *dwelling*.

b. The *setback* requirements refer to minimum distances between exterior walls or other supports.

(AM. ORD. 3810 - 5/5/87; AM. ORD. 4580 - 4/13/21)

### **Sec. 8106-6.2 - Garages and Carports**

Except as otherwise provided in this Chapter, garages and carports shall be set back sufficiently from streets from which they take access to provide for 20 linear feet of driveway apron, as measured along the centerline of the driveway from the property line to the garage or carport. (ADD. ORD. 3730 - 5/7/85)

### **Sec. 8106-6.3 - Setbacks from Existing Oil/Gas Well Sites**

No dwelling should be constructed within 800 feet of an existing oil/gas well site unless it is unavoidable. No dwelling shall be built within 500 feet of an existing well site unless the owner records with the title to the property a statement, acceptable to the County Counsel, acknowledging the presence of the well site and the fact that operations associated therewith, including well drilling and redrilling, may disturb the occupants, even though said operations are being conducted in accordance with specific permit conditions, the best accepted practices incident to the exploration of oil and gas, and the provisions of this Chapter. If such an acknowledgement is recorded, the dwelling may be located less than 500 feet from an existing oil well site, but in no case less than 100 feet from said well site. For purposes of this section, "well site" means the area around a well, which may contain production facilities. (ADD. ORD. 3810 - 5/5/87)

### **Sec. 8106-6.4 - Buildings for the Growing of Crops**

Greenhouses, hothouses, shade structures and similar structures shall be set back at least 20 feet from all property lines. (ADD. ORD. 4092 - 6/27/95)

## **Sec. 8106-7 - Exceptions to Height Limits**

The following are exceptions to the height limits stated in Section 8106-1:

### **Sec. 8106-7.1 - Non-Commercial Antennas, Ground-Mounted**

Ground-mounted citizens' band and amateur radio transmitting and receiving *antennas*, intended for private, non-commercial use accessory to a dwelling, may be erected up to a maximum height of 40 feet from the *grade*. Ground-mounted *non-commercial antennas* may be erected above the height limit of 40 feet, under the permit prescribed by this Chapter, provided that no antenna or mast shall exceed 75 feet in height and the design of such *antennas* shall be in accordance with Section 8107-1.1. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4470 - 3/24/15)

### **Sec. 8106-7.2 - Roof Structures**

Roof structures may be erected above the height limits prescribed in this Chapter, provide that no additional floor space is thereby created.

### **Sec. 8106-7.3 - Airport Height Limits**

Height limits as set forth in Federal Aviation Administration (FAA) regulations shall be adhered to within the approach and turning areas of any Ventura County airport.

### **Sec. 8106-7.4 - Accessory Structures**

Provided that an accessory structure is set back 20 feet from all property lines, it may exceed 15 feet in height, but it shall not exceed the maximum allowed height of the principal structure unless a *discretionary* permit is issued pursuant to Article 5. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

### **Sec. 8106-7.5 – Wireless Communication Facilities**

*Wireless communication facilities* may be installed at a height that exceeds the height limit of the zone, provided that the facility does not exceed the maximum height limits prescribed in Sec. 8107-45.4(f). All *wireless communication facilities* shall be designed, constructed and operated in accordance with the development standards stated in Sec. 8107-45.4. (ADD. ORD. 4470 – 3/24/15)

### **Sec. 8106-7.6 – Retaining Walls**

Structural retaining walls may be installed above the *fence* height limits prescribed in Section 8106-8.1 of this Chapter, provided that no retaining walls shall be installed above 3 feet in height within a 10-foot by 10-foot right triangle on each side of a *driveway* adjacent to a street. See Section 8106-8.1.7 of this Chapter regarding retaining walls. (ADD. ORD. 4606 – 11/1/22)

## **Sec. 8106-8 - Miscellaneous Regulations**

### **Sec. 8106-8.1 - Fences, Gates, and Retaining Walls**

(AM. ORD. 4606 – 11/1/22)

#### **Sec. 8106-8.1.1**

- a. A maximum 7-foot-tall solid *fence* may be located on *lots*, including in the locations listed in Section 8106-8.1.1(b)(3) below, except that no solid *fence* over 3 feet tall may be placed in a:
  - (1) Required *sight triangle*,
  - (2) Required *setback* adjacent to a street, or
  - (3) 10-foot by 10-foot right triangle on each side of a *driveway* on a side property line. (See Sec. 8106-8.4.)
- b. Notwithstanding subsection (a) above, the following standards apply to the specified situations:
  - (1) A *see-through fence* of up to 5 feet tall may be located in a *front setback* or a required *setback* adjacent to a street.
  - (2) A *see-through fence* of up to 7 feet tall may be located anywhere on a *lot* of 20,000 square feet or more.
  - (3) A maximum 7-foot-tall solid *fence* may also be located:
    - i. In a *rear setback* adjacent to a street on a *through lot* (see Section 8106-4.4).
    - ii. In a *rear setback*, when a *lot* is bounded on three sides by a street, one of which is a *rear lot line*.
    - iii. In a *side setback* adjacent to a street of a *corner lot*.
    - iv. On a *reverse corner lot* within a *side setback* adjacent to a street provided that, at the *street-side setback* at the rear corner of the lot

within a 10-foot by 10-foot – 45-degree triangle, a maximum 3 feet tall solid fence or 5 feet tall see-through fence is allowed.

- v. In a rear setback adjacent to a street, when the lot is a flag lot or irregularly shaped lot that has no street frontage along the front lot line.

(4) A maximum 8-foot-tall fence may be located in the following locations except within a required sight triangle or setback adjacent to a street:

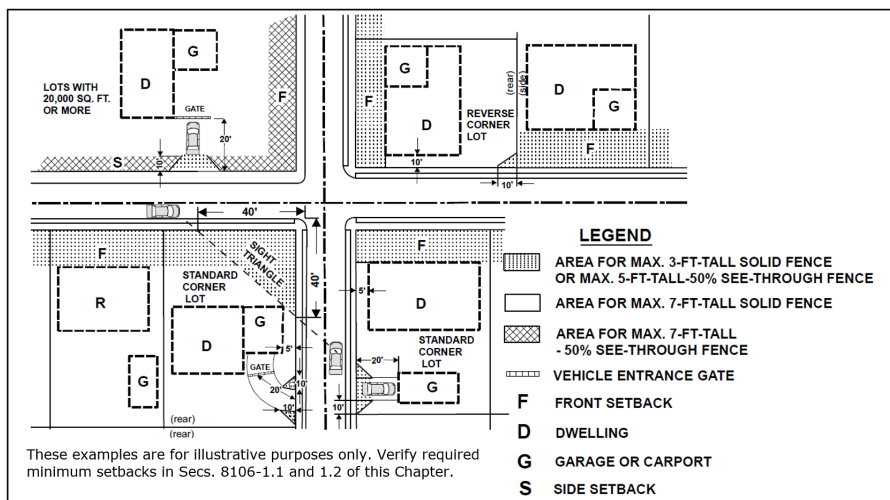
- i. Anywhere on a vacant or developed lot zoned OS, AE, or RA, or on any vacant or developed lot in a commercial or industrial zone; or
- ii. On any vacant or developed lot zoned RE, RO, R1, R2 or RPD that abuts or is across the street from a lot in a commercial or industrial zone or a lot zoned OS, AE or RA, provided that such fence is located at or near the boundary line separating such lots.

(5) Pilasters, columns, and support structures and the decorative elements thereon associated with a fence or gate located on or within required setbacks may exceed the height limit provided that they meet the following criteria:

- i. They do not exceed 8 feet in height, and
- ii. They are not located closer than 16 feet on center, and
- iii. The fencing materials do not cumulatively exceed the see-through fence standard, and
- iv. They do not interfere with the sight triangle associated with any driveway or intersections with no traffic controls.

(6) A maximum 12-foot-tall see-through fence may be located around a sport's court (e.g., tennis, basketball, volleyball, or similar ball sport) accessory to a dwelling anywhere on a lot, except in a required setback adjacent to a street.

- c. Vehicle entrance gates (whether automatic or manual) shall be located a minimum of 20 feet from the front or street-side property line to minimize sidewalk blockage and interference with traffic flow. For sloped or angled vehicle entrances, the 20-foot setback may be measured at an angle from the front or street-side property line to the closest gate opening. Such vehicle entrance gates shall not swing within the 20-foot setback.



Example of Typical Fences and Walls

(AM. ORD. 4092 – 6/27/95; AM. ORD. 4123 – 9/17/96; AM. ORD 4216 – 10/24/00; AM. ORD. 4377 – 1/29/08; AM. ORD. 4606 – 11/1/22)

**Sec. 8106-8.1.2 – Required Permits**

- a. Prior to the construction of any of the following, a Zoning Clearance is required:
  - (1) *Fences* that are over 7 feet in height measured from grade to the top of *fence*.
  - (2) Any *fence* that requires electricity for *light fixtures* and/or to power an entry gate.
  - (3) Any retaining wall that is over 3 feet in height measured from grade on the lower side, to the top of the wall, and/or supporting a surcharge.
- b. A separate Tree Permit may be required for the construction of a *fence* or gate that *alters* any *protected tree* pursuant to Section 8107-25 of this Chapter.
- c. All *fencing* within the HCWC *Overlay Zone* must be installed in compliance with the standards of Section 8109-4.8 of this Chapter.
- d. All *fencing* within the CWPA *Overlay Zone* must be installed in compliance with the standards of Section 8109-4.9 of this Chapter.

(AM. ORD. 4092 – 6/27/95; AM. ORD. 4606 – 11/1/22)

**Sec. 8106-8.1.3 – Prohibited Fencing**

No barbed wire, razor-edge wire, electric wire or similar type of *fencing* (see photographic examples below) is permitted in urban residential zones or commercial zones (See Article 4), or on properties in industrial zones which *abut* or are across the street from urban residential zoned properties, if such *fencing* would be visible from the urban residential zoned property or properties.



Examples of Prohibited Fencing

(AM. ORD. 4092 – 6/27/95; AM. ORD. 4606 – 11/1/22)

**Sec. 8106-8.1.4 – Fence and Retaining Wall Height Measurements**

The height of *fences* and retaining walls shall be measured in accordance with the following subsections and as illustrated in Figure 1 below:

- a. For purposes of this section, “grade” shall be the lowest level parallel to and 5 feet from the *fence* or retaining wall.
- b. Height of a *fence* or retaining wall shall be measured from grade to the highest point of the *fence* or retaining wall.
- c. Where there is a difference in grade levels on the two sides of a *fence*, the height of such *fence* shall be measured from the higher grade, provided that the distance from the lower grade to the top of the *fence* shall not exceed 10 feet, and further provided that in a required *setback* adjacent to a street, the *fence* height shall be measured from adjacent grade of the street side of the *fence*. See Section 8106-8.1.7 below for additional regulations pertaining to structural retaining walls



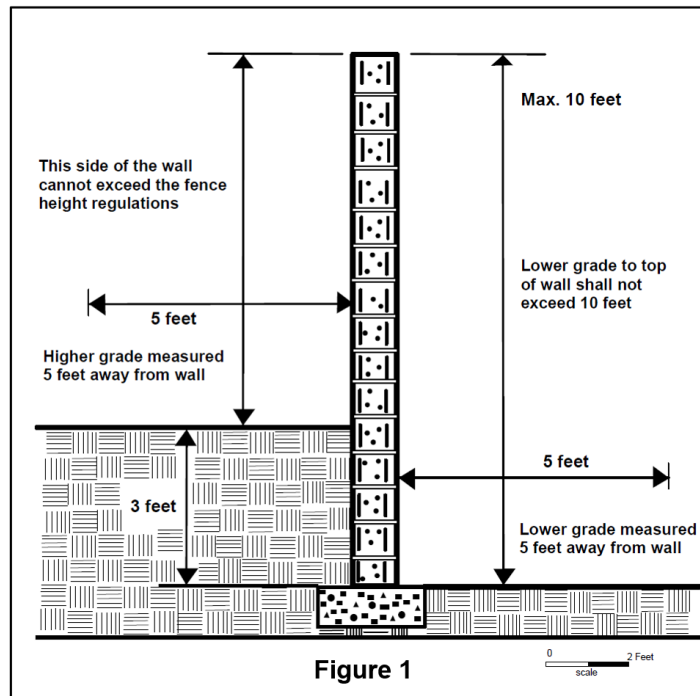


Figure 1

(AM. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4216 - 10/24/00; AM. ORD. 4606 - 11/1/22)

**Sec. 8106-8.1.5 – Fences Required by Law**

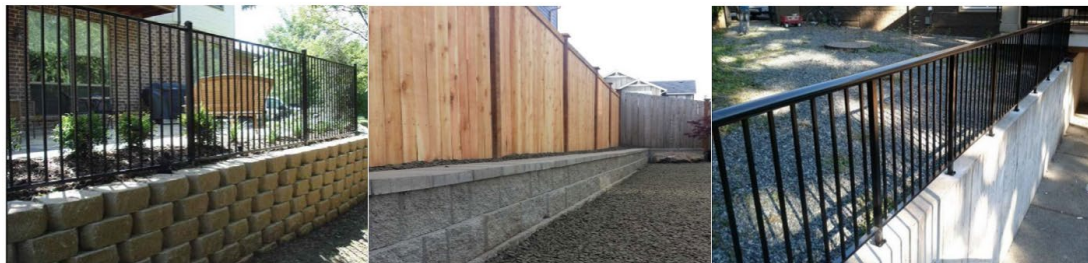
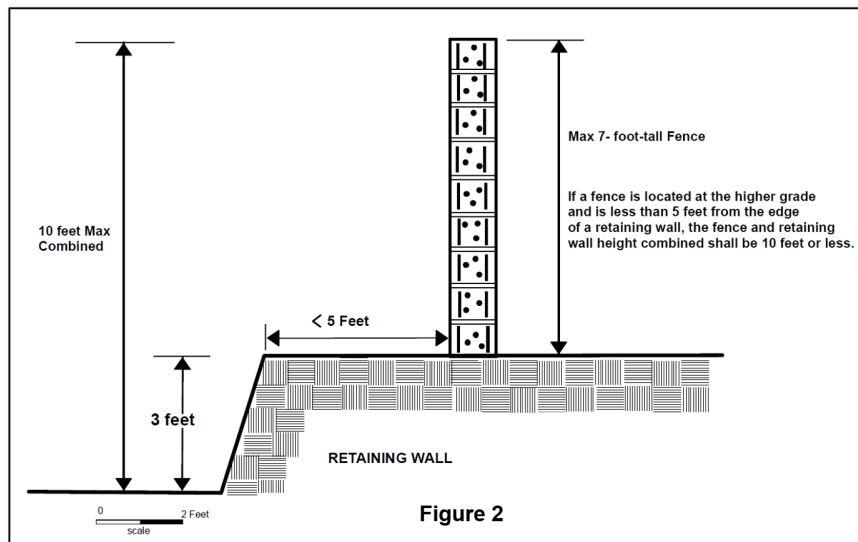
The provisions of Section 8106-8.1 et seq. shall not apply to a *fence* required by any law or regulation of a federal, state or local governmental entity. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4606 - 11/1/22)

**Sec. 8106-8.1.6 – Protected Trees**

For purposes of this Section 8106-8.1 et seq., *protected trees* (listed in Table 1 of Section 8107-25) do not constitute a *fence*. Any alterations to a *protected tree* shall be in compliance with the tree protection regulations of Section 8107-25 et seq. of this Chapter. (ADD. ORD. 3993 - 2/25/92; AM. ORD. 4092 - 6/27/95; AM. ORD. 4606 - 11/1/22)

**Sec. 8106-8.1.7 – Retaining Walls**

Structural retaining walls to stabilize a bank or protect a cut below grade do not have a height limit, unless the walls are located within a 10-foot by 10-foot right triangle on each side of a *driveway* adjacent to a street, in which case the retaining wall cannot exceed 3 feet tall as measured in accordance with Section 8106-8.1.4 of this Chapter. Notwithstanding the foregoing, structural retaining walls are not subject to the setback regulations of Sections 8106-1.1 and 8106-1.2 of this Chapter. Where a *fence* is installed on top of a retaining wall, the total combined height of the retaining wall and the *fence* shall not exceed 10 feet tall as measured from the side of the *fence* with the lower grade to the top of the *fence*. *Fences* installed on top of retaining walls shall meet the setback regulations of Sections 8106-1.1 and 8106-1.2 and the fence regulations of Section 8106-8.1 of this Article. See photographic examples and Figure 2 below.



*Examples of Fences on top of Retaining Walls*

(ADD. ORD. 4606 – 11/1/22)

## **Sec. 8106-8.2 - General Landscaping and Water Conservation Requirements**

### **Sec. 8106-8.2.1 Applicability**

a. Section 8106-8.2 applies to all *discretionary* development projects that include or are required to include landscaping in the following zones:

- (1) CO Zone
- (2) C1 Zone
- (3) CPD Zone
- (4) M Zones
- (5) RPD Zone
- (6) RHD Zone

Sections 8109-0.6, 8109-1.2 and 8109-1.3 contain additional landscape requirements by zone.

b. Any ministerial or *discretionary* development project that meets one or more of the criteria listed below is subject to the State *Model Water Efficient Landscape Ordinance (MWELO)*:

- (2) New construction projects with an aggregate *landscape area* equal to or greater than 500 square feet requiring a building permit, building plan check, or *landscape plan*.

- (3) Retrofitted landscape projects with an aggregate *landscape area* equal to or greater than 2,500 square feet requiring a building permit, building plan check, or *landscape plan*.
  - (4) Existing landscapes are limited to complying with Sections 493, 493.1 and 493.2 of the *MWELO*.
  - (5) Cemeteries: New and retrofitted cemetery development is subject to Sections 492.4, 492.22 and 492.12 of the *MWELO* and existing cemetery development is subject to Sections 493, 493.1 and 493.2 of the *MWELO*.
  - (6) Any project with an aggregate *landscape area* of 2,500 square feet or less is required to comply either with the performance requirements of the *MWELO* or conform to the prescriptive compliance provisions contained in Appendix D of the *MWELO*.
  - (7) Graywater/Rainwater Capture: Any *lot* that with less than 2,500 square feet of *landscape area* that meets the *lot's* landscape water requirement using entirely graywater or stored rainwater captured on site is subject only to the prescriptive compliance provisions contained in Appendix D of the *MWELO*.
  - (8) Notwithstanding the foregoing, the *MWELO* does not apply to:
    - i. Registered local, state or federal historical sites;
    - ii. Ecological restoration projects that do not require a permanent irrigation system;
    - iii. Mined-land reclamation projects that do not require a permanent irrigation system; and
    - iv. Existing plant collections, as part of botanical gardens and arboretums open to the public.
- c. *Discretionary* development projects subject to the *MWELO* pursuant to subsection (b) above shall also be subject to Section 8106-8.2.
  - d. All *discretionary* development projects subject to landscaping requirements that require permanent irrigation, including those not otherwise subject to the *MWELO*, shall be subject to *MWELO*, Appendix D, subsections (b)(5) and (6), as may be amended.
  - e. All development projects subject to landscaping requirements for parking areas pursuant to Section 8108-5.14 shall comply with Sections 8106-8.2.2, 8106-8.2.3, and 8106-8.2.8. Section 8106-8.2.7 shall apply to any parking areas containing manufactured slopes.
  - f. Where conformance to the standards and requirements of this Section 8106-8.2 would create practical difficulties or undue hardship for the project applicant, the Planning Director or designee may grant modifications to the requirements of this section, provided the proposed modifications are the minimum necessary to alleviate the practical difficulties or undue hardship. This provision does not apply to standards and requirements imposed by the *MWELO*.
  - g. Where the landscaping standards conflict with one another, the more restrictive landscaping standard shall apply. The applied standard shall meet or exceed minimum standards required by the *MWELO*.

**Sec. 8106-8.2.2- Landscape Plans**

- a. Applications for development projects with proposed landscaping not subject to the MWELo shall submit a *landscape plan* that meets the following standards:
  - (1) The *landscape plan* shall clearly illustrate compliance with all landscape requirements set forth or referenced in the NCZO applicable to the project.
  - (2) All *landscape plans* shall be drawn to scale and be consistent with the project’s site plan.
  - (3) *Landscape plans* containing greater than 500 square feet of *landscape area* shall be designed by and bear the signature of a licensed landscape architect.
  - (4) When an *applicant* chooses to retain *native vegetation* to reduce the amount of required landscaping in accordance with Section 8106-8.2.4 or to incorporate *insect nesting habitat* into the *landscape area*, these areas shall be shown within the *landscape plan*.
- b. Development projects subject to the requirements of the MWELo (see Section 8106-8.2.1(b)) shall submit a Landscape Documentation Package that includes a water efficient landscape worksheet, soil management report, landscape design plan, irrigation design plan and grading design plan pursuant to, and as described in, Sections 492.3 through 492.8 of the *MWELo*, as may be amended.

**Sec. 8106-8.2.3 General Landscape Standards**

- a. No land use may be inaugurated, or structure occupied, until a final inspection has been completed verifying that the landscape area has been installed as required by the approved entitlement.
- b. All existing invasive and watch list species as inventoried by the California Invasive Plant Council shall be properly disposed of and removed from the landscape area before the installation of the approved landscaping.
- c. Landscaping installed within a Hazardous Fire Area, Wildland Urban Interface Zone, or Fire Hazard Severity Zone shall be subject to all applicable Ventura County Fire Protection District landscaping requirements.
- d. Landscape Design Elements
  - (1) Vines, shrubs, and other trees shall be used to visually soften and deter graffiti on walls and *fences*. Vines shall not be used where they will cause structural damage to walls or obstruct *traffic safety sight area* when adjacent to a roadway or driveway.
  - (2) Plants shall be grouped according to *hydrozones* and other environmental conditions (soil, slope, sun exposure) that are appropriate for their survival.
  - (3) Trees shall be planted in all parkway areas between curbs and sidewalks or in sidewalk tree wells as follows:

<b>Mature Tree Size</b>	<b>Pavement Well Size</b>
Small	4 feet x 4 feet
Medium	4 feet x 6 feet
Large	4 feet x 8 feet

- (4) Sizes for mature trees as used in this Section 8106-8.2 are defined as follows: "small trees" will reach 30 feet or less in height; "medium trees" will reach between 30 to 70 feet in height; and "large trees" will reach 70 feet or more in height.
  - (5) Trees should not be planted under existing tree canopies unless required for habitat restoration purposes. New trees shall be installed using the following setback distances from an existing tree at mature tree size: small trees require a 20-foot setback; medium trees require a 30-foot setback; and, large trees require a 40-foot setback.
  - (6) Trees and shrubs shall be planted so that at maturity they do not interfere with service lines, sewer lines or on-site wastewater treatment system areas, *traffic safety sight areas*, public works facilities and rights of way, or safety lighting.
  - (7) Trees that typically grow taller than 20 feet in height at maturity are not permitted under utility wires and shall not be planted under utility pole guy wires anchored to the ground.
  - (8) *Landscape areas* shall include permanent irrigation systems and may contain *water features* and pedestrian walkways. Notwithstanding the foregoing, permanent irrigation systems shall not be required for *native vegetation* retained through the *native vegetation* credit program pursuant to Section 8106-8.2.4, provided that the overall hydrologic regime that supports the vegetation remains unaltered or permanent irrigation is unnecessary for the type of vegetation community retained. Temporary irrigation systems may still be required to establish native plantings.
  - (9) Landscape projects not otherwise subject to the MWELo, shall design and install any permanent irrigation system pursuant to MWELo, Appendix D, (b)(5) and (6).
- e. Plant and Landscaping Materials
- (1) *Mulch* should support plantings within the *landscape area* but should not substitute for plant material. Water-efficient landscape designs that contain large areas of *mulch* shall be reviewed on a case-by-case basis to ensure adequate plant material is present for the purpose of reducing *heat island effects*, erosion control, or other factors. To the maximum extent feasible, *mulch* shall be free of weed seeds and deleterious materials such as plastic, trash, and toxic leachates.
  - (2) The use of native host plants for butterfly and moth caterpillars, and native plants and landscape features which create habitat for other beneficial invertebrates and vertebrates (including birds) is strongly encouraged. The Ventura County Pollinator-Friendly Guidelines and other organizations provide lists of native host plants for pollinators and recommendations for other pollinator-friendly, beneficial invertebrate-friendly, and vertebrate-friendly landscape design practices.
  - (3) *Native vegetation* must comprise at least 50 percent of the plant types in new or retrofitted *landscape areas*. Where feasible, existing *native vegetation* should be retained within the *landscape area*.
  - (4) To provide year-round food resources for pollinator diversity, the *landscape area* shall contain at least eight different plant species with bloom times that are sequential or overlap throughout the year (e.g., two to three plant species for each spring, summer/fall, and winter). To the

extent feasible, selected plant species should differ in color, structure, size, and scent.

- (5) *Native vegetation* retained pursuant to Section 8106-8.2.4 may be included in native and plant diversity calculations in Section 8106-8.2.3(e).
- (6) When the required size, number and types of plant specimens cannot be met due to factors such as a small *landscape area*, unusual site conditions or Area Plan design standards, the *Planning Director* or designee may waive or modify such requirements. However, a written explanation by the landscape architect shall be required to describe how the proposed size, number and types of proposed plants meet the standards above to the maximum extent feasible.
- (7) The following plant types are prohibited from use in landscape plantings:
  - i. Tropical milkweed (*Asclepias curassavica*), due to its transmission of a debilitating parasite (*Ophryocystis elektroscirrha*) to Western monarch butterflies; and,
  - ii. *Invasive* and *watch list species* as inventoried by the California Invasive Plant Council.
- (8) The largest mature tree size shall be planted wherever feasible with respect to the current uses of the site, pedestrian circulation, vehicle circulation, safety, and standard setbacks. To the maximum extent feasible, native trees should be selected.
- (9) Irrigation equipment or incompatible landscaping material (e.g., weed fabric) shall not be sited or installed within any oak tree (*Quercus* spp.) dripline unless approved by the Planning Division. All permanent irrigation systems shall be kept a minimum of ten feet from the drip line of any existing oak species, except when recommended by a certified arborist under extreme drought conditions. In such circumstances, a targeted irrigation schedule and maintenance plan for these areas shall be included with the *landscape plan* (See Section 8106-8.2.8).
- (10) Any landscaping within the dripline of oak trees shall consist of plant species compatible with the water and soil requirements of the oak. Plants installed within the dripline should serve as accents rather than as a groundcover. Where possible, natural leaf *mulch* should not be removed. To protect the long-term health of established oak trees, landscaping or earth disturbance shall not occur within ten feet of the tree trunk.

#### **Sec. 8106-8.2.4 – Voluntary Native Plant Preservation Incentive**

- a. Purpose. The purpose of this voluntary incentive is to preserve and integrate existing mature, healthy, unprotected native vegetation into required landscape areas within the project site. This approach will promote pollinator-friendly landscapes, reduce water use, reduce landscape installation costs for the applicant, and reduce long-term landscape maintenance costs for the landowner. Native vegetation retained pursuant to this Section 8106-8.2.4 shall help to meet the purpose of the landscaping requirements (e.g., screening).
- b. Applicability. This native vegetation preservation incentive is only available to discretionary projects that require an Initial Study Biological Assessment (ISBA). This incentive is not applicable to parking lot landscaping (Section 8108-5.14) or stormwater landscaping requirements required by the Ventura County Watershed Protection District.
- c. Incentive Calculations.



- (1) Landscape credit for preserved *native vegetation community* alliances and native plant specimen(s) shall be granted at a 1:1 ratio (one square foot of retained *native vegetation*, including root zone, will count for one square foot of *landscape area* required in Sections 8109-0.6, 8109-1.2 or in landscape screening requirements).
  - (2) The above-stated 1:1 ratio may be increased to 1:2 (one square foot of retained *native vegetation*, including root zone, will count for two square feet of *landscape area* required in Sections 8109-0.6, 8109-1.2 or in landscape screening requirements) when the preservation area is located:
    - i. Within 200 feet of a verified mapped hydrological feature (USFWS National Wetlands Inventory or USGS National Hydrographic Data Sets) or an identified sensitive biological resource area;
    - ii. Within the Habitat Connectivity and Wildlife Corridor Overlay Zone; or
    - iii. Immediately adjacent to a legally protected *native vegetation community* that is both greater than 2,000 square feet and meets the requirements of Section 8106-8.2.4(e)(3) and (4) below). To receive preservation credit under these criteria, the edge of the vegetation canopies between preserved area and the adjacent *native vegetation community* must be within 30 feet of one another with no obstructions or barriers for wildlife movement.
  - (3) If the preservation area is greater than 30 percent of the *landscape area* using this preservation credit, the *Planning Director* or designee may require additional landscaping to meet screening or other visual quality requirements as set forth in the NCZO.
- d. Documentation. Applicants seeking a preservation credit shall provide a Planning Division-approved Initial Study Biological Assessment (ISBA) for the site that includes a map and table showing the location, native plant specimen(s) species or native vegetation community alliance (if a plant community is retained), size (area and height), easements/right(s) of way/utility lines, fuel modification zones, invasive or watch list species, and the health of each native plant specimen(s) or native vegetation community alliance retained for credit. Photos of each unprotected native plant specimen(s) proposed for retention must also be provided. County staff may request a site visit to determine the suitability of the area for preservation credit.
- e. Native Plant Characteristics. The *native vegetation* used for preservation credit must meet the following standards when surveyed for the ISBA and before the final Certificate of Occupancy is issued:
- (1) The native vegetation is not required to be preserved by local, state, or federal law.
  - (2) The root system, and surrounding microclimate area that is outside the native plant dripline, shall be retained intact and unaltered (includes natural or man-made means), unless such alterations are compatible and support the long-term health of the *native vegetation* (e.g., companion planting, mulching, etc.) depicted in the approved final *landscape plan*.
  - (3) The *native vegetation community* alliance or native plant specimen(s) and their buffer area(s) are not dominated by *invasive* or *watch list species*, as inventoried by the California Invasive Plant Council, or otherwise deemed

not ecologically suitable as recommended by a qualified biologist, and are approved by the *Planning Director* or designee.

- (4) There are no areas proposed for preservation where the soil was previously compacted, graded, or cultivated where it is no longer suitable for the original *native vegetation community*.

f. Standards for Landscaping with Existing Native Plants.

- (1) Any existing *invasive* or *watch list species* must be removed and properly disposed of as part of the site preparation process prior to the issuance of the Zoning Clearance for Construction or Use Inauguration (as applicable to the project);
- (2) The preservation area (existing *native vegetation* including root zone(s)) must be clearly marked and identified for protection on all project site plans, grading plans, outdoor lighting plans, and conceptual and final landscape/restoration plans. The preservation area must be physically identified on-site prior to any site disturbance.
- (3) The *native vegetation* is not damaged, dead, dying, diseased, or infested with harmful insects. Any damaged vegetation within the preservation areas shall be replaced with vegetation equivalent to the vegetation that was destroyed. Site alterations that may cause the decline or death of the *native vegetation* in the preservation area (e.g., alterations to drainage or runoff, damage to plant root systems, exposure to sun and wind due to loss of vegetation cover in buffer area) shall be corrected to ensure the long-term health of the preserved *native vegetation*.
- (4) The preservation area shall be maintained or enhanced pursuant to the landscape maintenance standards of Section 8106-8.2.8.

**Sec. 8106-8.2.5 Landscape Screening**

a. Plant Material Spacing for Visual Screening:

- (1) Trees shall be planted at a minimum rate of one for each 30 linear feet of the landscape area. Shrubs shall be installed as needed to adequately screen the development, but no less than one for every five linear feet of landscape area.
- (2) Plants may be used as the main screening element only if a minimum of 50 percent of the plants are of 15-gallon container size when planted, the remaining plants are of 5-gallon container size, and the plants will form a dense hedge that adequately screens the development year-round.

b. Visual Screening Using Berms, Walls, Fencing and Art:

- (1) Landscaping is the preferred method to soften the screening of storage areas, trash enclosures, parking areas and public utilities. Visual screens composed of a berm, *fence*, or solid wall shall include plant material that softens the look and breaks up the expanse of the screen. When the berm, *fence*, or wall is installed along the street side of a property line, the *fence* or wall is to be placed along the interior side of the landscaped area relative to the street.
- (2) Where earth berms are used, the berm slope shall be a maximum of one foot of rise for every three feet of linear distance (3:1 horizontal to vertical).
- (3) Public art may be incorporated into screening materials that are viewable by the public, in lieu of two required trees. Such art shall meet the provisions of Section 8108-5.14.2(b)(ii).

### **Sec. 8106-8.2.6 General Stormwater Landscape Design**

*Stormwater management landscaping* shall meet the following standards:

- a. The minimum coverage of plant species meets water quality improvement plans.
- b. Plant types shall be selected to withstand periodic inundation of water, survive seasonal drought, and be capable of pollutant uptake. Irrigation shall be used to allow for the establishment of the selected plants and cuttings.
- c. When mulch is used within stormwater management landscaping, it shall be non-floatable and well-aged to prevent clogging of storm drain infrastructure.
- d. Required trees shall be planted above the flow line of basins or channels;
- e. The landscaping does not reduce or negatively affect the number, type, size, location, or health of required and *protected trees*.

### **Sec. 8106-8.2.7 Landscaping on Manufactured Slopes**

Manufactured (i.e., human-made) slopes shall be planted pursuant to the following standards:

- a. Slopes steeper than 3:1 shall include erosion control blankets, soil stabilizers or other means approved by the Public Works Agency to prevent erosion.
- b. Groundcover. Manufactured slopes shall be planted with groundcover to minimize erosion and blend with the adjacent natural slopes. The type of groundcover selected shall be compatible with soils and climatic conditions, adjacent native vegetation or landscaping, irrigation requirements, and fire-retardant requirements.
- c. Trees and Shrubs. Manufactured slopes shall have a mixture of trees and shrubs incorporated with groundcover to assure soil stabilization, blend with adjacent native vegetation or landscaping, and promote varying height and mass of landscaping. Shrubs are not required for sloped areas less than three feet high created by the deposition of material (e.g., artificial berm). Trees are not required for sloped areas less than five feet high created through the excavation of material (e.g., cut bank).
- d. Slope Irrigation. Soil type and percolation rate shall be considered when designing slope irrigation. Properly designed and installed sprinklers or drip irrigation systems may be necessary to promote slope stability.

### **Sec. 8106-8.2.8 – Landscape Maintenance**

- a. Landscaping shall be maintained by the permittee according to the approved landscape plan and any permit conditions for the life of the permitted land use. Maintenance activities shall include the following:
  - (1) Routine inspections to guard against runoff and erosion and to detect plant or irrigation system failure. Failure to maintain required landscaping or irrigation systems shall constitute a violation of the permit pursuant to Article 14.
  - (2) *Landscape areas* with installed irrigation shall maintain these areas pursuant to *MWELo*, Section 492.11, as may be amended, regardless of whether the *MWELo* otherwise applies.
  - (3) Shrubs and groundcovers shall be pruned to keep plants within planting beds. Pruning for all plants shall be conducted in accordance with the American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices ANSI A300 (Part 1) 2001 Pruning, ISA ANSI A300 1995, as may be amended.

- (4) Weeds and litter shall be removed from the *landscape area*.
  - (5) Dead, dying, diseased or severely damaged plant material shall be replaced. Tree replacement shall be subject to Section 8107-25.
  - (6) Tree supports shall be inspected frequently and removed when the tree can withstand high winds unsupported.
  - (7) *Mulch* shall be monitored and replenished as needed.
  - (8) Plants shall be fertilized and watered at such intervals as are necessary to promote optimum growth.
- b. Areas with native vegetation that are retained for preservation credit pursuant to Section 8108-8.2.4 shall be maintained according to an approved Invasive Species Management *Plan* that is submitted with the *landscape plan*.
  - c. Non-toxic methods of pest control within the landscape area are strongly encouraged.

**Sec. 8106-8.2.9 – Permit Modifications for Landscape Plans**

Proposed modifications to an existing, approved *landscape plan* shall be processed in accordance with Article 11, except that minor adjustments that comply with the following requirements shall be approved through the issuance of a Zoning Clearance:

- a. The proposed adjustments are not subject to the MWEL0.
- b. Replacement plant materials shall substantially conform with the original purpose and intent of the landscape regulations and must be recommended by a licensed landscape architect, landscape designer, or qualified biologist.
- c. Replacement plant materials shall conform to the water, soil, slope, and sun exposure requirements of accompanying plantings.
- d. Replacement plant materials shall not: (1) be an invasive or watch list species identified by the California Invasive Plant Council; or (2) increase the overall landscape water usage.
- e. Changes to impervious surface area shall not cause the total impervious surface area on the lot to exceed more than 5,000 square feet.
- f. The hydraulic line and grade within site drainage patterns shall not be altered.
- g. A minor adjustment shall not:
  - (1) Reduce or negatively affect the number, size, or health of required trees in the approved *landscape plan*;
  - (2) Reduce or negatively affect the number, type, size, location, or health of existing *protected trees*; or
  - (3) Impair compliance with landscape screening or storm water management requirements.

(AM. ORD. 4187 - 5/25/99; AM. ORD. 4216 - 10/24/00; DELETE ORD. 4407 - 10/20/09; ADD. ORD. 4577 - 3/9/21)

**Sec. 8106-8.3 - Connection of Structures**

An accessory structure will be considered to be attached to the principal structure if:

- a. The distance between the principal structure and the accessory structure is no greater than fifteen (15) feet and the roof connecting the two structures complies with all of the following:

- (1) It is essentially a continuation of the roof of the main structure;
  - (2) It resembles the roof of the nearest enclosed, habitable area of the main structure in terms of pitch, materials, architectural design, etc.; and
  - (3) It is imperforate; or
- b. The space between such structures is completely enclosed by walls attached to each structure and constitutes "internal access" and the ratio of this access-way width to length is no greater than 1:3. (AM. ORD. 3810 - 5/5/87)

**Sec. 8106-8.4 - Sight Triangle**

Where there are no traffic controls (stop signs or signals) on either street at an intersection, a sight triangle (see Definitions) must be provided on each corner adjacent to the intersection. No structures or landscaping over three feet in height which could block the view of approaching traffic on either street shall be located or constructed within any required sight triangle. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87)

(AM. ORD. 4092 - 6/27/95)

**Sec. 8106-8.5 - Sight Distance**

Adequate sight distance shall be provided at intersections. In cases where the minimum setback requirements of Sec. 8106-1 do not provide such sight distance, particularly where streets intersect at less than 90 degrees and traffic is controlled (e.g., by stop signs) on only one of the streets (the "minor street"), setbacks for *discretionary* projects must be adjusted to provide adequate sight distance in accordance with the following table. The sight distance shall be measured from a point in the center of the minor street eight feet behind the designated stopping point for vehicles on such street, or behind a continuation of the intersecting curb line, to the center of the nearest (curbside) driving lane on the intersecting ("major") street. No structures or landscaping over three feet in height which could block the view of approaching traffic on the major street shall be constructed or located on the street side of the line connecting the two points. Curb cuts on *discretionary* projects should be considered minor streets for purposes of this section.

<u>Speed Limit On Major Street (mph)</u>	<u>Sight Distance Required (ft.)</u>
25	165
30	190
35	225
40	260
45	300
50	350
55	400

(ADD. ORD. 3810 - 5/5/87)

**Sec. 8106-8.6 - Light Fixtures**

The following regulations apply to light fixtures over two feet in height:

- a. Maximum height of freestanding light fixture is 20 feet with a Zoning Clearance; over 20 feet up to 35 feet may be permitted with a *Planning Director*-approved Planned Development Permit. For commercial and industrial uses, such heights shall be specified by the principal use permit.
- b. Such fixtures shall not be placed in side setbacks.
- c. Lights in excess of 150 watts shall not result in direct illumination of adjacent properties.

(ADD. ORD. 3810 - 5/5/87; AM. ORD. 4123 - 9/17/96)

**Sec. 8106-8.7 - Recycling Areas**

All commercial, industrial, institutional, or residential buildings having five or more living units, shall provide availability for, and access to, recycling storage areas in accordance with the County of Ventura's most recently adopted "Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines" in effect at the time of the development approval. (ADD. ORD. 4054 - 2/1/94)

(AM. ORD. 4092 - 6/27/95)



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# ARTICLE 7: STANDARDS FOR SPECIFIC USES

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## **Sec. 8107-0 - Purpose**

The purpose of this Article is to set forth standards and regulations which apply to proposed uses as listed.

## **Sec. 8107-1 - Standards Relating to Dwellings**

### **Sec. 8107-1.1 - Non-Commercial Antennas, Ground-Mounted**

These regulations only apply to *non-commercial antennas* that are an accessory structure to a *dwelling*. All other types of *non-commercial antennas* are regulated as a *wireless communication facility* (see Section 8107-45). (ADD. ORD. 4470 – 3/24/15)

No *non-commercial antenna* or mast shall exceed 75 feet in height measured from the *grade* to the highest point of the *antenna* or mast. The crank-up variety of ham radio *antennas* should be used. All units should be color-coordinated to harmonize with predominant structural background material, so as to reduce visual impacts. Where feasible, both the *antennas* and support structures shall be screened from public view. The most unobtrusive locations for the *antennas* are generally in the rear yard, behind trees and adjacent to main or accessory buildings in order to provide background screening for the support structure. The height, nature, texture and color of all materials to be used for the installation, including landscape materials, shall be submitted with the permit application. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4470 – 3/24/15)

*Non-commercial antennas* shall not be constructed, placed, or installed on a structure, site or district designated by a federal, state, or County agency as an historical landmark or site of merit unless that facility is designed to meet the Secretary of the Interior (SOI) Standards. If the facility does not meet the SOI standards, then the Cultural Heritage Board must determine that the proposed facility will have no significant, adverse effect on the historical resource. (ADD. ORD. 4470 – 3/24/15)

### **Sec. 8107-1.2 - Home Occupations**

On property containing a residential use, no commercial activity shall be construed as a valid accessory use to the residential use unless the activity falls within the definition and regulations of a home occupation, or the activity is authorized by a *discretionary* permit allowing commercial operations. Home occupations are permitted in accordance with the following standards:

#### **Sec. 8107-1.2.1**

No merchandise, produce or other materials or equipment shall be displayed for advertising purposes.

#### **Sec. 8107-1.2.2**

No pedestrian, vehicular customer, or delivery traffic shall be generated by the home occupation that exceeds normal levels for uses allowed by Zoning Clearance in a residential neighborhood, and shall not disrupt traffic patterns in the vicinity of the dwelling. (AM. ORD. 4092 - 6/27/95)

#### **Sec. 8107-1.2.3**

No signs naming or advertising the home occupation are permitted on or off the premises. Advertising for the home occupation in a telephone book, newspaper or

other printed material or on equipment or vehicles associated with the occupation, shall not divulge the dwelling's location. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95)

**Sec. 8107-1.2.4**

The use of electrical or mechanical equipment that would create visible or audible interference in radio or television receivers is prohibited. (ADD. ORD. 3730 - 5/7/85)

**Sec. 8107-1.2.5**

A home occupation shall be conducted only by members of the household occupying the dwelling, with no other persons employed at the residence. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-1.2.6**

Home occupations shall not occupy space required for other purposes (off-street parking, interior setbacks, etc.).

**Sec. 8107-1.2.7**

For each dwelling unit, there shall be no more than one commercial vehicle (self-propelled and/or a towable trailer with equipment) parked on the property or the public right-of-way related to the home occupation except as noted below. Said commercial vehicle or combination of vehicles shall not have a rated gross vehicle weight (GVW) capacity in excess of 10,000 lbs. A vehicle with external lettering or other script pertaining to the home occupation is considered to be a commercial vehicle. Such lettering or script shall not divulge the dwelling's location. (See Sec. 8108-3.4 for additional parking requirements) (AM. ORD. 4092 - 6/27/95; AM. ORD. 4407 - 10/20/09)

**Sec. 8107-1.2.8**

The existence of a home occupation shall not be evident beyond the boundaries of the property on which it is conducted. There shall be no internal or external alterations to the dwelling which are not customarily found in such structures. (ADD. ORD. 3730 - 5/7/85)

**Sec. 8107-1.2.9**

Home occupations involving the on-site use or storage of highly toxic materials, as defined in the Uniform Fire Code, are not permitted. Highly toxic materials are those which on short exposure could cause death or serious temporary or residual injury. The on-site use or storage of flammable or other hazardous materials must comply with the requirements of the Ventura County Fire Protection District, pursuant to the Uniform Fire Code, the Health and Safety Code and the Vehicle Code. (ADD. ORD. 3810 - 5/5/87)

(AM. ORD. 3810 - 5/5/87; AM. ORD. 4216 - 10/24/00)

**Section 8107-1.2.10**

Hours of operation for clients shall be limited to 9:00 am to 5:00 pm Monday through Friday. Business may continue beyond these hours if clients are not present. (ADD. ORD. 4216 - 10/24/00)

**Section 8107-1.2.11**

The maximum number of clients per day shall be six (6), with no overlap in clients. All clients must be by appointment to allow for control of client overlap. (ADD. ORD. 4216 - 10/24/00)

**Section 8107-1.2.12**

Off-site client parking shall be limited to one vehicle at a time, parked as close as possible in front of the residence with the home occupation. (ADD. ORD. 4216 - 10/24/00)

**Section 8107-1.2.13**

On-site parking for clients is allowed, providing that all of the following conditions are met:

- a. It is not in violation of any other ordinance; and
- b. It does not displace required on-site parking.

(ADD. ORD. 4216 - 10/24/00)

**Section 8107-1.2.14**

Business related deliveries are limited to a maximum of two per week. United States Mail and commercial parcel carriers' deliveries are exempted from this limitation. (ADD. ORD. 4216 - 10/24/00)

**Section 8107-1.2.15**

The following exemptions from the above standards are allowed providing that the operator obtains a waiver signed by all of the owners or residents of the three closest occupied houses in both directions on the same side of the street, and the seven closest occupied houses on the opposite side of the street. The waiver requirement may be modified by the *Planning Director* if unique circumstances warrant the action.

- a. The number of clients allowed per day may be increased to a maximum of ten (10).
- b. More than one client may be allowed on-site at one time.
- c. Clients may be allowed on the premises until 9:00 pm.
- d. Clients may be allowed on the premises on Saturdays.

(ADD. ORD. 4216 - 10/24/00)

**Sec. 8107-1.3 - Mobilehomes and Manufactured Housing**

**Sec. 8107-1.3.1 - Construction**

Mobilehomes and manufactured housing may be used as single-family dwellings if the unit was constructed on or after June 15, 1976, or certified by the California Department of Housing and Community Development (HCD) as meeting September 15, 1971, or later, California construction standards. Units used as accessory dwelling units are subject to this date limitation, but mobilehomes used as caretaker or farmworker dwellings are not. (AM. ORD. 4281 - 5/6/03; AM. ORD. 4519 - 2/27/18)

**Sec. 8107-1.3.2 - Foundation System**

Nonconforming units continuing under a Conditional Use Permit shall be in compliance with the applicable provisions of Chapter 2, Article 7, of Title 25 of the California Code of Regulations. (AM. ORD. 4123 - 9/17/96; AM. ORD. 4216 - 10/24/00)

**Sec. 8107-1.3.3 - Exterior Siding**

Exterior siding of a single-family dwelling shall extend to the ground level, or to the top of the deck or structural platform where the dwelling is supported on an exposed pile foundation complying with the requirements of Sections 2908 and 2909 of the Uniform Building Code, or to the top of a perimeter foundation. For mobilehomes used as caretaker or farmworker dwellings, manufactured mobilehome skirting shall completely enclose the mobilehome, including the tongue, with a color or material that will be compatible with the mobilehome. For any mobilehomes located more than 150 feet from all property lines, and more than 200 feet from a public road, no skirting is required. (AM. ORD. 4281 - 5/6/03)

## **Sec. 8107-1.4 - (Reserved for Future Use)**

(See Sec. 8107-14.2) (AM. ORD. 4092 - 6/27/95)

## **Sec. 8107-1.5 - Model Homes/Lot Sales**

Model homes, or a temporary office, for the limited purpose of conducting sale only of *lots* or dwellings in the subdivision, or dwellings of similar design in another subdivision in the vicinity may be permitted, subject to the following provisions:

### **Sec. 8107-1.5.1**

The model homes or *lots* sales are part of an approved tentative map.

### **Sec. 8107-1.5.2**

Road Plans shall be submitted to the Public Works Department for approval.

## **Sec. 8107-1.6 - Open Storage**

### **Sec. 8107-1.6.1**

There shall be no open storage in any front or street-side setback, or in an area three feet wide along one side *lot* line.

### **Sec. 8107-1.6.2**

On *lots* of 20,000 square feet or smaller, open storage shall not exceed an aggregate area of 200 square feet. On *lots* greater in area than 20,000 square feet, the aggregate area shall not exceed one percent of the total *lot* area, up to a maximum of 1,000 square feet. *Lots* of 40 acres or more in the OS and AE zones are permitted a maximum of 2,000 square feet of open storage, provided that all open storage exceeding 1,000 square feet is screened from view from all public rights-of-way within 300 feet of such additional storage area. (AM. ORD. 4377 - 1/29/08)

### **Sec. 8107-1.6.3**

With the exception of boats, and unstacked automotive vehicles, the materials shall be limited to a height of six feet.

### **Sec. 8107-1.6.4**

Open storage must be accessory to the principal use of the property, and not related to any off-site commercial business or activity. Open storage of motor vehicles, boats and trailers is permitted only if they are owned by the resident(s) of the property on which they are stored. (AM. ORD. 4123 - 9/17/96)

### **Sec. 8107-1.6.5**

The following are not considered open storage, and are therefore exempt from the above open storage regulations: (AM. ORD. 4092 - 6/27/95)

- a. Materials or equipment kept on any *lot* for use in construction of any building or room addition on said *lot* for which a Zoning Clearance and necessary building permits are obtained and in force, provided that such storage is neat and orderly, and does not exceed an area equal to the gross floor area of the building or addition under construction. Stored materials shall be installed within 180 days of their placement on the *lot*; however, the *Planning Director* may grant a time extension for good cause, based on a written request from the *applicant*.
- b. Items used periodically or continuously on the property by the resident(s) thereof, such as outdoor furniture, trash or recycling cans or barrels, equipment for maintenance of the property and the uses thereon, outdoor cooking equipment, and recreational equipment, accessory to the principal use. (AM. ORD. 4092 - 6/27/95)

- c. Operative vehicles and the items placed on them, provided that such vehicles are accessory to the principal use and are owned by the resident(s) of the property on which they are parked. (AM. ORD. 4092 - 6/27/95)
- d. One cord (128 cubic feet) of firewood, if stored in a neat and orderly manner in one location on the *lot*. Two cords of wood may be kept on properties within the National Forest boundaries. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

(AM. ORD. 4123 - 9/17/96)

## **Sec. 8107-1.7 - Accessory Dwelling Units and Junior Accessory Dwelling Units**

REP. ORD. 4507/4509 - 3/14/17 (Expired 3/14/18); REP. ORD. 4519-2/27/18; REP. & REEN. ORD. 4615 - 2/7/23

### **Sec. 8107-1.7.1 - Purpose**

The purpose of this Section 8107-1.7 is to allow and regulate *accessory dwelling units (ADUs)* and *junior accessory dwelling units (JADUs)* in compliance with Government Code sections 65852.2 and 65852.22, as may be amended. Pursuant to Government Code section 65852.2, an *ADU* permitted through this Section 8107-1.7 does not exceed the allowable density for the *lot* upon which the *ADU* is located; and an *ADU* is a residential *use* that shall be deemed consistent with the existing general plan and zoning designation for the *lot*. If any provision of this Section 8107-1.7 or the underlying zoning district standards conflicts with state law, the latter shall govern.

### **Sec. 8107-1.7.2 - Definitions**

As used in this Section 8107-1.7, the following definitions shall apply:

Accessory Structure - A *structure* that is accessory and incidental to a *dwelling* located on the same *lot* as defined in Government Code section 65852.2(j)(2), as may be amended.

Existing - Space, units, or structures that are legally permitted or legal non-conforming.

Nonconforming Zoning Condition - A physical improvement on a property that does not conform with current zoning standards as defined in Government Code section 65852.2(j)(6), as may be amended.

Passageway - A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the *accessory dwelling unit* as defined in Government Code section 65852.2(j)(8), as may be amended.

Proposed Dwelling - A *dwelling* that is the subject of a permit application and that meets the requirements for permitting as defined in Government Code section 65852.2(j)(10), as may be amended.

Public Transit - A location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public as defined in Government Code section 65852.2(j)(11), as may be amended.

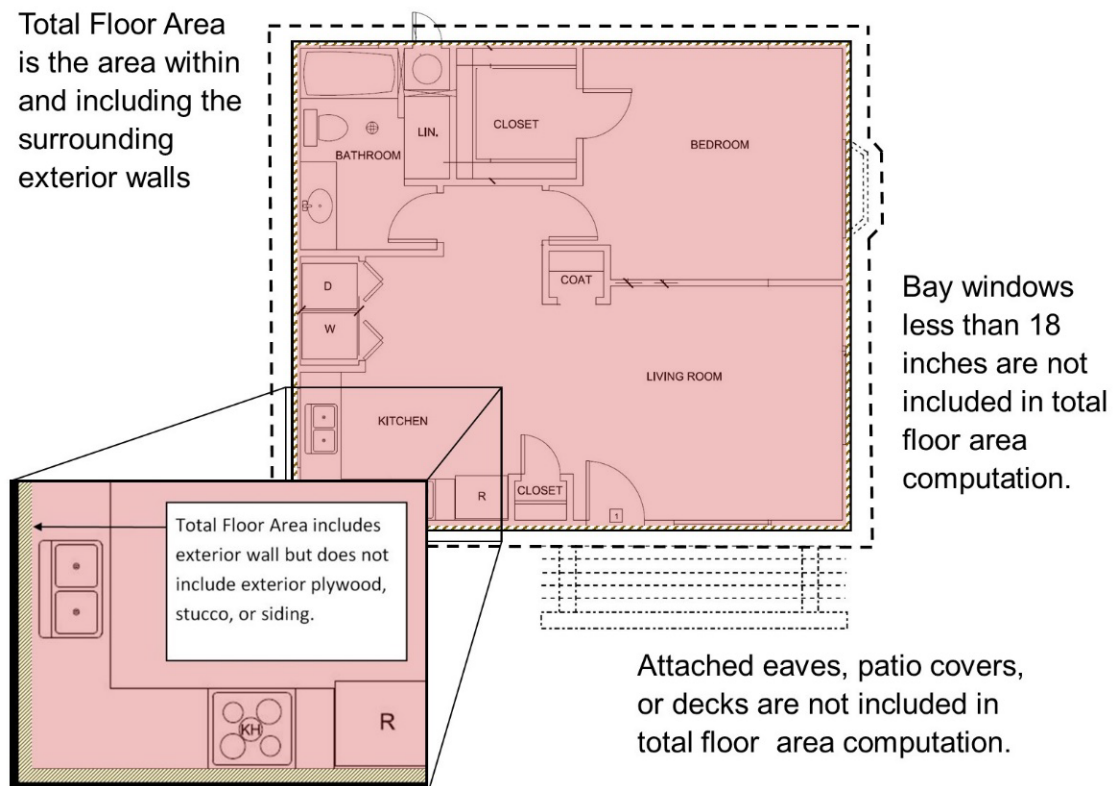
Tandem Parking - A parking configuration where two or more automobiles are parked on a driveway or in any other location on a *lot*, lined up behind one another as defined in Government Code section 65852.2(j)(12), as may be amended.

Total Floor Area - Shall have the same definition as "building area" as set forth in Title 24, Part 2, Chapter 2 of the California Building Code, as may be amended,



which states: “The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.” However, the computation of total floor area for *ADUs* shall not include: a garage that is attached to, or below the *ADU* when there is no *internal access* from the garage to the *ADU*; or an unenclosed area or feature such as any eave or architectural feature, attached covered patio or deck, an open deck constructed at or below the level of the first floor, a balcony or the space below a cantilevered balcony, the space below an open and unenclosed stairway, a covered carport, a bay window that does not extend to the floor or protrude more than 18 inches from the adjoining exterior wall, or similar, as illustrated in Figure 1.

**Figure 1**



**Sec. 8107-1.7.3 – Types of Accessory Dwelling Units**

An *ADU* may be created in the following forms:

- a. Detached: The *ADU* is separated from the primary residential *structure*.
- b. Attached: The *ADU* is attached to the primary residential *structure*. An attached *ADU* may include the conversion of existing partially enclosed spaces (such as a covered patio) to an *ADU* that is attached to the primary residential *structure*.
- c. Space within Primary Residential Structure: The *ADU* is created within the space (e.g., primary bedroom, attached garage, storage area, or similar use) of an existing or proposed primary residential *structure*.
- d. Space within an Existing Accessory Structure: The *ADU* is created within the space of an existing accessory structure that is located on the lot of the primary *residence*.

**Sec. 8107-1.7.4 – ADUs and JADUs Allowed by Building Permit**

A complete application for a building permit shall be ministerially approved to allow an *ADU* and/or *JADU* that meets applicable Building Code and Fire Code requirements and the standards set forth in Sections 8107-1.7.4(a), (b), (c) or (d).

a. **Within Space of Single-Family Dwellings and Accessory Structures:**

One *ADU* and one *JADU* per lot is allowed if all the following standards are met:

(1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RA, RE, RO, or CPD/CBD.

(2) Location of *ADU* and/or *JADU*:

(a) The *ADU* or *JADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has exterior access from the proposed or existing *single-family dwelling*; or

(b) The *ADU* is created within the existing space of an accessory structure, such as the conversion of garages and other accessory structures, either attached or detached from the primary *dwelling*. An existing accessory structure may include an expansion of not more than 150 square feet beyond its same physical dimensions, but such expansion shall be limited to accommodating ingress and egress to the *ADU*.

(3) The *side* and *rear setbacks* comply with applicable Building and Fire Code requirements, even if the existing *side* and *rear setbacks* are legal non-conforming.

(4) The *JADU* complies with the requirements of Government Code section 65852.22 and Section 8107-1.7.6.

b. **New Detached *ADU* with an Existing or Proposed Single-Family Dwelling:**

One detached new construction *ADU* is allowed on a *lot* with a proposed or existing *single-family dwelling* and may be combined with a *JADU* if all the following standards are met:

(1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RA, RE, RO, or CPD/CBD.

(2) The *ADU's side* and *rear setbacks* are at least four feet.

(3) The *ADU* does not exceed 850 square feet.

(4) The *ADU's* maximum *building height* above grade complies with the *height* limitations identified in Section 8107-1.7.5(d)(1).

(5) The *JADU* complies with the requirements of Government Code section 65852.22 and Section 8107-1.7.6.

c. **ADUs in Existing Multifamily Dwelling Structures:** *ADUs* within portions of existing *multifamily dwelling structures* are allowed, and may be combined with detached *ADUs* pursuant to Section 8107-1.7.4(d), if all the following standards are met, even if the *multifamily dwelling* is legal nonconforming:

(1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, or CPD/CBD.

(2) Location of *ADU*:

(a) The *ADUs* are created within portions of the existing *multifamily dwelling structures* that are not used as livable space, including, but

not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages. If there is no existing non-livable space within a *multifamily dwelling structure*, an *ADU* cannot be created pursuant to this Section 8107-1.7.4(c).

(b) The non-livable space used to create an *ADU* pursuant to this Section 8107-1.7.4(c) on a lot with mixed-uses shall be limited to the residential areas, and shall not include the areas used for commercial or other non-residential activities. Parking and storage areas for non-residential uses shall also be excluded from potential *ADU* development pursuant to this Section 8107-1.7.4(c).

(3) The maximum number of *ADUs* that may be created pursuant to this Section 8107-1.7.4(c) shall be at least one or the number of *ADUs* equal to up to 25 percent of the existing *multifamily dwelling* units, whichever is greater.

- d. **Detached ADUs with Existing or Proposed Multifamily Dwelling:** Up to two detached *ADUs* are allowed on *lots* with an existing or proposed *multifamily dwelling*, and may be combined with *ADUs* created within *multifamily dwellings* pursuant to Section 8107-1.7.4(c), if all the following standards are met, even if the *multifamily dwelling* is legal nonconforming:
- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, or CPD/CBD.
  - (2) The *ADUs* maximum *height* above grade complies with the *height* limitations identified in Section 8107-1.7.5(d)(1).
  - (3) New construction *ADUs* shall not exceed 1,200 square feet.
  - (4) The *ADU's side* and *rear setbacks* are at least four feet.
  - (5) Detached *ADUs* may be attached to each other, but must be detached from the existing or proposed *multifamily dwelling* and from other accessory structures on the *lot*.
- e. **No Zoning Clearance Required:** No Zoning Clearance or other land use *entitlement* is required pursuant to this Chapter for an *ADU* or *JADU* authorized under this Section 8107-1.7.4.
- f. **Not Subject to Development Standards in Section 8107-1.7.5:** *ADUs* that meet the requirements of Section 8107-1.7.4(a), (b), (c), or (d) and are entitled to a building permit are not subject to the development standards of Section 8107-1.7.5, including size, *setback*, parking and *lot* coverage requirements.

#### **Sec. 8107-1.7.5 – Development Standards for ADUs Not Authorized under Section 8107-1.7.4**

*ADUs* that do not meet the standards under Section 8107-1.7.4 for approval by building permit shall be approved with a ministerial Zoning Clearance if the *ADU* meets Building Code and Fire Code requirements, the standards in this Section 8107-1.7.5 and other applicable zoning standards.

a. **Property Requirements:**

- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CPD/CBD, OS, AE, or TP.
- (2) The *lot* has a proposed or existing *single-family* or *multifamily dwelling*.

b. **Maximum Number of ADUs and JADUs per Lot:** Each *lot* may have one *ADU* if the standards of this Section 8107-1.7.5 are met, and one *JADU* if the

standards of Section 8107-1.7.6 are met.

**c. Parking Standards:**

- (1) No Parking Requirements: No parking standards apply for an *ADU* in any of the following instances:
  - (a) Where the *ADU* is located within one-half mile walking distance of public transit.
  - (b) Where the *ADU* is located within an architecturally and historically significant historic district.
  - (c) Where the *ADU* is part of the proposed or existing primary residence or an accessory structure.
  - (d) When on-street parking permits are required but not offered to the occupant of the *ADU*.
  - (e) When there is a car share vehicle, as defined by section 22507.1(d) of the Vehicle Code, located within one block of the *ADU*.
  - (f) When a permit application for an *ADU* is submitted with a permit application to create a new *single-family dwelling* or a new *multifamily dwelling* on the same lot, provided that the *ADU* or the *parcel* satisfies any of the criteria listed above in this Section 8107-1.7.5(c)(1).
- (2) Required Off-street Parking: Except as provided in Section 8107-1.7.5(c)(1), the following off-street parking standards shall apply:
  - (a) Number of Spaces - One covered or uncovered off-street parking space is required per *ADU* or per bedroom, whichever is less.
  - (b) Location of Spaces - Off-street parking may be provided as tandem parking on a *driveway*. Additionally, the parking space for an *ADU* may encroach into a required *front* and/or interior *side setback*, provided that:
    - i. The long dimension of the space is parallel to the centerline of the nearest *driveway* on the *lot*; and
    - ii. On *interior lots*, a minimum distance of 3 feet from the side *lot line* remains unobstructed by vehicles.
- (3) No Off-Street Replacement Parking Required for Primary Residential Structure: When a garage, carport, or covered parking *structure* is demolished in conjunction with the construction of an *ADU* or converted to an *ADU*, those off-street parking spaces do not need to be replaced for the primary *dwelling*. Additionally, no parking is required for a newly created *ADU* pursuant to Section 8107-1.7.5(c)(1)(c) above.

**d. Height:**

- (1) The maximum allowed *height* for detached *ADUs* is as follows:
  - (a) Maximum of 16 feet above *grade* on a lot with an existing or proposed *single-family* or *multifamily dwelling*; or
  - (b) Maximum of 18 feet above *grade* on a *lot* with an existing or proposed *multifamily dwelling* with multiple stories; or
  - (c) Maximum of 18 feet above *grade* if the *lot* has an existing or proposed *single-family* or *multifamily dwelling*, and is within one half-mile walking distance of a major transit stop or a high-quality transit

corridor, as defined in Section 21155 of the Public Resources Code. An additional two feet in overall *height* is allowed to accommodate a roof pitch that is aligned with the roof pitch of the primary *dwelling unit*.

(d) Detached *ADUs* may exceed the allowable *height* limits set forth in subsections (a) through (c) above if the *ADU* is set back at least 20 feet from all property lines, but the *ADU* shall not exceed the maximum allowed *building height* of the primary *dwelling unit* on the *lot*, pursuant to Article 6 of this Chapter.

(e) Detached *ADUs* are limited to no more than two stories.

(2) The maximum allowed *height* for an attached *ADU* is 25 feet above *grade* or the maximum allowed *building height* of the primary *dwelling* pursuant to Article 6 of this Chapter, whichever is lower.

**e. Setbacks:**

(1) No additional *setbacks* are required if any of the following are converted to an *ADU* or portion of an *ADU*: (a) an existing living area; (b) an existing accessory structure; or (c) a new *structure* constructed in the same *building* footprint and to the same dimensions as an existing *structure*. The provisions of Article 13 of this Chapter shall not apply in these situations. For purposes of this section, living area, as defined by Government Code section 65852.2(j)(4), means the interior habitable area of a *dwelling unit*, including basements and attics, but does not include a garage or any accessory structure.

(2) All other new attached and detached *ADUs* shall have 4-foot *setbacks* from the rear and side *lot lines*.

**f. Minimum Lot Size:** There is no minimum *lot* size requirement for an *ADU* or *JADU*.

**g. ADU Size for Attached and Detached ADUs:**

(1) For *lots* that are 9,000 square feet or less, the maximum total floor area of an attached or detached *ADU* shall be 850 square feet if there is one bedroom or an efficiency unit; or 1,000 square feet if there is more than one bedroom; or

(2) For *lots* that are larger than 9,000 square feet, but less than 10 acres, the maximum total floor area of an attached or detached *ADU* shall be 1,200 square feet; or

(3) For *lots* that are 10 acres in size or larger, the maximum total floor area of an attached or detached *ADU* shall be 1,800 square feet.

(4) Covered patios, decks, and garages below the *ADU* are not included in the total floor area computation but are counted toward the maximum allowable square footage allowed for "accessory structures to dwellings" in Sec. 8105-4.

**h. ADUs Within Space of Single-Family Dwellings:** One *ADU* per *lot* is allowed within a proposed or existing *single-family dwelling* if the applicable standards of this Section 8107-1.7.5 and the following standards are met:

(1) The *ADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has independent exterior access;

(2) The *ADU* does not have *internal access* to the primary *dwelling*;

- (3) The *ADU* does not exceed the size maximums for attached or detached *ADUs* set forth in Section 8107-1.7.5(g), as applicable; and
- (4) The *side* and *rear setbacks* comply with applicable Building and Fire Code requirements.

i. **Accessory Structures:**

- (1) No accessory structure shall be attached to a detached *ADU* unless the combined total floor area of the accessory structure and *ADU* does not exceed the allowable size of the *ADU* per Section 8107-1.7.5(g). This provision does not apply to *ADUs* built attached to, or above a garage.
- (2) An *ADU* attached to an accessory structure shall not have *internal access* to the accessory structure.

- j. **Limited Exception to Development Standards:** Notwithstanding any other minimum or maximum size for an *ADU*, size that may be limited based upon a percentage of the proposed or existing primary *dwelling*, or limits on *lot* coverage, floor area ratio, open space, *front setback*, and minimum *lot* size, for either attached or detached *ADUs*, an *ADU* that is up to 850 square feet with 4-foot *side* and *rear setbacks* may be constructed in compliance with all other applicable development standards.

**Sec. 8107-1.7.6 – JADU Requirements**

A *JADU* must comply with the following requirements:

a. **Number and Location:**

- (1) The subject *lot* is within one of the following single-family residential zones: R1; R2; RES; RPD; RA; RE; or RO.
- (2) One *JADU* is allowed per *lot*.
- (3) The *JADU* must be created within the walls of a proposed or existing *single-family dwelling*, including attached garages, which are considered within the walls of the existing *single-family dwelling*.
- (4) *Lots* with multiple detached *single-family dwellings* are not eligible to have a *JADU*.
- (5) A *JADU* is not allowed in a *multifamily dwelling*.
- (6) A *JADU* is not allowed in an accessory structure.

- b. **Size:** The *JADU* shall not be larger than 500 square feet in total floor area.

- c. **Kitchen:** The *JADU* must contain an efficiency *kitchen* that includes:

- (1) Cooking facility with appliances, and
- (2) A food preparation counter and storage cabinets.

- d. **Entrance:** The *JADU* shall have a separate entrance from the main entrance to the proposed or existing *single-family dwelling*. An interior entry into the *single-family dwelling* is not required unless the *JADU* shares sanitation facilities with the *single-family dwelling*.

e. **Parking:**

- (1) When a *JADU* is created by the conversion of an attached garage, replacement parking for the primary residential *structure* is not required to be provided.
- (2) No parking is required for a *JADU*.



- f. **Sanitation:** A *JADU* must either include separate sanitation facilities or share sanitation facilities with the *single-family dwelling*.

**Sec. 8107-1.7.7 – ADU and JADU Application Processing and General Requirements**

**a. Ministerial Permit Approval:**

- (1) Permit applications for an *ADU* or *JADU* that meet the requirements of this Section 8107-1.7 shall be considered and approved ministerially without discretionary review or a hearing.
- (2) Except for deviations processed and granted in accordance with Section 8107-37.3 (Deviations for Cultural Heritage Sites) and Section 8111-9 (Reasonable Housing Accommodations), or as required by state law, no variance to the standards or requirements of this Chapter is available for an *ADU* or *JADU*.

**b. Type of Permit:**

- (1) Applications pursuant to Sections 8107-1.7.4 and 8107-1.7.6 shall be reviewed and approved with a building permit, if the applicable standards are met.
- (2) Applications pursuant to Section 8107-1.7.5 shall be reviewed and approved with a Zoning Clearance, if the applicable standards are met.

- c. **When Demolition Permit Required:** A demolition permit for a detached garage that is to be replaced with an *ADU* shall be reviewed with the application for the *ADU* and issued at the same time.

- d. **Nonconforming Zoning Violations:** Correction of nonconforming zoning conditions, building code violations, or unpermitted *structures* that do not present a threat to public health and safety and are not affected by the construction of an *ADU* shall not be a condition to ministerial approval of an *ADU* or *JADU* application.

**e. Rentals, Owner Occupancy and Transfers:**

- (1) Rentals: An *ADU* and *JADU* may each be rented separately from the primary residence.
- (2) Rental Term: All *ADUs* and *JADUs*, and any portion thereof, that are rented shall be rented for terms that are longer than 30 consecutive days.
- (3) Owner Occupancy
  - (a) Lot with ADU: For a *lot* with an *ADU*, the owner of the *lot* does not have to occupy the primary residence or *ADU*. However, if a *single-family dwelling* has an *ADU* and a *JADU*, then the owner must occupy either the *JADU* or the remaining portion of the *single-family dwelling* in accordance with Section 8107-1.7.7(e)(3)(b).
  - (b) Lot with JADU: At the time of application for a *JADU*, the owner of the *lot* must reside in the *single-family dwelling*. Upon completion of construction of the *JADU*, the owner must occupy either the remaining portion of the *single-family dwelling* or the *JADU*. For purposes of this Section 8107-1.7.7(e)(3)(b), owner includes a beneficial owner when the property is owned by a trust or legal entity. Owner-occupancy, however, is not required if the owner is a governmental agency, land trust, or housing organization.
- (4) Sales and Transfers: Except as provided in Government Code section

65852.26, an *ADU* may not be sold or otherwise conveyed separately from the primary residence. *JADUs* may not be sold or transferred separately from the *single-family dwelling*.

**f. Deed Restriction:**

- (1) For *ADUs*: Upon approval of an *ADU*, a deed restriction running with the land in a form provided by the County must be recorded with the County Recorder at the property owner's expense. The deed restriction must include the following:
  - (a) Rentals of the *ADU* must be for a term that is longer than 30 consecutive days; and
  - (b) Except as provided in Government Code section 65852.26, the *ADU* may not be sold or otherwise conveyed separately from the primary residence.
- (2) For *JADUs*: Upon approval of a *JADU*, a deed restriction running with the land in a form provided by the County must be recorded with the County Recorder at the property owner's expense. The deed restriction must include the following:
  - (a) Rentals of the *JADU* must be for a term that is longer than 30 consecutive days;
  - (b) A prohibition on the sale of the *JADU* separate from the sale of the *single-family dwelling*, including a statement that the deed restriction may be enforced against future purchasers; and
  - (c) A restriction on the size and attributes of the *JADU* that conforms with Section 8107-1.7.6 and Government Code section 65852.22.

**Sec. 8107-1.8 - Use of Structures for Human Habitation**

Structures may not be used for human habitation except as specifically permitted in this Chapter. (ADD. ORD. 3730 - 5/7/95; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

**Sec. 8107-1.9 - Accessory Bathrooms**

Bathrooms (full or half) are allowed pursuant to Article 5, and the following standards:

- a. Any bathroom may be a freestanding detached structure;
- b. A full bathroom shall not be attached to or incorporated within a detached enclosed accessory building except a permitted dwelling;
- c. More than one bathroom may be established, i.e. for men and women;
- d. Individual bathrooms shall not exceed 70 sq. ft. in area, and individual bathrooms in combination with a changing room shall not exceed 100 sq. ft.;
- e. Any full bathroom or combination full bathroom-changing room shall be accessible only by way of a door leading directly outside the structure and may not have internal access to an enclosed accessory structure;
- f. Any bathroom shall be counted toward the cumulative gross floor area allowed for accessory structures as specified in Article 5.
- g. Half bathrooms (i.e., without bathing facilities) may be allowed in accessory structures provided that the bathroom:

- (1) does not exceed 36 sq. ft. except where the need for a handicapped bathroom can be demonstrated, the bathroom may not exceed 8 ft. by 8 ft. with a clear 5 ft. turning area;
- (2) is not adjacent to a closet; and
- (3) is not plumbed to allow for a future shower or tub.

(ADD. ORD. 4123 - 9/17/96; AM. ORD. 4216 - 10/24/00; AM. ORD. 4282 - 5/20/03)

## **Sec. 8107-2 - Standards Relating to Animal Keeping**

(REP./REEN. ORD. 4092 - 6/27/95)

### **Sec. 8107-2.1 - Purpose**

The keeping of animals as a principal use (animal husbandry/keeping) or accessory use (pet animals) shall be permitted in accordance with this section and the requirements of other pertinent sections of this Chapter, particularly Articles 5 and 6. The purpose of this section is to establish animal density standards to regulate the keeping of animals for such purposes as "animal husbandry", "animal keeping" and as "pets" in a manner which will not endanger the health, peace, and safety of citizens and environment of Ventura County, and which will assure that animals are kept in safe and sanitary conditions.

### **Sec. 8107-2.2 - General Standards**

The following health and safety standards shall apply to all animal keeping activities:

#### **Sec. 8107-2.2.1 - Containment**

All animals shall be *fenced*, corralled, caged, cooped, penned, or otherwise prevented from exiting the property upon which they are located as indicated in Tables 1 and 2, except during exercise and the movement of animals onto and off of the property.

#### **Sec. 8107-2.2.2 - Setbacks from Off-Site Dwelling Units**

Except for movement onto and off of the property, *animals* shall not be kept, maintained, or used in any other way, inside or outside of any *structure* within the distance set forth in Table 2 of Section 8107-2.5.1 and Section 8107-2.3.7(f) of this Chapter. (AM. ORD. 4580 - 4/13/21)

### **Sec. 8107-2.3 - Additional Standards**

The following additional standards apply:

#### **Sec. 8107-2.3.1 - Animal Equivalencies**

Where a species of animal is not listed explicitly for animal keeping, the *Planning Director*, in consultation with appropriate experts, shall make a species equivalency determination. Similarly, the *Planning Director* shall have the power to assign the appropriate "animal unit factor" and "the maximum number allowed" to the species in question, based upon such criteria as height, weight, noise, odor, waste production, potential for escape, and impacts upon other animals and humans, etc.

#### **Sec. 8107-2.3.2 - Weanable Age**

The offspring of *animals* are allowed and shall not be counted as animal units until they are of weanable or self-sufficient age. For dogs and cats, this age shall be four months. For *equines*, this age shall be one year. For *roosters*, this age shall be six months, or when the *rooster* has full adult plumage, or is capable of crowing. For all other *animals*, the weanable ages for offspring shall be those ages determined by the *Planning Director* in consultation with appropriate experts. (AM. ORD. 4580 - 4/13/21)

**Sec. 8107-2.3.3 - Keeping Multiple Species**

Different species of animals may be combined on a given *lot* not to exceed the total number of animal units allowed on that *lot*.

**Sec. 8107-2.3.4 - Applicability of Lot Area Requirements**

Contiguous *lots* under unified control, either through ownership or by means of a lease, may be combined in order to meet minimum area requirements for animal keeping, but only for the duration of the common ownership or lease, and only in zones which allow the keeping of animals as a principal use. The keeper of the animals must provide written proof to the satisfaction of the *Planning Director*, that he/she has unified control of the affected parcels and that the animals utilize all of the *lots* in question.

**Sec. 8107-2.3.5 - Wild Animals**

In addition to the requirements of this Chapter, the keeping of wild animals as pets, for animal husbandry/keeping purposes, or for rehabilitation/recovery projects, shall be subject to approvals by any, and all, other County, State, and Federal regulatory agencies as applicable to the species in question. (AM. ORD. 4123 - 9/17/96 - grammar)

**Sec. 8107-2.3.6 - Cross Breeds**

Any animal that is the offspring of wild and domestic parents shall be regarded as a wild animal, unless otherwise determined by the *Planning Director* in consultation with appropriate experts.

**Sec. 8107-2.3.7 - Roosters**

The purpose of this Section 8107-2.3.7 is to limit the number of *roosters* that may be kept on a *lot* to eliminate the potential for a public nuisance, illegal cockfighting and the raising of birds to be used for cockfighting, to prevent the inhumane treatment of birds by those who engage in illegal cockfighting activities and for the protection of health and safety of the residents of Ventura County.

Definitions for all italicized terms in this section are set forth in Article 2 of this Chapter.

In accordance with Division 4, Chapter 4, Article 9, Sections 4494.1 through 4494.5 of the Ventura County Ordinance Code, the following limits and standards shall apply to the keeping of *roosters*:

- a. No *person* shall keep, maintain, control or harbor more than four *roosters* on any *lot* at any given time notwithstanding the maximum allowable animal keeping units allowed for a *lot* as set forth in Table 3 – Allowed Number of Animal Husbandry/Keeping Units of Section 8107-2.5.2. The four-*rooster* limit shall not apply to the following:
  - (1) Commercial poultry ranches whose primary commodity is the production of eggs or meat for sale as permitted by the County;
  - (2) Public or private schools as registered with the California Department of Education;
  - (3) The County of Ventura;
  - (4) *Nonprofit humane organization animal facilities*; and
  - (5) Youth-oriented poultry projects sanctioned by such organizations as Future Farmers of America (FFA), 4-H, or equivalent youth organizations, and *legitimate poultry hobbyists* who own and breed poultry for exhibition or for sale of offspring in accordance with accepted poultry raising practices, may have up to five *roosters* of the same breed for a maximum of 25 *roosters* in zone designations allowing *roosters* in accordance with Table 3 of Section 8107-2.5.2 and the waiver provisions set forth in Section 8107-2.5.5 of this Chapter, and provided that such projects or hobbyist activities are approved in writing by the Ventura

County Animal Services Director or any *person* authorized to act on behalf of Ventura County Animal Services.

- b. No *roosters* are permitted in the R1 and R2 Zones, the RPD Zone on *lots* less than 1 acre, and in all other zone designations with a *gross lot area* of less than 20,000 square feet.
- c. Section 8105-4's "Animal Husbandry, More Animals Than Are Permitted; Animal Keeping Non-Husbandry, More Animals Than Are Permitted; and, Keeping of Animals Accessory to Dwellings, More Animals Than Are Permitted" land use does not apply to the keeping of *roosters*. The maximum number of *roosters* allowed on a *lot* is set forth in Section 8107-2.3.7(a) above.
- d. No *person* shall maintain or control any *rooster* by means of a tether attached to an object.
- e. At all times *roosters* shall be provided: (1) access to water and shelter from the elements (i.e., rain, wind, direct sun, etc.); (2) sufficient room to spread both wings fully and to be able to turn in a complete circle without any impediment and without touching the side of an enclosure; and, (3) clean and sanitary premises that are kept in good repair.
- f. *Setback* requirements for *roosters* (40 feet minimum from any *dwelling* unit, other than the *dwelling* unit of the property owner or keeper of the *roosters*) are set forth in Section 8107-2.2.2 of this Chapter.
- g. By March 11, 2019, a property owner or *person* occupying or leasing the property or the premises of another who maintains, keeps, controls or harbors *roosters* shall have brought the number of *roosters* into conformance with the provisions of this section. Sections 8113-4 and 8113-5.4 of this Chapter do not apply to the keeping of *roosters*.

(ADD. ORD. 4580 – 4/13/21)

### **Sec. 8107-2.4 - Pet Animal Standards**

Pet animals shall be kept in accordance with the following standards and other applicable standards of this Chapter.

#### **Sec. 8107-2.4.1 - Pet Animals in Addition to Other Animal Keeping**

The keeping of pet animals is permitted in all base zones, and is allowed in addition to other forms of animal keeping, such as animal husbandry. (*Pursuant to Sec. 8107-2.3.1*)

#### **Sec. 8107-2.4.2 - Pet Animals and Assigned Animal Unit Factors**

The range of pet animal species that may be kept is listed in Table 1, "Pet Animals" (see below), but may be expanded by the *Planning Director* through the equivalency determination process.

#### **Sec. 8107-2.4.3 - Allowed Number of Pet Animal Units**

Except as provided in Article 5, no more than a total of 3.00 pet animal units are allowed per principal dwelling unit including all its accessory uses. Occupied spaces in mobile home parks, and multi-family dwellings (two or more units) are allowed no more than 1.00 pet animal unit.

#### **Sec. 8107-2.4.4 - Allowed Number of Security and Utility Animals**

For security, no more than 1.0 animal unit is allowed per commercial/industrial zoned *lot*. The animals that are allowed are listed on Table 1 "Pet Animals". Calculating the number allowed should be done in accordance with Sec. 8107-2.4.5. Utility animals such as seeing-eye dogs and similar animals may be kept in addition to the maximum allowed number of animal units.

### **Sec. 8107-2.4.5 - Calculating the Allowed Number of Pet Animals**

The sum of the individual animal units for a given dwelling unit shall not exceed the total number of animal units allowed pursuant to Sec. 8107-2.4.3. This is demonstrated by the following example:

#### **EXAMPLE**

If 3.00 pet animal units are allowed per dwelling unit, the three pet animal units could be composed of four dogs (1.00 unit), four cats (1.00 unit), four rabbits (0.20 unit), 2 chickens (0.20 unit), 2 ducks (0.20 unit), 1 large bird (0.10 unit) and 20 small birds (0.30 unit). This combination would equate to 3.00 pet animal units, while allowing 37 actual animals. If an additional cat (0.25 pet animal unit) were desired, the total number of pet animal units would rise to 3.25. This would exceed the allowable number of 3.00 pet animal units per dwelling unit.

### **Sec. 8107-2.4.6 - Keeping of Additional Pet Animals**

Additional pet animals beyond those permitted pursuant to Sec. 8107-2.4.3 may be kept in accordance with the following standards:

- a. Pet animals in addition to those permitted as pets pursuant to Sec. 8107-2.4.3 may only be kept on *lots* meeting the "Minimum *Lot* Area Required" standard set forth on Table 3 (Sec. 8107-2.5.2).
- b. The total number of additional pet animals that may be kept shall be no more than two times the "Maximum No. Allowed" identified in Table 1 for a given animal. For example, 4 dogs are allowed as pets. Up to 8 additional dogs would be allowed pursuant to this section.

(AM. ORD. 4123 - 9/17/96; REP./REEN. ORD. 4092 - 6/27/95)

- c. The first increment of additional pet animals may only be allowed when the *lot* in question meets the "Minimum *Lot* Area Required" standard for the zone in question as noted on Table 3. The second increment of pet animals may only be allowed when the size of the *lot* in question is three times its "Minimum *Lot* Area Required". For example, the "Minimum *Lot* Area Required" in the RE zone is 10,000 sq. ft.. An individual would be allowed 4 dogs as pets and an additional 4 dogs on a *lot* of 10,000 sq. ft. or more. An additional 4 dogs would be allowed on a *lot* of 30,000 sq. ft. or more. (AM. ORD. 4377 - 1/29/08)
- d. All animals required to be licensed by other agencies shall be licensed. All dogs and cats authorized by this section shall be licensed and spayed or neutered pursuant to Ventura County Animal Regulation Department.
- e. A Zoning Clearance shall be obtained by the owner of the animals prior to their being allowed on the property.
- f. The "Animal Unit Factor" for a given animal shall be counted against the total number of allowed animal units permitted for the *lot* in question pursuant to Table 3. For example, a *lot* of 20,000 sq. ft. to 24,999 sq. ft. zoned RO is allowed 3 animals units for Animal Husbandry/Animal Keeping pursuant to Table 3. If a person wished to keep 4 dogs as pets they do not count against this allotment. Pursuant to Sec. 8107-2.4.6, 4 additional pet dogs (each with a .25 animal unit factor) could be allowed but they would count as 1 animal unit against the total allotment of 3 Animal Husbandry/Keeping units.

(AM. ORD. 4123 - 9/17/96; REP./REEN. ORD. 4092 - 6/27/95)



**Table 1  
(See Section 8107-2.4.2)**

**Pet Animals**

ANIMAL TYPES	ANIMAL UNIT FACTOR	MAXIMUM NO. ALLOWED		METHOD OF CONTAINMENT
		WITHIN PRINCIPAL RESIDENCE	OUTSIDE PRINCIPAL RESIDENCE	
CATS	0.25	4		Pursuant to Sec. 8107-2.2.1
DOGS	0.25	4		
MINIATURE LIVESTOCK				
Small Equines	0.30	2		
Pygmy Goats	0.25	3		
BIRDS				
Chickens (hens only; no roosters)	0.10	5		
Birds, Small <sup>1</sup>	0.015	40		
Birds, Medium <sup>1</sup>	0.03	20		
Birds, Large <sup>1</sup>	0.10	8		
Ducks	0.10	5		
Geese, Turkeys	0.16	2		
Pigeons/Squab	0.10	10		
Pigeons - Homing/Racing	0.03	50		
FISH/AMPHIBIANS	N/A	UNLIMITED		
RODENTS/FUR BEARERS				
Guinea Pigs	0.02		20	
Mice, Hamsters, Gerbils	0.01	UNLIMITED	20	
Rabbits	0.05		10	
Rats	0.02		20	
REPTILES				
Lizards	0.05	UNLIMITED	20	
Snakes	0.05		15	
Tortoises/Turtles	0.05		20	
INSECTS/SPIDERS	N/A	UNLIMITED	100	
WILD ANIMALS	Accessory to Dwelling - Pursuant to Sec. 8107-2.3.1			

**REGULATORY NOTES:**

1. This listing of small, medium and large birds excludes bird types listed elsewhere in Tables 1 and 2 of this Article.

"Birds, small" means birds generally weighing less than one-half pound, such as perching birds (e.g., canaries and finches), small parrots (e.g., cockatiels, small hookbills, parakeets, lovebirds and budgerigars) and domestic songbirds.

"Birds, medium" means birds generally weighing between one-half pound and one pound, such as cockatoos, (e.g., Bare-eyed, Citron, Gang Gang, Leadbeater, Medium Sulphur-crested, Red-vented and Rose-breasted species), other parrots (e.g., Mexican Red-headed, African Grey, Blue-fronted Amazon and Grand Eclectus), the Queen of Bavaria Conure, the Ariel Toucan and the Keel-bill Toucan, but excluding macaws.

"Birds, large" means birds generally weighing over one pound, such as macaws (all species), large cockatoos (e.g., Great Sulphur-crested, Moluccan, Slender-billed, Triton and Umbrella species), large hookbills, other large parrots (e.g., Blue-crowned Amazon, Yellow-naped Amazon and Double Yellow-headed Amazon) and the Toco Toucan.

**EDITORIAL NOTES:**

- a. *Inherently Dangerous Animals may not be kept as pets.*
- b. *See Sec. 8107-2.4.6 for the number of additional pet animals allowed as a part of Animal Husbandry/Keeping.*

## **Sec. 8107-2.5 - Animal Husbandry/Keeping Standards**

Animals, other than those being kept as pets, such as for animal husbandry and animal keeping projects, shall be kept in accordance with the following standards and other applicable standards of this Chapter.

### **Sec. 8107-2.5.1 - Animal Husbandry/Keeping Unit Factors**

The range of *animals* allowed for keeping or for husbandry purposes is listed in Table 2 below, entitled "Animal Husbandry/Keeping," with additional specialty *animal husbandry* listed in Article 5 (e.g., *apiculture*). This range of allowed *animals* and their attendant animal unit factors may be expanded through the equivalency determination process pursuant to Section 8107-2.3.1. (AM. ORD. 4580 – 4/13/21 – grammar)

### **Sec. 8107-2.5.2 - Allowed Number of Animal Husbandry/Keeping Units**

The maximum number of animal units allowed on a given *lot(s)* is set forth in Table 3, "Allowed Number of Animal Husbandry/Keeping Units". Up to two units of equines may be kept on RO, RE, and RA zoned *lots* of 10,000 to 20,000 sq. ft. if a waiver is obtained pursuant to Sec. 8111-1.1.2. (AM. ORD. 4377 – 1/29/08)

### **Sec. 8107-2.5.3 - Calculating the Allowed Number of Animal Husbandry/Keeping Units**

The first animal unit is only allowed if the *lot* in question meets the minimum *lot* area set forth in Table 3. Additional units may be added based on the size of the *lot* and the formulas set forth in Table 3. Animal unit and *lot* size calculations shall be rounded to the nearest one-hundredth. For example, if the one-thousandth value is 5 (.125) or greater, round up the one-hundredth value by 1 (.125 becomes .13). Fractions of animal units may be applied towards the total number of allowed animals on a *lot*, but they may not be rounded up to whole numbers. This is illustrated in the following two examples.

#### **Example 1**

A 3.2 acre *lot*, zoned RA, contains 139,392 sq. ft. (3.2 ac. x 43,560 sq. ft./ac.). The allowed number of animal units is calculated by dividing the sq. ft. of the *lot* by the animal accrual rate (139,392 sq. ft. ÷ 1 unit/10,000 sq. ft. = 13.9392 units) and rounding to the nearest one-hundredth. Therefore, 13.94 animal units are allowed on the *lot*. These units could allow for example 7 horses and 6 cows (13 units), 1 pig (0.5 unit), and 2 sheep (0.40 unit). Since there are no animal units in Table 2 equaling .04 unit, pursuant to Sec. 8107-2.4.5, pet animals from Table 1 could be added since the subject *lot* exceeds the minimum *lot* size. Therefore, 1 medium bird (0.03 unit) and 1 mouse (0.01 unit) could be added, totaling 13.94 units. (AM. ORD. 4377 – 1/29/08)

#### **Example 2**

A 1.29 acre *lot*, zoned RE, contains 56,192 sq. ft. (1.29 ac x 43,560 sq. ft./ac.). The allowed number of animal units is calculated by subtracting 25,000 sq. ft. from the *lot* area, (31,192 sq. ft.), then dividing by the animal unit accrual rate (31,192 sq. ft. ÷ 1/25,000 sq. ft. = 1.23768 units) and then adding 3 units for a total of 4.24768 units. Rounding to the nearest one-hundredth, there would be 4.25 animal units allowed on the *lot*. These units could allow for example, 2 horses (2.0 units), 2 ostriches (1.0 unit), 1 cow (1.0 unit), and 1 sheep (0.20 unit) totaling 4.20 units. The remaining 0.05 unit is less than any animal listed in Table 2, so pet

animals from Table 1 could be added since the *lot* exceeds the minimum required *lot* size. Therefore, the remaining 0.05 animal unit could be allowed for 1 medium bird (0.03 unit) and 1 rat (0.02 unit). (AM. ORD. 4377 – 1/29/08)

(REP./REEN. ORD. 4092 - 6/27/95)

**Table 2**  
**(See Section 8107-2.5.1)**

Animal Husbandry/Keeping <b>ANIMAL TYPES</b>	<b>ANIMAL UNIT FACTOR</b>	<b>METHOD OF CONTAINMENT</b>	<b>SETBACK REQUIREMENTS (Sec. 8107- 2.2.2 and Sec. 8107-2.3.7(f))</b>
Alpacas	0.50	Pursuant to Secs. 8107-2.2.1 and 8107-2.3.7(d)-(f)	40'
Bison, Buffalos, Beefalos	1.00		
Bovines (cows, bulls, oxen)	1.00		
Chickens: Hens, Roosters	0.10		
Deer	0.50		
Ducks	0.10		
Emus	0.30		
Adult Equines:			
Small - (under 36 inches at the withers)	0.30		
Medium (over 36-58 inches at the withers)	0.50		
Large - (over 58 inches at the withers and including Donkeys and Burros)	1.00		
Goats	0.20		
Geese	0.16		
Guinea fowl	0.50		
Hogs/Swine	0.50		
Llamas	1.00		
Ostriches, Rheas	0.50		
Peafowl	0.50		
Pheasants	0.16		
Pigeons/Squabs/Quail	0.10		
Rabbits, or other fur-bearing animal of similar size at maturity	0.05		
Sheep	0.20		
Turkeys	0.16		

(AM. ORD. 4580 – 4/13/21)

**Table 3  
(Section 8107-2.5.2)**

**Allowed Number of Animal Husbandry/Keeping Units**

Zone	Minimum Lot Area Required <sup>3</sup>	10,000 to 19,999 sq. ft.	20,000 to 24,999 sq. ft.	25,000 to 29,999 sq. ft.	30,000 to 34,999 sq. ft.	35,000 to 39,999 sq. ft.	40,000 to 43,559 sq. ft.	Lots Equal to or Greater than 1 acre (43,560 sq. ft.)	
OS	10,000 sq. ft.	2	2.5	3	3.5	4	4.36	SQ. FT. OF LOT ÷ 10,000 sq. ft. = TOTAL ANIMAL UNITS ALLOWED <sup>4</sup>	OVER 10 ACRES:  UNLIMITED <sup>4</sup>
AE									
RA <sup>1</sup>									
RO <sup>1</sup>	20,000 sq. ft.	0	3	3	4.17	4.33	4.46	<b>Animals of 1.0 unit or greater:</b>  [(SQ. FT. OF LOT - 30,000 sq. ft.) ÷ 30,000 sq. ft.] + 4 = TOTAL ANIMALS UNITS ALLOWED  <b>Animals of less than 1.0 unit:</b>  SQ. FT. OF LOT ÷ 10,000 sq. ft. = TOTAL ANIMAL UNITS ALLOWED <sup>4</sup>	
RE <sup>1</sup>	10,000 sq. ft.	2	2	3.2	3.4	3.6	3.74	[(SQ. FT. OF LOT - 25,000 sq. ft.) ÷ 25,000] + 3 = TOTAL ANIMAL UNITS ALLOWED <sup>4</sup>	
TP									
RPD	1 ac.	0	0	0	0	0	0	SQ. FT. OF LOT ÷ 20,000 sq. ft. = TOTAL ANIMAL UNITS ALLOWED <sup>4</sup>	
R1 <sup>2</sup>	Permitted Pursuant to Sec. 8105-4, excluding <i>roosters</i> , <i>peafowl</i> , <i>guinea fowl</i> and the like.								
R2	No <i>animal keeping</i> or <i>husbandry</i> allowed.								

(AM. ORD. 4377 – 1/29/08; AM. ORD. 4580 – 4/13/21)

1. Only *animals* of less than 1.00 animal unit may be allowed on *lots* less than 20,000 square feet in the RA, RO and RE Zones unless a waiver is obtained pursuant to Section 8111-1.1.2 of this Chapter.
2. No *roosters*, *peafowl*, *guinea fowl* or the like are permitted in the R1 Zone, or on *lots* less than 20,000 square feet in other zones.
3. No more than two *peafowl* are permitted on *lots* less than 1 acre; however, up to four *peafowl* may be permitted with a waiver pursuant to Section 8111-1.1.2.
4. On *lots* 20,000 square feet or more in size (except for in the R1 and R2 Zones) or on *lots* 1 acre or more in the RPD Zone, no more than four *roosters* are allowed notwithstanding the maximum allowable Animal Husbandry/Keeping Units per *lot* set forth in Table 3 above. (ADD. ORD. 4580 – 4/13/21)

(AM. ORD. 4580 – 4/13/21 – grammar)

**Sec. 8107-2.5.4 - Youth Projects**

Livestock and fowl identified in Table 2 of Section 8107-2.5.1 above, other than *roosters* (see Section 8107-2.5.5 below), may be kept in accordance with a waiver pursuant to Section 8111-1.1.2 of this Chapter for a limited period of time on *lots*

where they would not otherwise be allowed because the *lot* does not meet minimum size requirements or the project would lead to *animals* in excess of the numbers otherwise allowed; or where a discretionary permit would otherwise be required; provided such *animals* are kept for youth oriented projects sanctioned by such organizations as 4-H or Future Farmers of America (FFA) and provided all of the following criteria are met:

- a. The animals shall be kept for no more than one year from the date of approval for keeping unless otherwise specifically set forth in the waiver.
- b. Written concurrence is provided by all abutting residents and abutting landowners surrounding the *lot* where the *animal* is to be kept. Said concurrence shall be in a form acceptable to the *Planning Director*.
- c. The *setbacks* for the keeping of *animals* may be waived with the written concurrence of the neighbors possibly impacted by the *setback* intrusion.
- d. *Animals* shall be kept in a manner consistent with Section 8107-2.2 et seq. "General Standards".

(AM. ORD. 4580 -4/13/21)

#### **Section 8107-2.5.5 – Rooster Youth Projects and Rooster Hobbyists**

*Roosters* may be kept for youth-oriented poultry projects, provided such *roosters* are kept for youth-oriented poultry projects sanctioned by such organizations as 4-H or Future Farmers of America (FFA) or equivalent youth organizations as determined by the Ventura County Animal Services Director and the *Planning Director*. *Roosters* may also be kept by *legitimate poultry hobbyists*, as defined in Article 2 of this Chapter. *Roosters* may be kept for youth poultry projects and by *legitimate poultry hobbyists* in the numbers and types as set forth in Section 8107-2.3.7 of this Chapter and in accordance with the *setback* and containment standards and with the written approval by the Ventura County Animal Services Director as set forth in Sections 8107-2.2.2, 8107-2.3.7(f), and 8107-2.3.7(a)(5) of this Chapter, provided any necessary waiver of the number of *roosters* up to 25 *roosters* is obtained pursuant to Section 8111-1.1.2 of this Chapter. (ADD. ORD. 4580 - 4/13/21)

#### **Sec. 8107-2.6 - Apiculture**

The following standards apply to the keeping of bees.

- a. Definitions: Definitions for all italicized terms in this Section 8107-2.6 et seq. are set forth in Article 2 of this Chapter. If a term used in this section is not defined in Article 2 it shall have the meaning established for such word or phrase in Chapter 1 (commencing with Section 29000) of Division 13 of the Food and Agricultural Code as may be amended.
- b. Agricultural Commissioner Registration Requirement: Every *person* that is the owner or is in possession of an *apiary* that is located within the unincorporated area of the county shall register with the Agricultural Commissioner's Office the number of *bee colonies* in each *apiary* that is owned by the *person*, and provide the location of each *apiary*. Every *person* required to register under this section shall do so on the first day of January of each year in which they maintain or possess an *apiary* or within 30 days thereafter, as required in the California Food and Agricultural Code sections 29010-29056, as may be amended.
- c. Exempt Beekeeping Activities: The following beekeeping activities are exempt from the regulations of this Section 8107-2.6. et seq. Notwithstanding the following, *persons* conducting exempt beekeeping activities shall still comply with state and federal laws pertaining to *apiculture*, and shall register annually each *beehive* with the Agricultural Commissioner's Office pursuant to Section 8107-2.6(b), above.

- (1) Keeping of *bees* within an educational institution for study or observation, or within a physician's office or laboratory for medical research, treatment, or other scientific purposes.
  - (2) In addition to the maximum number of *beehives* allowed pursuant to Section 8107-2.6.2(d), below, one additional *beehive* may be brought onto a property for a maximum of 30 consecutive calendar days for the purposes of swarm prevention.
- d. Prohibited Beekeeping Activities:
- (1) *Beekeeping* is prohibited in *mobilehome* and *recreational vehicle parks*, all commercial and industrial zones, and the R2, RHD, and R/MU Zones. *Beekeeping* is also prohibited in the RES Zone when there are *two-family* or *multifamily* dwellings on the property.
  - (2) No *person* shall own or operate an *apiary* that has Africanized honeybees and/or *bees* that exhibit *aggressive bee behavior*, contains *apiary* pests, or is an abandoned *apiary*, as determined by the Agricultural Commissioner. Africanized honeybees are considered *inherently dangerous animals* (insects).
  - (3) *Beehives* and beekeeping appurtenances shall not be located on a roof of a *structure* unless the roof is a permitted roof-top deck and/or is an area that is designed and permitted to be walked upon.
- e. Nuisance Abatement: Failure to comply with the following nuisance abatement procedures will result in formal enforcement procedures as set forth in Section 8107-2.6(f):
- (1) If a *bee colony* exhibits *aggressive bee behavior* in a *beehive* on a property or in/on a *structure* and has been determined by the Agricultural Commissioner to be a public nuisance, the property owner and/or the *beekeeper* of the *bee colony* shall abate and remove the *bee colony* in order to protect the health, safety, and welfare of the public.
  - (2) *Bee colonies* determined by the Agricultural Commissioner to be neglected or abandoned, and/or are not maintained in accordance with the regulations of this Section 8107-2.6 et seq. are a public nuisance. The property owner and/or the *beekeeper* of the *bee colony* shall immediately remove the *bee colony* or abate the nuisance by immediately complying with the regulations of this section in order to protect the health, safety, and welfare of the public.
- f. Violation, Enforcement Procedures and Penalties: Failure to comply with the provisions of this Section 8107-2.6 et seq. may result in the issuance of a Notice of Violation and/or commencement of Civil Administrative Penalties in accordance with Article 14 of this Chapter, and/or criminal prosecution of a misdemeanor/infracton pursuant to Section 13-1 (Enforcement) of the Ventura County Ordinance Code.

**Sec. 8107-2.6.1 – Beekeeping, Other than Backyard Beekeeping**

In addition to the beekeeping standards in Section 8107-2.6 above, beekeeping that is not *backyard beekeeping* pursuant to Section 8107-2.6.2 and as defined in Article 2 of this Chapter shall be operated in accordance with the following standards:

- a. This type of beekeeping is only allowed in the OS, AE, RA, and TP Zones.
- b. Occupied *apiaries* shall be located or maintained a safe distance from an urbanized area. For the purpose of this section, an urbanized area is defined as an area containing three or more *dwelling units* per acre. A "safe distance" shall be determined after investigation by the Agricultural Commissioner and

shall be consistent with Section 8107-2.6.1(c) below. Decisions of the Agricultural Commissioner may be appealed pursuant to Section 8111-7.2(c) of this Chapter.

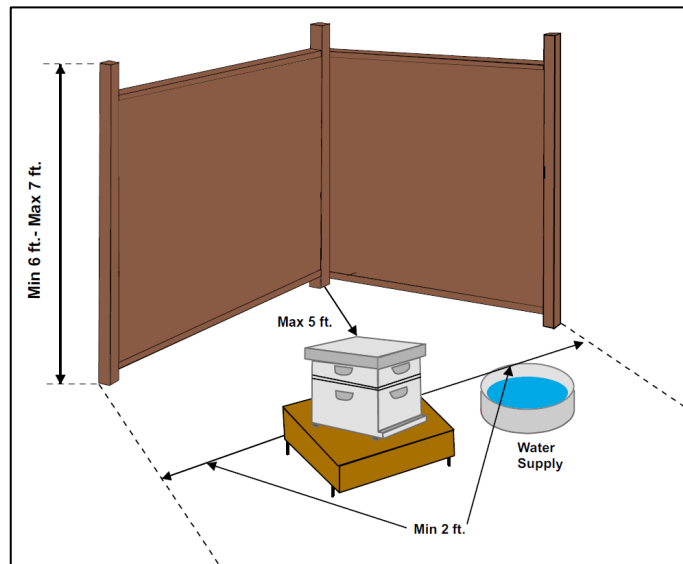
- c. Unless otherwise authorized in writing by the Agricultural Commissioner, no occupied *apiary* shall be located or maintained within:
  - (1) 400 feet of any off-site dwelling,
  - (2) 50 feet of any property line common to other property except that it may be adjoining the property line when such other property contains an *apiary*, or upon mutual agreement for such location with the adjoining property owner, and
  - (3) 150 feet of any public road, street, or highway.
- d. Adequate available and suitable water supplies shall be maintained on the property near the *apiary* at all times.

**Sec. 8107-2.6.2 – Backyard Beekeeping**

In addition to the beekeeping standards in Section 8107-2.6 above, *backyard beekeeping* shall be operated in accordance with the following standards:

- a. Purpose: The purpose of this section is to establish regulations for hobbyist beekeeping activities that are accessory to a *single-family dwelling*. Naturally occurring and uncontrolled *beehives* that have colonized on a residential property for less than 30 calendar days are not subject to the provisions of this Section 8107-2.6.2.
- b. Prohibited Activities: In addition to the prohibited beekeeping activities listed in Section 8107-2.6(d) above, no *person* shall keep, maintain, possess, or control any *apiary* in or upon any premises on lots less than 10,000 square feet in total *gross lot area*, except as exempted pursuant to Section 8107-2.6(c) above. *Backyard beekeeping* is limited to a maximum of four *beehives* pursuant to the standards set forth in Section 8107-2.6.2(d) below.
- c. Development Standards: Unless an activity is exempt pursuant to Section 8107-2.6(c) above, all *backyard beekeeping* shall be operated in accordance with the following standards:
  - (1) *Beehive* entrances shall face away from, or parallel to, the nearest *lot line* adjacent to another and shall face away from doors and/or windows.
  - (2) A *beehive* shall be sited so the general flight pattern of *bees* is in a direction that will deter *bee* contact with humans and *animals*. A solid wall, *fence*, or dense vegetation, known as a “*beekeeping flyaway barrier*,” shall be located along the side of the *beehive* that contains the entrance to the hive, such that the *bees* are forced to fly to an elevation of at least 6 feet above ground level to exit and enter the *beehive*. A *backyard flyaway barrier* that consists of a wall or *fence* shall be no less than 6 feet in height and no taller than 7 feet. The *backyard flyaway barrier* shall be located a maximum of 5 feet from the *beehive* and shall extend at least 2 feet on either side of the hive. For the purposes of this Section 8107-2.6.2(c)(2), dense vegetation means trees or shrubs that are vigorous, compact, thick, and are at least 6 feet in height (e.g., tall hedge) prior to or at the time the *beehive(s)* are on the property. Property line *fences* do not constitute *beekeeping flyaway barriers*.





Example of a Beekeeping Flyaway Barrier

In lieu of a minimum 6-foot-tall *beekeeping flyaway barrier*, *beehives* shall be located:

- i. At least 100 feet from any off-site *dwelling* at all times, unless a more restrictive setback standard is required by Section 8107-2.6.2(d), below; or
- ii. On a *structure* that is a minimum of 8 feet above ground level, provided that the *beehive(s)* are not located on a roof as set forth in Section 8107-2.6(d)(3) above, measured from the lowest adjacent ground level parallel to and within 5 feet of the *structure*. Such *structure* shall comply with the most restrictive setback requirements as set forth in Sections 8106-1.1, or 8107-2.6.2(d) below. A Zoning Clearance is required for the construction of any *structure* over 7 feet tall to house *beehive(s)*.

d. Schedule of Specific Development Standards: The development standards set forth in the table below apply to all *backyard beekeeping* activities.

Max. No. of Beehives Per Legal Lot	Min. Lot Area (gross lot area)	Minimum Setback of Beehives from Property Lines <sup>1</sup>				Min. Setback of Beehives from Public Right-of-Way or Easement <sup>2</sup>	Min. Setback of Beehives from Sensitive Sites <sup>3</sup>
		Front	Side: Interior Lots	Street Side	Rear (not adjacent to street)		
2	10,000 sq. ft.	Not Allowed	10 ft.	20 ft.	10 ft.	20 ft.	150 ft.
3	20,000 sq. ft.		20 ft.	50 ft.	20 ft.	50 ft.	300 ft.
4	1 acre		50 ft.	100 ft.	50 ft.	100 ft.	450 ft.

1. If the property line extends into a thoroughfare or road, the distance shall be measured from the nearest edge of the road.
2. The distance will be measured from the nearest edge of the public or private road easement pursuant to Section 8106-4.2 of this Chapter. For purposes of this section, a road also includes sidewalks, equestrian trails, and roadside paths where people travel either by foot, *animal*, or vehicle.
3. The distance shall be measured from the nearest edge of the property line of a *beekeeping sensitive site*, as defined in Article 2.

- e. Beekeeping Education Course: Beekeepers shall complete an education course on beekeeping approved by the Agricultural Commissioner's Office prior to establishing an *apiary* on the property. A copy of the current registration and evidence of completion of the education course shall be provided to the County upon request.
- f. Backyard Beekeeping Best Management Practices:
  - (1) *Beekeepers* shall maintain compliance with all of the standards set forth in this section.
  - (2) A *beehive* shall be maintained through the provision of adequate space, and pest and disease control.
  - (3) Adequate and accessible forage habitat to feed and nourish *bees* shall be readily available. If necessary, the *beekeeper* shall provide supplemental nourishment to the *beehive(s)* to prevent starvation during times of reduced nectar production.
  - (4) *Beehives* shall be re-queened following any swarming or *aggressive bee behavior*.
  - (5) Each *beehive*, and all *bees* therein, shall at all times be under the control of the property owner on which the *beehive* is located or the *beekeeper* thereof, and shall not be a public nuisance.
  - (6) An adequate and accessible supply of fresh water shall be available at all times, including prior to introduction of a *beehive* to a new location. If the property on which the *apiary* is located does not contain sufficient natural water, the *beekeeper* shall provide one or more water containers or water sources within 2 feet of the *beehive*. The water supply shall provide landing sites for the *bees* to drink without drowning, undue competition, or overcrowding.
  - (7) *Beekeepers* shall inspect each *beehive* at least once a month to detect *aggressive bee behavior* and/or *apiary* pests in order to take corrective action(s) in a timely manner. *Beekeepers* shall practice swarm prevention techniques and provide additional space for *beehive* growth to minimize *bee* swarming.
  - (8) *Beekeepers* shall post identification and contact information in a prominently visible location on each *beehive*, including the name and phone number of the *beekeeper*.
  - (9) *Beekeepers* shall always have a shovel and an operable water hose or fire extinguisher available on the property for suppression of any accidental fire.
  - (10) *Bee smokers* shall contain a noncombustible container with a secure lid and be equipped with a fire-resistant smoker plug to prevent embers from escaping.

(ADD. ORD. 4606 – 11/1/22)

### **Sec. 8107-2.7 - Vermiculture**

The following standards apply to vermiculture operations:

- a. Vermiculture operations shall only be allowed on *lots* of 20,000 square feet or larger.
- b. No worm beds, feedstock, bedding material, worm castings or similar related materials associated with the operation shall be located within 100 feet of a residence on a neighboring property.

(REP./REEN. ORD. 4092 - 6/27/95)

- c. The area used for worm beds, feedstock, bedding material, castings, and related materials shall not, in the aggregate, exceed six feet in height. If a *discretionary* permit is issued pursuant to Sec. 8105-4, these standards may be exceeded. The standards set forth in Section 8107-36.4.1 shall apply to all such vermiculture operations in excess of 5,000 square feet of open beds. (AM. ORD. 4214 - 10/24/00)
- d. The volume of raw or composted feedstock and the bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.
- e. Prior to the issuance of a Zoning Clearance of the use, a "stockpile management plan" shall have been approved by the Environmental Health Division. The operations shall only be conducted in conformance with the approved plan and the limitations set forth in this section.

(REP./REEN. ORD. 4092 - 6/27/95)

### **Sec. 8107-3 - Auto, Boat, and Trailer Sales Lots**

New and used automobile, motorhome, trailer and boat sales yards are subject to the following conditions:

#### **Sec. 8107-3.1**

No repair or reconditioning of automobiles, trailers or boats shall be permitted unless such work is accessory to the principal retail use and is done entirely within an enclosed building;

#### **Sec. 8107-3.2**

Except for required landscaping, the entire open area of the premises shall be surfaced pursuant to Sec. 8108-5.9.

(AM. ORD. 4407 - 10/20/09)

### **Sec. 8107-4 - Mobilehome Parks**

#### **Sec. 8107-4.1**

Mobilehome parks shall be developed in accordance with all applicable standards, including density standards (number of dwellings per unit of *lot* area), of the zone in which the mobilehome park is located.

#### **Sec. 8107-4.2**

A mobilehome park may include, as part of an approved permit, recreational and clubhouse facilities and other accessory uses.

#### **Sec. 8107-4.3**

The minimum distance between structures in a mobilehome park shall be ten feet, except that the minimum distance between accessory structures shall be six feet.

### **Sec. 8107-5 - Oil and Gas Exploration and Production**

#### **Sec. 8107-5.1 - Purpose**

The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for oil and gas exploration and production facilities and operations within the County which will allow for the reasonable use of an important

County resource. These regulations shall also ensure that development activities will be conducted in harmony with other uses of land within the County and that the rights of surface and mineral owners are balanced.

### **Sec. 8107-5.2 - Application**

Unless otherwise indicated herein, the purposes and provisions of Section 8107-5 et seq. shall be and are hereby automatically imposed on and made a part of any permit for oil or gas exploration and development issued by Ventura County on or after March 24, 1983. Such provisions shall be imposed in the form of permit conditions when permits are issued for new development or for existing wells/facilities without permits, or when existing permits are modified. These conditions may be modified at the discretion of the *Planning Director*, pursuant to Sec. 8111-5.2 (*Incorrect reference; see Sec. 8111-4.2*). Furthermore, said provisions shall apply to any oil and gas exploration and development operation initiated on or after March 24, 1983, upon Federally owned lands for which no land use permit is required by Ventura County. No permit is required by the County of Ventura for oil and gas exploration and production operations conducted on Federally owned lands pursuant to the provisions of the Mineral Lands Leasing Act of 1920 (30 U.S.C. Section 181 et seq.). (AM. ORD. 3810 - 5/5/87)

### **Sec. 8107-5.3 - Definitions**

Unless otherwise defined herein, or unless the context clearly indicates otherwise, the definition of petroleum-related terms shall be that used by the State Division of Oil and Gas.

### **Sec. 8107-5.4 - Required Permits**

No oil or gas exploration or production related use may commence without or be inconsistent with a Conditional Use Permit approved pursuant to this Chapter. Furthermore, a Zoning Clearance must be obtained by the permittee to confirm consistency with the Zoning Ordinance and/or Conditional Use Permit prior to drilling every well, commencing site preparation for such well(s), or installing related appurtenances, as defined by the *Planning Director*. However, a single Zoning Clearance may be issued for more than one well or drill site or structure. Possession of an approved Conditional Use Permit shall not relieve the operator of the responsibility of securing and complying with any other permit which may be required by other County Ordinances, or State or Federal laws. No condition of a Conditional Use Permit for uses allowed by this Chapter shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. When more than one set of rules apply, the stricter one shall take precedence. (AM. ORD. 3900 - 6/20/89)

### **Sec. 8107-5.5 - Oil Development Guidelines**

The general guidelines that follow shall be used in the development of conditions which will help ensure that oil development projects generate minimal negative impacts on the environment. The guidelines shall be applied whenever physically and economically feasible and practicable, unless the strict application of a particular guideline(s) would otherwise defeat the intent of other guidelines. An *applicant* should use the guidelines in the design of the project and anticipate their use as permit conditions, unless the *applicant* can demonstrate that they are not feasible or practicable.

#### **Sec. 8107-5.5.1**

Permit areas and drill sites should generally coincide and should only be as large as necessary to accommodate typical drilling and production equipment.

**Sec. 8107-5.5.2**

The number of drill sites in an area should be minimized by using centralized drill sites, directional drilling and other techniques.

**Sec. 8107-5.5.3**

Drill sites and production facilities should be located so that they are not readily seen.

**Sec. 8107-5.5.4**

Permittees and operators should share facilities such as, but not limited to, permit areas, drill sites, access roads, storage, production and processing facilities and pipelines.

**Sec. 8107-5.5.5**

The following guidelines shall apply to the installation and use of oil and gas pipelines:

- a. Pipelines should be used to transport petroleum products off-site to promote traffic safety and air quality.
- b. The use of a pipeline for transporting crude oil may be a condition of approval for expansion of existing processing facilities or construction of new processing facilities.
- c. New pipeline corridors should be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental or economic reasons not to do so.
- d. When feasible, pipelines shall be routed to avoid important resource areas, such as recreation, sensitive habitat, geological hazard and archaeological areas. Unavoidable routing through such areas shall be done in a manner that minimizes the impacts of potential spills by considering spill volumes, durations, and projected paths. New pipeline segments shall be equipped with automatic shutoff valves, or suitable alternatives approved by the *Planning Director*, so that each segment will be isolated in the event of a break.
- e. Upon completion of pipeline construction, the site shall be restored to the approximate previous grade and condition. All sites previously covered with *native vegetation* shall be reseeded with the same or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established, and to promote visual and environmental quality.

(AM. ORD. 3810 - 5/5/87; AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.5.6**

Cuts or fills associated with access roads and drill sites should be kept to a minimum to avoid erosion and visual impacts. They should be located in inconspicuous areas, and generally not exceed ten vertical feet. Cuts or fills should be restored to their original grade once the use has been discontinued.

**Sec. 8107-5.5.7**

Gas from wells should be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources. Oil should also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality. (AM. ORD. 3810 - 5/5/87)

**Sec. 8107-5.5.8**

Wells should be located a minimum of 800 feet from occupied sensitive uses. Private access roads to drill sites should be located a minimum of 300 feet from occupied sensitive uses, unless this requirement is waived by the occupant.

**Sec. 8107-5.5.9**

Oversized vehicles should be preceded by lead vehicles, where necessary for traffic safety.

**Sec. 8107-5.5.10**

Lighting should be kept to a minimum to approximate normal nighttime light levels.

**Sec. 8107-5.5.11**

In the design of new or modified oil and gas production facilities, best accepted practices in drilling and production methods should be utilized, if capable of reducing factors of nuisance and annoyance. (REP. ORD. 3810 - 5/5/87; ADD. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6 - Oil Development Standards**

The following are minimum standards and requirements which shall be applied pursuant to Sec. 8107-5.2. More restrictive requirements may be imposed on a project through the conditions of the permit. Measurements are taken from the outside perimeter of the noise receptors noted below: (AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.1 - Setbacks**

No well shall be drilled and no equipment or facilities shall be permanently located within:

- a. 100 feet of any dedicated public street, highway or nearest rail of a railway being used as such, unless the new well is located on an existing drill site and the new well would not present a safety or right-of-way problem. If aesthetics is a problem, then the permit must be conditioned to mitigate the problem.
- b. 500 feet of any building or dwelling not necessary to the operation of the well, unless a waiver is signed pursuant to Sec. 8107-5.6.25, allowing the setback to be reduced. In no case shall the well be located less than 100 feet from said structures. (AM. ORD. 3730 - 5/7/85);
- c. 500 feet of any institution, school or other building used as a place of public assemblage, unless a waiver is signed pursuant to Sec. 8107-5.6.25, allowing the setback to be reduced. In no case shall any well be located less than 300 feet from said structures. (AM. ORD 3730 - 5/7/85);
- d. 300 feet from the edge of the existing banks of "Red Line" channels as established by the Ventura County Flood Control District (VCFCD), 100 feet from the existing banks of all other channels appearing on the most current United States Geologic Services (USGS) 2,000' scale topographic map as a blue line. These setbacks shall prevail unless the permittee can demonstrate to the satisfaction of the Public Works Agency that the subject use can be safely located nearer the stream or channel in question without posing an undue risk of water pollution, and impairment of flood control interests. In no case shall setbacks from streams or channels be less than 50 feet. All drill sites located within the 100-year flood plain shall be protected from flooding in accordance with Flood Control District requirements.
- e. The applicable setbacks for accessory structures for the zone in which the use is located.

- f. 100 feet from any marsh, small wash, intermittent lake, intermittent stream, spring or perennial stream appearing on the most current USGS 2000' scale topographic map, unless a qualified biologist, approved by the County, determines that there are no significant biological resources present or that this standard setback should be adjusted.

(AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.2 - Obstruction of Drainage Courses**

Drill sites and access roads shall not obstruct natural drainage courses. Diverting or channeling such drainage courses may be permitted only with the authorization of the Public Works Agency.

**Sec. 8107-5.6.3 - Removal of Equipment**

All equipment used for drilling, re-drilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work unless a time extension is approved by the *Planning Director*.

**Sec. 8107-5.6.4 - Waste Handling and Containment of Contaminants**

Oil, produced water, drilling fluids, cuttings and other contaminants associated with the drilling, production, storage and transport of oil shall be contained on the site unless properly transported off-site, injected into a well, treated or re-used in an approved manner on-site or if allowed, off-site. Appropriate permits, permit modifications or approvals must be secured when necessary, prior to treatment or re-use of oil field waste materials. The permittee shall furnish the *Planning Director* with a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching surface or subsurface waters. The plan shall be consistent with requirements of County, State and Federal laws. (AM.ORD.3900-6/20/89)

**Sec. 8107-5.6.5 - Securities**

Prior to the commencement or continuance of drilling or other uses on an existing permit, the permittee shall file, in a form acceptable to the County Counsel and certified by the County Clerk, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. Any operator may, in lieu of filing such a security for each well drilled, re-drilled, produced or maintained, file a security in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, a political subdivision of the State of California, conditioned upon the permittee well and truly obeying, fulfilling and performing each and every term and provision in the permit. In case of any failure by the permittee to perform or comply with any term or provision thereof, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, or expense or liability suffered by the County of Ventura from any breach by permittee of any term or condition of said permit or of any applicable ordinance or of this security. No security shall be exonerated until after all the applicable conditions of the permit have been met.

**Sec. 8107-5.6.6 - Dust Prevention and Road Maintenance**

The drill site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as necessary to prevent the emanation of dust. Access roads shall be designed and maintained so as to minimize erosion, prevent the



deterioration of vegetation and crops, and ensure adequate levels of safety. (AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.7 - Light Emanation**

Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels. The location of all flood lights and an outline of the illuminated area shall be shown on the *landscape plan*, if required, or on the requisite plot plan. (AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.8 - Reporting of Accidents**

The permittee shall immediately notify the *Planning Director* and Fire Department and all other applicable agencies in the event of fires, spills, or hazardous conditions not incidental to the normal operations at the permit site. Upon request of any County Agency, the permittee shall provide a written report of any incident within seven calendar days which shall include, but not be limited to, a description of the facts of the incident, the corrective measures used and the steps taken to prevent recurrence of the incident.

**Sec. 8107-5.6.9 - Painting**

All permanent facilities, structures, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the *Planning Director* prior to painting of facilities.

**Sec. 8107-5.6.10 - Site Maintenance**

The permit area shall be maintained in a neat and orderly manner so as not to create any hazardous or unsightly conditions such as debris; pools of oil, water, or other liquids; weeds; brush; and trash. Equipment and materials may be stored on the site which are appurtenant to the operation and maintenance of the oil well located thereon. If the well has been suspended, idled or shut-in for 30 days, as determined by the Division of Oil and Gas, all such equipment and materials shall be removed within 90 days.

**Sec. 8107-5.6.11 - Site Restoration**

Within 90 days of revocation, expiration or surrender of any permit, or abandonment of the use, the permittee shall restore and revegetate the premises to as nearly its original condition as is practicable, unless otherwise requested by the landowner.

**Sec. 8107-5.6.12 - Insurance**

The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons and \$2,000,000 for property damage. This requirement does not preclude the permittee from being self-insured.

**Sec. 8107-5.6.13 - Noise Standard**

Unless herein exempted, drilling, production, and maintenance operations associated with an approved oil permit shall not produce noise, measured at a point outside of occupied sensitive uses such as residences, schools, health care facilities, or places of public assembly, that exceeds the following standard or any other more restrictive standard that may be established as a condition of a specific permit. Noise from the subject property shall be considered in excess of the standard when the average sound level, measured over one hour, is greater than the standard that follows. The determination of whether a violation has occurred shall be made in accordance with the provisions of the permit in question.

Nomenclature and noise level descriptor definitions are in accordance with the Ventura County General Plan Goals, Policies and Programs and the Ventura County General Plan Hazards Appendix. Measurement procedures shall be in accordance with the Ventura County General Plan Hazards Appendix.

The maximum allowable average sound level is as follows:

**One Hour Average Noise Levels (LEQ)**

<u>Time Period</u>	<u>Drilling and Maintenance Phase</u>	<u>Producing Phase</u>
Day (6:00 a.m. to 7:00 p.m.)	55 dB(A)	45 dB(A)
Evening (7:00 p.m. to 10:00 p.m.)	50 dB(A)	40 dB(A)
Night (10:00 p.m. to 6:00 a.m.)	45 dB(A)	40 dB(A)

For purposes of this section, a well is in the "producing phase" when hydro-carbons are being extracted or when the well is idled and not undergoing maintenance. It is presumed that a well is in the "drilling and maintenance phase" when not in the "producing phase."

(AM.ORD.3900-6/20/89)

**Sec. 8107-5.6.14 - Exceptions to Noise Standard**

The noise standard established pursuant to Sec. 8107-5.6.13 shall not be exceeded unless covered under any of the following provisions:

- a. Where the ambient noise levels (excluding the subject facility) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dB(A).
- b. Where the owners/occupants of sensitive uses have signed a waiver pursuant to Sec. 8107-5.6.25 indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.

(AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.15 - Compliance with Noise Standard**

When a permittee has been notified by the Planning Division that his operation is in violation of the applicable noise standard, the permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:

- a. hammering on pipe;
- b. racking or making-up of pipe
- c. acceleration and deceleration of engines or motors;
- d. drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by use of a slower rotational speed;
- e. picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.

If the noise problem has not been corrected by 7:00 p.m. of the following day, the offending operations, except for those deemed necessary for safety reasons by the *Planning Director* upon the advice of the Division of Oil and Gas, shall be suspended until the problem is corrected.

**Sec. 8107-5.6.16 - Preventive Noise Insulation**

If drilling, redrilling, or maintenance operations, such as pulling pipe or pumps, are located within 1,600 feet of an occupied sensitive use, the work platform, engine base and draw works, crown block, power sources, pipe rack and other probable noise sources associated with a drilling or maintenance operation shall be enclosed with soundproofing sufficient to ensure that expected noise levels do not exceed the noise limits applicable to the permit. Such soundproofing shall be installed prior to the commencement of drilling or maintenance activities, and shall include any or all of the following: acoustical blanket coverings, soundwalls, or other soundproofing materials or methods which ensure that operations meet the applicable noise standard. (AM. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.17 - Waiver of Preventive Noise Insulation**

The *applicant* may have a noise study prepared by a qualified acoustical consultant, approved by the County. If the findings of the study conclude that the proposed project will meet the County Noise standards contained in Section 8107-5.6.13 and do not constitute a nuisance, then the soundproofing requirement may be waived. If the findings show that a noise level will be generated above and beyond the County standards, then soundproofing must be installed sufficient to meet the applicable noise standard. Where a waiver pursuant to Sec. 8107-5.6.25 is signed, no preventive noise insulation will be required. (REP./REEN. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.18 - Soundproofing Material**

All acoustical blankets or panels used for required soundproofing shall be of fireproof materials and shall comply with California Industrial Safety Standards and shall be approved by the Ventura County Fire Protection District prior to installation. (REP./REEN. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.19 - Hours of Well Maintenance**

All nonemergency maintenance of a well, such as the pulling of pipe and replacement of pumps shall be limited to the hours of 7:00 a.m. to 7:00 p.m. of the same day if the well site is located within 3,000 feet of an occupied residence. This requirement may be waived by the *Planning Director* if the permittee can demonstrate that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8107-5.6.25. (REP. as 8107-5.6.17 and REEN. by ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.20 - Limited Drilling Hours**

All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur less than 800 feet from an occupied sensitive use. Nighttime drilling shall be permitted if it can be demonstrated to the satisfaction of the *Planning Director* that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Section 8107-5.6.25. (REP. as 8107-5.6.18 and REEN. by ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.21 - Signs**

In addition to the signage otherwise allowed by Sec. 8110, only signs required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and Federal laws may be placed in areas subject to an oil and gas Conditional Use Permit. Identification signs shall be a maximum four square feet in size and shall contain, at minimum, the following information:

1. Division of Oil and Gas well name and number.
2. Name of owner/operator.

3. Name of lease and name and/or number of the well.
4. Name and telephone number of person(s) on 24-hour emergency call.

The well identification sign(s) shall be maintained at the well site from the time drilling operations commence until the well is abandoned. (REP./REEN. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.22 - Fencing**

All active well sites (except submersible pumps), sumps and/or drainage basins or any machinery in use or intended to be used at the well site or other associated facilities shall be securely *fenced*, if required, based on the *Planning Director's* determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. A single, adequate *fence* which is compatible with surrounding area, may be used to enclose more than one oil well or well site and appurtenances. Location of *fences* shall be shown on a submitted plot plan and/or *landscape plan*, if required. *Fences* must meet all Division of Oil and Gas regulations. (ADD. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.23 - General Standards**

Projects shall be located, designed, and operated so as to minimize their adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incident to the exploration and production of oil and gas. (REP. as Sec. 8107-5.6.19 and ADD. by ORD.3900 - 6/20/89)

**Sec. 8107-5.6.24 - Screening and Landscaping**

All oil and gas production areas shall be landscaped to screen production equipment, structures and parking areas to the maximum extent feasible as determined by the *Planning Director* or designee. The landscaping shall screen the development in a manner that maximizes natural or natural-appearing landscapes to the maximum extent feasible, when such infrastructure will impact the viewshed from within an existing community, or from a public road or trail. Required landscaping shall be implemented in accordance with a *landscape plan* pursuant to all applicable landscaping standards in Section 8106-8.2 and Section 8108-5.14. When the project is not subject to MWELo, low water usage landscaping and use of *native vegetation* shall be strongly encouraged. (ADD. ORD. 3900 - 6/20/89; AM. ORD. 4577 - 3/9/21)

**Sec. 8107-5.6.25 - Waivers**

Where provisions exist for the waiver of an ordinance requirement, the waiver must be signed by the owner and all adult occupants of a dwelling, or in the case of other sensitive uses, by the owner of the use in question. Once a waiver is granted, the permittee is exempt from affected ordinance requirements for the life of the waiver. Unless otherwise stated by the signatory, a waiver signed pursuant to Sec. 8107-5.6.14(b) shall also be considered a waiver applicable to Sections 8107-5.6.16, .17, .19 and .20. (AM. ORD. 3730 - 5/7/85; REP. as Sec. 8107-5.6.20 and ADD. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.26 - Application of Sensitive Use Related Standards**

The imposition of regulations on petroleum operations, which are based on distances from occupied sensitive uses, shall only apply to those occupied sensitive uses which were in existence at the time the permit for the subject oil operations were approved. (REP. as Sec. 8107-5.6.21 and ADD. ORD. 3900 - 6/20/89)

**Sec. 8107-5.6.27 - Inspection, Enforcement and Compatibility Review**

To ensure that adequate funds are available for the legitimate and anticipated costs incurred for monitoring and enforcement activities associated with new or

modified oil and gas related Conditional Use Permits, the permittee shall deposit with the County funds, determined on a case-by-case basis, prior to the issuance of a Zoning Clearance. The funds shall also cover the costs for any other necessary inspections or the resolution of confirmed violations that may occur. One deposit may be made to cover all of the permittee's various permits. In addition, all new or modified Conditional Use Permits for oil and gas related uses shall, at the discretion of the *Planning Director*, be conditioned to require a compatibility review on a periodic basis. The purpose of the review is to determine whether the permit, as conditioned, has remained consistent with its findings for approval and if there are grounds for proceeding with public hearings concerning modification, suspension, or revocation of the permit. (ADD. ORD. 3900 - 6/20/89)

## **Sec. 8107-6 - Agricultural Sales Facilities**

### **Sec. 8107-6.1 - General Standards**

#### **Sec. 8107-6.1.1**

One agricultural sales facility per *lot* is allowed.

#### **Sec. 8107-6.1.2**

Wherever feasible, the facility shall be located on land that shall minimally compromise the agricultural production area.

#### **Sec. 8107-6.1.3**

Such facility shall not be located or maintained within 30 feet of any public right-of-way. This setback area shall be kept free to provide for off-street parking.

#### **Sec. 8107-6.1.4**

There shall be safe ingress and egress from the site as determined with review by the Ventura County Public Works Agency.

#### **Sec. 8107-6.1.5**

Off street parking shall be provided in accordance with the standards set forth in Article 8 under "Agricultural Uses" and shall not encroach upon the public right-of-way.

#### **Sec. 8107-6.1.6**

An agricultural sales facility may have one freestanding sign and one attached sign totaling 45 square feet for both signs in addition to the attached or freestanding sign allowed on the property pursuant to Sec. 8110-5.1 using the Open Space, Agricultural and R-Zone criteria. A sign for an agricultural sales facility may have a commercial message relating to products lawfully for sale at the facility.

#### **Sec. 8107-6.1.7**

Accessory structures to an agricultural sales facility, e.g. coolers and storage sheds, shall not cumulatively exceed the area of the sales structure itself.

#### **Sec. 8107-6.1.8**

Accessory structures to an agricultural sales facility shall not be attached to a sales facility structure, unless the total area of the sales structure and the attached accessory structure do not exceed the allowable square footage for the sales facility structure in question.

#### **Sec. 8107-6.1.9**

Such facilities will be required to meet all of the regulations of all other County agencies with regard to any proposed structures such as public occupancy, sanitary facilities, handicapped access, fire safety, security, etc.

**Sec. 8107-6.1.10**

Items sold at an agricultural sales facility may not be processed on site, except for rinsing and trimming. All sales of food products shall be in conformance with state laws.

(AM. ORD. 4215 - 10/24/00)

**Sec. 8107-6.2 - Small Facilities**

**Sec. 8107-6.2.1**

A small agricultural sales facility shall be allowed only if accessory to permitted raising of agricultural products on the same *lot* on which the facility is located, and only if at least 25 percent of the subject land area is devoted to agricultural production, and where there is a production area of one (1) acre or more.

**Sec. 8107-6.2.2**

The total area of such facilities that is devoted to sales and display which are open and accessible to the public shall not exceed 500 square feet. The sale and display area may be within and/or outside a structure.

**Sec. 8107-6.2.3**

Unless a Conditional Use Permit has been obtained under Section 8105-4 and the standards of Section 8107-6.3.4 are met, all of the inventory at the facility shall:

- a. Have been grown on the same site as the facility or are customarily grown within the County of Ventura as determined by the Agricultural Commissioner’s Office and;
- b. Be raw and unprocessed, except that items that have been washed, dried, bagged, trimmed, cut, boxed, cooled or transplanted (e.g. nursery stock and flowers) may be allowed as determined by the Environmental Health Division. Honey in jars is expressly allowed.

(AM. ORD. 4215 - 10/24/00)

**Sec. 8107-6.3 - Large Facilities**

**Sec. 8107-6.3.1**

A large agricultural sales facility shall be allowed only if accessory to permitted raising of agricultural products on the same *lot* on which the facility is located, or on contiguous *lots* owned or leased by the same person who owns or leases the *lot* on which the facility is located, and only if at least 25 percent of the subject land area is devoted to crop production, and where there is a production area of ten acres or more.

**Sec. 8107-6.3.2**

The total area devoted to sales and display which are open and accessible to the public shall not exceed 5,000 square feet. The sales and display area may be within and/or outside a structure.

**Sec. 8107-6.3.3**

The facility shall have no more than one floor and be no more than twenty (20) feet high.

**Sec. 8107-6.3.4**

No more than 20% of the total sales inventory based on square feet of shelf space, sold at the facility shall be any combination of the following;

- a. Processed commodities, the ingredients of which are customarily grown in Ventura County, as determined by the Agricultural Commissioner’s Office, such as dried fruit and beef jerky, or;

- b. Non-agricultural items, which are customarily accessory to the agricultural commodities sold and serve to advance the sale of agricultural products, educate the public about the agricultural industry in general, or the sales of products from the facility in particular, or;
- c. Agricultural commodities not customarily grown in the county.

(AM. ORD. 4215 - 10/24/00)

**Sec. 8107-6.4 - Wholesale Nurseries for Propagation**

**Sec. 8107-6.4.1**

The sales and display area shall be limited to that described in Sec. 8105-4 and may be within and/or outside a structure. The standards for *lot* size and production areas for different sized sales facilities shall be the same as those set forth in Sec. 8107-6.2.1 and 8107-6.3.1. While the public may roam throughout the site, only the designated sales and display area may contain priced merchandise or non-agricultural items for sale or display. (AM. ORD. 4291 - 7/29/03)

**Sec. 8107-6.4.2**

The range of accessory and non-agricultural items that may be sold at the site pursuant to Sec. 8105-4 shall not exceed 20% of the inventory, based on the square footage of the sale and display area and shall be limited to any combination of the following:

- a. Items that are used to help propagate and grow plants, such as seeds, compost, manure, mulch, and soil amendments, or;
- b. Non-agricultural items which are customarily accessory to the agricultural commodities sold and serve to advance the sale of agricultural products, and/or educate the public about the agricultural industry in general, or the sale of products from the facility in particular. Such items shall be limited to such things as garden implements, pots, garden furniture, irrigation supplies, garden books, and the like.

(AM. ORD. 4215 - 10/24/00)

**Sec. 8107-7 - Recreational Vehicle Parks**

Each application for the development of a recreational vehicle park, as defined in Title 25 of the California Administrative Code under "recreational trailer park," shall be subject to the following regulations.

**Sec. 8107-7.1 - Development Standards:**

**Sec. 8107-7.1.1**

Minimum *lot* area for a recreational vehicle park shall be three acres.

**Sec. 8107-7.1.2**

Minimum percentage of the *net area* of each recreational vehicle park which shall be left in its natural state or be landscaped shall be 60 percent.

**Sec. 8107-7.1.3**

The maximum size of a recreational vehicle occupying a space in the park shall be 220 square feet of living area. Living area does not include built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, or bath and toilet rooms.

**Sec. 8107-7.1.4**

Building height and setbacks shall be as prescribed in the applicable zone, except where Title 25 of the California Administrative Code is more restrictive.



**Sec. 8107-7.1.5**

No recreational vehicle or accessory building shall be located less than six feet from any other recreational vehicle or accessory building on an adjacent space.

**Sec. 8107-7.1.6**

The distance from any picnic table to a toilet should be not less than 100 feet nor more than 300 feet.

**Sec. 8107-7.1.7**

All setbacks from streets and other areas in a recreational vehicle park not used for driveways, parking, buildings or service areas shall be landscaped.

**Sec. 8107-7.1.8**

Trash collection areas shall be adequately distributed and enclosed by a six-foot-high landscape screen, solid wall or *fence*, which is accessible on one side.

**Sec. 8107-7.1.9**

The minimum size of each recreational campsite shall be 1,000 square feet, and the minimum width shall be 25 feet.

**Sec. 8107-7.1.10**

Any of the foregoing standards may be modified subject to the provisions of Title 25, if evidence presented to the decision-making authority establishes that such modification is necessary to ensure compatibility with the established environmental setting.

**Sec. 8107-7.1.11**

The maximum number of trailer spaces per net acre of land shall be 18, unless a lower maximum is specified in the Conditional Use Permit for the park. (ADD. ORD.3810-5/5/87)

(AM. ORD. 3810 - 5/5/87)

**Sec. 8107-7.2 - Site Design Criteria**

**Sec. 8107-7.2.1**

Each space should have a level, landscaped front yard area with picnic table and a grill or campfire ring.

**Sec. 8107-7.2.2**

The office should be located near the entrance, which should also be the exit.

**Sec. 8107-7.2.3**

The site should be designed to accommodate both tent and vehicle campers (travel trailers, truck campers, camping trailers, motor homes) and shall be designed so as to minimize conflicts between vehicles and people.

**Sec. 8107-7.2.4**

Drive-through spaces should be provided for towed trailers.

**Sec. 8107-7.2.5**

Walls or landscaped earthen berms should be used to minimize noise from highway sources.

**Sec. 8107-7.2.6**

Utility conduits shall be installed underground in conformance with applicable State and local regulations. (AM. ORD. 3810 - 5/5/87)

**Sec. 8107-7.2.7**

Intensity of development in Los Padres National Forest shall not exceed permissible standards of the United States Forest Service Manual, April, 1970, Title 2300 - Recreation Management, experience level three, as may be amended from time to time, unless evidence presented to the decision-making authority

demonstrates a necessity and desirability to deviate from such standards, or unless otherwise specified in this ordinance.

**Sec. 8107-7.2.8**

Roadways and vehicle pads shall not be permitted in areas of natural slope inclinations greater than 15 percent or where grading would result in slope heights greater than ten feet and steeper than 2:1.

**Sec. 8107-7.2.9**

Where needed to enhance aesthetics or to ensure public safety, a *fence*, wall, landscape screen, earth mound or other screening approved by the *Planning Director* shall enclose the park.

**Sec. 8107-7.2.10**

Each site plan should also incorporate a recreational or utility building, laundry facilities and an entrance sign, made from natural materials, which blends with the landscape.

**Sec. 8107-7.2.11**

Each park shall be provided with sewer connections or dump stations, or a combination thereof, to serve the recreational vehicles. (AM. ORD. 3810 - 5/5/87)

**Sec. 8107-7.3 - Additional Provisions**

**Sec. 8107-7.3.1**

Each park may include a commercial establishment on-site, not exceeding 500 square feet of floor area, for the sole use of park residents.

**Sec. 8107-7.3.2**

Each park is permitted one on-site mobilehome to be used solely for the management and operation of the park, pursuant to Title 25 of the California Administrative Code.

**Sec. 8107-7.3.3**

No permanent building or cabana shall be installed or constructed on any trailer space; however, portable accessory structures and fixtures are permitted.

**Sec. 8107-7.3.4**

No travel trailers, trailer coaches, motor homes, campers or tents shall be offered for sale, lease or rent within a recreational vehicle park.

**Sec. 8107-7.3.5**

Off-road motor vehicle uses which might cause damage to vegetation or soil stability shall not be permitted.

**Sec. 8107-7.3.6**

The maximum time of occupancy for any family or recreational vehicle within any recreational vehicle park shall be 90 days within any 120-day period.

**Sec. 8107-8 - Restaurants, Bars and Taverns**

A maximum of two pool or billiard tables may be accessory to a Class I or Class II eating establishment, or to a bar or tavern. (AM. ORD. 4123 - 9/17/96)

**Sec. 8107-9 - Mining and Reclamation**

**Sec. 8107-9.1 - Purpose**

The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for mining and accessory uses which will allow for the reasonable use of an important County resource. These regulations shall also ensure

that mining activities will be conducted in harmony with the environment and other uses of land within the County and that mineral sites will be appropriately reclaimed.

### **Sec. 8107-9.2 - Application**

Unless otherwise indicated herein, the purpose, intent and provisions of Section 8107-9 et seq. shall be and are hereby automatically imposed and made a part of any permit for mining development issued by Ventura or any mining development operation initiated upon Federally owned lands for which it has been determined that no land use permit is required by Ventura County.

### **Sec. 8107-9.3 - Definitions**

Unless otherwise defined herein, or unless the text clearly indicates otherwise, the definition of mining shall be that defined in this Chapter.

### **Sec. 8107-9.4 - Required Permits**

No mining related use may commence without the approval of the appropriate land use permit, reclamation plan, and the approval and depositing of the applicable financial assurances for reclamation required pursuant to this Chapter. Furthermore, a Zoning Clearance must be obtained by the permittee prior to commencing activities authorized by the land use permit, and as it may be modified. The issuance of a land use permit shall not relieve the operator of the responsibility of securing and complying with any other permit which may be required by other County Ordinances, or State or Federal laws. No condition of a land use permit for uses allowed by this Chapter shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. In instances where more than one set of rules applies, the stricter one shall take precedence.

### **Sec. 8107-9.5 - Mining and Reclamation Guidelines**

The general guidelines that follow shall be used in the development of conditions which will help ensure that mining projects generate minimal negative impacts on the environment. The guidelines shall be applied whenever physically and economically feasible or practicable, unless the strict application of a particular guideline(s) would otherwise defeat the intent of other guidelines. An *applicant* should use the guidelines in the design of the project and anticipate their use as permit conditions, unless the *applicant* can demonstrate that they are not physically or economically feasible or practicable.

#### **Sec. 8107-9.5.1**

All mining and reclamation shall be consistent with the County General Plan, the Ventura County Water Management Plan, and the State Surface Mining and Reclamation Act of 1975 (SMARA), as amended, and State policy adopted pursuant to SMARA.

#### **Sec. 8107-9.5.2**

Mining and accessory uses of less than one year in duration may not be renewed nor shall such uses be allowed to continue operating beyond one year after the inauguration of the land use *entitlement*.

#### **Sec. 8107-9.5.3**

No provisions in this Chapter or in the County General Plan shall be construed to encourage any mining operation or facility which would endanger the public's health, safety or welfare, which would endanger private or public facilities or which would prohibit the alleviation of a hazard by hampering or precluding such activities as the maintenance, restoration or construction of public works facilities.

**Sec. 8107-9.5.4**

In general, projects shall be located, designed, operated and reclaimed so as to minimize their adverse impact on the physical and social environment, and on natural resources. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts, traffic impacts and other factors of nuisance and annoyance, erosion, and flooding shall be minimized or eliminated through the best accepted mining and reclamation practices, applicable to local conditions, which are consistent with contemporary principles and knowledge of resource management, stormwater quality, groundwater quality and quantity, flood control engineering and flood plain management.

**Sec. 8107-9.5.5**

All surface mining activities shall strike a reasonable balance with other resource priorities such as water, farmland, fish and wildlife and their habitat, groundwater recharge, sediment for replenishment of beaches and the protection of public and private structures and facilities.

**Sec. 8107-9.5.6**

The extraction of aggregate resources in rivers and streams shall allow for the ongoing maintenance of viable riparian ecology by preserving as many natural stream elements as practical. Mining operations may provide for the enhancement of some riparian ecosystems as a mitigation to compensate for significant adverse environmental effects on other riparian ecosystems, thereby preserving the overall quality of the riparian environment. (AM. ORD. 3900 - 6/20/89)

**Sec. 8107-9.5.7**

Appropriate and reasonable monitoring and enforcement measures shall be imposed on each mining operation which will ensure that all permit conditions, guidelines and standards of Sec. 8107-9 et seq. are fulfilled.

**Sec. 8107-9.5.8**

Reclamation of a site shall include the removal of equipment and facilities and the restoration of the site so that it is readily adaptable for alternate land uses(s) which is consistent with the approved reclamation plan as well as the existing and proposed uses in the general area. Reclamation shall be conducted in phases on an ongoing basis, where feasible.

**Sec. 8107-9.5.9**

All mining and reclamation with direct significant effects on resources within the coastal zone shall consider the effect on coastal zone resources including anadromous fish runs, sand supply, and coastal wetland, stream and marine resources.

**Sec. 8107-9.5.10**

Reclamation shall be considered complete when the standards, specified in the approved reclamation plan, have been successfully completed to the satisfaction of the State Department of Conservation and the County.

**Sec. 8107-9.6 - Mining and Reclamation Standards**

The following are minimum standards and requirements which shall be applied pursuant to Sec. 8107-9.2.

**Sec. 8107-9.6.1 - General Mining Standards**

Projects shall be located, designed, operated and reclaimed so as to minimize their adverse impact on the physical and social environment, and on natural resources. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts, traffic impacts and other factors of nuisance and annoyance, erosion and flooding shall be minimized or eliminated through the best accepted mining and reclamation practices which are applicable to local conditions and incident to the

exploration for and extraction of aggregate resources. In addition, mitigation measures should be consistent with contemporary principles and knowledge of resource management, stormwater quality, groundwater quality and quantity, flood control engineering and flood plain management. Further, posting of signs and notification to neighboring property owners of the project's activities shall be required where necessary.

**Sec. 8107-9.6.2 - Setbacks**

No processing equipment or facilities shall be permanently located, and no mining or accessory uses shall occur, within the horizontal setbacks specified below: (AM. ORD. 4092 - 6/27/95)

- a. 100 feet of any dedicated public street or highway unless the Public Works Agency determines a lesser distance would be acceptable.
- b. 100 feet of any dwelling not accessory to the project, unless a waiver is signed pursuant to Sec. 8107-9.6.13 allowing the setback to be reduced. In no case shall permanent processing facilities, equipment, or mining be located less than 50 feet from said structures.
- c. 200 feet of any institution, school or other building used as a place of public assemblage, unless a waiver is signed pursuant to Sec. 8107-9.6.13 allowing the setback to be reduced. In no case shall permanent processing facilities or equipment or mining be located less than 100 feet from said structures.

Other facilities and structures shall be set back distances which are applicable for accessory structures for the zone in which the use is located.

**Sec. 8107-9.6.3 - Obstruction of Drainage Courses**

Mining operations and their accessory uses, access roads, facilities, stockpiling of mineral resources and related mining activities shall be consistent with current engineering and public works standards and in no case shall obstruct, divert, or otherwise affect the flow of natural drainage and flood waters so as to cause significant adverse impacts, except as authorized by the Public Works Agency. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-9.6.4 - Control of Contaminants, Run-Off and Siltation**

Contaminants, water run-off and siltation shall be controlled and generally contained on the project site so as to minimize adverse off-site impacts.

**Sec. 8107-9.6.5 - Dust Prevention**

The project site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as necessary to prevent the emanation of dust.

**Sec. 8107-9.6.6 - Light Emanation**

Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. (AM. ORD. 4123 - 9/17/96 - grammar)

**Sec. 8107-9.6.7 - Painting**

All permanent facilities and structures on the site shall be colored so as to mask facilities visible from surrounding uses and roadways in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the *Planning Director* prior to painting of facilities.

**Sec. 8107-9.6.8 - Site Maintenance**

The permit area shall be maintained in a neat and orderly manner so as not to create unsightly conditions visible from outside the permitted area or any

hazardous conditions. Equipment and materials may be stored on the site which are appurtenant to the operation and maintenance of mining operations.

**Sec. 8107-9.6.9 - Reclamation Plan**

No mining permit shall be approved without an approved reclamation plan, unless it is exempted from said reclamation plan by the State Department of Conservation. Where reclamation plans are not processed concurrently with a *discretionary* land use *entitlement*, at least one noticed public hearing on the reclamation plan must be held prior to its approval. Such reclamation plans are subject to all rights of appeal associated with permit approval. All reclamation plans must be found to be consistent with and approved in accordance with: the Ventura County Zoning Ordinance, as amended; the provisions of SMARA (Public Resource Code (PRC) § 2710 et seq.), PRC Section 2207, and State regulation Title 14 California Code of Regulations (CCR) § 3500 et seq., as amended; the regulations, guidelines and other measures adopted by the State Mining and Geology Board; Ventura County Public Works Agency standards; any and all locally adopted resource management goals and policies; and compatible with the existing geological and topographical features of the area. Additional considerations, such as the following, shall also be addressed in the reclamation plan and permit: (AM. ORD. 4092 - 6/27/95)

- a. The creation of safe, stable slopes and the prevention of subsidence;
- b. Control of water run-off and erosion;
- c. Views of the site from surrounding areas;
- d. Availability of backfill material;
- e. Proposed subsequent use of the land which will be consistent with the General Plan and existing and proposed uses in the general area;
- f. Removal or reuse of all structures and equipment;
- g. The time frame for completing the reclamation;
- h. The costs of reclamation if the County will need to contract to have it performed;
- i. Revegetation of the site;
- j. Phased reclamation of the project area;
- k. Provisions of an appropriate financial assurance mechanism to ensure complete implementation of the approved reclamation plan. (ADD. ORD. 4092 - 6/27/95)

Upon receipt of a complete reclamation plan, the *Planning Director* shall forward the plan to the State Department of Conservation for review. Following review by the State, the reclamation plan may be approved by the County in accordance with the requirements of SMARA, as amended. Termination of the use or revocation of the use permit does not absolve the responsible parties for the reclamation of the site pursuant to the adopted reclamation plan and/or SMARA requirements. Failure to reclaim mined lands constitutes a violation of this Chapter and the property owner is ultimately responsible for such reclamation. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-9.6.10 - Removal of Equipment, Facilities and Structures**

All equipment, except that which is required to complete the reclamation plan, and all facilities and structures on the project site, except those approved for retention in support of the authorized "end use", shall be removed from the site in accordance with the reclamation plan, within 180 days after the termination of the use, unless a time extension is approved by the *Planning Director*. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-9.6.11 - Application of Sensitive Use Related Standards**

The imposition of regulations on mining operations, which are based on distances from occupied sensitive uses (i.e., residences, schools, health care facilities, or places of public assembly), shall only apply to those occupied sensitive uses which were in existence at the time the permit for the subject mining operations was approved. The provisions of this section shall continue for the life of the permitted mining operations at the subject site.

**Sec. 8107-9.6.12 - Exceptions to Standards**

Upon the written request of the permittee, the *Planning Director* may grant temporary exceptions to the noise standards, hours of operation and the conditions of a given permit provided it is deemed necessary because of a declared public emergency or the off-hours scheduling of a public works project where a formal contract to conduct the work in question has been issued.

**Sec. 8107-9.6.13 - Waivers of Standards**

Where provisions exist for the waiver of ordinance requirements, the waiver must be signed by the owner and all adult occupants of a dwelling, or in the case of other sensitive uses, by the owner of the use in question. Once a waiver is granted, the permittee is exempt from affected ordinance requirements relative to the sensitive use in question for the life of the permitted operations.

**Sec. 8107-9.6.14 - Reporting of Accidents**

The permittee shall immediately notify the *Planning Director* of any incidents such as fires, explosions, spills, land or slope failures or other conditions at the permit site which could pose a hazard to life or property outside the permit area. Upon request of any County agency, the permittee shall provide a written report of any incident within seven calendar days which shall include, but not be limited to, a description of the facts of the incident, the corrective measures used and the steps taken to prevent recurrence of the incident.

**Sec. 8107-9.6.15 - Contact Person**

The permittee shall provide the *Planning Director* with the current name(s) and/or position title, address and phone number of the person who shall receive all orders, notices and communications regarding matters of condition and code compliance. The person(s) in question shall be available by phone during the hours that activities occur on the permit site, even if this means 24 hours a day.

**Sec. 8107-9.6.16 - Current Mining Plans**

For mining projects located in sensitive areas which operate under regularly changing environmental conditions (e.g., in-river mining), a mining plan shall be prepared by the permittee on a regular basis in accordance with the applicable conditions of a project's permit. Said plan shall describe how mining over the next interval will be conducted in accordance with the intent and provisions of the project's use permit. The plan shall be reviewed and approved by the County at the permittee's expense. The review and approval of current mining plans shall not be used in lieu of the formal modification process to change the text and drawings of the permit conditions.

**Sec. 8107-9.6.17 - Permit Review**

Monitoring of the permit or aspects of it may be required as often as necessary to ensure compliance with the permit conditions. In any case, the permit and site shall be reviewed and inspected by the Planning Division or its contractors at least once a year. The purpose of said review is to ascertain whether the permittee is in compliance with all conditions of the permit and current SMARA requirements and whether there have been significant changes in environmental conditions, land use or mining technology, or if there is other good cause which would warrant the *Planning Director's* filing of an application for modification of the conditions of the



permit. If such an application is filed, it shall be at the County's expense and modification of conditions would not occur without a duly noticed public hearing. More frequent inspections may be mandated at the discretion of the *Planning Director* after violations have been discovered on the site. The permittee shall pay the County the annual inspection fee established by resolution of the Board of Supervisors. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-9.6.18 - Enforcement Costs**

Permit conditions shall be imposed which will enable the County to recover the reasonable and appropriate costs necessary for the reviewing and monitoring of permit operations and the enforcing of the applicable requirements of the Zoning Ordinance and the conditions of this permit.

**Sec. 8107-9.6.19 - Civil Penalties**

In case of any failure by the permittee to perform or comply with any term or provision of this conditional use permit, the final decision-making authority that would act on the permit may, after notice to the permittee and a public hearing, determine by resolution the amount of the civil penalty to be levied against the permittee. Said penalty shall be paid within 30 days unless the penalty is under appeal. Failure to pay the penalty within the allotted time period shall be considered grounds for suspension of the subject use, pursuant to Sec. 8111-7.2, until such time as the penalty is paid. The payment of a civil penalty shall not insulate the permittee from liability in excess of the sum of the penalty for damages or injury or expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of said permit or of any applicable ordinance or of this security. Said penalty is separate from the "administrative penalty" that the County may impose pursuant to SMARA.

The maximum penalty that can be levied against a permittee at any given time shall be in accordance with the amounts set forth below. The amounts for a given permit may be increased to adjust for inflation pursuant to the conditions of the subject permit.

<u>Total Permitted Extraction (Life of the Project)</u>	<u>Applicable Civil Penalty Ceiling</u>
Less than 10,000 cu. yards	\$ 5,000.00
10,000 to 99,999 cu. Yards	\$10,000.00
100,000 to 999,999 cu. yards	\$15,000.00
1,000,000+ cu. Yards	\$25,000.00

(AM. ORD. 4092 - 6/27/95)

**Sec. 8107-9.6.20 - Performance Securities**

Performance bonds or other securities may be imposed on any permit to ensure compliance with certain specific tasks or aspects of the permit. The amount of the security shall be based upon the actual anticipated costs for completing the subject task if the County were forced to complete it rather than the permittee. The performance security may be posted in phases as tasks are undertaken or required to be completed.

**Sec. 8107-9.6.21 - Insurance**

The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons, and \$2,000,000 for property damage, unless the Ventura County Risk Management Agency deems higher limits are necessary. This requirement does not preclude the permittee from being self-insured. (AM. ORD. 3723 - 3/12/85)

### **Sec. 8107-9.6.22 - Noise Standards**

Unless herein exempted, operations associated with an approved mining permit shall not produce noise, measured at a point outside of occupied sensitive uses such as residences, schools, health care facilities, or places of public assembly, that exceeds the following standard or any other more restrictive standard that may be established as a condition of a specific permit. Noise from the subject property shall be considered in excess of the standard when the average sound level, measured over one hour at the sensitive use, is greater than the standard that follows. The determination of whether a violation has occurred shall be made by the *Planning Director* in accordance with the provisions of the permit in question, where such provisions exist. If the permit has no such violation determination provisions, then best common practice shall be used.

Nomenclature and noise level descriptor definitions are described in the Ventura County General Plan Goals, Policies and Programs and the Ventura County General Plan Hazards Appendix. Measurement procedures shall be guided by the Ventura County General Plan Hazards Appendix and other contemporary procedures in effect. The maximum allowable average sound level is as follows:

#### **One Hour Average Noise Levels (LEQ)**

- Leq1H of 55 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
- Leq1H of 50 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.
- Leq1H of 45 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

### **Sec. 8107-9.6.23 - Exceptions to Noise Standard**

The noise standard established pursuant to Sec. 8107-9.6.22 shall not be exceeded except for the following conditions:

- a. Where the ambient noise levels (excluding the permitted mining operation) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dB(A).
- b. Where a waiver has been signed pursuant to Sec. 8107-9.6.13, wherein those granting the waiver acknowledge that noise from mining related operations and traffic could exceed the allowable noise standard and that they are willing to experience such noise levels. The noise standards described under Sec. 8107-9.6.22 shall continue to apply at all locations where a waiver has not been signed pursuant to Sec. 8107-9.6.13.

### **Sec. 8107-9.7 - Interim Management Plan Standards**

The following are minimum standards and requirements which shall be applied pursuant to Sec. 8107-9.2.

#### **Sec. 8107-9.7.1 - General Standards for Interim Management Plan (IMP)**

Within 90 days of a surface mining operation becoming idle, the operator shall submit to the *Planning Director* a proposed IMP. The proposed IMP shall fully comply with the requirements of SMARA, all land use permit conditions, and shall provide measures the operator will implement to maintain the site in a stable condition, taking into consideration public health and safety. The proposed IMP shall be submitted on forms provided by the Planning Department, and shall be processed as an amendment to the reclamation plan. IMPs shall not be considered a project for the purposes of environmental review.

**Sec. 8107-9.7.2 - Financial Assurance for Interim Management Plan (IMP)**

Financial assurances for idle operations shall be maintained as though the operation were active.

**Sec. 8107-9.7.3 - Approval Procedure for Interim Management Plan (IMP)**

Upon receipt of a complete proposed IMP, the *Planning Director* shall forward the IMP to the State Department of Conservation for review. Following review by the State, the IMP may then be approved by the County in accordance with the requirements of SMARA, as amended.

**Sec. 8107-9.7.4 - Expiration of Interim Management Plan (IMP)**

The IMP may remain in effect for a period not to exceed five years, at which time the *Planning Director* may renew the IMP for one additional period not to exceed five years, or require the surface mining operator and/or property owner to commence reclamation in accordance with its approved reclamation plan.

**Sec. 8107-9.8 - Agricultural Mining Site**

No permit for an Agricultural Mining Site shall be approved unless all of the following applicable standards have been met.

**Sec. 8107-9.8.1**

It has been determined by the County, in conjunction with the State Mining and Geology Board, that the Agricultural Mining Site is exempt from the requirements of the Surface Mining and Reclamation Act pursuant to PRC § 2714(f), or a reclamation plan and financial assurances must be approved pursuant to Sec. 8107-9 et seq.

**Sec. 8107-9.8.2**

Signed waivers, on forms provided by the County, from the applicable property owners/residents, as determined by the *Planning Director*, pursuant to Sec. 8111-1.1.2 have been provided.

**Sec. 8107-9.8.3**

There is an approved Grading permit or Hillside Erosion Control plan for the project, if required.

**Sec. 8107-9.8.4**

The area, or areas in question, have an average existing slope of less than 20 percent.

**Sec. 8107-9.8.5**

The amount of material exported from the site is in keeping with good engineering practices as determined by the County Public Works Agency.

**Sec. 8107-9.8.6**

The permittee shall provide the *Planning Director* with the current name(s) and/or position title, address and phone number of the person who shall receive all orders, notices and communications regarding matters of code compliance. The person(s) in question shall be available by phone during the hours that activities occur on the permit site, even if this means 24 hours a day.

**Sec. 8107-9.8.7**

The amount of material to be removed does not exceed 40,000 cubic yards of earthen material.

**Sec. 8107-9.8.8**

The proposed project is the only such agricultural mining site that may be approved on the subject legal lot.

**Sec. 8107-9.8.9**

There shall be no more than 50 one-way truck trips per operating day. Any haul truck arriving at the site shall count as one (1) one-way vehicle trip and any haul truck departing the site shall count as one (1) one-way vehicle trip (i.e., one (1) round-trip equals two (2) one-way trips).

**Sec. 8107-9.8.10**

The project shall cease after one year from the date the permit is issued.

**Sec. 8107-9.8.11**

Truck hauling shall be limited to six days per week, excluding Sundays, and shall occur only between the hours of 9:00 am to 3:00 pm.

**Sec. 8107-9.8.12**

All trucks leaving the site must be constructed, covered, or loaded to prevent any of its contents from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle onto a private or public roadway.

**Sec. 8107-9.8.13**

Material shall not be stockpiled on or hauled through or within 100 feet of areas such as wetlands, riparian habitat or other environmentally sensitive areas.

**Sec. 8107-9.8.14**

The permittee has a program that demonstrates to the satisfaction of the *Planning Director* that the following factors have been adequately addressed:

- a. Excavated material shall be relocated to a lawful site.
- b. The haul routes do not conflict with school bus routes/schedules.
- c. Traffic controls exist to promote the safe ingress and egress of vehicles to and from the site through such means as signs, flagmen, notices to property owners, etc.
- d. Dust shall be controlled to a degree comparable with agricultural operations in the area through such means as watering the work site.
- e. Erosion of the site shall not occur.
- f. Siltation of streams and adjacent property shall not occur.

**Sec. 8107-9.8.15**

Removal of material is integral to conduct agricultural operations, and is beneficial for the development or enhancement of a bone fide farming operation on the site, as determined by the *Planning Director*, in consultation with County agricultural authorities (i.e., Agricultural Commissioner's Office, Farm Advisor, etc.). In making this determination the *Planning Director* shall use the following guidelines among others, where applicable:

- a. An agronomic report by a qualified soil expert certifies that the proposed removal of material will enhance the agricultural productivity of the site and may be required if determined necessary by the *Planning Director*.
- b. The topsoil at the site is being preserved.
- c. The depth of material excavated does not exceed the minimum depth required to create a suitable soil zone for the intended crops/trees.
- d. A farm plan that includes such details as: the crops/trees to be grown at the site, irrigation plans, long term water availability for the intended crops/trees, and an implementation schedule.

(AM./SUBSECTIONS ADDED-ORD. 3723 - 3/12/85; REP./REEN. ORD. 4187 - 5/25/99)

## **Sec. 8107-10 - Veterinary Clinics**

Veterinary clinics must be housed in a completely enclosed, soundproof building, except as provided in Sec. 8107-21. (AM. ORD. 3749 - 10/29/85; AM. ORD. 4092 - 6/27/95)

## **Sec. 8107-11 - Filming Activities**

All filming activities shall be conducted in keeping with the California Film Commission's "Filmmaker's Code of Professional Responsibility" and shall not result in damage to the filming location or to surrounding properties. Except for permanent facilities, all affected properties shall be restored to their original condition when such filming is completed.

### **Sec. 8107-11.1 - Occasional Filming Activities, Without Waivers**

Filming activities shall be granted a Zoning Clearance, which will serve as a ministerial "Film Permit," provided that the activities, or any portions thereof, do not:

- a. Exceed a total of 60 days on any *lot* in any 180-day period.
- b. Occur between ten o'clock p.m. and seven o'clock a.m. unless they are on a designated "back *lot*," studio or sound stage.
- c. Cause traffic delays of more than three minutes on public or private roads.
- d. Result in noise levels exceeding that which is normal for the area and surrounding properties, or result in types of noise emanating from such sources as gunfire, explosions, aircraft, etc., which are not normal for the area in question, unless the nearest residence is located more than 2,000 feet from the noise source.
- e. Result in levels of light and glare exceeding that which is normal for the area.
- f. Result in levels of dust being generated that are likely to impact upon surrounding properties.
- g. Result in alterations of land via: grading more than 50 cubic yards; more than a half-acre of brush/vegetation removal; streambed alterations; off-road motor vehicle activity; and the like.
- h. Result in disturbances to significant flora, fauna, cultural, historical, or paleontological resources, other than those allowed by this Code.
- i. Exceed criteria established by zone or for a specific geographical region recognized and approved by the Ventura County Board of Supervisors.

### **Sec. 8107-11.2 - Occasional Filming Activities, With Waivers**

#### **Sec. 8107-11.2.1**

Filming activities which exceed any of the thresholds listed in Sec. 8107-11.1.a-f may be approved with a Zoning Clearance serving as a ministerial Film Permit when the *applicant* can provide signed waiver statements, in a form acceptable to the *Planning Director*, attesting to agreement with the activities from fifty percent plus one (50%+1) of the total of the following parties which may be affected by the activities:

- a. In areas designated Open Space, Rural, or Agriculture in the General Plan, residents in dwelling units on *lots* within 1,000 feet of the boundary of the permit area where the filming activities are taking place;
- b. In areas designated Open Space, Rural, or Agriculture in the General Plan, the caretakers or owners/keepers of animals which are housed within structures on *lots* within 1,000 feet of the boundary of the permit area where the filming activities are taking place;

- c. In areas designated Urban and Rural Community in the General Plan, dwelling units on *lots* within 300 feet of the boundary of the permit area where the filming activities are taking place;
- d. In all areas of the County, residents of *lots* to which access must be taken from private easements that also provide access to the *lots* upon which the filming activities are taking place.

**Sec. 8107-11.2.2**

Waivers shall be counted as follows:

- a. Only one per potentially affected dwelling unit shall be counted, regardless of the number of occupants of a dwelling unit, for instances a and c of Sec. 8107-11.2.1 above, and
- b. Only one per potentially affected *lot* shall be counted for instance b of Sec. 8107-11.2.1 above.
- c. In instances where more than one potentially affected *lot* is owned by the same individual, and that individual is the signatory of the waiver, only one waiver from that individual shall be counted.
- d. The names and addresses of the above listed parties within the required contact area, and the language of the waiver statement, shall be reviewed and approved by the Planning Division prior to the *applicant's* initiation of the waiver process. Verification that one hundred percent (100%) of the above listed parties have been contacted must be submitted to the Planning Division.

**Sec. 8107-11.2.3**

Filming activities lasting less than 90 calendar days in any 180-day period and which exceed the thresholds listed in Sec. 8107-11.1.g and h may be approved with a Zoning Clearance, which will serve as a ministerial Film Permit, when the *applicant* can provide documentation confirming to the satisfaction of the *Planning Director* that the activity is being regulated by some other agency having authority over that issue.

**Sec. 8107-11.2.4**

Notification of residents and property owners beyond that which is required by Sec. 8107-11.2.1 may be required as determined by the *Planning Director*.

**Sec. 8107-11.3 - Discretionary Permit**

Any occasional filming activity requests which exceed the thresholds set forth in Sec. 8107-11.1 and for which waivers cannot be obtained shall be subject to the permit requirements established under Article 5, unless the *Planning Director* determines that, based upon the characteristics of the filming activities, it can be seen with certainty that there is no possibility that the activities could have any impacts on surrounding land uses.

**Sec. 8107-11.4 - Authority**

The *Planning Director*, in reviewing a filming request, may require the *applicant* to demonstrate that factors beyond those listed in Sec. 8107-11.1, and under the purview of the Planning Division or another regulatory agency, have been adequately addressed. The *Planning Director* retains the right of site inspection at all times.

(ADD. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

## **Sec. 8107-12 - Outdoor Sales and Services, Temporary**

Such uses are permitted for one calendar day in any 90-day period, provided that they do not disrupt normal traffic flows and do not result in the blocking of public rights-of-way, parking area aisles or required parking spaces, except as allowed by permit. All related facilities and materials shall be removed on the departure of the use. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4407 - 10/20/09)

## **Sec. 8107-13 - Christmas Tree Sales**

The outdoor sale of trees and wreaths for festive or ornamental purposes is permitted during the 45-day period immediately preceding December 25th. Such sales activities shall not disrupt normal traffic flows, nor result in the blocking of public rights-of-way, parking area aisles or required parking spaces, except as allowed by permit. All related structures, facilities and materials shall be removed by December 31st of the same year. Christmas tree sales are allowed one temporary, unlighted identification sign not exceeding 20 square feet in area. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4407 - 10/20/09)

## **Sec. 8107-14 - Temporary Buildings During Construction**

### **Sec. 8107-14.1 - Temporary Offices During Construction**

Temporary structures acceptable to the Building and Safety Division may be used as temporary offices on a construction site, or on an adjoining *lot* if owned by the same developer or same property owner, in accordance with Article 5, provided that a building permit for such construction is in full force and effect on the same site, or if a land use permit or subdivision has been approved on the site and a Zoning Clearance for grading or use inauguration has been issued. The units shall be connected to a water supply and sewage disposal system approved by the Environmental Health Division. The units shall be removed from the site within 45 days after a clearance for occupancy for the permitted use is issued by the Building and Safety Division or, in the case of a phased residential or commercial project, upon conclusion of the development program. A surety or bond for removal of the temporary structure(s) may be required at the discretion of the *Planning Director*. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

### **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.

(ADD. ORD. 4092 - 6/27/95; AM. ORD. 4216 - 10/24/00; AM. ORD. 4532 - 10/30/18)

### **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.

(ADD. INT. URG. ORD 4044 - 11/2/93; EXTENDED INT. URG. ORD. 4050 - 12/4/93; AM. ORD. 4092 - 6/27/95; AM. ORD. 4532 - 10/30/18)

## **Sec. 8107-15 - Storage of Building Materials, Temporary**

The temporary storage of construction materials is permitted on a *lot* adjacent to one on which a valid Zoning Clearance and Building Permit allowing such construction are in force, or on a project site within a recorded subdivision. Such storage is permitted during construction and for 45 days thereafter. (ADD. ORD. 3730 - 5/7/85)

## **Sec. 8107-16 - Campgrounds**

Campgrounds shall be developed in accordance with the following standards:

### **Sec. 8107-16.1**

Minimum *lot* area shall be three acres.

### **Sec. 8107-16.2**

At least 75 percent of the total site shall be left in its natural state or be landscaped. The remaining 25 per cent land is eligible for development. (AM.ORD.3881-12/20/88)

### **Sec. 8107-16.3**

Each individual camp site shall be no less than 1000 sq. ft. and there shall be no more than 9 sites per developable acre. Group camp sites shall be designed to accommodate no more than 25 people per acre. (AM. ORD. 3881-12/20/88)

### **Sec. 8107-16.4**

Where needed to enhance aesthetics or to ensure public safety, a *fence*, wall, landscaping screen, earth mound or other screening approved by the *Planning Director* shall enclose the campground. (AM. ORD. 3881-12/20/88)

### **Sec. 8107-16.5**

Utility conduits shall be installed underground in conformance with applicable State and local regulations.

### **Sec. 8107-16.6**

The design of structures and facilities, and the site as a whole shall be in harmony with the natural surroundings to the maximum feasible extent. (AM. ORD. 3881-12/20/88)

### **Sec. 8107-16.7**

Trash collection areas shall be adequately distributed and enclosed by a six-foot-high landscape screen, solid wall or *fence*, which is accessible on one side.

### **Sec. 8107-16.8**

Off-road motor vehicle uses are not permitted.

### **Sec. 8107-16.9**

The following standards apply to structures on the site, apart from the personal residence(s) of the property owner, campground director/manager, or caretaker: (AM. ORD. 3881-12/20/88)

#### **Sec. 8107-16.9.1**

Structures are limited to restrooms/showers and a clubhouse for cooking and/or minor recreational purposes. (AM. ORD. 3881-12/20/88)

#### **Sec. 8107-16.9.2**

There shall not be more than one set of enclosed, kitchen-related fixtures.

**Sec. 8107-16.9.3**

There shall be no buildings that are used or intended to be used for sleeping.

(ADD. ORD. 3810 - 5/5/87)

**Sec. 8107-16.10**

Campgrounds may include minor accessory recreational uses such as swimming pools (limit one) and tennis courts. (ADD. ORD. 3810 - 5/5/87; AM. ORD. 3881-12/20/88)

**Sec. 8107-16.11**

Outdoor tent-camping is permitted. (ADD. ORD. 3810 - 5/5/87) (ADD. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 3881 - 12/20/88)

**Sec. 8107-16.12**

No hook-ups for recreational vehicles are allowed. (ADD. ORD. 3881 - 12/20/88)

**Sec. 8107-16.13**

Occupation of the site by a guest shall not exceed 30 consecutive days. (ADD. ORD. 3881 - 12/20/88)

**Sec. 8107-16.14**

Parking Standards - See Article 8 (ADD. ORD. 3881 - 12/20/88; AM. ORD. 4407 - 10/20/09)

**Sec. 8107-17 - Camps**

Camps shall be developed and operated in accordance with the following standards: (AM. ORD. 4317 - 3/15/05)

**Sec. 8107-17.0**

Protection of Sensitive Biological Habitats. Camps shall be allowed on property zoned Open Space (OS) only if the property is in agricultural production. (ADD. ORD. 4317 - 3/15/05; AM. ORD. 4377 - 1/29/08)

**Sec. 8107-17.1**

Minimum *lot* area shall be ten acres on property zoned Rural Agriculture (RA) and Rural Exclusive (RE). Minimum *lot* area shall be 50 acres on property zoned Open Space (OS). (AM. ORD. 4317 - 3/15/05; AM. ORD. 4377 - 1/29/08)

**Sec. 8107-17.2**

Overnight population of guests and staff shall be limited by the following calculations. These standards shall apply to staff employed for camp activities. Where an employee is engaged in both camp and working ranch activities, the employee's time shall be counted at 0.5 staff for calculating the staff limitation for camps. If an employee is not engaged in camp activities, none of the employee's time shall be applied to the staff limitation for camps. (AM. ORD. 4317 - 3/15/05)

**Sec. 8107-17.2.1**

Camps on property zoned Rural Agricultural (RA) - *lot* size in acres x 2.56 = the maximum number of persons to be accommodated overnight.

**Sec. 8107-17.2.2**

Camps on property zoned Rural Exclusive (RE) - *lot* size in acres x 10.24 = the maximum number of persons to be accommodated overnight.

**Sec. 8107-17.2.3**

Camps on property zoned Open Space (OS) - *lot* size in acres x 0.25 = the maximum number of persons to be accommodated overnight. There shall be a maximum overnight population limit of 250 guests and staff. (ADD. ORD. 4317 - 3/15/05)

(AM. ORD. 4377 – 1/29/08)

**Sec. 8107-17.3**

Total daily on-site population of guests and staff shall be limited by the following calculations:

**Sec. 8107-17.3.1**

Camps zoned Rural Agricultural (RA) - 5.12 x *lot* size in gross acres = total population allowed on site.

**Sec. 8107-17.3.2**

Camps zoned Rural Exclusive (RE) - 20.48 x *lot* size in gross acres = total population allowed on site.

**Sec. 8107-17.3.3**

Camps zoned Open Space (OS) - 0.5 x *lot* size in gross acres = total population allowed on site. There shall be a maximum daily population limit of 500 guests and staff, except as permitted in Section 8107-17.3.4 below. (ADD. ORD. 4317 – 3/15/05)

**Sec. 8107-17.3.4**

A larger total daily population may be allowed for special events, the frequency to be determined by the camp's Use Permit. (ADD. ORD. 4317 - 3/15/05)

(AM. ORD. 4377 – 1/29/08)

**Sec. 8107-17.4**

Building intensity shall be limited by the following standards. These standards shall apply to structures used for camp activities. Where a structure is used for both camp and working ranch activities, one-half of that structure shall be applied to the square footage limitation for camps. If a structure is not used for camp activities, it shall not be considered in the square footage limitations for camps. (AM. ORD. 4317 – 3/15/05)

**Sec. 8107-17.4.1 - Overnight Accommodations**

Structures or portions of structures intended for sleeping and restrooms/showers (excepting those for permanent staff as defined in Sec. 8107-17.4.3) shall be limited to a collective average of 200 square feet per overnight guest and staff allowed per Sec. 8107-17.2 (Overnight Population).

**Sec. 8107-17.4.2 - All Other Roofed Structures or Buildings**

The total allowed square footage of all roofed structures or buildings other than sleeping and restroom/shower facilities shall be limited to 100 square feet per person allowed per Sec. 8107-17.3 (Daily On-Site Population).

**Sec. 8107-17.4.3**

The residence(s) of a limited number of permanent staff such as the director, manager or caretaker are exempt from the limitations of Section 8107-17.4.1 (Overnight Accommodations).

**Sec. 8107-17.4.4**

Since the two building intensity standards (Overnight and Total Daily) address distinctly different facilities, they shall not be interchangeable or subject to borrowing or substitutions.

**Sec. 8107-17.4.5**

For camps/guest ranches located in the Open Space (OS) zone, no single structure shall exceed 25,000 square feet in area, and the total area of all structures used for camp/guest ranch purposes shall be limited to 50,000 square feet. (ADD. ORD. 4317 – 3/15/05; AM. ORD. 4377 – 1/29/08)

**Sec. 8107-17.5**

Camp facilities shall have adequate sewage disposal and domestic water.

**Sec. 8107-17.6**

Camp facility lighting shall be designed so as to not produce a significant amount of light and/or glare at the first offsite receptive use.

**Sec. 8107-17.7**

Camp facilities shall be developed in accordance with applicable County standards so as to not produce a significant amount of noise.

**Sec. 8107-17.8**

Occupation of the site by a guest shall not exceed 30 consecutive days.

**Sec. 8107-17.9**

To ensure that the site remains an integral and cohesive unit, specific methods such as the following should be employed on a case-by-case basis: open space easements; CC&R's that restrict further use of the land, with the County as a third party; low density zoning to prevent subdivision of the site; and/or merger of parcels to create one parcel covering the entire site. (AM. ORD. 4123 - 9/17/96 - grammar)

**Sec. 8107-17.10**

To avoid the loss of the site's natural characteristics several methods should be employed on a case-by-case basis to preserve these values: 60% of the total site should remain in its natural state or in agriculture. (AM. ORD. 4317 - 3/15/05)

**Sec. 8107-17.11**

Parking Standards - See Article 8 (ADD. ORD. 3881 - 12/20/88; AM. ORD. 4407 - 10/20/09)

**Sec. 8107-17.12**

The Camp facility project description shall address transportation to and from and within the project site, including the types of vehicles, and road and trail locations. (ADD. ORD. 4317 - 3/15/05)

**Sec. 8107-18 - Retreats**

**Sec. 8107-18.1**

The minimum *lot* size for a retreat is five (5) acres.

**Sec. 8107-18.2**

A retreat shall not have sleeping accommodations for more than 20 people, inclusive of staff and guests.

**Sec. 8107-18.3**

Retreat guests shall be limited to a stay of no more than a total of 60 days in a calendar year. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-18.4**

Floor area shall be limited to the following:

- a. Maximum 200 square feet for each overnight guest, for sleeping and restroom facilities.
- b. Maximum 2,000 square feet for all other buildings (other than structures for animals), such as kitchen and dining areas, conference rooms, storage, and the like.

**Sec. 8107-18.5**

No retreat structures shall exceed a height of twenty-five (25) feet, unless authorized by the use permit. (AM. ORD. 4216 - 10/24/00)

**Sec. 8107-18.6**

A retreat may include minor accessory recreational facilities such as horse facilities, equestrian trails, hot tubs, one swimming pool, and one tennis court.

**Sec. 8107-18.7**

Structures related to a retreat shall be set back at least 100 feet from public roads. Foliage and natural topography shall be used to the maximum feasible extent for screening of retreat structures from public rights-of-way and from residential uses on adjacent properties.

**Sec. 8107-18.8**

Lighting for nighttime activities shall be directed away from adjacent properties. (AM. ORD. 4092 - 6/27/95)

(ADD. ORD. 3810 - 5/5/87; REP. AS 8107-21 AND REEN. AS 8107-18 - ORD. 3881 - 12/20/88)

**Sec. 8107-19 - Golf Courses**

A golf course may include accessory structures as needed for maintenance and for players on a day of golfing, including a maintenance building, a pro shop, restrooms, and limited eating facilities. (ADD. ORD. 3810 - 5/5/87)

**Sec. 8107-20 - Agricultural Buildings****Sec. 8107-20.1 - Calculating GFA for Agricultural Buildings**

The gross floor area (GFA) for agricultural buildings (principal and accessory) shall be calculated separately for each category of uses identified in the Zoning Matrix. For example, the allowed GFA for green houses is independent of the GFA allowed for agricultural sales facilities. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-20.2 - Agricultural Shade/Mist Structures**

Said structures shall meet the requirements of the Fire Code, Building Code, and the regulations administered by the Public Works Agency, some of which may be more restrictive than those listed below. Prior to the issuance of a Zoning Clearance, the following standards and requirements shall be met:

- a. There shall be no permanent floor materials.
- b. Permanent walkways within a structure shall not exceed 10% of the structure's GFA.
- c. All cover materials shall be of flexible fabric or membrane and not solid rigid materials such as glass, fiberglass, plastic or metal.
- d. The structure's foundations and supporting members shall be designed and constructed so as to be easily removed.
- e. There shall be no heating, cooling, or lighting systems in the structures or utilities to the structures except water or electricity for irrigation timers.
- f. No structure shall exceed 15 feet above grade at its highest point.
- g. The structures shall be set back at least 20 feet from all property lines as determined by the *Planning Director*.
- h. Each structure shall be separated from an adjoining structure by at least 6 feet.
- i. Documentation, satisfactory to the *Planning Director*, shall be submitted from the Fire and Building and Safety Departments, and from the Public Works Agency, indicating 1) that the project, as proposed, is capable of meeting the requirements



of the respective departments; and 2) whether a specific permit(s) will be required by said department.

ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96)

(ADD. ORD. 3810 - 5/5/89; AM. ORD. 4092 - 6/27/95)

### **Sec. 8107-20.3 - Agricultural Offices**

Such offices are allowed in the OS, AE and RA zones, as uses accessory to an agricultural operation, without provisions for human habitation, provided the following requirements are met: (AM. ORD. 4377 - 1/29/08)

#### **Sec. 8107-20.3.1**

An agricultural office up to 700 square feet in gross floor area that is located on the same *lot* as the principal agricultural use, or on an adjacent *lot* under the same ownership, and that meets one or more of the following criteria, is permitted by Zoning Clearance:

- a. The property is covered by a Land Conservation Act contract;
- b. The *lot* size is 100 acres or greater;
- c. The County Agricultural Commissioner has certified in writing that the *applicant* is conducting a bona fide commercial agricultural operation on or from the *lot* on which the agricultural office is requested.

#### **Sec. 8107-20.3.2**

Agricultural offices not meeting the above criteria (a, b or c) may be permitted pursuant to a *Planning Director*-approved Conditional Use Permit.

#### **Sec. 8107-20.3.3**

The gross floor area of the agricultural office shall be counted toward the cumulative gross floor area permitted for accessory structures on the *lot*, pursuant to Sec. 8105-4.

(ADD. ORD. 4123 - 9/17/96)

### **Sec. 8107-21 - Temporary Pet Vaccination Clinics**

Temporary pet vaccination clinics, as provided for in Sec. 8105-5, are subject to the following regulations:

#### **Sec. 8107-21.1**

Any such clinic shall operate no more than one day in any 90-day period within a one-mile radius of a previously conducted temporary clinic.

#### **Sec. 8107-21.2**

Such clinics shall provide preventive medical care only, and shall not diagnose or treat injured, sick or diseased animals, except to the extent necessary to provide immunization or vaccination.

#### **Sec. 8107-21.3**

All vaccinations shall be performed inside a trailer or other portable structure.

#### **Sec. 8107-21.4**

Such clinics shall provide their services only during daylight hours.

#### **Sec. 8107-21.5**

Such clinics shall not disrupt normal traffic flows, and shall not result in the blocking of public rights-of-way or parking area aisles, except as allowed by permit. All related materials and facilities shall be removed on the departure of the clinic. (AM. ORD. 4407 - 10/20/09)

### **Sec. 8107-21.6**

Facilities for the treatment and disposal of urine and fecal wastes attributable to the clinic shall be provided and utilized as necessary to keep the clinic and areas within a 100-foot radius thereof clean and free of flies and odors.

### **Sec. 8107-21.7**

Sufficient staff, other than those administering vaccinations, shall be available at the expense of the clinic operator to control crowds, assist with the handling of animals and keep the area clean. At least two such staff shall be provided in all cases.

(ADD. ORD. 3749 - 10/29/85; REP. as 8107-17 and REEN. as 8107-21 ORD. 3881-12/20/88)

## **Sec. 8107-22 - Stockpiling of Construction Related Debris and/or Fill Material For Non-Agricultural Operations**

### **Sec. 8107-22.1 - Purpose**

The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for the depositing and stockpiling of construction related debris and/or fill material onto land for temporary storage.

### **Sec. 8107-22.2 - Application**

The purpose, intent and provisions of Section 8107-22 et seq. shall be and are hereby automatically imposed and made part of any land use permit issued by the County of Ventura for the stockpiling of construction related debris and/or fill material. This section does not apply to on-site earth moving activities that are an integral and necessary part of an on-site construction project where all required permits have been approved by a public agency in accordance with applicable state law and local adopted plans and ordinances, where such permits have authorized stockpiling.

### **Sec. 8107-22.3 - Required Permits**

No operation for stockpiling of construction related debris and/or fill material may commence without the approval of the appropriate land use permit as required by this Chapter. The issuance of a land use permit shall not relieve the permittee of the responsibility of securing and complying with any other permit which may be required by other County Ordinances, or State or Federal laws. No condition of a land use permit for uses allowed by this Chapter shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. In instances where more than one set of rules applies, the stricter one shall take precedence.

### **Sec. 8107-22.4 - Standards for Stockpiling Construction Related Debris and/or Fill Material**

No permit for stockpiling of construction related debris and/or fill material shall be approved unless the following applicable standards have been complied with.

#### **Sec. 8107-22.4.1 - Signed Waivers**

The permittee shall provide to the Planning Division signed waivers, on forms provided by the County, from the applicable property owners / residents, as determined by the *Planning Director*, pursuant to Sec. 8111-1.1.2.

#### **Sec. 8107-22.4.2 - Contact Person**

The permittee shall provide the *Planning Director* with the current name(s) and/or position title, address and phone number of the person who shall receive all orders, notices and communications regarding matters of code compliance. Such

person(s) shall be available by phone during the hours the activities occur on the permit site.

**Sec. 8107-22.4.3 - Site Maintenance**

The permitted area shall be maintained in a neat and orderly manner so as not to create any hazardous condition or unsightly conditions which are visible from outside the permitted stockpile area.

**Sec. 8107-22.4.4 - Storage of Equipment and Vehicles**

Only equipment and vehicles necessary for the immediate operation of the permitted stockpile operation may be stored on site.

**Sec. 8107-22.4.5 - Debris Control**

The permittee shall take all necessary measures to prevent the depositing of construction related debris and/or fill material on thoroughfares in accordance with the following requirements:

- a. The permittee shall keep all public roadways utilized by this stockpiling operations and access roads to the site clear of dirt, sand, gravel, rocks and other debris associated with his/her operation.
- b. All trucks leaving the site must be constructed, covered, or loaded to prevent any of its contents from dropping, sifting, leaking, blowing, spilling, or otherwise escaping from the vehicle onto a private or public roadway.

**Sec. 8107-22.4.6 - Erosion Control**

All stockpiles of construction materials shall be managed as necessary to prevent water and wind erosion. Sedimentation due to water erosion occurring outside the permitted stockpile area shall not occur.

**Sec. 8107-22.4.7 - Prevention of Fugitive Dust**

There shall be no fugitive dust leaving the stockpile site. Fugitive dust shall be controlled in accordance with the following:

- a. All dust generating activities shall cease when wind speeds exceed 25 mph average over one hour or during high wind events. High wind events are defined as wind of such velocity as to cause fugitive dust from the permit area to blow off-site.
- b. Fugitive dust throughout the site shall be controlled by the use of a watering truck. Water shall be applied to all stockpiles, onsite roads and access roads, which have not been otherwise treated to prevent fugitive dust.
- c. If it is observed at any point in time that fugitive dust is blowing offsite or off access roads, and additional watering activities are insufficient to prevent fugitive dust, dust generating activities shall be immediately curtailed until the conditions abate.

**Sec. 8107-22.4.8 - Stability of Stockpile**

Stockpiles shall be placed and managed so as to prevent any material from shifting or sliding onto adjoining property.

**Sec. 8107-22.4.9 - Height of Stockpile**

Stockpile shall be limited to a height of thirty (30) feet.

**Sec. 8107-22.4.10 - Hours of Operation**

Hauling to and from the site shall be limited to six days per week, excluding Sundays, and shall occur only between the hours of 9:00 a.m. to 3:00 p.m.

**Sec. 8107-22.4.11 - Noise Standards**

Operations are subject to all noise standards as specified by Section 8107-9.6.22.

**Sec. 8107-22.4.12 - Environmentally Sensitive Areas**

Material shall not be stockpiled on or hauled through or within 100 feet of areas such as wetlands, riparian habitat or other environmentally sensitive areas as determined by the *Planning Director*.

**Sec. 8107-22.4.13 - Site Restoration**

Within 90-days of revocation, expiration or surrender of any permit, or abandonment of the use, the permittee shall restore the premises to its original condition as determined by the *Planning Director*. (REP. & REEN. ORD. 4216 - 10/24/00)

**Sec. 8107-23 - Nonmotorized Wheeled Conveyance Facilities and Uses**

**Sec. 8107-23.1 - Purpose**

The purpose of this Section is to establish reasonable and uniform limitations, safeguards, and controls for the design, placement, and use of facilities and structures (hereinafter referred to as "facilities") for the nonmotorized wheeled conveyances such as, but not limited to: skateboards, bicycles, unicycles, tricycles and rollerskates. Such regulations are established to minimize the impact on neighboring uses such as, but not limited to: unsightly structures, noise, loss of privacy, traffic congestion, trespassing, and risk of damage or injury from flying projectiles and debris.

**Sec. 8107-23.2 - Application**

**Sec. 8107-23.2.1**

Facilities less than 42 inches in height above adjacent finished grade level, which cover less than 32 square feet of aggregate ground area, and do not have a platform on which to stand, are exempt from the requirements of Sections 8107-23 through 8107-23.10. Such exempt facilities must otherwise meet the provisions of the Zoning Ordinance.

**Sec. 8107-23.2.2**

Those facilities not exempt may be permitted upon issuance of a Zoning Clearance provided all standards of this chapter are met.

**Sec. 8107-23.2.3**

Facilities that exceed the standards set forth in Sections 8107-23.3 through 8107-23.7 may be authorized by a Conditional Use Permit approved by the *Planning Director*.

**Sec. 8107-23.3 - Size**

No point on a facility shall extend more than 8 feet above adjacent finished grade level and no facility or collection of facilities on a given *lot* shall cover more than 400 square feet of aggregate ground area.

(ADD. ORD. 3895 - 4/25/89)

**Sec. 8107-23.4 - Setbacks**

All facilities shall be set back the following distances from all other structures and property lines:

**Sec. 8107-23.4.1**

All facilities shall be set back a minimum of 6 feet from all other structures.

**Sec. 8107-23.4.2**

All facilities shall be set back a minimum of 20 feet from all property lines with an additional 5 feet of setback required for each 1 foot increase of height over 6 feet above adjacent finished grade level.

**Sec. 8107-23.4.3**

Facilities shall not be located in the area between the public or private right of way and the front of the residence on the site, unless the facility is not visible from the public or private right of way or neighboring dwellings and otherwise conforms to the applicable setback requirements.

**Sec. 8107-23.5 - Construction Standards**

All facilities shall be constructed so as to minimize visual and auditory impacts.

**Sec. 8107-23.5.1**

The sides of all facilities that are above ground shall be enclosed with a solid material, such as plywood.

**Sec. 8107-23.5.2**

Spaces between finished grade and the lower, horizontal surfaces of the facility shall be filled with earth or other suitable solid material.

**Sec. 8107-23.5.3**

The backs of all surfaces not affected by Section 8107-23.5.2 shall be padded with sound absorbing material such as carpeting.

**Sec. 8107-23.5.4**

Facilities may be painted, stained, or left in their natural finish. Posters, banners, handbills, bumper stickers, or advertising materials of any kind shall not be affixed to the facility, if visible from neighboring properties.

**Sec. 8107-23.6 - Number of Persons**

The number of persons using a facility or collection of facilities at a given site shall not include more than six individuals who are not residents at the site where the facility is located.

**Sec. 8107-23.7 - Hours of Operation**

The use of facilities shall be limited to daylight hours between 9:00 a.m. and 7:00 p.m., Monday through Saturday.

**Sec. 8107-23.8 - Maintenance**

Facilities shall be maintained in a neat, safe, and orderly manner.

**Sec. 8107-23.9 - Removal**

Facilities shall be removed within 90 days when no longer used, or capable of being safely used, for their intended purpose.

**Sec. 8107-23.10 - Hold Harmless**

The permittee shall provide the County with a hold harmless agreement, acceptable to the County, prior to the issuance of a Zoning Clearance, which provides, in substance, that: The permittee agrees to hold the County harmless, indemnify, and defend the County for any loss or damage to property, or injury or loss of life arising out of the use authorized by this Zoning Clearance.

**Sec. 8107-23.11 - Compensation**

The use of the facility shall be without monetary compensation to any of the parties involved, nor operated in any way as a commercial enterprise.

(ADD. ORD. 3895 - 4/25/89)

## **Sec. 8107-24 - Caretaker Recreational Vehicle, Accessory**

In a park or recreation area owned or operated by the County of Ventura, the owner(s) of a recreational vehicle which is licensed and equipped for highway travel may reside in the recreational vehicle for up to six months in any twelve-month period, in accordance with an approved Park Host program. Sewage disposal shall be provided by means of a system approved by the Environmental Health Division. (ADD. ORD.- 3810-5/5/87; REP. as 8107-18 and REEN. as 8107-24 ORD. 3881 - 12/20/88)

## **Sec. 8107-25 - Tree Protection Regulations**

(All Sec. 8107-25 and Subsections added by ORD. 3993 - 2/25/92)

### **Sec. 8107-25.1 - Purpose**

Ventura County recognizes that trees contribute significantly to the County's unique aesthetic, biological, cultural, and historical environment as well as its air quality. It is the County's specific intent through the regulations that follow, to encourage the responsible management of these resources by employing public education and recognized conservation techniques to achieve an optimal cover of healthy trees of diverse ages and species while practically reconciling conflicting demands for alternative uses.

### **Sec. 8107-25.2 - Definitions**

For purposes of Sec. 8107-25 et. seq., the following definitions shall apply:

Alter - To prune, cut, trim, poison, over-water, or otherwise damage or invade the protected zone of a tree or to cause such alterations. Invasion of the protected zone shall include such activities as trenching, digging, placement of heavy equipment, vehicles, or materials within the protected zone. (AM. ORD. 4092 - 6/27/95)

Certification - Written documentation signed by an appropriate expert (as determined by the *Planning Director*), which states in a manner consistent with this ordinance, his/her opinion that there is no reasonable and appropriate alternative to altering or removing a given tree. (AM. ORD. 4092 - 6/27/95)

Commercial Agriculture - A for-profit farming enterprise consisting of tree and crop production for feed, food, fiber, fuel, shelter, and ornament, and including floriculture, horticulture, aquaculture, or animal husbandry established and conducted in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the County.

Dead Wooding - Removal of broken, diseased, dying, and dead plant material. (ADD. ORD. 4092 - 6/27/95)

Dripline - The area created by extending a vertical line from the outermost portion of the limb canopy to the ground.

Emergency - A situation in which a tree or its limbs are determined to pose an imminent threat to public safety, property or to the health of a protected tree. (AM. ORD. 4092 - 6/27/95)

Farm Plan - A plan for new commercial agriculture in text and map form which outlines, among other things, proposed compliance with grading regulations such as the Hillside Erosion Control Ordinance, irrigation, crop types and locations, and phasing of implementation. The plan should also include any bids for contract services such as surveying, engineering, land preparation, and planting.

Fell - To cut, push, or pull down, or otherwise topple a tree. (ADD. ORD. 4092 - 6/27/95)

Forest Resource Management Plan - A long-term forest and land management plan and guidelines in text and map form which outlines among other things, compliance with the Tree Protection Regulations, improvement project plans, tree harvesting on a sustaining yield basis, and phasing of implementation. The plan shall also include plans for the conservation of soil, vegetation, water, and fish and wildlife habitat and other factors as necessary. (AM. ORD. 4092 - 6/27/95)

Girth - The circumference in inches of a tree's trunk, limb, or root. The girth of a trunk is measured at a mid-point four and one-half feet between the uphill and downhill side of the root crown. Where an elevated root crown is encountered which enlarges the trunk at four and one-half feet above grade, the trunk shall be measured above the crown swell where the normal trunk resumes. Girth of limbs shall be measured just beyond the swell of the branch where the limb attaches to the main trunk or their supporting limbs. (AM. ORD. 4092 - 6/27/95)

Heritage Tree - Any species of tree with a single trunk of ninety (90) or more inches in girth or with multiple trunks, two of which collectively measure seventy-two (72) inches in girth or more. In addition, species with naturally thin trunks when full grown (such as Washington Palms), species with naturally large trunks at an early age (such as some date palms), or trees with unnaturally enlarged trunks due to injury or disease (e.g., burls and galls) must be at least sixty feet tall or 75 years old to be considered as a heritage tree. (AM. ORD. 4092 - 6/27/95)

Historical Tree - Any tree or group of trees identified by the County or a city as a landmark, or identified on the Federal or California Historic Resources Inventory to be of historical or cultural significance, or identified as contributing to a site or structure of historical or cultural significance.

Introduced Protected Trees - Trees which appear on Table 1 "PROTECTED TREES" but which have been planted by man for purposes of affecting the environment, architecture, climate or aesthetics of a given place and are, therefore, considered landscape features. (ADD. ORD. 4092 - 6/27/95)

ISA Standards - Pruning standards promulgated by the International Society of Arboriculture. (AM. ORD. 4092 - 6/27/95)

Multiple Trunk Tree - A tree which has two (2) or more trunks forking below four and one-half (4.5) feet above the uphill side of the root crown. (ADD. ORD. 4092 - 6/27/95)

Native Trees - Any trees indigenous to Ventura County not planted for commercial agriculture.

Necessary Agricultural Operations - Those activities which are performed solely for the benefit of commercial agriculture. Excluded from this definition are activities such as clearing land for future subdivision, development of nonagricultural uses, and harvesting of native trees or their limbs for various commercial purposes.

Offsets - Methods of mitigation and/or replacement for the alteration, felling, or removal of a protected tree. (ADD. ORD. 4092 - 6/27/95)

Protected Trees - Any trees from among the species or any heritage or historical tree listed in Table I (following definitions) with one or more differentiated trunks which meets the dimensional standards therein and which is situated on land with the applicable zoning shown on Table I. (AM. ORD. 4092 - 6/27/95)



Protected Zone - The surface and subsurface area within the dripline and extending a minimum of five (5) feet outside the dripline, or 15 feet from the trunk of a tree, whichever is greater. (ADD. ORD. 4092 - 6/27/95)

Pruning - Removal of all, or portions, of a tree's shoots, branches, limbs or roots. (ADD. ORD. 4092 - 6/27/95)

Qualified Tree Consultant - An individual who, through a combination of education, training, licenses and certificates for professional proficiency, and work experience can demonstrate to the satisfaction of the *Planning Director* he or she possesses the necessary skills and abilities to provide competent advice as called for by various provisions of the Tree Protection Regulations.

Qualified Tree Trimmer - An individual who has, to the satisfaction of the *Planning Director*, certified that he has read and understands the Tree Protection Ordinance, Tree Protection Guidelines, I.S.A., Pruning Standards, is licensed to conduct business in Ventura County and has other applicable land use permits to conduct said business. (ADD. ORD. 4092 - 6/27/95)

Remove - To transplant a protected tree or carry away a fallen protected tree or its limbs. (ADD. ORD. 4092 - 6/27/95)

Root Crown - The area of a tree where the trunk(s) meet the roots, sometimes called the collar of the tree.

Root System - Unless otherwise demonstrated to the satisfaction of the *Planning Director* with a field investigation conducted by a certified arborist, the root system is the underground portion of a tree, as defined by inscribing a circle around the trunk of the tree using a radius equal to the farthest reach of the dripline plus five feet. The minimal radius to be used is fifteen (15) feet. (AM. ORD. 4092 - 6/27/95)

Timber Growing and Harvesting - An activity which may or may not be part of an agricultural operation which involves the cutting of trees for forest product or firewood purposes. Such trees can be planted or of a natural growth, standing or down, on privately or publicly owned land, including Christmas trees but excluding nursery stock. (AM. ORD. 4092 - 6/27/95)

Tree Row - A row of trees planted and presently used for the purpose of providing a shelter from wind for commercial agriculture; also known as a windbreak, or windrow. (AM. ORD. 4092 - 6/27/95)

<b>TABLE I PROTECTED TREES</b>			
Common Name/Botanical Name Genus species	Girth Standard (Circumference)	Applicable Zones	
		All Base Zones	SRP <sup>1</sup>
Alder Alnus all species	9.5 in.		X
Ash Fraxinus <u>dipetala</u>	9.5 in.		X
Bay Umbellularia californica	9.5 in.		X
Cottonwood Populus all species	9.5 in.		X
Elderberry Sambucus all species	9.5 in.		X
Big Cone Douglas Fir Pseudotsuga macrocarpa	9.5 in.		X
White Fir Abies concolor	9.5 in.		X
Juniper Juniperus californica	9.5 in.		X
Maple Acer macrophyllum	9.5 in.		X
Oak (Single) Quercus all species	9.5 in.	X	X
Oak (Multi) Quercus all species	6.25 in.	X	X
Pine Pinus all species	9.5 in.		X
Sycamore Platanus all species	9.5 in.	X	X
Walnut Juglans californica	9.5 in.		X
Historical Tree (any species)	(any size)	X	X
Heritage Tree <sup>2</sup> (any species)	90.0 in.	X	X

X Indicates the zones in which the subject trees are considered protected trees.

1. SRP - Scenic Resource Protection Overlay Zone
2. See Definition above

(AM. ORD. 4390 - 9/09/08)

### **Sec. 8107-25.3 - General Requirements**

No person shall alter, fell, or remove a Protected Tree except in accordance with the provisions of Section 8107-25 et seq. If tree alteration, felling, or removal is part of a project requiring a *discretionary* permit, then the tree permit application and approval process should accompany the parent project *discretionary* permit.

If a person applies to alter, fell, or remove a Protected Tree located in an area subject to an area plan or project related conditions (e.g. subdivisions and conditional use permits) which include requirements more stringent than the subject ordinance requirements, the stricter requirements shall prevail in establishing the conditions of approval for a tree permit.

No provision of these Tree Protection Regulations shall be interpreted as permitting or requiring any violation of law, or any lawful rules or regulations or orders of an authorized governmental agency. Regulations of other agencies and jurisdictions that should be considered in the administration of the Tree Protection Regulations are referred to in the Tree Protection Guidelines, as adopted and as may be amended by the Ventura County Board of Supervisors. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4328 - 9/13/05)

### **Sec. 8107-25.4 - Exemptions**

The alteration, felling, or removal of a Protected Tree by a person is exempt from the provisions of Sec. 8107-25 et seq. when such tree is: (AM. ORD. 4092 - 6/27/95)

- a. Planted, grown, or held for sale by lawfully established nurseries and tree farms or removed from, or transplanted from, such a nursery as part of its operation.
- b. Located and planted in a tree row presently serving commercial agriculture.
- c. Planted, grown, and presently harvested for commercial agricultural purposes, or removed from, or transplanted from, a ranch or farm as part of its operation. This does not include the managed production of protected trees or the transplanting or harvesting of naturally growing protected trees or their limbs.

### **Sec. 8107-25.5 - Minimum Requirements for Tree Alteration, Felling or Removal Without a Tree Permit**

Except as provided in Sec. 8107-25.4, the alteration, felling or removal of Protected Trees may occur without a Tree Permit under the following circumstances, and in accordance with the following standards. Said alterations shall be performed by the property owner or resident with the owner's consent, or by a qualified tree trimmer. For all the following trimming and pruning, ISA standards shall be used and in all such cases climbing spurs shall not be used: (AM. ORD. 4092 - 6/27/95)

- a. Cases of emergency where the *Planning Director* or his designee, or any employee of a government authority or special district, in the performance of his or her duties determines that a tree or its limbs pose an imminent threat to the public safety or general welfare or the health of the tree. If conditions and circumstances allow, the public official shall consult with the *Planning Director* or designee prior to ordering the trimming, felling, or removal of any Protected Tree for the above reasons. Subsequent to the emergency action, copies of the work orders or reports will be provided to the *Planning Director* within 30 days, describing the action taken and the nature of the emergency. (AM. ORD. 4092 - 6/27/95)
- b. Pruning and trimming of any size dead limb or root tissue.
- c. Pruning and trimming of living limbs and roots, each of which is less than 20% of the tree trunk's girth, provided such trimming does not endanger the life of the tree, result in an imbalance in structure, or remove more than 20% of its canopy or the root system. (AM. ORD. 4092 - 6/27/95)

- d. Pruning and trimming living limbs which exceed the size set forth in "c" above provided such alteration is justified in writing by a qualified tree consultant, and is intended to promote the health of the tree. (ADD. ORD. 4092 - 6/27/95)
- e. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by a Public Utility Company or its contractors for the purpose of protecting the public and maintaining adequate clearance from public utility conduits and facilities. (AM. ORD. 4092 - 6/27/95)
- f. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by the Ventura County Public Works Agency or its contractors for the purpose of: (AM. ORD. 4092 - 6/27/95)
  - (1) maintaining safety,
  - (2) providing for the flow of vehicular and pedestrian traffic,
  - (3) providing for the flow of flood waters in Flood Control rights-of-way, or
  - (4) constructing and maintaining improvements within the public right-of-way.
- g. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by any park or school district, or the Ventura County General Services Agency or its contractors, for the purpose of maintaining safety or improving structural integrity or balance of trees on County, school, or park district properties. (AM. ORD. 4092 - 6/27/95)
- h. Pruning and trimming living limbs and roots each of which exceeds the size set forth in "c" above by the Ventura County Fire Protection District and its contractors for the purpose of providing fire protection when said District determines there is no reasonable alternative. (AM. ORD. 4092 - 6/27/95)
- i. Pruning and trimming of living limbs and roots for non-commercial purposes or for any commercial agricultural operation on *lots* less than ten (10) acres zoned RA or RE for any reason not specified in "a" through "g" above, shall be conducted or supervised by a qualified tree consultant. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4377 - 1/29/08)
- j. Pruning and trimming living limbs and roots for necessary agricultural operations, which exceed the size set forth in "c" above of protected trees located on land zoned AE, OS or TP. Such pruning for necessary agricultural operations in the RA or RE zones is allowed only if a minimum of ten acres is used for commercial agricultural purposes. (AM. ORD. 4377 - 1/29/08)
- k. The felling or removal of five (5) or fewer Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal for necessary agricultural operations, or the expansion of existing or establishment of new commercial agriculture on land under the same contiguous ownership provided that: (AM. ORD. 4092 -6/27/95)
  - (1) The land is zoned AE, OS or TP, and
  - (2) The trees to be removed are not classified as heritage or historical, and
  - (3) There is a farm plan for any expansion or establishment of new commercial agriculture.
  - (4) Records are kept of the dates that any protected trees are removed and such records or summaries thereof are submitted to the *Planning Director*.
 (AM. ORD. 4377 - 1/29/08)
- l. The removal of any naturally fallen trees and/or the felling and subsequent removal of standing, certifiably dead, trees. Certification by a qualified tree

consultant or objective data confirming that a standing tree is dead shall be submitted to the *Planning Director* upon his request. (AM. ORD. 4092 - 6/27/95)

### **Sec. 8107-25.6 - Ministerial Tree Permits and Standards**

The *Planning Director* shall approve a Ministerial Tree Permit if the application is complete, the applicable fee has been paid; and all applicable certifications have been provided. Such certification must be based on at least one of the situations outlined in the following subsections, must indicate which of those subsections is being referred to, and must state that the recommended alteration is the only reasonable and appropriate alternative action. In lieu of a certified statement by a qualified tree consultant, an *applicant* may submit objective data such as photographs which allows the *Planning Director* to make the required determination.

Tree alteration shall be performed by the property owner or resident with consent of owner, or, by a qualified tree trimmer. The *Planning Director* shall impose standard conditions to ensure only the approved trees are altered, felled, or removed such as tree tagging and protective fencing for remaining trees. Alteration shall only occur in accordance with ISA standards.

Except as provided in Secs. 8107-25.4, 8107-25.5, or 8107-25.7, no person shall alter, fell, or remove a Protected Tree without obtaining a ministerial tree permit for the following circumstances:

(AM. ORD. 4092 - 6/27/95)

- a. The tree poses a significant threat to people, lawfully established structures or other trees because of such factors as: its continued growth; its probable collapse in the near future; or its potential to spread disease or pests; as determined and certified by a qualified tree consultant.
- b. The tree interferes with public utility facilities as certified by the tree maintenance supervisor for the utility, in consultation and concurrence with a qualified tree consultant.
- c. The tree interferes with the public safety or traffic line of sight or emergency vehicle movement as certified by a traffic engineer of the Ventura County Public Works Agency in consultation with a qualified tree consultant.
- d. The tree interferes with private sewer lines as certified by a plumbing contractor or other person doing the plumbing work and there is no alternative to removing the tree or altering roots or other elements of the tree as certified by a qualified tree consultant.
- e. Alteration, felling, or removal is necessary to construct improvements within the public right-of-way or within a flood control or other public utility right of way, as certified by a Registered Civil Engineer of the State of California in consultation and concurrence with a qualified tree consultant. (AM. ORD. 4092 - 6/27/95)
- f. The tree constitutes a public safety hazard as certified by a supervisor from any park or school district, County General Services Agency, or Fire Protection District in consultation with a qualified tree consultant.
- g. The trees to be felled and/or removed number six (6) to ten (10) Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal, and their removal is required for necessary agricultural operations, or the expansion of existing or establishment of a new commercial agriculture on land under the same contiguous ownership provided that: (AM. ORD. 4092 - 6/27/95)
  - (1) The land is zoned AE, OS or TP, and
  - (2) The trees to be removed are not classified as historical, and

- (3) A farm plan has been prepared for any proposed expansion of existing or establishment of new commercial agriculture, and
- (4) Records are kept of the dates that any protected trees are removed and such records or summaries thereof are submitted to the *Planning Director*.

(AM. ORD. 4377 - 1/29/08)

- h. The trees to be felled and/or removed number 11 to 25 Protected Trees in any 12 consecutive month period beginning with the date of the first tree removal, and their removal is required for necessary agricultural operations, or the expansion of existing or establishment of new commercial agriculture from land under the same contiguous ownership provided that: (AM. ORD. 4092 - 6/27/95)

- (1) The land is zoned AE, OS or TP, and

- (2) The trees to be felled and/or removed are not classified as historical, and (AM. ORD. 4092 - 6/27/95)

- (3) A farm plan has been prepared for any proposed expansion of existing or establishment of new commercial agriculture. and

- (4) Records are kept of the dates that any protected trees are felled and/or removed and such records are submitted to the *Planning Director*, and (AM. ORD. 4092 - 6/27/95)

- (5) A field inspection by the *Planning Director* or designee has occurred.

(AM. ORD. 4377 - 1/29/08)

- i. The tree(s) in its present form and/or location denies reasonable access to the subject property and/or the construction, maintenance, or use of the property in a manner permitted by zoning on the said property. No more than five protected trees may be cumulatively felled or removed from the subject property for this purpose, and no more than three of the five trees may be oak or sycamore trees and none of them may be "historical" or "heritage" trees. Trees may also be altered as necessary for this same purpose. (AM. ORD. 4092 - 6/27/95; AM. ORD. 4328 - 9/13/05)
- j. The tree to be felled and/or removed is an "Introduced Protected Tree" located in the public easement or on public property, and permission to remove it has been granted pursuant to County Ordinance Code No. 2041 relating to Encroachments on County Highways and as it may be amended. (AM. ORD. 4092 - 6/27/95)
- k. The tree to be felled and/or removed is an "Introduced Protected Tree", as certified by a qualified tree consultant, and is located on private property. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-25.7 - Discretionary Tree Permits and Standards**

Except as provided in Secs. 8107-25.4, 8107-25.5 or 8107-25.6, no person shall alter, fell, or remove a Protected Tree without obtaining a *Planning Director* approved *discretionary* Tree Permit. The *Planning Director* may approve a *discretionary* Tree Permit application with necessary conditions to promote the purpose of these tree ordinance regulations if:

**Sec. 8107-25.7.1**

- a) A heritage or historical tree is to be felled or removed from the site and its continued existence in its present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (ADD. ORD. 4328 - 9/13/05)

- b) The cumulative number of trees to be felled or removed from the site number four (4) or more oak or sycamore trees and their continued existence in their present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (ADD. ORD. 4328 – 9/13/05)
- c) The cumulative number of trees to be felled or removed from the site number six (6) or more protected trees (not listed in a or b above) and their continued existence in their present form and/or location denies reasonable access to the subject property and/or the approved construction, maintenance, or use in a manner permitted by the zoning on said property. (AM. ORD. 4328 – 9/13/05)

**Sec. 8107-25.7.2**

The alteration, felling, and/or removal of trees is to further commercial agricultural purposes and all the following applicable standards can be met:

(AM. ORD. 4092 - 6/27/95)

- a. There is a farm plan for any proposed expansion of existing or establishment of new commercial agriculture, and
- b. The proposed agricultural activities are consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the County and as set forth in the adopted "Tree Protection Guidelines", and
- c. The *Planning Director* determines that, on balance, the proposed agricultural activities, which include Protected Tree alteration, would result in benefits to the public which outweigh the residual negative effects of tree alteration after mitigating permit conditions are imposed.

**Sec. 8107-25.7.3**

The tree alteration, felling, and/or removal, is to further timber growing and harvesting, is not regulated by the California Forest Practices Act, and all the following applicable standards can be met:

- a. There is a Forest Resource Management Plan prepared by a registered professional forester (RPF) which is intended to improve or enhance forest resources. (AM. OR. 4092 - 6/27/95)
- b. The above Plan establishes a "sustainable yield" for the property and a program to maintain it.
- c. The proposed timber harvesting activities are consistent with proper and accepted customs and standards as established and followed by similar sustaining yield operations and as may be set forth in the adopted Tree Protection Guidelines, and
- d. The *Planning Director* determines that, on balance, the proposed activities, which include Protected Tree alteration, felling and/or removal would result in benefits to the public which outweigh the residual negative effects on the tree(s) after mitigating permit conditions are imposed. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.7.4**

The tree alteration, felling, and/or removal is part of a larger project which, as conditioned, would on balance result in significant benefits to the public and if: (AM. ORD. 4092 - 6/27/95)

- a. Established public policy including General Plan policies would be advanced, or



- b. Resources of local, regional, or Statewide significance could be productively utilized, or
- c. The public benefits outweigh the unavoidable negative impacts associated with the removal of protected trees required by the project.

**Sec. 8107-25.7.5**

The Protected Tree has been recently altered or felled without the required permit and a person seeks to remove the tree, roots or limbs from the *lot*. (AM. ORD. 4092 -6/27/95)

**Sec. 8107-25.8 - Tree Permit Applications and Supporting Information**

The application form and supporting information necessary to evaluate a request to alter, fell, or remove a Protected Tree shall be determined by the *Planning Director* and be in accordance with the Tree Protection Guidelines. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.9 - Tree Protection Guidelines**

In granting a Tree Permit, the *Planning Director* shall utilize the adopted "Tree Protection Guidelines," as amended from time to time, in making a decision consistent with the purpose of the tree protection regulations and said Guidelines. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10 - Offsets for Altered, Felled, or Removed Trees**

Unless exempted herein, offsets shall be provided on a one-for-one basis for the following circumstances: (AM. ORD. 4092 - 6/27/95)

- a. All *discretionary* tree permits pursuant to Sec. 8107-25.7.
- b. Where the alteration, felling, or removal of a tree(s) has taken place but cannot be retroactively legalized pursuant to provisions of the Tree Protection regulations. (ADD. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10.1 - Exemptions from Offsets**

Trees removed and transplanted to a location acceptable to the *Planning Director* shall be exempted from "offset" requirements provided:

- a. The transplanted tree is properly cared for per industry standards; and
- b. The tree survives for a period of at least five years; and
- c. A compliance agreement has been entered into with the Planning Division to monitor "a" and "b" above.

(AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.10.2 - Tree Offset Standards**

Offsets shall be based on the "cross-sectional" area of the affected portions of the subject tree. The required offset is achieved when the *Planning Director* deems the selected offsets from among the alternatives referenced in the Tree Protection Guidelines equals the cross-sectional area of the affected portions of the tree(s) in question. In determining the offset obligation, the I.S.A. valuation of a subject tree shall be calculated in accordance with the most current edition of the I.S.A. "Guide for Plant Appraisal" as it applies to central Southern California. (AM. ORD. 4092 - 6/27/95)

**Sec. 8107-25.11 - Appeals of Tree Permit Decisions**

Within ten calendar days of the notice of decision, appeals may be made to the Ventura County Planning Commission upon filing of the proper form and payment of the appropriate fee. The decision of the Planning Commission shall be final and conclusive.

There is no appeal to the Board of Supervisors for a tree permit decision under the provisions of Article 11.

### **Sec. 8107-25.12 - Violations, Enforcement Procedures and Penalties**

A violation of any provision of these Tree Protection Regulations or of any condition of a Tree Permit granted under authority of this ordinance, is a misdemeanor/infracton, as specified in Section 13-1 of the Ventura County Ordinance Code, and upon conviction thereof, shall be punishable as provided by Section 13-2 of the Ventura County Ordinance Code. In such cases, each tree altered, felled or removed in violation of this ordinance shall constitute a separate violation. (AM. ORD. 4092 - 6/27/95)

A violation of the prohibitions of these Tree Protection Regulations, or of any condition of the Tree Permit granted under authority of this ordinance, is hereby declared to be a public nuisance as such violations constitute a destruction of a County natural resource. This ordinance shall be enforced by the Ventura County *Planning Director* applying those procedures set forth in Ventura County Ordinance Code Sections 8114-3 and 8114-4.

As an alternative to pursuing legal action, the *Planning Director*, at his/her sole discretion, may approve a compliance agreement between the confirmed violator and Ventura County. This agreement may include, but is not limited to, requirements to obtain the necessary tree permit(s), provide offsets for unauthorized and unpermissible losses due to alterations, fellings, or removals, and other mitigation measures to abate a specific violation of the tree protection regulations. (AM. ORD. 4092 - 6/27/95)

(AM. ORD. 4092 - 6/27/95)

### **Sec. 8107-26 - Employee Housing Pursuant to State Law**

(ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4215 - 10/24/00; REP./REEN. ORD. 4281 - 5/6/03; REP./REEN. ORD. 4596 - 3/1/22)

#### **Sec. 8107-26.1 – Purpose and Application**

Health and Safety Code section 17000, et seq., known as the Employee Housing Act, includes regulations that require local jurisdictions to allow the development and use of employee housing. The purpose of this Section is to promote the development of, and to establish development standards for, *employee housing* consistent with state law. If any provision in this Chapter conflicts with the mandates of the Employee Housing Act as it relates to employee housing, the provisions of the Employee Housing Act shall govern.

#### **Sec. 8107-26.2 – Employee Housing for Six or Fewer Employees**

*Employee housing* that accommodates six or fewer employees, pursuant to Health and Safety Code section 17021.5, shall be considered a single-family structure and residential use of property under this Chapter and is subject to the following:

- a. A lot with an existing single-family dwelling is not eligible for development of new *employee housing* with a Zoning Clearance for six or fewer employees if applicable zoning does not allow two single-family dwelling units on the subject lot.
- b. *Employee housing* for six or fewer employees shall comply with the setback, lot coverage, height, and other development standards applicable to a single-family dwelling on the subject lot.
- c. No additional development standards other than those applicable to a single-family dwelling apply to an *employee housing* unit for six or fewer employees.

- d. Use of a single-family dwelling for purposes of *employee housing* serving six or fewer persons shall not constitute a change of occupancy for purposes of Health and Safety Code section 17910 et seq. (the State Housing Law) or local building codes.
- e. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate the *employee housing*, and thereafter on an annual basis, the applicant shall submit evidence that the HCD permit for the employee housing is current and valid.

**Sec. 8107-26.3 – Agricultural Employee Housing**

All *agricultural employee housing* shall comply with the setback, lot coverage, height, and other development standards applicable to the underlying zone in which it is located, and the following development standards, unless otherwise indicated in this Section 8107-26.3.

- a. For the purposes of this Section, “agricultural employees” shall have the same meaning as defined in Section 1140.4(b) of the Labor Code, as may be amended, which includes those engaged in “agriculture” as such term is defined in Section 1140.4(a) of the Labor Code. Pursuant to Labor Code section 1140.4(a), “agriculture” means farming in all its branches, including the cultivation and tillage of the soil, dairying, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities (including commodities defined as agricultural commodities in Section 1141j(g) of Title 12 of the United States Code), the raising of livestock, bees, furbearing animals, or poultry, and any practices (including any forestry or lumbering operations) performed by a farmer or on a farm as an incident to or in conjunction with such farming operations, including preparation for market and delivery to storage or to market or to carriers for transportation to market.
- b. *Agricultural employee housing* may be developed and maintained for the purpose of providing *permanent, seasonal or temporary employee housing*.
- c. *Agricultural employee housing* consisting of no more than 36 beds in a group quarters or 12 units or spaces designed for use by a single family or household, or that is approved pursuant to Section 17021.8 of the Health and Safety Code, shall not be deemed a land use under this Chapter that implies that such housing is an activity that differs in any other way from an agricultural land use.
- d. *Agricultural employee housing* that consists of four or fewer dwelling units is permitted with a Zoning Clearance provided that each dwelling unit does not exceed 1,800 square feet in gross floor area.
- e. All other *agricultural employee housing* may be allowed with a Planning Director-approved Planned Development Permit except that *agricultural employee housing* that meets the criteria specified in Health and Safety Code Section 17021.8, as may be amended, shall be allowed with a Zoning Clearance.
- f. *Agricultural employee housing* shall comply with the same general requirements set forth in Section 8107-41.3.1(a) through (d) of this Chapter that apply to *agricultural worker housing*.
- g. *Agricultural employee housing* designed as housing complexes shall meet the development standards set forth in Section 8107-41.3.3, and those designed as group quarters shall meet the development standards set forth in Section 8107-41.3.4.
- h. *Agricultural employee housing* may, but is not required to, be developed or provided by the employer, or located on the same lot where the qualifying agricultural work is being performed.

- i. Within 30 days after obtaining the appropriate permit from the California Department of Housing and Community Development (HCD) to operate the *agricultural employee housing*, and thereafter on an annual basis, the applicant shall submit evidence that the HCD permit for the *agricultural employee housing* is current and valid.
- j. Deed Restriction: Within 30 days after receiving approval for *permanent* or *seasonal employee housing* from the Planning Division, and before issuance of the final Zoning Clearance, the applicant shall record with the County Recorder, a deed restriction in a form approved by the County that runs with the land on which the *agricultural employee housing* is located declaring that:
  - (1) The *agricultural employee housing* will continuously be maintained in compliance with this Section 8107-26 and all other applicable sections of this Article; and
  - (2) The applicant will obtain and maintain, for as long as the *agricultural employee housing* is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.
  - (3) The deed restriction shall not be amended, released, terminated, or removed from the property without the prior written consent of the County. In the event the *agricultural employee housing* use is terminated and/or structures are removed in accordance with this Chapter and other applicable law as confirmed in writing by the Planning Director, the deed restriction that accompanies the development shall be released and removed from the property.
- k. Signed affidavit for temporary employee housing: Within 30 days after receiving approval for *temporary employee housing* from the Planning Division, the applicant shall submit a signed affidavit, in a form approved by the County, affirming that:
  - (1) The *agricultural employee housing* will only be used as *temporary employee housing*; and
  - (2) The applicant will obtain and maintain, for as long as the *temporary employee housing* is operated, the appropriate permit(s) from HCD pursuant to the Employee Housing Act and the regulations promulgated thereunder.

**Sec. 8107-26.4 – Enforcement.**

HCD is the enforcement agency for purposes of the Employee Housing Act and is responsible for, among other things, issuing permits to operate, conducting inspections of *employee housing* prior to and during occupancy, and investigating complaints of violations of the Employee Housing Act and its implementing regulations.

While the County does not enforce the requirements of the Employee Housing Act, the County retains its enforcement authority over its land use permits and related conditions of approval, including as follows:

- a. Violations of Sections 8107-26.2 and 8107-26.3 may be enforced pursuant to Article 14 of this Chapter or through any other available legal means.
- b. Any civil administrative penalties collected pursuant to Section 8114-3.7 of this Chapter for violations of Section 8107-26 et seq. of this Chapter, shall be deposited in a farmworker housing fund account for exclusive use by the County to fund rehabilitation and/or construction of farmworker housing.
- c. In addition to all other available enforcement and legal remedies, the County may require the removal of a housing unit and restoration of the site (including any affected agricultural soils) based on the unpermitted or unverified use of the *employee housing* or based on other violations of Section 8107-26 et seq.

## **Sec. 8107-27 - Cemeteries**

Cemeteries existing prior to January 1, 1994, in AE zones may be allowed to expand subject to permit modification or to a Planning Commission approval of a Conditional Use Permit, and subject to the findings of the AE zone. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4377 - 1/29/08)

## **Sec. 8107-28 - Radio Stations**

Radio stations with studio facilities, existing prior to January 1, 1994, in OS and AE zones, may be allowed to expand, subject to obtaining the necessary County *entitlements*. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4377 - 1/29/08)

## **Sec. 8107-29 – Motocross Racetrack Facilities and Uses**

### **Sec. 8107-29.1 – Purpose**

The purpose of this section is to establish reasonable and uniform development standards for the siting, design, placement and use of tracks, parks or trails (hereinafter referred to as "tracks"), for the organized use of motocross motorcycle vehicles such as, and limited to, small and medium sized motorcycles, dirt bikes, OHVs (off-highway vehicles), motocross and mini-motocross bikes the engines of which do not exceed two cylinders; and appurtenant structures and improvements such as restrooms, clubhouses, storage structures, parking areas, equipment yards, pit areas and concession/vending stands (hereinafter referred to as "facilities"). The following development standards are established to minimize the impact on resources and neighboring uses from such effects as, but not limited to: noise, loss of privacy, traffic congestion, trespassing, fugitive dust, and risk of damage or injury from flying projectiles and debris. (ADD. ORD. 4118 - 7/2/96; AM. ORD. 4123 - 9/17/96; AM. ORD. 4407 - 10/20/09)

### **Sec. 8107-29.2 – Application**

All motocross tracks and facilities as defined in Section 8102-0 may be allowed pursuant to permits required in Sec. 8105-4. (ADD. ORD. 4118 - 7/2/96)

### **Sec. 8107-29.3 - Minimum Standards**

The standards included in Sections 8107-29.4 through 8107-29.6 are the minimum standards that must be complied with. Additional and more specific standards may be applied on a case-by-case basis as permit conditions. (ADD. ORD. 4118 - 7/2/96)

### **Sec. 8107-29.4 - Minimum Siting Criteria**

The following are minimum sitting criteria for any motocross tracks and facilities:

#### **Sec. 8107-29.4.1**

Motocross tracks shall not be allowed in any of the following locations:

- a. Any area within the following overlay zones: Mineral Resource Protection (MRP) or Scenic Resource Protection (SRP).
- b. Within the Sphere of Influence, Area of Interest or Planning Area of any incorporated city, whichever is the largest area applicable.
- c. Within a County-adopted greenbelt area, unless the facility was initially permitted prior to adoption of the greenbelt area.
- d. Within a 100-year flood plain (Zone A) as designated on a FIRM (Flood Insurance Rate Map).

- e. Within an airport approach or departure zone as depicted in the County's General Plan Hazards Appendix Maps.
- f. Within the boundaries of the Los Padres National Forest.
- g. Within a designated High or Very High Fire Hazard Severity Zone, or equivalent designation, unless the facility was operating in such an area in accordance with the Non-Coastal Zoning Ordinance as of August 5, 2014.
- h. On any land subject to a Land Conservation Act (LCA) contract, notwithstanding its Open Space zoning designation.

(ADD. ORD. 4118 - 7/2/96; AM. ORD. 4123 - 9/17/96; AM. ORD. 4472 - 6/2/15)

**Sec. 8107-29.4.2**

Any property proposed for the siting of such tracks and facilities shall be located:

- a. Within two minutes driving time or 500 feet (whichever is greater) of an all-weather street, road or highway with a minimum right-of-way of 100 feet, and in a location which would provide a secondary route of ingress/egress via a street, road or highway with a minimum all-weather right-of-way of 60 feet.
- b. On sites which naturally lend themselves to meeting the purpose of these regulations (Section 8107-29.2) in that the sites naturally promote minimum grading or disturbance of the existing topography, and auditory buffering such as that provided by canyons, hills, or other natural sound buffers.
- c. Motocross tracks and facilities shall not be allowed on any legal *lot* of less than forty (40) acres. No track on a given *lot* shall cover more than 30 acres of total ground area. On *lots* larger than forty acres, such tracks and facilities (excluding parking areas, sound baffles and noise attenuation structures) shall not occupy more than 30 acres total area.

(ADD. ORD. 4118 - 7/2/96; AM. ORD. 4123 - 9/17/96)

**Sec. 8107-29.5 - Setbacks**

All tracks and facilities shall be set back the following distances from dwellings, other public uses and property lines:

- a. 100 feet from any occupied dwelling not necessary to the operation of the track, unless a waiver is signed pursuant to Sec. 8107-5.6.25, allowing the setback to be reduced. In no case shall a track be located less than 50 feet from said structure.
- b. A minimum of 60 feet from all property lines.
- c. 500 feet from any institution, school or other building used as a place of public assemblage, unless a waiver is signed pursuant to Sec. 8107-5.6.25, allowing the setback to be reduced. In no case shall any track be located less than 300 feet from said structures.
- d. The applicable setbacks for accessory structures in the Open Space zone.

(ADD. ORD. 4118 - 7/2/96; AM. ORD. 4123 - 9/17/96)

**Sec. 8107-29.6 - Construction and Operating Standards**

All facilities and structures shall be constructed and operated as follows:

- a. All such facilities shall be operated in compliance with the most current standards established by the American Motorcyclist Association (AMA) or its affiliates, successor organization or an alternative sanctioning body approved by the *Planning Director*.

- b. All facilities shall be sited and operated so as to be in conformance with minimum noise standards, as set forth in the Ventura County General Plan, and as monitored from all property lines.
- c. All mechanical or repair activity of motocross/off-highway vehicles shall be limited to vehicles engaged in same-day events or activities. No other such mechanical and/or repair activity shall be allowed on the site.
- d. On-site lighting shall be for security purposes only. Such lighting shall be shielded to eliminate or minimize glare to off-site areas.
- e. The maximum number of active participants (i.e. riders, crew members, employees) using a permitted facility shall not exceed 30 persons per acre of the total up to 30 acres. Non-participants (i.e. spectators) shall be limited to a maximum of 50 persons per acre of total *net site area* up to 30 acres, and such persons shall be allowed on-site during organized events only.
- f. The use of permitted facilities for practice or other non-organized, non-competitive activities shall be limited to daylight hours between 9:00 a.m. and 7:00 p.m. seven (7) days a week. Use of such facilities for organized events shall be limited to daylight hours between 9:00 a.m. and 7:00 p.m., or fifteen minutes after official sunset for that day's event, whichever is later, on Saturdays and Sundays only. Deviation from this standard pertaining to days and hours of operation shall be subject to prior approval by the *Planning Director*. With a Permit Adjustment, organized events may also be held on Friday evenings and holidays that fall on Fridays and Mondays. Such deviations from the normal schedule are allowed once per three-month quarter.

For purposes of this subsection "official sunset" shall be defined as that which is published in a local newspaper of general circulation.

- g. Facilities shall be maintained in a neat, safe, and orderly manner and in compliance with all applicable Federal, State and local regulations and standards.
- h. All facilities located in or on non-paved areas shall be watered or otherwise treated as often as necessary to prevent fugitive dust impacts on- and off-site. At a minimum, such watering shall be done prior to each day's events or operations. Watering shall be done more frequently during Santa Ana and high wind periods.

(ADD. ORD. 4118 - 7/2/96; AM. ORD. 4123 - 9/17/96)

## **Sec. 8107-30 - Mobile Food Facilities**

### **Sec. 8107-30.1**

Mobile food facilities, referred to herein as "facilities," other than those addressed in Sec. 8107-30.2 are subject to the following standards:

#### **Sec. 8107-30.1.1**

Where such facilities do not remain at the same location for more than 30 minutes at a time, and sell food to employees (during the workday), students (during class hours) and residents on the same *lot* as that on which the facility is parked or situated, or on *lots* adjacent thereto, or if such facilities are parked on public property, they are allowed in all zones and are exempt from Zoning Clearance requirements.

#### **Sec. 8107-30.1.2**

Such facilities that remain in one location for more than 30 minutes at a time are permitted in commercial and industrial zones only, and are subject to the following standards:

- a. A Zoning Clearance must be obtained.



- b. The facility may not occupy a site for more than three hours in a given day, nor visit the same site more than three times in a given day for periods of less than 30 minutes.
- c. No freestanding signs are permitted for advertising or any other purpose associated with the facility.
- d. The facility is limited to sites where a principal use is already legally established.
- e. The facility must not block access to or from other principal uses on the site.
- f. The facility must not be placed in a public right-of-way.
- g. The facility, and access to it, cannot occupy more than two parking spaces during the operating hours of the principal use.
- h. The facility must be located at least 30 feet off the access road servicing the site.
- i. Only one such facility (remaining in place more than 30 minutes) is allowed on a *lot* at one time.
- j. The mobile food facility must not park within 300 feet of a restaurant or other permanent eating establishment that is open during the same hours that the mobile food facility is present, unless the facility is accessory to the eating establishment.
- k. All permits required by the Environmental Health Division must be obtained prior to issuance of a Zoning Clearance for a mobile food facility.

**Sec. 8107-30.2**

Mobile food facilities that are parked on the site of and sell food during a permitted swap meet, carnival, outdoor festival or similar event are exempt from Zoning Clearance requirements, but must be removed when the event ceases.

(ADD. ORD. 4123 - 9/17/96)

**Sec. 8107-31 - Recreational Vehicle/Mini-Storage**

**Sec. 8107-31.1 - Lot Area**

A minimum of two acres is required for such facilities.

**Sec. 8107-31.2 - Building Design**

In all zones except M3, street facing facades of buildings adjacent to street-side property lines shall be designed or treated to appear as general commercial uses through the use of such features as mock windows, undulating facades, columns, pilasters, or other methods which demonstrate, to the satisfaction of the *Planning Director*, that they will achieve the same purpose. (AM. ORD. 4216 - 10/24/00; AM. ORD. 4377 - 1/29/08)

**Sec. 8107-31.3 - Building Separation**

Building separation shall be pursuant to Article 6 of this Chapter. Driving lanes within mini-storage facilities shall be at least 25 feet wide.

**Sec. 8107-31.4 - Building Height**

Where a mini-storage facility abuts an OS, AE or R zone, building height shall not exceed 12 feet for the first 20 feet from the common property line or lines. Thereafter, the height standard for the zone shall apply. (AM. ORD. 4377 - 1/29/08)

### **Sec. 8107-31.5 - Setbacks**

Where a setback is required by this Chapter, access to the setback area shall be provided and shall be maintained so that it does not become a repository for trash, debris and other nuisances. Required setbacks may be increased, taking into account adjoining uses, the density of adjoining development, visual impacts, and building length and bulk. There shall be a setback of at least 30 feet from the main entrance gate to the property line from which it takes access.

### **Sec. 8107-31.6 - Fences and Walls**

There must be a seven-foot high peripheral wall adjacent to any property line that abuts an R-zone. Where other zones abut the site, such a wall may also be required by the *Planning Director* based on the character of existing development in the area and best planning practice.

### **Sec. 8107-31.7 - Landscaping**

Notwithstanding Sec. 8106-1.2 all mini-storage facilities constructed after the adoption of this Section shall have a minimum 10-foot landscape strip along all property lines adjacent to public streets.

### **Sec. 8107-31.8 - Parking**

Parking shall be provided as specified in Section 8108-4.7. Any such facility that offers trucks, trailers, and the like for rental shall have sufficient on-site storage for the rental vehicles, and such storage shall not block access to rental units nor impede on-site traffic circulation/traffic flow, nor be visible from any public right-of-way, nor otherwise utilize required on-site parking. (AM. ORD. 4407 – 10/20/09)

### **Sec. 8107-31.9 - Office**

There shall be an office to service the facility, and said office shall be accessible from outside the main entrance gate.

### **Sec. 8107-31.10 - Noise and Lighting**

Noise and lighting shall not create a nuisance upon nor otherwise negatively impact neighboring uses. Any lighting shall be directed into the project and not toward neighboring properties.

### **Sec. 8107-31.11 - Accessory Uses**

Accessory retail sales of items directly related to storage and/or shipping, such as locks, adhesive tape, and cardboard boxes, shall be permitted. Other accessory uses are limited to a caretaker dwelling, an office as set forth in Sec. 8107-31.9, and vehicle storage as set forth in Sec. 8107-31.16.

### **Sec. 8107-31.12 - On-Site Sales**

There shall be no businesses or "garage sales" conducted in or from any rental space within such facilities, and each person or entity renting a space within a facility must agree to this in writing.

### **Sec. 8107-31.13 - Screening of Roof Equipment**

Any roof-mounted equipment shall be screened from view from any public right-of-way.

### **Sec. 8107-31.14 - Lease Agreements**

The permittee shall submit a standard format for agreements regarding the leasing of spaces and lockers to the *Planning Director* to ensure that there are no conflicts with

these standards or with permit conditions. Also, any deviation from the standard agreements shall be subject to approval by the *Planning Director*.

**Sec. 8107-31.15 - Graffiti**

The permittee shall submit a graffiti control plan for approval by the *Planning Director* and thereafter implement the plan in accordance with the schedule approved by the *Planning Director*. Said plan shall address the prevention of graffiti by such means as landscaping materials, special surface finishes, misting/irrigation strategies and/or alarms, or other means deemed feasible by the *Planning Director*. The plan shall also include strategies which detail how graffiti will be removed within 48 hours of its discovery.

**Sec. 8107-31.16 - Vehicle Storage**

Currently licensed vehicles may be stored on the site, provided that no more than 30 percent of the *gross area* of the subject *lot* is devoted to such vehicle storage. Areas devoted to vehicle storage shall not be visible from off-site.

**Sec. 8107-31.17 - Prohibited Activities**

There shall be no bulk storage of materials or waste products, no painting or mechanical work (except for maintenance of the facility), and no automobile bodywork or painting, on mini-storage sites.

(ADD. ORD. 4166 - 4/14/98)

**Sec. 8107-32 - Correctional Institutions**

Correctional Institutions shall be developed in accordance with the following standard(s):

**Sec. 8107-32.1**

Minimum *lot* area shall be thirty (30) acres. (ADD. ORD. 4227 - 1/9/01)

**Sec. 8107-33 - Agricultural Promotional Uses**

**Sec. 8107-33.1 - Purpose**

These uses and attendant structures are intended to advance agricultural operations in Ventura County through promotional, educational, and entertainment activities that directly relate to agricultural activities in the county and/or on the subject site by exposing the public to the industry's economic and cultural contributions, farming practices, and conflicts with urban uses among other issues.

**Sec. 8107-33.2 - Range of Uses**

In pursuit of the above purpose, such activities as the following may be allowed: tours of the facility, interactive exhibits that educate, recreational/entertainment activities with an agricultural theme, and/or other activities that are dependent on the agricultural setting. Accessory uses to the promotional use, such as food and beverage facilities and sales of souvenirs related to the promotional use, may also be allowed.

**Sec. 8107-33.3 - Standards**

Agricultural Promotional Uses shall meet all the following standards:

**Sec. 8107-33.3.1**

The principal use on the site is agriculture and the promotional use is clearly subordinate and accessory to the agricultural use in that:

- a. No more than 15% of the site is devoted to the promotional use and its related accessory uses and required parking, and

- b. At least 80% of the land not devoted to the promotional use shall be devoted to production agriculture and related accessory structures and improvements.

**Sec. 8107-33.3.2**

The use shall meet the standards set forth in Section 8111-1.2.1.2 regardless of the zoning designation on the property.

**Sec. 8107-33.3.3**

The use is complementary to and promotes the agricultural uses on the land or in the county in that the use relies on the agricultural setting as a principal inducement for people to come to the site, or generally involves authentic agricultural themes, equipment, characters, etc., e.g. farm animals and not wild animals, farm tractors and not sports cars.

**Sec. 8107-33.3.4**

Uses which are not allowed as a principal use, e.g. bed-and-breakfast inns or restaurants, are not allowed as accessory uses under this section.

**Sec. 8107-33.3.5**

The facilities will be required to meet all of the regulations of all other County agencies with regard to any proposed structures such as public occupancy, sanitary facilities, handicapped access, fire safety, security, etc.

(ADD. ORD. 4215 - 10/24/00)

**Sec. 8107-34 - Animal Shade Structures**

Said structures shall not be anchored in the ground nor attached to any structure which is anchored in the ground. For example, shade structures may be attached to such portable structures as corrals which are not anchored in the ground. Shade structures which cannot meet this standard may still be constructed under other applicable provisions of Sec. 8105-4. (ADD. ORD. 4215 - 10/24/00)

**Sec. 8107-35 - Botanic Gardens and Arboreta**

*Botanic Gardens* and *Arboreta* shall be developed in accordance with the following standards:

**Sec. 8107-35.1- Minimum Permit Area**

The Minimum Permit Area shall be 50 acres on property zoned Open Space (OS). There shall be no minimum *lot* size in the Commercial Planned Development (CPD) zone. A minimum of 80% of the *lot* area must be planted, either for public display or for replenishment of displayed plants. (AM. ORD. 4377 - 1/29/08)

**Sec. 8107-35.2 - Gift Shops**

One gift shop per site is permitted. Gift shops shall not exceed 1,000 sq ft in size. Commodities sold in the gift shop shall be limited to seeds and plants that are grown and displayed on the site, together with items which are customarily accessory to plant sales, such as garden implements, plant pots, and books on plants, plant history, and/or gardening. The gift shop area may also sell prepared refreshments such as soft drinks and snack items. No more than 20% of the total sales inventory, based on square feet of shelf space, sold at the gift shop shall be prepared refreshments.

**Sec. 8107-35.3 - Site Design**

Siting and design of all facilities should avoid or mitigate direct or indirect significant impacts to native plant communities and natural habitat. Measures should include but not be limited to:

**Sec. 8107-35.3.1**

For properties located in the Open Space (OS) zone, roofed structures shall be limited to a total maximum area of 500 square feet per acre, but not to exceed 25,000 square feet per site. Types of roofed structures allowed are limited to information centers/kiosks, administrative offices, restrooms, a gift shop, and maintenance/storage facilities. Greenhouses and hothouses are specifically exempted from the square footage limitation. (AM. ORD. 4377 – 1/29/08)

**Sec. 8107-35.3.2**

Structures and landscapes should be designed and landscaped to prevent encroachment of non-*native species* into natural areas. Buffer zones of up to 600 feet may be required. (AM. ORD. 4577 – 3/9/21)

**Sec. 8107-35.3.3**

Fire clearance areas should not diminish the natural areas but should be incorporated into the project site.

**Sec. 8107-35.3.4**

Runoff of water, fertilizers, pesticides, herbicides, and the like should be contained to avoid or mitigate impacts to natural areas.

**Sec. 8107-35.3.5**

Native plants, preferably from within the same watershed, should be used whenever possible to avoid or mitigate significant genetic impacts on the local flora.

**Sec. 8107-35.3.6**

While the use of non-native plants may be appropriate in some instances, they should not replace native flora. Opportunities to restore native habitat should be sought out.

**Sec. 8107-35.3.7**

New plantings of *invasive* and *watch list species* listed by the California Invasive Plant Council, whether native or introduced, are prohibited. (AM. ORD. 4577 – 3/9/21)

(ADD. ORD. 4317 – 3/15/05)

**Sec. 8107-36 - Regulations Governing Waste Handling, Waste Disposal and Recycling Facilities, Organics Processing Operations and Waste Hauling Yards**

**Sec. 8107-36.1 - Purpose**

The County of Ventura encourages land uses which enable citizens to efficiently reuse and recycle the solid waste they generate, to minimize the amount of solid waste sent to waste disposal facilities, and to assist in meeting the recycling goals mandated by the state. This section sets forth minimum standards and regulations for the siting, design, and operation of these types of operations and activities.

**Sec. 8107-36.2 - Definitions**

For purposes of Sec. 4107-37 et seq., the following definitions shall apply:

Contamination - Unwanted materials in a waste stream or feedstock. These may be residuals that must be disposed of in a waste disposal facility or any item that is not within the desired category of separated discards. Contamination is calculated as a percentage by weight.

Feedstock - Input material to a manufacturing or processing operation. With regard to organic processing operations, feedstock means decomposable organic material

used for the manufacture of compost, mulch, worm castings, and other soil amendments.

Separated -Separated refers to discarded materials that have been segregated by material type (including commingled recyclables) prior to receipt by a resource recovery (recycling, reuse, etc.) facility or operation.

Windrow - A long, relatively narrow pile, such as of composting material.

## **Sec. 8107-36.3 - Standards Relating To Waste Handling, Waste Disposal And Recycling Facilities**

### **Sec. 8107-36.3.1 - General Standards**

The following standards shall apply to all waste handling, waste disposal and recycling facilities (except temporary collection activities, accessory operations and waste collection and processing activities to mitigate an emergency):

- a. Prior to issuing a Conditional Use Permit or other *discretionary entitlement*, the applicable decision-making authority (the *Planning Director*, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project will not have a significant effect on soils designated "Prime," "Statewide Importance," "Unique" or "Local Importance" on the California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmlands Maps, or on land subject to a Land Conservation Act (LCA) contract, as defined in the appropriate section of the Ventura County Initial Study Assessment Guidelines, unless the *Planning Director*, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.
- b. The project shall be designed, and all activities shall be conducted so as to minimize their adverse impact on the physical environment. To this end, dust, noise, vibration, noxious odors, intrusive light, vectors, traffic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through appropriate setbacks and other best accepted practices that are applicable to local conditions.
- c. The site shall be maintained free of litter and the facility operator shall be responsible for daily collection of all litter that leaves the site.
- d. All residual wastes derived from receiving and processing activities shall be removed from the site within the time frame required by state law.
- e. Materials shall not be accepted at any time when the storage capacity of the site would be exceeded by such delivery.
- f. Drainage - Drainage must be controlled so as to prevent any leachate run-off from the site; divert surface water drainage away from all piles of material; and prevent the creation of puddles and standing water in any area where waste materials are stored.
- g. Facilities in commercial, M1, or M2 zones which require outdoor operations or storage shall incorporate appropriate landscaping, walls, *fences*, or other methods to provide visual screening from any adjacent properties and public rights-of-way. (AM. ORD. 4377 – 1/29/08)
- h. The standards outlined in the following Sections (8107-36.3.2 through 8107-36.3.12) that apply to the specific activity shall also be met.

### **Sec. 8107-36.3.2 - Recyclables Collection Centers**

Recyclables collection centers shall comply with the standards outlined in Sec. 8107-36.3.1, as well as the following standards:

- a. In residentially zoned areas, such centers shall only be allowed as accessory uses when they are accessory to government or similar private facilities frequented by the general public, such as schools, parks, and assembly uses. (AM. ORD 4411 – 3/2/10)
- b. No Zoning Clearance or modification of any original *entitlement* permit shall be required when such centers are established in conjunction with an approved principal use and are on *lots* larger than one acre.
- c. Each collection container shall be clearly marked to identify the type of materials that may be deposited and shall be of sufficient capacity to accommodate both deposited material quantity and collection frequency.
- d. Collection containers shall be constructed of sturdy materials and maintained in good condition.
- e. Containers for the 24-hour donation of materials shall be at least 40 feet from any property occupied for residential use unless there is a recognized service road and acoustical shielding between the containers and the residential use.
- f. The collection center shall not obstruct pedestrian or vehicular circulation.
- g. For operations located within 500 feet of property occupied for residential use, power-driven equipment (excluding reverse vending machines) shall not be operated between the hours of 7:00 p.m. and 7:00 a.m.
- h. Use of parking spaces by accessory recyclables collection centers (established in conjunction with an approved principal use) and attendant(s) may not reduce available parking spaces below the minimum required in the land use permit for the principal use, unless it is demonstrated to the satisfaction of the *Planning Director* that the existing parking capacity is not fully utilized, pursuant to Sec. 8108-4.8.1. (AM. ORD. 4407 – 10/20/09)
- i. Individual refuse bins sited for the temporary collection of seasonal recyclables, such as Christmas trees and telephone books, shall be allowed without a permit when the above standards [Sec. 8107-36.3.2 (a-h)] are met.

**Sec. 8107-36.3.3 - Recyclables Collection and Processing Facilities**

Recyclables collection and processing facilities shall comply with the standards outlined in Sec. 8107-36.3.1 as well as the following standards:

- a. Prior to issuing a Conditional Use Permit or other *discretionary entitlement*, the applicable decision-making authority (the *Planning Director*, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project, as conditioned, is compatible with adjacent agriculture, including but not limited to such factors as water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism, as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural *chemicals* to agricultural property.
- b. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the *applicant* can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the *Planning Director*, in consultation with the Agricultural Commissioner, may reduce or waive the setback.

**Sec. 8107-36.3.4 - Temporary Collection Activities**

All temporary collection activities shall comply with the standards outlined in Sec. 8107-36.3.1 as well as the following standards:



- a. They shall not occur earlier than 6:00 a.m. or after 10:00 p.m. if they are out-of-doors.
- b. They shall not cause traffic delays of more than three minutes at a time on public roads.
- c. Where hazardous waste or household hazardous wastes are being collected, the following additional conditions shall apply:
  - (1) The contained area used for unloading, identifying, consolidating and packaging the hazardous wastes/materials shall be set back at least 50 feet from the nearest residence, business, hospital, or dedicated public street or highway.
  - (2) The following local authorities shall be notified of the proposed activity prior to use inauguration: Environmental Health Division, Fire Protection District, Sheriff's Department, and Air Pollution Control District.
- d. In the AE zone, such activities shall only be for the collection of materials generated from commercial agriculture and from ancillary structures related to agricultural activities. (AM. ORD. 4377 – 1/29/08)

**Sec. 8107-36.3.5 - Reuse Salvage Facilities**

Reuse salvage facilities shall comply with the standards outlined in Sec. 8107-36.3.1. (ADD. ORD. 4214 - 10/24/00)

**Sec. 8107-36.3.6 - Recyclable Household/CESQG Hazardous Waste Collection Facilities**

Recyclable household/CESQG hazardous waste collection facilities shall comply with the standards outlined in Sec. 8107-36.3.1. (ADD. ORD. 4214 - 10/24/00)

**Sec. 8107-36.3.7 - Recyclable Household/CESQG Hazardous Waste Collection Facilities, Accessory**

When established in conjunction with an approved principal use, recyclable household/CESQG hazardous waste collection facilities are exempt from obtaining a separate Zoning Clearance if the standards outlined in Sec. 8107-36.3.1, as well as the following standards, are met:

- a. Use of parking spaces by the facility and attendant(s) may not reduce available parking spaces below the minimum required by the land use permit for the principal use, unless it is demonstrated to the satisfaction of the *Planning Director* that the existing parking capacity is not fully utilized, pursuant to Sec. 8108-4.8.1. (AM. ORD. 4407 – 10/20/09)
- b. Such facilities shall be of sufficient capacity to accommodate both incoming material quantity and collection frequency.
- c. Facilities shall only accept materials that are the same or equivalent to those normally sold, dispensed, used, generated, or accepted at the site.
- d. The acceptance of materials shall occur during normal business hours and be a routine part of the business as opposed to a special event.
- e. All exterior storage of material shall be in sturdy containers or enclosures that are maintained in good condition, and placed upon impervious surfaces.
- f. Space will be provided on-site for the anticipated peak customer load to circulate vehicles and to deposit recyclable materials.
- g. Any structures added to a site to accommodate acceptance of materials are subject to Planning Division regulations such as setback and height standards, and permit modification requirements.

- h. For facilities located within 500 feet of property occupied for residential use, power-driven equipment shall not be operated between the hours of 7:00 p.m. and 7:00 a.m.

**Sec. 8107-36.3.8 - Household/CESQG Hazardous Waste Collection Facilities and Hazardous Waste Collection, Treatment and Storage Facilities**

Household/CESQG hazardous waste collection facilities and hazardous waste collection, treatment, and storage facilities shall comply with the standards outlined in Sec. 8107-36.3.1 as well as the following standards:

- a. Such facilities shall be allowed in the OS zone only when accessory to a solid waste disposal facility or government facilities. (AM. ORD. 4377 – 1/29/08)
- b. No such facilities shall be sited within a 100-year flood plain.

**Sec. 8107-36.3.9 - Waste Processing Facilities and Waste Transfer Stations**

Waste processing facilities and waste transfer stations shall comply with the standards outlined in Sec. 8107-36.3.1 as well as the following standards:

- a. Prior to issuing a Conditional Use Permit or other *discretionary entitlement*, the applicable decision-making authority (the *Planning Director*, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project, as conditioned, is compatible with adjacent agriculture, including but not limited to such factors as water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism, as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural *chemicals* to agricultural property.
- b. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the *applicant* can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the *Planning Director*, in consultation with the Agricultural Commissioner, may reduce or waive the setback.
- c. No such facilities will be sited within a 100-year flood plain.
- d. All on-site recyclable materials and refuse shall be stored in containers, within a building, or in an area screened from view from surrounding properties and public streets.

**Sec. 8107-36.3.10 - Disposal Facilities, Solid Waste**

Solid waste disposal facilities shall comply with the standards outlined in Sec. 8107-36.3.1, as well as the following standards:

- a. Such facilities shall be consistent with the Siting Criteria outlined in the Countywide Siting Plan of the Ventura County Integrated Waste Management Plan.
- b. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the *applicant* can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the *Planning Director*, in consultation with the Agricultural Commissioner, may reduce or waive the setback.

**Sec. 8107-36.3.11 - Disposal Facilities, Hazardous Waste**

Hazardous waste disposal facilities shall comply with the standards outlined in Sec. 8107-36.3.1, as well as the following standards:

- a. No facilities will be sited within a 100-year flood plain.

- b. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the *applicant* can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the *Planning Director*, in consultation with the Agricultural Commissioner, may reduce or waive the setback.

**Sec. 8107-36.3.12 - Waste Collection and Processing Activities to Mitigate an Emergency**

Where the *Planning Director* has determined that an emergency exists, the *Planning Director* has discretion to allow limited-term (not to exceed 12 months) waste collection and processing activities necessary to prevent or mitigate loss of or damage to life, health, property, or essential public services, and to maximize recovery of recyclable and reusable materials. Such activities may be established in zones where they are not typically allowed.

(ADD. ORD. 4214 - 10/24/00)

**Sec. 8107-36.4 - Standards Relating To Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, And Chipping And Grinding)**

**Sec. 8107-36.4.1 - General Standards**

The following standards shall apply to all organics processing operations, and vermiculture operations with over 5,000 square feet of open beds:

- a. No organics processing operations, other than those accessory to agricultural activities and on-site composting operations, shall be located in the AE (Agricultural Exclusive) zone on land designated as "Prime", "Statewide Importance", "Unique" or "Local Importance" on the California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmlands Maps unless it meets one of the following criteria:
  1. The Planning Director, in consultation with the Agricultural Commissioner, determines that the land upon which the organics processing operation would be located is developed or otherwise unsuitable for agricultural use;
  2. The organics processing operation is a commercial organics processing operation that meets all of the following criteria:
    - i. Development of the commercial organics processing operation will not result, when combined with all other commercial organics processing operations in the unincorporated area of Ventura County, in the cumulative loss in the unincorporated area of more than 200 acres of AE zoned land designated as "Prime", "Statewide Importance", "Unique" or "Local Importance" on the California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmland Maps.
    - ii. At least 60 percent of the finished products generated by the commercial organics processing operation are used for an agricultural use or an agricultural accessory use in Ventura County, the City of Carpinteria or outside the State of California, with preference given to Ventura County to the extent feasible;
    - iii. All feedstock used to generate the finished products are generated and collected from Ventura County and the City of Carpinteria;
    - iv. The maximum size of a commercial organics processing operation is not larger than 100 acres per lot;

- v. The applicant demonstrates that all terms and conditions of an applicable Land Conservation Act (LCA) contract will be maintained if a commercial organics processing operation is located on land subject to an LCA contract. The applicant must also demonstrate compliance with the California Land Conservation Act of 1965, Sections 51200 et seq. of the California Government Code; and
- vi. Upon completion of the commercial organics processing operation, the site is returned to its condition as existing prior to development of the operation.

(AM. ORD. 4595 – 2/08/22)

- b. Prior to issuing a Conditional Use Permit or other *discretionary entitlement* for an organics processing operation, other than those accessory to agricultural activities and on-site composting operations, in the Open Space (OS) zone, the applicable decision-making authority (the *Planning Director*, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project will not have a significant effect on agricultural soils as defined in the appropriate section of the Ventura County Initial Study Assessment Guidelines. (AM. ORD. 4377 – 1/29/08)
- c. Prior to issuing a Conditional Use Permit or other *discretionary entitlement* for an organics processing operation, other than those accessory to agricultural activities and on-site composting operations, the applicable decision-making authority (the *Planning Director*, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project, as conditioned, is compatible with adjacent agriculture, including but not limited to such factors as water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism, as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural *chemicals* to agricultural property. (AM. ORD. 4377 – 1/29/08 – grammar)
- d. All organics operations must provide written proof from the Ventura County Water Resources Division that the project is either not sited over the Oxnard Forebay or the North Las Posas Outcrop or that the project has been adequately designed to prevent infiltration into these sensitive areas of groundwater recharge.
- e. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the *applicant* can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the *Planning Director*, in consultation with the Agricultural Commissioner, may reduce or waive the setback.
- f. Drainage - Drainage must be controlled so as to prevent any leachate run-off from the site; divert surface water drainage away from all piles of material; and prevent the creation of puddles and standing water in any area where organic materials are stored.
- g. Dust - Dust must be controlled through watering, use of enclosures and screens, etc.
- h. Feedstock Inspection - All incoming materials shall be inspected for contaminants, such as plastic, and all contaminants shall be removed to the greatest extent feasible before processing.
- i. Fire Prevention/Suppression -

1. The maximum pile height of all feedstock and actively decomposing compost is 12 feet, except as allowed by a *discretionary* permit.
  2. There shall be a method or system to daily monitor the temperature of all piles or windrows over 6 feet tall, and all temperatures must be kept below 160° F, except as allowed by *discretionary* permit
  3. All operations must isolate potential heat sources or flammables from piles and windrows.
- j. General Safety - All reasonable effort shall be made to ensure that all end products, excluding discarded wastes, are innocuous and free of particles that could be harmful to human health and safety, or to agricultural production where applicable.
  - k. Litter and Waste - All reasonable effort shall be made to prevent litter, compost, and chipped uncomposted material from migrating off-site. The operator is responsible for keeping the site reasonably free of litter and for the daily collection of all litter that leaves the site.
  - l. Materials Accepted -Only separated organic (originally derived from living organisms) materials shall be accepted at organics processing operations. Asbestos-containing waste material, infectious wastes, or hazardous wastes shall not knowingly be accepted.
  - m. Noise - Grinders and other power-driven equipment shall not be operated between the hours of 7:00 p.m. and 7:00 a.m. within 500 feet of property occupied for residential use or other place of overnight habitation, such as hotels or campgrounds. Noise levels near such uses shall not exceed Leq1H of 55 dB (A) or ambient noise levels plus 3 dB (A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
  - n. Odors - All operations must implement management practices—such as controlling temperature, moisture, and oxygen levels in piles and windrows—to prevent offensive and noxious odors from leaving the site.
  - o. Pests - All operations must implement management practices to prevent and control vectors, such as flies, rodents and scavenging birds.
  - p. Throughput - All products (e.g., compost or mulch) must be sold, given away, or beneficially used within 24 months of the facility’s acceptance of the raw material. Feedstock materials shall not be accepted at any time when the storage capacity of the site would be exceeded by such delivery.
  - q. Additional Standards - The standards outlined in the following Sec. 8107-36.4 et seq. that apply to specific uses, shall also be met.

(ADD. ORD. 4214 - 10/24/00)

**Section 8107-36.4.2 - On-Site Composting Operations, Medium- and Large-Scale**

Medium- and large-scale on-site composting operations shall comply with the standards outlined in Section 8107-36.4.1 as well as the following standard:

- a. The minimum parcel size for all outdoor, medium- and large-scale, on-site composting operations is one acre.

**Section 8107-36.4.3 - Commercial Organics Processing Operations, Small- and Medium-Scale**

Medium- and small-scale commercial organics processing operations shall comply with the standards outlined in Section 8107-36.4.1, as well as the following standards:

- a. The minimum parcel size for outdoor operations is three acres in residential zones, and 1.5 acres in other zones.
- b. Dust producing activities shall cease during high wind events. High wind events are defined as wind of such velocity as to cause fugitive dust from within the site to blow off-site. At any point in time, if it is observed that fugitive dust is blowing off-site, additional dust prevention measures shall be initiated. If these measures are insufficient to prevent fugitive dust (i. e. during periods of extreme heat or winds), dust generating activities shall be immediately curtailed until the conditions abate.
- c. The surface slope under outdoor processing operations shall be at least one percent and no more than 15 percent.
- d. The following standards apply to outdoor piles and windrows over 100 cubic yards to facilitate fire control:
  - The operator shall at all times maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 100 feet of all windrows and piles (excludes single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to the piles or windrows).
  - A fire lane of 20 feet shall be provided along the perimeter of the area where piles and windrows are located. Windrows shall not exceed 150 feet in length unless separated by a 20-foot fire access road. Twenty-feet must be maintained between all piles and windrows, or 12 feet must be maintained between all piles and windrows alternating with a 20-foot fire access road positioned every 150 feet.
- e. Prior to issuance of a Zoning Clearance for the operation, proof from the County Fire Protection District of an approved Fire Hazard Management Plan shall have been provided to the Planning Division.
- f. Space shall be provided on-site to accommodate the anticipated peak deliveries, for the circulation of vehicles and the depositing of organic materials.
- g. Landscaping, walls, *fences*, or other screening shall be incorporated to visually screen outdoor operations from adjacent properties and public rights-of-way.
- h. All operations must deposit with the Planning Division a compliance review fee, and shall maintain such deposit with the Planning Division during the term of the land use, and shall make the site available for inspection twice a year. The inspection frequency may be increased or decreased at the discretion of the *Planning Director*, based on such factors as performance, scale of operation or neighboring uses.
- i. Upon completion of operations, the facility grounds, sedimentation ponds, and drainage areas shall be cleaned of all compost materials, construction scraps, and other materials related to the operations. If in the OS zone, the site shall be restored as nearly as possible to its natural or original state prior to the organics processing activity. (AM. ORD. 4377 – 1/29/08)
- j. Any structures added to a site are subject to Planning Division regulations such as setback and height standards, and permit modification requirements.
- k. Prior to issuance of a Zoning Clearance for those operations which will use gasoline-powered engines of 50 horsepower or greater, proof of an operation's

compliance with pertinent APCD requirements shall have been provided to the Planning Division.

- I. All outdoor processing areas shall meet the setback standards listed below. However, if the *applicant* can demonstrate, supported by substantial evidence in the record, that potential impacts to water resources and surrounding properties, uses or roads have been adequately mitigated by design or terrain, the *Planning Director* may waive all or appropriate portions of this requirement.
  - 300 feet from any off-site residence or public facility;
  - 100 feet from an adjoining property line;
  - 100 feet from any dedicated public street or highway;
  - 100 feet from any surface water, including springs, seeps, wetlands, and intermittent streams; and/or
  - 200 feet from wells or other water supplies

(ADD. ORD. 4214 - 10/24/00)

**Section 8107-36.4.4 - Commercial Organics Processing Operations, Large-Scale, and All Biosolids Composting Operations**

Large-scale organics processing operations and biosolids composting operations shall comply with the standards outlined in Section 8107-36.4.1, as well as the following standards:

- a. The following standards apply to outdoor piles and windrows over 100 cubic yards to facilitate fire control:
  - The operator shall at all times maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 100 feet of all windrows and piles (excludes single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to the piles or windrows).
  - A fire lane of 20 feet shall be provided along the perimeter of the area where piles and windrows are located. Windrows shall not exceed 150 feet in length unless separated by a 20-foot fire access road. Twenty-feet must be maintained between all piles and windrows, or 12 feet must be maintained between all piles and windrows alternating with a 20-foot fire access road positioned every 150 feet.
- b. The minimum parcel size is 5 acres in residential zones, and 4 acres in other zones.
- c. Dust producing activities shall cease during high wind events. High wind events are defined as wind of such velocity as to cause fugitive dust from within the site to blow off-site. At any point in time, if it is observed that fugitive dust is blowing off-site, additional dust prevention measures shall be initiated. If these measures are insufficient to prevent fugitive dust (i. e. during periods of extreme heat or winds), dust generating activities shall be immediately curtailed until the conditions abate.
- d. Space shall be provided on-site to accommodate the anticipated peak deliveries, for the circulation of vehicles and the depositing of organic materials.
- e. All operations must deposit with the Planning Division a compliance review fee, and shall maintain such deposit with the Planning Division during the term of the land use, and shall make the site available for inspection twice a year. The



inspection frequency may be increased or decreased at the discretion of the *Planning Director*, based on such factors as performance, scale of operation or neighboring uses.

- f. All outdoor processing areas shall meet the setback standards listed below. However, if the *applicant* can demonstrate, supported by substantial evidence in the record, that potential impacts to water resources and surrounding properties, uses or roads have been adequately mitigated by design or terrain, the *Planning Director* may waive all or portions of this requirement.
  - 300 feet from any off-site residence or public facility;
  - 100 feet from an adjoining property line;
  - 100 feet from any dedicated public street or highway;
  - 100 feet from any surface water, including springs, seeps, wetlands, and intermittent streams; and/or
  - 200 feet from wells or other water supplies.

(ADD. ORD. 4214 - 10/24/00)

### **Sec. 8107-36.5 - Waste Hauling Yards**

The following standards shall apply to all waste hauling yards:

- a. Any mixed solid waste or recyclables that are received, stored, or transferred shall only be incidental to the conduct of a refuse collection and disposal business.
- b. The mixed solid waste or recyclables shall remain within the original containers while on-site at all times, except for unforeseen circumstances, such as truck breakdown, which require transfer of materials to another container.
- c. The containers shall not be stored on-site for more than any 72-hour period.

(ADD. ORD 4214 - 10/24/00)

## **Sec. 8107-37 - Cultural Heritage Sites**

### **Sec. 8107-37.1 - Purpose**

The purpose of this designation is to promote the enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of sites and structures of historical or cultural heritage value through the imposition of design standards. Fulfillment of this purpose can be impeded by strict adherence to various standards in the Zoning Ordinance, therefore, this section promotes the stated purpose by creating a mechanism whereby appropriate deviations from the regulations of this Chapter can be granted.

### **Sec. 8107-37.2 - Applicability**

The deviations described in Sec. 8107-37.3 may be applied to the following Cultural Heritage sites in accordance with the following limitations:

- a. Landmarks and districts: all allowed deviations
- b. Sites of Merit: all allowed deviations except "a"
- c. Points of Interest: all allowed deviations except "a", "g" and "j".

Sites that are eligible for designation as a Cultural Heritage Site pursuant to the Cultural Heritage Ordinance may also receive deviations, conditioned on the eventual formal designation of the site.

### **Sec. 8107-37.3 - Range and Approval of Allowed Deviations**

To advance the purpose outlined in Sec. 8107-37.1, deviations from various standards and regulations of this chapter may be granted as part of a Planned Development permit. Deviations "a" and "k" may only be granted by the Planning Commission. All others may be granted by the *Planning Director* or their designee. (AM. ORD. 4282 - 5/20/03; AM. ORD. 4577 - 3/9/21 (grammar); AM. ORD. 4615 - 2/7/23)

- a. Minimum Lot Area - Sec. 8103-0 (Purpose and Establishment of Zones and Minimum Lot Areas), Sec. 8103-1 et seq. (Establishment of Alternative Minimum Lot Area by Suffix), Sec. 8106-1.1 and Sec. 8106-1.2;
- b. Permit Approval Level - Sec. 8105-4 (Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones). Where the square footage or gross floor area of structures on a *lot* requires a given permit to be issued, the square footage of significant historic structures on a Cultural Heritage Site shall not be counted towards the total square footage of structures;
- c. Permit Approval Level - Sec. 8105-5 (Permitted Uses in Commercial and Industrial Zones). Where the square footage or gross floor area of structures on a *lot* requires a given permit to be issued, the square footage of structures on a Cultural Heritage Site shall not be counted towards the total square footage of structures;
- d. General Development Standards - Sec. 8106-1.1 (Development Standards for Uses and Structures in OS, AE, and R Zones); (AM. ORD. 4377 - 1/29/08)
- e. General Development Standards - Sec. 8106-1.2 (Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones);
- f. Fences, Walls and Hedges - Sec. 8106-8.1 et seq.
- g. Accessory Dwelling Unit Standards - Sec. 8107-1.7 et seq. (*Accessory Dwelling Units* and *Junior Accessory Dwelling Units*); (AM. ORD. 4519 - 2/27/18; AM. ORD. 4615 - 2/7/23)
- h. Parking Standards - Sec. 8108-et seq. (Parking and Loading Requirements); (AM. ORD. 4407 - 10/20/09)
- i. Landscaping Standards - Section 8106-8.2, Section 8108-5.14 and Section 8109-0.6 (Landscaping); (AM. ORD. 4407 - 10/20/09; AM. ORD. 4577 - 3/9/21)
- j. Signage - Sec. 8110-4a (Prohibited portable freestanding signs), Sec. 8110-4i (Prohibited Projecting Signs), Sec. 8110-5-2 et seq (Location); and
- k. Non-conforming Uses and Structures - Sec. 8113-5.2 (Uses Within Structures Subject to Amortization), Sec. 8113-5.2.1 (Expansion and Change of Use Prohibited), Sec. 8113-5.3 et seq (Uses Not Amortized), Sec. 8113-6.1 (Destruction, Uses Not Amortized), Sec. 8113-6.2 (Destruction, Uses Amortized), Sec. 8113-7 (Additional Use), Sec. 8113-8 (Use of Non-conforming *Lots*).

(ADD. ORD. 4220 - 12/5/00)

### **Sec. 8107-37.4 - Planned Development Permit Approval Standards**

Deviations pursuant to this Chapter as listed in Sec. 8107-37.3 may only be granted by the issuance of a Planned Development permit which may only be issued with deviations only if the standards in Sec. 8111-1.2.1 through 8111-1.2.1.7 and the following standards are met:

- a. The site is a designated Cultural Heritage Site, or will be eligible for such designation through the imposition of and compliance with applicable conditions as part of the Planned Development permit process;

- b. The deviation from standards is necessary for the enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of the site/structure and is consistent with subsection "c" that follows;
- c. Design and development standards for the site and related structures are adopted which ensure that the historic or cultural significance and character of the subject site and/or structure is perpetuated and adherence to said standards have been made a condition of the Planned Development permit;
- d. The deviation(s) granted will not create a significant unmitigated adverse impact;
- e. The project associated with the subject site or district has received a Certificate of Appropriateness, where applicable, pursuant to the Ventura County Cultural Heritage Ordinance.

(ADD. ORD. 4220 - 12/5/00)

**Sec. 8107-37.5 - Permit Conditions**

While the precise conditions of the required Planned Development permit will vary with each case, the following topical areas shall be addressed in the conditions of approval:

- a. Time frames within which to implement improvements to the site and/or structures;
- b. On-going maintenance of the site and/or structures in accordance with the approved Design and Development Standards;
- c. Prohibitions against the destruction, removal, delinquent treatment of the site and/or structures;
- d. Recordation of documents, satisfactory to the County, which provide notice to the subsequent property owners of possible conflict with adjoining land uses such as agricultural operations and/or deed restrictions found in the applicable Planned Development permit to enforce provisions of the permit and the applicable provisions of the Cultural Heritage Ordinance;
- e. Provisions that preclude the removal, destruction, alteration or deterioration through neglect of the site/structure unless a Certificate of Appropriateness (COA) has been issued by the Ventura County Cultural Heritage Board (CHB) and modification to the Planned Development permit has been granted.

**Sec. 8107-37.6 - Design and Development Standards**

The design and development standards required pursuant to Sec. 8107-37.4c are intended to guide the property owner and the County in the long-term enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of the site and applicable structures. The standards shall be in adequate detail for the site and should address the following factors among others, as well as the Secretary of the Interior's Standards for Historic Properties:

- a. Range and description of architectural styles;
- b. Construction materials and techniques;
- c. Exterior finish/colors;
- d. Landscaping styles and materials;
- e. Range of historic uses of the site; and
- f. Density, scale and patterns of development.

(ADD. ORD 4220 - 12/5/00)

## **Sec. 8107-38 - Interpretive Centers**

### **Sec. 8107-38.1 - Purpose**

Interpretive Centers are intended to give the public an opportunity to experience and understand Ventura County's past by exploring sites and the structures and improvements thereon that have played an important role in the cultural and social history and prehistory of Ventura County. The purpose of this section is to allow the display of materials on site that have a direct connection to the site and to provide further standards by which Interpretive Centers can be developed and regulated.

### **Sec. 8107-38.2 - Designated Site**

The site must be a designated Cultural Heritage Site. The display of materials shall be limited to ones with a direct connection to the site.

### **Sec. 8107-38.3 - Range of Allowed Uses and Structures**

The following uses and structures are allowed as accessory to an Interpretive Center so long as they are found to be consistent with the definition of the use and applicable requirements of the Ventura County Cultural Heritage Ordinance:

- a. Those existing lawful structures and improvements on the site;
- b. Preserved, restored, relocated, or re-created structures, improvements, equipment or implements;
- c. Public tours and displays;
- d. Periodic festivals, fundraisers, charity events, weddings, and the like;
- e. Refreshment and gift sales of historically related items;
- f. Educational activities and meetings;
- g. Accessory structures and improvements to facilitate the purposes of the Interpretive Center such as storage buildings, rest rooms, caretaker dwelling, parking areas, lighting, security measures and the like; and (AM. ORD. 4407 - 10/20/09)
- h. Improvements required by law such as handicapped access facilities.

(ADD. ORD 4220 - 12/5/00)

## **Sec. 8107-39 - Historic Repositories**

### **Sec. 8107-39.1 - Purpose**

The purpose of Historic Repositories is to allow for the collection and display of structures, facilities, equipment and the like; which are associated with the historic or cultural development of Ventura County.

### **Sec. 8107-39.2 - Development Standards**

Historic Repositories may only be established in accordance with the following standards:

- a. Historic Repositories shall be designed so as to portray historic and cultural resources in a manner that best approximates their original setting and context while allowing for public access and viewing.
- b. The minimum parcel size for an Historic Repository shall be the minimum required *lot* area for the applicable zone (Sec. 8103-0).
- c. A plan for the ultimate development of the site shall be reviewed and granted a Certificate of Appropriateness by the Cultural Heritage Board.

### **Sec. 8107-39.3 - Range of Allowed Uses and Structures**

The following uses and structures are allowed as part of or accessory to an Historic Repository:

- a. Preserved, restored, relocated, or re-created structures, improvements, facilities, equipment, implements and the like;
- b. Public tours and displays;
- c. Periodic festivals, fundraisers, charity events, weddings, and the like;
- d. Refreshment and gift sales of historically related items;
- e. Filming;
- f. Educational activities and meetings;
- g. Accessory structures and improvements to facilitate the purposes of the Historic Repository such as storage buildings, rest rooms, caretaker dwelling, parking areas, lighting, security measures and the like; and (AM. ORD. 4407 – 10/20/09)
- h. Improvements required by law such as handicapped access facilities.

### **Sec. 8107-40 - Boarding Houses and Bed-And-Breakfast Inns**

Such uses may be allowed in the Open Space and Agricultural Exclusive zones if the proposed use will occur in an existing structure designated a Cultural Heritage Site pursuant to the Ventura County Cultural Heritage Ordinance, and all other required findings can be met. (ADD. ORD. 4220 – 12/5/00)

### **Sec. 8107-41 - Agricultural Worker Housing**

(ADD. ORD. 4281 - 5/6/03; REP./REEN. ORD. 4596 – 3/1/22)

In addition to all other applicable requirements of this Chapter, *Agricultural Worker Housing* shall be developed and operated in accordance with the following requirements:

#### **Sec. 8107-41.1 – Purpose**

Under Section 65580(a) of the Government Code, the Legislature has declared that the availability of housing, including farmworker housing, is of vital statewide importance. The purpose of this section is to promote the development of, and to establish development standards for, *agricultural worker housing*, which is available to: *farmworkers* and *animal caretakers* who are *employed* on a *full-time*, full-time seasonal, temporary or part-time basis; and their families. *Agricultural worker housing* includes:

- a. *Farmworker and Animal Caretaker Dwelling Units*;
- b. *Farmworker Housing Complexes*;
- c. *Farmworker* Group Quarters pursuant to Section 8107-41.3.4; and
- d. Temporary trailers for seasonal and temporary *farmworkers* and *animal caretakers* pursuant to Section 8107-41.3.5.

#### **Sec. 8107-41.2 – Employment Criteria, Verification and Enforcement**

##### **Sec. 8107-41.2.1 – Occupancy Restrictions for Agricultural Worker Housing**

- a. *Agricultural worker housing* shall only be occupied by *farmworkers* and *animal caretakers*, and members of their household.
- b. The applicant shall demonstrate that the *agricultural worker housing* shall only be used for *farmworkers* and *animal caretakers* (on a permanent or seasonal basis) who meet the employment criteria in Section 8107-41.2.2. This

requirement shall not apply to housing occupied by agricultural workers who subsequently retire or become disabled and continue to reside in the unit pursuant to Section 8107-41.2.2(c).

- c. A deed restriction in a form approved by the County that runs with the land shall be recorded with the County Recorder, prior to the issuance of a Zoning Clearance for construction for all *agricultural worker housing* except for temporary trailers, limiting the use of such housing to *agricultural worker housing* and setting forth the conditions and requirements applicable to such use. The property owner shall also be required to provide written disclosure of all such conditions and requirements before any sale, lease or financing of the subject lot(s) and dwelling units. This use restriction shall not be amended, released, terminated, or removed from the property without the prior written consent of the County. In the event the *agricultural worker housing* use is terminated and/or structures are removed in accordance with this Chapter and other applicable law as confirmed in writing by the Planning Director, the deed restriction that accompanies the development shall be released and removed from the property.

**Sec. 8107-41.2.2 – Employment Criteria for Agricultural Workers**

- a. *Farmworker* and *animal caretaker dwelling units* shall only be rented or provided under the terms of employment to *farmworkers* or *animal caretakers* who are *employed* on a *full-time* (minimum of 32 hours per week), full-time seasonal, or temporary basis by the property owner or lessee of the lot upon which the dwelling unit is located to work onsite or on other land in Ventura County that is under the same ownership or lease. *Farmworkers* may retain their employment status during periods of non-agricultural employment, as long as they meet the full-time requirement for at least nine months of the calendar year.
- b. Units in a *farmworker housing complex* and *farmworker* group quarters shall only be rented or provided to persons who are *principally employed* within Ventura County for activities directly associated with *agriculture*. This includes *farmworkers* who work on a full-time, full-time seasonal, temporary or part-time basis.
- c. A qualified *farmworker* or *animal caretaker* who has been renting or occupying a *farmworker* or *animal caretaker dwelling unit*, or a unit in a *farmworker housing complex*, and who subsequently retires or becomes disabled, may continue to reside in the unit, along with members of their household.
- d. After the death of a qualified *farmworker* or *animal caretaker* who has been renting or occupying a *farmworker* or *animal caretaker dwelling unit*, or a unit in a *farmworker housing complex*, their surviving spouse or domestic partner may continue to reside in the unit.
- e. Temporary trailers shall only be rented or provided to *farmworkers* and *animal caretakers* who are *employed* on a *full-time*, full-time seasonal, or temporary basis by the property owner or lessee of the lot to work on the land upon which the temporary trailer is located.
- f. Proof of qualifying employment for occupants of *agricultural worker housing* shall be provided at the time of permit approval, which can be satisfied by providing a combination of at least two of the following documents, as applicable:
  - (1) Employee’s income tax return;
  - (2) Employee’s pay receipts;
  - (3) Employer’s DE-34 form;

- (4) Employer's ETA 790 form;
- (5) Employee's W-2 form;
- (6) Employer's DLSE-NTE form;
- (7) A document signed by both the employer and the employee, which states that the occupant of the *agricultural worker housing* is employed in *agriculture*, and includes a description of the employee's job duties; or,
- (8) Other proof approved in writing by the Planning Director or his/her designee.

**Sec. 8107-41.2.3 – Annual Verification of Employment of Agricultural Workers**

The owner or lessee of the property, property management company, and/or designated agent of the owner or lessee, shall submit any applicable County-required verification fees as established by resolution of the Board of Supervisors, and an annual employment verification declaration, no later than May 15th of each year to the Planning Director or designee, in a form acceptable to the Planning Director, to verify that all the dwelling units or sleeping quarters in the *agricultural worker housing* are occupied by persons who meet the employment criteria established in Section 8107-41.2.2 above. For purposes of this Section 8107-41.2.3, permanent *agricultural worker housing* includes all *agricultural worker housing* except for temporary trailers. The completed verification declaration and supporting documentation shall require the property owner to meet all the following requirements:

- a. Verify and provide evidence that any permanent *agricultural worker housing* was occupied by *farmworkers* or *animal caretakers* during the preceding calendar year;
- b. Declare that any permanent *agricultural worker housing* will be occupied by *farmworkers* or *animal caretakers* during the current calendar year; and,
- c. Provide proof of qualifying employment for occupants of *agricultural worker housing*, upon request by the County, by using a combination of at least two of the documents as listed in Sec. 8107-41.2.2(f).

**Sec. 8107-41.2.4 – Enforcement**

- a. The provisions of Sections 8107-41.2.2 and 8107-41.2.3 of this Chapter shall be referenced or set forth in deed restrictions and/or conditions of approval that shall be recorded in the subject property's chain of title. Violations of Sections 8107-41.2.2 and 8107-41.2.3 may be enforced pursuant to Article 14 of this Chapter or through any other available legal means.
- b. Any civil administrative penalties collected pursuant to Section 8114-3.7 of this Chapter for violations of Section 8107-41 et seq. of this Chapter, shall be deposited in a farmworker housing fund account for exclusive use by the County to fund rehabilitation and/or construction of farmworker housing.
- c. In addition to all other available enforcement and legal remedies, the County may require the removal of a housing unit and restoration of the site (including any affected agricultural soils) based on the unpermitted or unverified use of the *agricultural worker housing* units, or based on other violations of Section 8107-41 et seq.

**Sec. 8107-41.3 – Permitting and Development Standards for Agricultural Worker Housing**

All *agricultural worker housing* shall comply with the setback, lot coverage, height, and other development standards applicable to the zone in which it is located and the following development standards, unless otherwise indicated in this Section 8107-41.3.



**Sec. 8107-41.3.1 - General Requirements**

- a. New *agricultural worker housing* shall not be located on land classified as "Prime" or "Statewide" Importance by the California Department of Conservation Important Farmland Inventory, unless no other feasible alternative location exists on-site.
- b. *Agricultural worker housing* shall not be located on areas utilized for active crop production on the parcel, unless approved with a Planned Development Permit.
- c. New *agricultural worker housing* shall be clustered together, if feasible, and sited near existing road and other structures to reduce grading, landform alteration, the need for construction of new roads, and potential impacts to agricultural soils and operations.
- d. New exterior lighting for *agricultural worker housing* shall be of a low profile and limited to security needs only (see definition of *Luminaires, Essential*); all exterior lights shall be directed downward and fully shielded from streets and any off-site residences.

**Sec. 8107-41.3.2 – Permitting Standards for Farmworker and Animal Caretaker Dwelling Units**

*Farmworker dwelling units* and *animal caretaker dwelling units* are subject to the following development standards:

- a. *Farmworker* and *animal caretaker dwelling units* may be permitted with a Zoning Clearance if the maximum number of allowable units does not exceed the limits listed below in Table 8107-41.1 for that lot.
- b. No more than four *farmworker* or *animal caretaker dwelling units* shall be located on any single lot.
- c. New *farmworker* and *animal caretaker dwelling units* shall not exceed 1,800 square feet in gross floor area. An attached accessory structure, either habitable or non-habitable, with internal access to the *farmworker* or *animal caretaker dwelling unit* shall count toward the total square footage of the dwelling unit.
- d. *Farmworker* or *animal caretaker dwelling units* not meeting the above criteria (a, b or c) may only be approved with a Planning Director-approved Planned Development Permit.

<b>Table 8107-41.1 MAXIMUM ALLOWABLE FARMWORKER AND ANIMAL CARETAKER DWELLING UNITS WITH A ZONING CLEARANCE</b>	
<b>Agricultural Land Use</b>	<b>Maximum Allowable Farmworker and Animal Caretaker Dwelling Units</b>
Irrigated row crops and field-grown plant materials	One unit per 20 acres in crops
Vineyards, orchards and field crops	One unit per 30 acres in crops
Dry farming irrigated pasture, grain and hay	One unit per 80 acres in crops
Greenhouses	One unit per 2 acres of propagating greenhouse
Nurseries	One unit per acre of propagating greenhouse. In addition, the lot must have at least 3 acres of field-grown plant materials as a supportive use
Rangeland	One unit per 320 acres grazing land
Fowl and poultry ranches	One unit per 20,000 broiler chickens, or one unit per 15,000 egg-laying hens, or one unit per 3,000 turkeys
Horse ranches and equestrian facilities	One unit per 10 brood mares, or one unit per 25 equines, where a stall exists for each animal

**Sec. 8107-41.3.3 – Standards for Farmworker Housing Complexes**

*Farmworker housing complexes* shall be subject to the following development standards:

- a. **Minimum Parcel Size:** A farmworker housing complex is allowed on a parcel with a minimum parcel size as noted below:

<b>Zone</b>	<b>Minimum Parcel Size for Farmworker Housing Complexes</b>
Agricultural Exclusive (AE)	40 acres <sup>1</sup>
Open Space (OS)	10 acres
Rural Agricultural (RA)	5 acres

<sup>1</sup> Farmworker Housing Complexes may be allowed on parcels of less than the prescribed minimum parcel size on land zoned AE pursuant to Sec. 8103-2.7.

- b. Units in a *farmworker housing complex* may include studios, one-, two- or three-bedrooms.
- c. A *farmworker housing complex* shall be prohibited in any location designated as a Very High Fire Hazard Severity Zone.
- d. **Open Space Requirements:** When the development includes more than 12 units, recreational facilities and open space shall be provided for the benefit and recreational use of the residents in accordance with the following standards:
  - (1) The development shall be landscaped pursuant to Sections 8106-8.2.2, 8106-8.2.3, and 8106-8.2.8 of this Chapter. Section 8106-8.2.7 shall

apply to any parking areas containing manufactured slopes.

- (2) All recreational areas and landscaping shall be installed prior to occupancy of the final unit within the complex. Landscaped areas shall be maintained.
  - (3) Outdoor Common Area:
    - (a) At least 20 percent of the area set aside for housing shall be outdoor common area.
    - (b) At least 50 percent of the area designated as outdoor common area shall be comprised of land with slopes of ten percent or less.
    - (c) *Agricultural worker housing* shall include recreational areas developed for use with activities such as for baseball, basketball, soccer or horseshoes. *Farmworker housing complexes* intended for families shall also include children's play equipment.
    - (d) Permittee shall be responsible for the maintenance of all outdoor common areas.
  - (4) Outdoor Private Area: Outdoor private area shall be provided for each unit in the development in the form of outdoor patios, decks and/or balconies and shall be directly and exclusively accessed by the unit it is intended to serve.
    - (a) Ground Floor Units: Private outdoor areas must be at least 80 square feet per unit and all dimensions must be at least 8 feet.
    - (b) Upper-Level Units: Private outdoor areas shall be provided as balconies or loggias, and must be at least 40 square feet per unit, with a minimum 5-foot depth dimension.
- e. **Amenities:** *Farmworker housing complexes* may include community centers for the primary benefit of the residents.

#### **Sec. 8107-41.3.4 – Standards for Farmworker Group Quarters**

*Farmworker* group quarter facilities are a group of structures, or a single structure in the form of single room occupancy, dormitories, boarding houses, barracks or bunkhouses, consisting of either individual or shared facilities for the purpose of providing housing or services for *farmworkers*. These facilities are generally designed as a combination of sleeping rooms or bunk beds and may include a shared kitchen, mess hall and bathroom facility. This type of *agricultural worker housing* is designed for, and may only be occupied by, individual *farmworkers* and not their families; and may, but is not required to, be owned or managed by an entity or organization. *Farmworker* group quarters are subject to the following additional standards:

- a. **Minimum lot size:** *Farmworker* group quarters shall be located on lots with a minimum area of five acres.
- b. **Minimum unit size:** For dormitory-style housing, a minimum of 50 gross square feet of personal living space shall be required for each occupant.

- c. **Setbacks:** *Farmworker* group quarters shall adhere to the following setbacks:

<b>Setback</b>	<b>From</b>
20 feet	Street property line
10 feet	Other property line
6 feet	Any other structure
75 feet	Any barns, pens or other facilities for livestock or poultry

- d. **Open Space Requirements:** When *farmworker* group quarter facilities house more than 36 persons, recreational facilities and open space shall be provided for the benefit and recreational use of the residents in accordance with the standards listed in Section 8107-41.3.3(d)(1), (2) and (3) above.
- e. **Accessory Uses and Structures:** The following accessory uses and structures are allowed for *farmworker* group quarter facilities if specifically authorized by the Planning Director-approved Planned Development Permit. Such accessory uses and structures must be located either in a single community building or in a permitted location outdoors, and such uses and structures may not be used by the general public:
- (1) Food service for residents of the group quarters, which may include kitchen facilities and a dining hall;
  - (2) Laundry facilities for residents of the group quarters;
  - (3) Enclosed storage facilities for each resident or dwelling unit;
  - (4) Facilities primarily used to provide residents of the group quarters with information regarding and referral to employment, social and community, education, health and other services.

**Sec. 8107-41.3.5 – Standards for Farmworker and Animal Caretaker Temporary Trailers**

A maximum of one temporary trailer may be used to provide housing for seasonal or temporary *farmworkers* or *animal caretakers*, and their families, on a limited term basis. The trailer must be located on the same lot where the *farmworkers* or *animal caretakers* are employed.

- a. **Permit Type and Requirements:** A qualifying temporary trailer shall be permitted with a Zoning Clearance, which will serve as a ministerial Limited Term Trailer Permit, permitted for a maximum of 180 consecutive calendar days or fewer in any 12-month period pursuant to the following:
- (1) The permit application shall include a description of the number of seasonal or temporary *farmworkers* or *animal caretakers* to occupy the temporary trailer, the area of cultivation and crops requiring these workers, and the time period for which seasonal or temporary *farmworkers* or *animal caretakers* are required.
  - (2) The permit application shall clearly identify the location of sewer connections, dump stations, or otherwise demonstrate adequate sewage disposal by, for example, including a plan or contract for regular service through registered or permitted septage pumping vehicles, or a combination thereof, which will serve the trailer.
  - (3) In addition to meeting all ministerial Zoning Clearance permit application requirements, the applicant shall submit an affidavit in a separate signed statement affirming that the temporary trailer will only be used to house

seasonal or temporary *farmworkers* or *animal caretakers* solely employed on the site for agricultural production or *animal keeping*.

- (4) The Limited Term Trailer Permit application shall include applicable County fees in accordance with the Board-adopted fee schedule, for a permitting and monitoring program to be conducted by the Resource Management Agency.
- (5) After the issuance of a Zoning Clearance authorizing use of the temporary trailer as housing for seasonal or temporary *farmworkers* or *animal caretakers* under this Section 8107-41.3.5, all electrical and plumbing connections to the trailer(s) must be approved and inspected by the Building and Safety Division prior to occupancy of the trailer.
- (6) The Planning Director or designee may extend a Limited Term Trailer Permit by an additional 90 days, on a one-time basis, provided that the applicant submits documentation to justify the additional seasonal employment necessary for the agricultural activity.

**b. General Requirements:**

- (1) A maximum of one temporary trailer will be allowed on any lot.
- (2) The temporary trailer must be a motor home, travel trailer, truck camper, recreational vehicle, or camping trailer, that is self-contained and habitable (as defined in subsection (5) below), and that is either self-propelled, truck-mounted, or permanently towable on roadways without a permit under the California Vehicle Code.
- (3) A temporary trailer used to house seasonal or temporary *farmworkers* or *animal caretakers* shall be occupied for no more than 180 consecutive calendar days in any 12-month period, unless the permit is extended pursuant to Section 8107-41.3.5(a)(6) above.
- (4) The maximum size of a temporary trailer occupying a space on the lot shall be 320 square feet of living area. Living area does not include built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, or bath and toilet rooms.
- (5) The temporary trailer must be "habitable" as the term is used in this Section 8107-41.3.5 by meeting all of the following criteria:
  - (a) The temporary trailer must contain sleeping, cooking, bathing and sanitary facilities;
  - (b) The temporary trailer 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;
  - (c) Composting toilets are not allowed. The temporary trailer's wastewater must be disposed of by one of the following means:
    - i. Through a connection to an existing sewer utility connection; or
    - ii. Through the use of an incorporated wastewater tank that is located within or outside the vehicle, provided that such tank is regularly serviced, for the duration of the vehicle's use as temporary housing, by a wastewater disposal provider, or a septage pumping vehicle permitted by the Environmental Health Division. The permittee 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;

- (d) The temporary trailer 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; and
  - (e) Heating facilities shall be in accordance with those associated with trailers, or equipment initially installed or designed for trailers. No temporary heating facilities will be allowed.
- (6) Utility conduits shall be installed underground in conformance with applicable state and local regulations.
  - (7) When the temporary trailer is not in use, utilities shall be disconnected, and such housing shall be removed from the site or stored consistent with Section 8107-1.6.4 during the remainder of the year. The temporary trailer shall be removed from the site within five days of the expiration of the permitted period. It may be stored on site for the remaining days of the calendar year if screened from public view and stored in compliance with the open storage regulations in Section 8107-1.6.4. A temporary trailer stored on site shall be covered when not in use.

**c. Site Design Criteria:**

- (1) Building height and setbacks shall be as prescribed in the applicable zone, except where Title 25 of the California Administrative Code is more restrictive.
- (2) The temporary trailer shall be located a minimum of six feet from any other structure on the lot.
- (3) Roadways and vehicle pads shall not be permitted in areas of natural slope inclinations greater than 15 percent or where grading would result in slope heights greater than ten feet and steeper than 2:1.
- (4) One picnic table, and a grill or campfire ring may be provided on a level, landscaped front yard area.

## **Sec. 8107-42- Stand Alone Batch Plants**

### **Sec. 8107-42.1 – Purpose and Intent**

The purpose of this section is to allow the continuation of existing batch plants near urban areas as a principal, conditionally permitted use when all mining adjacent to or at the plant site has ceased due to exhaustion of mineral resources. These batch plants serve established urban centers from sites that are configured for such uses. Allowing for their continued use through this section provides a practical public benefit by providing aggregate resources without any new, adverse environmental impacts at different locations. Further, this section establishes reasonable and uniform development standards for the configuration and operation of batch plants continuing after mining operations have terminated that are intended to minimize the plants' impact on resources and neighboring uses and allows for the batch plant facilities to be repaired, remodeled, replaced or modernized, in whole or in part, to improve efficiency, reliability, and safety in the operation of the facility.

### **Sec. 8107-42.2 – Definition**

A "Stand-alone Batch Plant" is a facility where, following the cessation of mining operations at, or immediately adjacent to, the site due to the exhaustion of mineral resources, pre-processed mineral materials such as cement, aggregate, recycled

construction materials, and petroleum products are imported from off-site and are mixed together to create concrete or asphalt for use at construction sites. The following uses may be accessory to the batch plant operation: processing/recycling used concrete and asphalt construction materials, processing mined materials into product for a batch plant, trucking associated exclusively with the subject plant, stockpiling of materials used in the batching operation, offices and maintenance buildings and facilities for the operation.

### **Sec. 8107-42.3 – Application**

To qualify as a “Stand Alone Batch Plant” under this section, a batch plant (concrete and/or asphalt):

- (a) must be in operation as of January 1, 1999 and on that date be a legal nonconforming use, a legally permitted principal use, or a legally permitted accessory use to an approved mining operation, in the Open Space Zone within one (1) mile of areas designated “Urban” on the General Plan;
- (b) must have received unprocessed material in the past from: (1) a mining operation that was included in the permit which authorized the plant; or, (2) a legally permitted mining operation immediately adjacent to the plant and such materials are now exhausted;
- (c) must be adjacent to or within 2,000 feet, of a four-lane road that trucks have lawful access to and which have a separate left turn lane for access to the site; and
- (d) must be within a four (4) mile radius of four highways which are a combination of U.S. Highways or State Routes.

Where a Conditional Use Permit (CUP) exists that specifically regulates the subject batch plant as a principal use, the CUP may remain in effect until the CUP expires, at which time it may be renewed pursuant to this section with a Planning Commission approved CUP. Where the batch plant is not subject to its own specific CUP, but is accessory to a permitted mining operation exhausted of mineral resources, a new CUP for the subject plant, or a modification of the mining permit to include the batch plant as a principal use, shall be applied for within one year of the adoption of this Sec. 8107-42 et seq. Said new CUP or modification shall be subject to approval by the Planning Commission and shall specifically regulate the batch plant operations.

### **Sec. 8107-42.4 – Minimum Use Permit Standards**

Any permit approved pursuant to this section shall incorporate all applicable standards associated with mining operations found in Sec. 8107-9 et seq, including, but not limited to, those relating to setbacks, noise, dust, light, and truck traffic.

(ADD. ORD. 4289 - 6/24/03)

## **Sec. 8107-43 - Boarding Houses and Bed-And-Breakfast Inns**

In addition to all other applicable requirements of the Non-Coastal Zoning Ordinance, Boarding Houses and Bed-And-Breakfast Inns must be developed and operated in accordance with the following requirements:

### **Sec. 8107-43.1 - Protection of Sensitive Biological Habitats**

Boarding Houses and Bed and Breakfast Inns are allowed in areas zoned Open Space (OS) only if the property is in agricultural production. (AM. ORD. 4377 – 1/29/08)



### **Sec. 8107-43.2 - Owner and Operator**

In areas zoned Open Space (OS) or Agricultural Exclusive (AE), Boarding Houses and Bed and Breakfast Inns must be operated by the same person or family who owns the property on which the Boarding House or Bed and Breakfast Inn, or both, are located. (AM. ORD. 4377 – 1/29/08)

### **Sec. 8107-43.3 - Number of Bedrooms**

In areas zoned Rural Agriculture (RA) or Rural Exclusive (RE), for *lots* over one acre, the number of allowed bedrooms is determined by the permit required, with a maximum of 10 bedrooms in total.

(ADD. ORD. 4317 – 3/15/05)

## **Sec. 8107-44 – Emergency Shelters**

(ADD. ORD. 4436 – 6/28/11)

### **Sec. 8107-44.1 – Definition and Purpose**

Refer to Article 2, Section 8102 for definition of Emergency Shelter. The purpose of Sec. 8107-44 is to comply with Government Code Sec. 65583 (a)(4)(A).

### **Sec. 8107-44.2 – Emergency Shelter Zoning Clearance**

A ministerial Emergency Shelter Zoning Clearance shall be issued upon 1) the determination by the *Planning Director* or designee that: (a) an Emergency Shelter Zoning Clearance Application provided by the Planning Division has been completed with all required information and documentation submitted in accordance with Section 8107-44.6; and (b) the standards in Section 8107-44.3 a-g have been met; and 2) upon the determination by the County Executive Officer, or designee that the Emergency Shelter Management Plan meets the standards in Section 8107-44.4.

### **Sec. 8107-44.3 – Emergency Shelter Development Standards**

An emergency shelter must meet the following standards:

- a. Sited within the Commercial Planned Development zone;
- b. Within a Sphere of Influence of a city with a population of at least 20,000;
- c. On a parcel of one-half acre or more;
- d. Not within three hundred feet of a school or another emergency shelter, as measured from the closest property lines, at the time the Emergency Shelter Zoning Clearance is issued;
- e. Each emergency shelter resident must be provided a minimum of 50 gross square feet of personal living space, in addition to common area space.
- f. The *applicant* must demonstrate that the Water and Environmental Resources Division of the Watershed Protection District has determined: (1) there is sufficient water supply to serve the proposed emergency shelter development; and (2) if the proposed emergency shelter development is located within the service area of a water purveyor that provides water from an overdrafted groundwater basin or provides water from a groundwater basin that is in hydrologic connection with an overdrafted groundwater basin, that the proposed emergency shelter development will not adversely impact the overdrafted groundwater basin. If the groundwater basin that will serve the development is located within the boundaries of the Fox Canyon Groundwater Management Agency then the Water and Environmental Resources Division of the Watershed Protection District must first consult with the Fox Canyon Groundwater Management Agency prior to making its determination. *Applicants* may be required to submit a water demand study prepared by a state-

licensed Civil Engineer or Professional Geologist that demonstrates the project will not cause a net increase in average annual groundwater extraction. If a water demand study is required, it must consider the current consumptive water demand of existing land uses on the project site and the estimated consumptive water demand of the proposed project. The effects of changes in percolation rates due to development, water recycling and conservation measures such as low water use appliances and efficient irrigation must be considered in the analysis.

- g. All other applicable County development and building standards.

#### **Sec. 8107-44.4 – Emergency Shelter Management Plan**

Prior to the issuance of an Emergency Shelter Zoning Clearance, the County Executive Officer or designee must determine that the written Management Plan submitted by the emergency shelter operator meets the requirements of this Section.

The Management Plan must include, but is not limited to, provisions for: security; lighting; staff training; a resident identification process; screening for qualification of potential residents for occupancy and compatibility with services provided at the facility; neighborhood outreach; care of pets; timing and location of outdoor activities; and temporary storage of residents' personal belongings. The Emergency Shelter Management Plan must be consistent with Section 8107-44.3 and Section 8107-44.5.

Prior to determining whether the Management Plan includes all of the necessary elements and meets the requirements of this section, the County Executive Officer or designee shall consult with the Ventura County Sheriff's Department, the police department(s) of the adjacent cities, the Ventura County Human Services Agency, the Ventura County Health Care Agency, the Ventura County Planning Division, and the local school district(s).

#### **Sec. 8107-44.5 – Construction and Operational Standards**

The construction and operation of the Emergency Shelter must comply with the following standards.

- a. In the event that paleontological, archaeological, or cultural resources are found during grading or construction, such activities shall halt in the area of the find and the project developer shall notify the Planning Division. The project developer shall hire a qualified consultant approved by the Planning Division who shall prepare a work plan to address the disposition of the paleontological, archaeological, and/or cultural resource encountered. The work plan must comply with the following minimum standards for resource disposition as determined by the *Planning Director* or designee:

- (1) The work plan shall include a detailed description of the nature, extent, condition and significance of the sensitive resource.
- (2) The work plan shall specify the available options for resource disposition such as avoidance, recovery and curation, photo-documentation, incorporation of the resource into project design, and other methods.
- (3) The work plan shall include a recommendation of a course of action that is most protective of the resource while allowing the project objectives to be fulfilled.

Construction can only proceed in conformity with the approved work plan.

- b. Development shall comply with the requirements of the Ventura County Construction Noise Threshold Criteria and Control Plan.
- c. Development shall comply with the Ventura County "Paveout Policy", current County Road Standards and the Traffic Impact Mitigation Fee Ordinance.

- d. Outdoor activities, which include recreation and eating, are allowed but must be screened by a six-foot-high landscape screen or solid wall if the outdoor areas are visible from a public street. For emergency shelters that are adjacent to residential zones, outdoor activities that generate noise that could be disruptive to neighbors shall only be conducted between the hours of 8:00 a.m. and 9:00 p.m.
- e. Emergency shelter resident intake and release times must not coincide with start and release times of any school within one-half mile of the shelter with the exception of residents who are students or parents/guardians accompanying students to school.
- f. For emergency shelters that include kitchen facilities, such facilities must be designed and operated in compliance with the California Retail Food Code.
- g. Emergency shelters must provide a storage area for refuse and recyclables that complies with the County's "Space Allocation Guidelines for Refuse and Recyclables Collection and Loading Areas."
- h. In no case shall more than 60 residents occupy the shelter at any one time.
- i. The emergency shelter operator must comply with the provisions of the management plan at all times.

**Sec. 8107-44.6 – Application Requirements**

Requests for development of an emergency shelter shall only be reviewed or considered once a fully completed Emergency Shelter Zoning Clearance Application, including a Management Plan prepared in compliance with 8107.44.4, is submitted. If additional information is needed to determine whether the standards of Section 8107-44 are satisfied, the Emergency Shelter Zoning Clearance Application will not be deemed complete until all of the requested information is submitted.

(ADD. ORD. 4436 – 6/28/11)

**Sec. 8107-45 – Wireless Communication Facilities**

(ADD. ORD. 4470 – 3/24/15)

**Sec. 8107-45.1 – Purpose**

The purpose of this Section is to provide uniform standards for the siting, design, monitoring, and permitting of *wireless communication facilities* in the unincorporated, non-public right-of-way, non-coastal area of the County consistent with applicable federal and state laws and regulations. These standards are intended to protect and promote the public health, safety, and welfare, including the aesthetic quality of the unincorporated areas of the County. More specifically, the purpose of this Section 8107-45 is to provide a consistent set of regulations to process permits for *wireless communication facilities*, and a comprehensive set of development standards that will protect visual resources and public views, in conformity with goals and policies of the General Plan and Area Plans, while providing for the communication needs of the community. Definitions for all *italicized* terms in this Section are provided in Article 2.

**Sec. 8107-45.2 – Applicability**

**Sec.8107-45.2.1 - Facilities Not Covered**

The following facilities and devices are not covered by the provisions of this Section:

- (1) *Non-commercial antennas* such as citizen band radios and amateur radio facilities that are an *accessory structure* to a *dwelling*. (See standards for *non-commercial antennas* in Sections 8106-7.1 and 8107-1.1.)

- (2) *Wireless communication facilities* located within the public road rights-of-way. (See Ventura County Ordinance Code at Div. 12, Chapter 8, for applicable regulations.)
- (3) Residential satellite and digital T.V. dishes less than one (1) meter in diameter.
- (4) Temporary *wireless communication facilities* that are needed during public emergencies or are used in conjunction with a temporary event or activity that does not otherwise require a permit under this Chapter. (See Sec. 8107-45.9 for permitting of temporary *wireless communication facilities* used for events and activities that require a permit under this Chapter.)

#### **Sec. 8107-45.2.2 – Wireless Communication Facilities on Government Buildings**

Any *wireless communication facility*, including a *non-commercial antenna*, located on a government building, such as a police or fire station, shall be permitted as an accessory use if the *wireless communication facility* is used exclusively for the government operation located within that facility or if it substantially contributes to public safety (i.e. police, fire and emergency management operations). Such a *wireless communication facility* shall be processed as part of the underlying land use permit for the government building and shall be subject to the development standards in Sec. 8107-45.4, except as provided in Sec. 8107-45.2.4.

#### **Sec. 8107-45.2.3 – Wireless Communication Facilities on Radio Studios and for Permanent Filming Activities**

Any *wireless communication facility* located on a *radio studio* or a facility for a *permanent filming activity* shall be permitted as an accessory use if the *wireless communication facility* is necessary to, and is used exclusively for, the *radio studio* or *permanent filming activity* operation. A *wireless communication facility* defined as an accessory use shall be processed as part of the underlying land use permit for the building or facility but shall be subject to the development standards in Sec. 8107-45.4.

#### **Sec. 8107-45.2.4 – Wireless Communication Facilities for Public Safety or Emergency Services**

The applicable County decision-making authority may waive or modify one or more of the development standards in Sec. 8107-45.4 for a *wireless communication facility* that is exclusively used for public safety when the application of such standards would effectively prohibit the installation of that facility. In order to waive or modify a development standard, the *applicant* shall demonstrate in writing that a waiver or modification of the standard is necessary for the provision of public safety services, and that such waivers or modifications do not exceed what is necessary to remove the effective prohibition.

#### **Sec. 8107-45.3 – Application Submittal Requirements**

In addition to meeting standard application submittal requirements of Sec. 8111-2, the project *applicant* for a *wireless communication facility* may be required to submit some or all of the following information, depending on the scope of the proposed project and as determined by the Planning Division.

- a. **Project Description:** A written project description for the proposed *wireless communication facility* that includes, but is not limited to, a general description of the existing land use setting, the type of facility, visibility from public viewpoints, stealth design features, propagation diagrams, on and off-site access, landscaping,

and facility components (support structure, *antennas*, equipment shelters or cabinets, emergency back-up generators with fuel storage etc.).

- b. **Propagation Diagram:** One or more propagation diagrams or other evidence may be required to demonstrate that the proposed *wireless communication facility* is the minimum height necessary to provide adequate service (i.e., radio frequency coverage or call-handling capacity) in an area served by the carrier proposing the facility. The propagation diagram shall include a map showing the provider's existing facilities, existing coverage or capacity area, and the proposed coverage or capacity area at varied *antenna* heights. The propagation diagram shall also include a narrative description summarizing the findings in layman's terms. Existing obstacles such as buildings, topography, or vegetation that cannot adequately be represented in the propagation diagrams, yet may cause significant signal loss and therefore require additional facility height, should be clearly described and/or illustrated through additional visual analyses, such as line-of-sight or Fresnel zone modeling diagrams. A propagation diagram shall be required if the proposed *wireless communication facility* would exceed 40 feet in height, and may be required at lower heights if the facility is located on a ridgeline, within the SRP overlay zone, or in an Urban Residential zone.
- c. **Visual Impact Analysis:** A visual impact analysis includes photo simulations and other visual information, as necessary, to determine visual impact of the proposed *wireless communication facility* on the existing setting or to determine compliance with design standards established by this Section. The photo simulations shall include "before" and "after" renderings of the site, its surroundings, the proposed facility and *antennas* at maximum height, and any structures, vegetation, or topography that will screen the proposed facility from multiple *public viewpoints*. *Public viewpoints* selected for visual impact analysis should be located approximately a half-mile, 1 mile, and 2 miles from the proposed facility. All photo simulations and other graphic illustrations shall include accurate scale and coloration of the proposed facility.
- d. **Authorization and License Information:** A letter of authorization from the property owner and the communications carrier that demonstrates knowledge and acceptance of the *applicant's* proposed project's structures and uses on the subject property. This information shall also include a copy of the FCC radio spectrum lease agreement or the FCC registration number (FRN).
- e. **FCC Compliance:** Documentation prepared by a qualified radio frequency engineer that demonstrates the proposed *wireless communication facility* will operate in compliance with Sec. 1.1301, et seq., of Title 47 of the Code of Federal Regulations or any successor regulations. Documentation of FCC compliance shall be required for all *wireless communication facility* permits, including permit modifications.
- f. **Alternative Site Analysis:** Documentation that demonstrates: (1) the *applicant* has satisfied the *wireless communication facility* preferred and non-preferred location standards stated in Sec. 8107-45.4(d) and (e); and (2) infeasibility of alternative sites that would result in fewer environmental impacts to ridgelines (see Sec 8107-45.4(l)) and other environmental resources; and if requested (3) all efforts to collocate the proposed facility on an existing facility, including copies of letters or other correspondence sent to other carriers or *wireless communication facility* owners requesting *collocation* on their facilities. If *collocation* is not feasible, the *applicant* shall demonstrate to the satisfaction of the Planning Division that technical, physical, or legal obstacles render *collocation* infeasible.
- g. **Site Plan and Design Specifications:** This documentation shall fully describe the project proposed, including all on- and off-site improvements. The site plan

shall be drawn to scale, and the site plan and design specifications shall include the following:

- (1) Written explanation and site plan that describes the facility's components and design (including dimensions, colors, and materials), equipment cabinets, and the number, direction, and type (panel, whip, or dish) of *antennas*;
  - (2) The location and dimensions of the entire site area, exact location of the facility and its associated equipment with proposed setbacks, access road improvements, and any proposed landscaping or other development features. The site plan shall also identify site grading, paving and other features that may increase runoff from the site;
  - (3) Front, side, and rear elevation plans showing all of the proposed equipment and structures;
  - (4) Building plans and elevations for *building-concealed, flush- and roof-mounted wireless communication facilities* showing all equipment and structures;
  - (5) Manufacturer specifications and samples of the proposed color and material for the facility and its associated equipment; and,
  - (6) Site plan components required to address fire prevention, water conservation, and other regulatory requirements.
- h. **Landscape Plan:** This documentation shall describe the location and type of newly proposed landscaping, proposed irrigation systems (as needed), and the location of existing landscape materials that are necessary to properly screen or blend the *wireless communication facility* with the surrounding area. This information shall be provided on a *landscape plan*, which conforms to the requirements of Section 8106-8.2.2. (AM. ORD. 4577 – 3/9/21)
- i. **Maintenance and Monitoring Plan:** A maintenance and monitoring plan shall describe the type and frequency of required maintenance activities to ensure continuous upkeep of the facility, its associated equipment, and any proposed landscaping, during the life of the permit. Landscaping shall be maintained in conformance with Section 8106-8.2.8. (AM. ORD. 4577 – 3/9/21)
- j. **Noise/Acoustical Information:** This documentation shall include manufacturer's specifications for all noise-generating equipment, such as air conditioning units and back-up generators, as well as a scaled diagram or site plan that depicts the equipment location in relation to adjoining properties.
- k. **Hazardous Materials:** This documentation shall include the quantity, type, and storage location for containment of hazardous materials, such as the fuel and battery back-up equipment, proposed for the *wireless communication facility*.
- l. **Geotechnical Requirements:** A geotechnical report shall include the following:
- (1) Soils and geologic characteristics of the site;
  - (2) Foundation design criteria for the proposed facility;
  - (3) Slope stability analysis;
  - (4) Grading criteria for ground preparation, cuts and fills and soil compaction; and
  - (5) Other pertinent information that evaluates potential geologic, fault, and liquefaction hazards and proposed mitigation.
- m. **Consent to Future Collocation:** A written statement shall be provided that states whether or not the *applicant* consents to the future *collocation* of other wireless communication facility carriers on the proposed facility (see Sec. 8107-45.6).

- n. **Additional Information:** Additional information determined by the Planning Division as necessary for processing the requested *wireless communication facility entitlement*. If a *non-stealth facility* is proposed, include a description (with illustrations) of all *modifications* that would be allowed pursuant to a *Section 6409(a) Modification* so that a determination can be made whether the facility could become *prominently visible* from a *public viewpoint* (see Sec. 8107-45.4(b)(1)).

#### **Sec. 8107-45.4 – Development Standards**

- a. **Partial and Full-Concealment Requirements:** To minimize visual impacts, a *wireless communication facility* shall be designed as a *stealth facility* or *building-concealed facility*. A *wireless communication facility* may be designed as a *non-stealth facility* only if it meets standards provided in Sec. 8107-45.4(b) below.
- b. **Exceptions to Stealth and Building-Concealed Facilities:** A non-stealth facility may be permitted when the *applicant* demonstrates that the project location and design meet one or more of the following criteria:
- (1) The facility is not *prominently visible* from a *public viewpoint* and could not be *prominently visible* from a *public viewpoint* following a *Section 6409(a) Modification*. This standard may be achieved by blending the facility into its surroundings as defined in Sec. 8107-45.4(c); or
  - (2) The *non-stealth facility* is *prominently visible* from a *public viewpoint* but meets one or more of the following criteria:
    - (a) It is located on a ridgeline and meets the requirements in Sec. 8107-45.4(l); or
    - (b) The minimum height required for adequate service, coverage, or capacity area cannot be achieved with one or more *stealth facilities* (see Sec. 8107-45.4(f)(4)); or
    - (c) It is used solely for the provision of public safety and the decision-making authority waives this development standard pursuant to Sec. 8107-45.2.4.
- c. **Making Wireless Communication Facilities Compatible with the Existing Setting:** To the extent feasible, all wireless communication facilities shall be located and designed to be compatible with the existing setting as follows:
- (1) *Location:* Facilities shall be located in areas where existing topography, vegetation, buildings, or structures effectively screen and/or camouflage the proposed facility; and
  - (2) *Facility Design:* The facility shall be designed (i.e. size, shape, color, and materials) to blend in with the existing topography, vegetation, buildings, and structures on the project site as well as its existing setting.
- d. **Preferred Wireless Communication Facility Locations:** To the extent feasible, and in the following order of priority, new wireless communication facilities shall be sited in the following locations:
- (1) On an existing *wireless communication facility* with adequate height and structure to accommodate additional *wireless communication facilities* (see Sec. 8107-45.6).
  - (2) Flush-mounted on an existing structure, pole, or building in the AE and OS zones.
  - (3) Where the *wireless communication facility* is not *prominently visible* from a *public viewpoint*.



- (4) Within an area zoned Industrial.
  - (5) Near existing public or private access roads.
  - (6) On or near the same site as an existing *wireless communication facility* when visual or other environmental impacts can be mitigated to a level of less than significant under CEQA and when such “clustering” of facilities is consistent with the applicable Area Plan.
- e. **Non-Preferred Wireless Communication Facility Locations:** To the extent feasible, *wireless communication facilities* should not be sited in the following locations:
- (1) Within an area zoned Urban Residential.
  - (2) Silhouetted on the top of ridgelines on land designated as Open Space under the General Plan when *prominently visible* from *public viewpoints*.
  - (3) On a structure, site or in a district designated as a local, state, or federal historical landmark (see Sec. 8107-45.4(j)).
  - (4) Within an area zoned Scenic Resource Protection Overlay (see Sec. 8107-45.4(m)).
  - (5) Within environmentally sensitive areas (see Sec. 8107-45.4(k)).
- f. **Height:**
- (1) **How to Measure:** Unless otherwise indicated in this Section 8107-45.4, the height of a *wireless communication facility* shall be measured as follows:
    - A ground-mounted facility shall be measured from the *grade* to the highest point of the *antenna* or any equipment, whichever is highest.
    - A structure-mounted facility shall be measured from the averaged *grade* to the highest point of the *antenna* or any equipment, whichever is highest. (See Sec. 8106-1.3.2 for the “averaged *grade*” calculation.)
  - (2) **Minimizing Visual Impacts:** The height of a *wireless communication facility* shall be limited to what is necessary to provide adequate service or coverage.
  - (3) **Building-Concealed Facilities:**
    - (a) For *building-concealed wireless communication facilities*, height is measured as the vertical distance from the flat *grade* or averaged *grade*, as applicable, to the highest point of the existing or newly created architectural façade or feature where the *antenna* is concealed.
    - (b) *Building-concealed wireless communication facilities* shall not exceed the maximum height limits of the zone in which the building is located (see Sec. 8106-7 for exceptions). An existing building that exceeds the maximum height limit may be used to conceal a wireless communication facility if an increase in allowable height of the building was granted by a previously approved *discretionary* permit, and the building dimensions would not increase by adding the wireless communication facility.
  - (4) **Stealth Facilities:**

*Stealth facilities* shall meet the definition in Sec. 8102-0 and the applicable height limits prescribed in Section 8107-45.4.

    - (a) The maximum allowable height of a faux structure shall be the height limits in Table 1 below, or the average height of representative structures commonly found in the local setting, whichever is less.

**Table 1**  
(Sec. 8107-45.4(f)(4))  
**Maximum Height of Faux Structures**

Type of Structure	Maximum Height
Faux Water Tank	50 feet
Faux Windmill	45 feet
Faux Flag Pole	50 feet
Faux Light Pole	30 feet*

\*Not applicable in the public right-of-way, see VCOC Sec. 12800.

- (b) Faux trees shall maintain a natural appearance and may not exceed the height of nearby natural trees (see i, ii, and iii below). A faux tree located among existing natural trees should not be obviously taller than the other trees. Smaller, natural trees may also be planted around the faux tree to mask its height from public viewpoints. The maximum allowable height of a faux tree shall be as follows:
- i. **No Nearby Trees:** Maximum heights in Table 2 apply if there are no trees within a 150-foot radius of the *faux tree*. (Also see the tree planting height requirement in Sec. 8107-45(i)(4).)

**Table 2**  
(Sec. 8107-45.4(f)(4))  
**Maximum Height of Faux Trees<sup>1</sup>**

Type of Structure	Maximum Height
Mono-Broadleafs	60 feet
Mono-Elm	60 feet
Mono-Eucalyptus	80 feet
Mono-Palm	65 feet
Mono-Pine	80 feet

- ii. **Tree Canopy:** The maximum height of a *faux tree* located within, or adjacent to, a tree canopy may extend up to 15 feet above the maximum height of the existing tree canopy when both of the following criteria are met:
- The *applicant* demonstrates to the satisfaction of the Planning Division that a lower *faux tree* height would result in obstructed coverage of the proposed facility due to the existing tree canopy; and
  - The median tree height of the canopy is at least 30 feet high, and the nearest tree in the canopy is located within 150 feet of

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<sup>1</sup> The maximum height limits for *faux trees* are based on the height of a mature tree for each tree type, as established by the U. S. Department of Agriculture, Natural Resources Conservation Service's plants database. The following tree species were used to identify the maximum height limits for each *faux tree*: *Acer negundo* (Box elder), *Ulmus parvifolia* (Chinese Elm), *Eucalyptus globulus* (Tasmanian Bluegum), *Washingtonia filifera* (California fan palm), and *Pinus sabiniana* (Foothill Pine).

the *faux tree*; and the *faux tree* is sited behind the canopy relative to *public viewpoints*.

iii. **Surrounding Trees (Non-canopy):** A *faux tree* may extend up to 5 feet above the maximum height of trees within a 150-foot radius. The maximum height of surrounding trees should be measured using existing tree heights, unless a certified arborist estimates average growth after five years, which may be added to existing height measurements.

- (c) A *stealth facility* that exceeds 80 feet in height shall be considered a *non-stealth facility* for *entitlement* processing under Section 8107-45. However, *stealth facility* design features may be included in the *wireless communication facility* to blend the facility with the surrounding environment.
- (d) *Roof-mounted wireless communication facilities* shall not exceed the maximum height limits of the zone in which the building is located by more than 6 feet.
- (e) *Flush-mounted wireless communication facilities* shall not extend above the building height. If mounted on a structure other than a building, such as a light pole or utility pole, the *antenna* shall not extend more than 5 feet above the structure.
- (f) No *stealth facility* shall exceed the maximum height stated in an applicable Area Plan.

**(5) Non-Stealth Facilities:**

- (a) Notwithstanding subparts (b) and (c) below, in no event shall a *non-stealth facility* exceed the maximum height stated in the applicable Area Plan.
- (b) Unless a greater height limit is approved in accordance with subsection (c) below, *non-stealth facilities* shall not exceed 50 feet in height.
- (c) When the Planning Commission (or the Board of Supervisors, upon appeal) is the assigned decision-making authority for a proposed *wireless communication facility entitlement* pursuant to Sec. 8105-4 or Sec. 8105-5, a *non-stealth facility* may be approved if one or more of the following findings are made:
  - i. The greater height results in the same or reduced visual and environmental impacts when compared to the standard applicable height limits: or
  - ii. The *applicant* demonstrates that the minimum height required for adequate service, coverage, or capacity area cannot be achieved with one or more shorter facilities; or
  - iii. The greater height is necessary for the provision of public safety (see Sec. 8107-45.2.4).

**g. Setbacks:**

- (1) All *wireless communication facilities* shall comply with the required minimum front, side, and rear yard setbacks for the zone in which the site is located. No portion of an *antenna* array shall extend beyond the property lines.
- (2) *Ground-mounted wireless communication facilities* shall be set back a distance equal to the total facility height or 50 feet, whichever is greater, from any offsite *dwelling unit*.

- (3) Whenever feasible, a new *ground-mounted wireless communication* facility shall be set back from the property line to avoid creating the need for fuel clearance on adjacent properties.
- h. **Retention of Concealment Elements:** No *modification* to an existing *wireless communication facility* shall defeat concealment elements of the permitted facility. Concealment elements are defeated if any of the following occur:
- (1) A *stealth facility* is modified to such a degree that it results in a *non-stealth facility*; or
  - (2) The *stealth facility* no longer meets the applicable development standards for *stealth facilities* in Sec. 8107-45.4; or
  - (3) Equipment and *antennas* are no longer concealed by the permitted stealth design features; or
  - (4) Proposed modifications to a *stealth facility*, designed to represent a commonly found element in the environment or community (such as a tree, rock, or building), result in a facility that no longer resembles the commonly found element due to its modified height, size, or design.
- i. **Standards for Specific Types of Stealth Facilities:**
- (1) **Building-Concealed Facilities:**
    - (a) Height shall not exceed the maximum height limits established in Sec. 8107-45.4(f)(3).
    - (b) Width shall not increase building width, or create building features that protrude beyond the exterior walls of the building.
    - (c) Building additions shall be limited to the area/volume required for the wireless technology and shall not increase habitable floor area, include general storage area, or provide any use other than wireless technology concealment.
  - (2) **Roof-Mounted Facilities:**
    - (a) Shall be hidden by an existing or newly created building or architectural feature, or shall be concealed from *public viewpoints* using architectural features, screening devices, or by siting the facility so that it is concealed from offsite viewpoints.
    - (b) Shall not exceed the maximum height limits for *roof-mounted facilities* stated in Sec. 8107-45.4(f)(4)(d).
    - (c) Shall be compatible with the architectural style, color, texture, façade design, and materials and shall be proportional to the scale and size of the building. Newly created architectural features or wireless equipment shall not protrude beyond the exterior walls of the building.
  - (3) **Flush-Mounted Facilities:**

A *wireless communication facility* may be *flush-mounted* on a building or other structure pursuant to the following standards, and provided that associated equipment is located in manner consistent with the definition for *flush-mounted antenna* in Sec. 8102-0:

    - (a) *Flush-mounted wireless communication facilities* shall be designed as a *stealth facility* and shall be compatible with the architectural style, color, texture, façade, and materials of the structure. Panel *antennas* shall not interrupt architectural lines of building façades, including the length and

width of the portion of the façade on which it is mounted. Mounting brackets, pipes, and coaxial cable shall be screened from view.

- (b) Shall not exceed the maximum height limits for *flush-mounted wireless communication facilities* stated in Sec. 8107-45.4(f)(4)(e).
- (c) Any *flush-mounted wireless communication facility* attached to a light pole or a utility pole must exhibit the same or improved appearance than existing local light poles or utility poles.
- (d) *Flush-mounted wireless communication facilities* should be attached to a vertical surface except they may be mounted atop a light pole or a utility pole when flush-mounting is infeasible. Panel *antennas* shall be mounted no more than 18 inches from building surfaces or poles and shall appear as an integral part of the structure. They may be mounted a further distance than 18 inches on lattice towers and other industrial structures.

**(4) Faux Trees:**

- (a) Shall incorporate a sufficient amount of “architectural branches” (including density and vertical height) and design material so that the structure is as natural in appearance as technically feasible.
- (b) Shall be the same type of tree or a tree type that is compatible (i.e. similar in color, height, shape, etc.) with existing trees in the surrounding area (i.e. within approximately a 150 foot radius of the proposed facility location). If there are no existing trees within the surrounding area, the vicinity of the facility shall be landscaped with newly planted trees. The trees should be compatible with the faux tree design, and be of a type and size that would be expected to reach 75 percent of the *faux tree’s* height within five (5) years. (Also see Sec. 8107-45.4(q) for additional information on landscaping.)
- (c) Shall not exceed the maximum height limits established for *faux trees* stated in Sec. 8107-45.4(f)(4)(b).
- (d) Shall include *antennas* and *antenna* support structures colored to match the components (i.e. branches and leaves) of the proposed artificial tree.
- (e) New trees required as part of a *landscape plan* for a *faux tree* shall be a minimum size of 36 inch box to help ensure survival of the tree. Palm trees shall have a minimum brown trunk height of 16 feet.

**(5) Monorocks:**

- (a) Shall only be located in areas with existing, natural rock outcroppings.
- (b) Shall match the color, texture, and scale of rock outcroppings adjacent to the proposed project site.

**(6) Other Faux Stealth Facilities:**

- (a) Faux structure types, including but not limited to water tanks, flag poles, windmills, and light poles, may be used as a *stealth facility* when that type of structure is commonly found within the local setting of the *wireless communication facility*.
- (b) Faux structures shall not exceed the maximum height limits established in Sec. 8107-45.4(f)(4)(a).
- (c) Faux light poles shall be designed to function as a light pole, and match the design and height of existing light poles on the proposed site, provided that they do not exceed the height listed in Table 1 (Sec. 8107-

45.4(f)(4)(a)). This standard is not applicable to light poles within the public right-of-way.

- j. **Historical Landmarks/Sites of Merit:** A *wireless communication facility* shall not be constructed, placed, or installed on a structure, site or district designated by a federal, state, or County agency as an historical landmark or site of merit unless that facility is designed to meet the Secretary of the Interior (SOI) Standards. If the facility does not meet the SOI standards, then the Cultural Heritage Board must determine that the proposed facility will have no significant, adverse effect on the historical resource.
- k. **Environmentally Sensitive Areas:**
  - (1) All *wireless communication facilities* and their accessory equipment shall be sited and designed to avoid or minimize impacts to habitat for special status species, sensitive plant communities, migratory birds, waters and wetlands, riparian habitat, and other environmentally sensitive areas as determined by the County's Initial Study Assessment Guidelines.
  - (2) *Wireless communication facilities* that are higher than 200 feet and are required by the Federal Aviation Administration (FAA) to include lighting for aviation safety, should use the minimum amount of pilot warning and obstruction avoidance lighting to minimize impacts to migratory birds.
  - (3) *Wireless communication facilities* that are located in known raptor, California Condor, or waterbird concentration areas or daily movement routes, or in major diurnal migratory bird movement routes or stopover sites, should have daytime visual markers on guy wires to prevent collisions by birds.
- l. **Ridgelines:**
  - (1) A *wireless communication facility* shall not be sited on a ridgeline or hilltop that is *prominently visible* from a *public viewpoint* when alternative sites are available. *Applicants* shall demonstrate that no feasible, alternative locations are available when proposing a *wireless communication facility* on a ridgeline or shall demonstrate that alternative locations result in significant environmental impacts when compared to the proposed ridgeline location.
  - (2) Facilities sited on a ridgeline or hillside shall blend with the surrounding natural and man-made environment to the maximum extent possible. Blending techniques that should be utilized include the use of non-reflective materials, paint, or enamel to blend exterior surfaces with background color(s); the placement of facilities behind earth berms or existing vegetation; siting of associated equipment below ridgelines, and the use of small *stealth facilities* (such as slim line poles or whip *antennas*) that blend in with the surrounding vegetation.
- m. **Scenic Resource Protection Overlay Zone:** With the exception of public safety described in Sec. 8107-45.2.4, a *wireless communication facility* shall not be *prominently visible* from a *public viewpoint*, and shall be designed as a *stealth facility*, when located within a Scenic Resource Protection Overlay Zone.
- n. **Accessory Equipment:** All accessory equipment associated with the operation of a *wireless communication facility* shall be located and screened to prevent the

facility from being *prominently visible* from a *public viewpoint* to the maximum extent feasible.

- o. **Colors and Materials:** All *wireless communication facilities* shall use materials and colors that blend in with the natural or man-made surroundings. Highly reflective materials are prohibited.
- p. **Noise:** All *wireless communication facilities* shall be operated and maintained to comply at all times with the noise standards outlined in Section 2.16 of the Ventura County General Plan Goals, Policies, and Programs.
- q. **Landscaping and Screening:** The permittee shall plant, irrigate and maintain additional landscaping during the life of the permit when landscaping is deemed necessary to screen the *wireless communication facility* from being *prominently visible* from a *public viewpoint*. New landscaping shall not incorporate any *invasive species* or *watch species*, as defined by the California Invasive Plant Council (Cal-IPC) and shall be in conformance with Section 8106-8.2.5. (AM. ORD. 4577 – 3/9/21)
- r. **Security:**
  - (1) Each facility shall be designed to prevent unauthorized access, climbing, vandalism, graffiti and other conditions that would result in hazardous situations or visual blight. The approving authority may require the provision of warning signs, fencing, anti-climbing devices, or other techniques to prevent unauthorized access and vandalism.
  - (2) All *fences* shall be constructed of materials and colors that blend in with the existing setting. The use of a chain link *fence* is prohibited within areas designated as Urban and Existing Community in the General Plan, and areas that are *prominently visible* from a *public viewpoint*, unless the chain link *fence* is fully screened.
- s. **Lighting:**
  - (1) No facility may be illuminated unless specifically required by the FAA or other government agency.
  - (2) Any necessary security lighting shall be down-shielded and controlled to minimize glare or light levels directed at adjacent properties and to minimize impacts to wildlife.
- t. **Signage:** A permanent, weather-proof identification sign, subject to *Planning Director* approval, shall be displayed in a prominent location such as on the gate or *fence* surrounding the *wireless communication facility* or directly on the facility. The sign must identify the facility operator(s) and type of use, provide the operator's address, FCC-adopted standards, and specify a 24-hour telephone number at which the operator can be reached during an emergency.
- u. **Access Roads:**
  - (1) Where feasible, *wireless communication facility* sites shall be accessed by existing public or private access roads and easements.
  - (2) *Wireless communication facility* sites shall minimize the construction of new access roads, particularly when such roads are located in areas with steep slopes, agricultural resources, or biological resources as determined by the County's Initial Study Assessment Guidelines. When required, new access roads shall be designed to meet standards established by the Ventura County Public Works Agency and Ventura County Fire Protection District.



## **Sec. 8107-45.5 – Compliance with Federal, State and Local Law and Regulations**

*Wireless communication facilities* must comply with all current applicable federal, state and local law, all standards and regulations of the FCC, and all standards and regulations of any other local, state and federal government agency with the authority to regulate such facilities.

## **Sec. 8107-45.6 – Collocation**

Any proposed *collocation* may be processed pursuant to a permit modification in Sec. 8107-45.10.1. *Collocations* which do not qualify for modification in Sec. 8107-45.10.1 may alternatively be processed pursuant to Sec. 8107-45.10.2 or Sec. 8107-45.10.3.

## **Sec. 8107-45.7 – Maintenance and Monitoring**

- a. **Periodic Inspection:** The County reserves the right to undertake periodic inspection of a permitted *wireless communication facility* in accordance with Sec. 8111-8
- b. **Maintenance of Facility:** The permittee shall routinely inspect each *wireless communication facility*, as outlined in the approved maintenance and monitoring plan, to ensure compliance with the standards set forth in Sec. 8107-45.4 and the permit conditions of approval. The permittee shall maintain the facility in a manner comparable to its condition at the time of installation. If routine maintenance or repair is not sufficient to return the facility to its physical condition at the time of installation, the permittee shall obtain all required permits and replace the facility to continue the permitted operation.
- c. **Graffiti:** The permittee shall remove graffiti from a facility within 10 working days from the time of notification by the Planning Division.
- d. **Landscape and Screening:** All trees, foliage, or other landscaping elements approved as part of a *wireless communication facility* shall be maintained in good condition during the life of the permit, and the permittee shall be responsible for replacing any damaged, dead, or decayed landscape vegetation. The permittee shall maintain the landscaping in conformance with the approved *landscape plan*.
- e. **Hours of Maintenance:** Except for emergency repairs, backup generator testing and maintenance activities that are audible to an off-site, noise-sensitive receptor shall only occur on weekdays between the hours of 8:00 a.m. and 10:00 p.m.
- f. **Transfer of Ownership:**
  - (1) In the event that the permittee sells or transfers its interest in a *wireless communication facility*, the succeeding operator shall become the new permittee responsible for ensuring compliance with the permit for the *wireless communication facility*, including all conditions of approval, and all other relevant federal, state and local laws and regulations.
  - (2) The permittee (or succeeding permittee) shall file, as an initial notice with the *Planning Director*, the new permittee's contact information such as the name, address, telephone/FAX number(s), and email address.
  - (3) The permittee shall provide the *Planning Director* with a final notice within 30 days after the transfer of ownership and/or operational control has occurred. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new permittee agreeing to comply with all conditions of the County permit.

### **Sec. 8107-45.8 – Technical Expert Review**

The County may contract for the services of a qualified technical expert to supplement Planning Division staff in the review of proposed *wireless communication facilities* or in the review of the permittee's compliance with Sec. 8107-45.4, which may include the review of technical documents related to radio frequency emissions, alternative site analyses, propagation diagrams, and other relevant technical issues.

The use of a qualified technical expert shall be at the permittee's expense, and the cost of these services shall be levied in addition to all other applicable fees associated with the project. The technical expert shall work under a contract with and administered by the County. If proprietary information is disclosed to the County or the hired technical expert, such information shall remain confidential in accordance with applicable California laws.

### **Sec. 8107-45.9 – Temporary Wireless Communication Facilities**

A temporary *wireless communication facility*, such as a "cell-on-wheels" (COW), may be used for the following purposes: to replace *wireless communication facility* services during the relocation or rebuilding process of an existing facility, during festivals or other temporary events and activities that otherwise require a permit under this Chapter, and during public emergencies. Once the relocation or rebuilding process, temporary event, or emergency is complete, the temporary facility shall be removed from the site as soon as practicable.

A temporary *wireless communication facility* shall be processed as an accessory use under a proposed or existing County permit when used during the relocation or rebuilding process of an existing *wireless communication facility*, or when used for a festival or other temporary event or activity that otherwise requires a permit under this Chapter.

### **Sec. 8107-45.10 – Permit Modifications**

Proposed *modifications* to an existing *wireless communication facility* shall be processed in accordance with Article 11 except that the type of permit modification required shall be a Zoning Clearance, Permit Adjustment, or Minor or Major Modification as provided below.

#### **Sec. 8107-45.10.1 – Facility Modifications Subject to a Zoning Clearance**

One or more of the following *modifications* to an existing *wireless communication facility* may be processed with a Zoning Clearance:

- a. Replacement of *wireless communication facility* equipment when the design of equipment remains the same but the size of equipment decreases or remains the same.
- b. *Collocations* on an existing *wireless communication facility* that are included in and authorized by the existing permit.
- c. *Collocation* on an existing *building-concealed facility* that is subject to an existing County permit, or an increase to the size of existing *antennas* within a *building-concealed facility* that is subject to an existing County permit, when the proposed *modifications* do not result in changes to the external features of the *building-concealed facility* (such as a building's architectural features) and when the proposed *wireless communication facility* equipment remains hidden within the *building-concealed facility*.
- d. Additional equipment mounted onto an existing *wireless communication facility*, excluding *collocation*, that is attached behind and concealed by existing directional panel or dish *antenna*, or that is concealed by an existing stealth design feature. Photographic or other visual evidence shall be supplied that

demonstrates the additional equipment will not be visible from any *public viewpoint*.

- e. *Modifications* to equipment located within, and visually hidden by, an existing equipment shelter or cabinet, such as replacing parts and other equipment accessories, increasing the size of the fuel tank and modifying or replacing an existing back-up generator in compliance with permitted noise levels.
- f. New or replacement equipment cabinets or shelters that are physically located within the existing, permitted site area, and when the new or replacement equipment is screened by existing vegetation or fencing if visible from a *public viewpoint*, and when the new or replacement equipment does not generate noise that exceeds permitted levels.
- g. Non-commercial *antenna* mounted on an existing commercial or public safety *wireless communication facility* when the *antenna* is not visible from a *public viewpoint* and would not increase the height of the *wireless communication facility*.
- h. *Modifications* that constitute a *Section 6409(a) Modification*, provided that each *modification* is in conformance with Sec. 8107-45.4(h). Decisions of the *Planning Director* (or designee) on requested *Section 6409(a) Modifications* are final when rendered and are not subject to appeal pursuant to Sec. 8111-7.

**Sec. 8107-45.10.2 – Facility Modifications Subject to a Permit Adjustment**

*Modifications* to a *wireless communication facility* that cannot be processed with a Zoning Clearance, pursuant to Sec. 8107-45.10.1 above, may be processed with a Permit Adjustment, provided that the *modifications* would not alter the findings made for the existing permit (see Sec. 8111-1.2.1.1 through 1.2.1.7), nor any findings contained in the environmental document, and further provided that the proposed *modifications* satisfy each of the following criteria as applicable:

- a. New or replacement equipment cabinets or shelters would not generate noise that would exceed originally permitted levels and are not *prominently visible* from a *public viewpoint*;
- b. Alterations to the approved landscaping plan are in compliance with the standards in Sec. 8107-45.4(q) and may result in replacement vegetation or additional vegetation for screening purposes;
- c. *Modifications* to the facility design and operation would be consistent with the facility's original design and permitted conditions of approval. Proposed changes to a *stealth facility* shall retain the necessary features to ensure the facility remains stealth, as stated in Sec. 8107-45.4(i);
- d. *Modifications* would only involve grading of a previously disturbed site; and
- e. *Modifications* would not result in a replacement, *modification*, or a series of replacements or *modifications* to a *wireless communication facility* that cumulatively constitute an increase in physical dimensions of 10 percent or more in any one or more of the following:
  - Height or width of the *antenna* or associated equipment;
  - Circumference of the *antenna*, mast, or pole;
  - Distance of the *antenna* array from the support structure;
  - Volume of equipment, including but not limited to boxes, equipment sheds, guy wires, pedestals and cables; or
  - Equipment area that is enclosed by structural elements or screening devices such as *fences* and walls.

**Sec. 8107-45.10.3 – Facility Modifications Subject to a Minor or Major Modification**

*Modifications* to an existing *wireless communication facility* shall be processed as either a Minor or Major Modification if the proposed *modification* cannot be processed as a Zoning Clearance (see Sec. 8107-45.10.1) or Permit Adjustment (see Sec. 8107-45.10.2).

**Sec. 8107-45.11 – Permit Period and Expiration**

No Conditional Use Permit for a *wireless communication facility* shall be issued for a period that exceeds ten (10) years. At the end of the permit period for all *wireless communication facilities*, the permit shall expire unless the permittee submits, in accordance with all applicable requirements of this Chapter, an application for a permit modification to the Planning Division. The application requesting a permit time extension must be submitted prior to the permit expiration date, in which case the permit shall remain in full force and effect to the extent authorized by Sec. 8111-2.10.

**Sec. 8107-45.12 – Permit Time Extensions**

- a. **Time Extensions for Conditional Use Permits (CUP):** All permit time extension requests shall be processed as a Minor Modification or Major Modification pursuant to Sec. 8111-6.1. No permit time extension for a *wireless communication facility* shall be issued for a period that exceeds ten (10) years.
- b. **Wireless Communication Facility Technology Upgrades:** Whenever a permit time extension is requested for a *wireless communication facility*, the permittee shall replace or upgrade existing equipment when feasible to reduce the facility’s visual impacts and improve the land use compatibility of the facility.

**Sec. 8107-45.13 – Nonconforming Wireless Communication Facilities**

Any *wireless communication facility* rendered nonconforming solely by the enactment or subsequent amendment of the development standards stated in Sec. 8107-45.4 shall be considered a legal nonconforming *wireless communication facility* subject to the following provisions.

**Sec. 8107-45.13.1 – Modifications to Nonconforming Wireless Communication Facilities**

If a *modification*, other than a permit time extension, is proposed to a legal nonconforming *wireless communication facility*, the *modification* may be authorized through a permit modification processed pursuant to Sec. 8107-45.10 provided that both of the following apply:

- a. The *modification* itself conforms to current development standards in Sec. 8107-45.4; and
- b. The *modification* can be processed with a Zoning Clearance (see Sec. 8107-45.10.1), Permit Adjustment (see Sec. 8107-45.10.2) or Minor Modification (see Sec. 8111-6.1.2).

**Sec. 8107-45.13.2 – Permit Time Extension for Nonconforming Wireless Communication Facilities**

An existing permit for a legal, nonconforming *wireless communication facility* may be granted a one-time time extension not to exceed ten (10) years. The request must qualify for and shall be processed as a Minor Modification pursuant to Sec. 8111-6.1.2, and all of the following must apply:

- a. The facility was operated and maintained in compliance with applicable County regulations;
- b. The facility height (Sec. 8107-45.4(f)) and setbacks (Sec. 8107-45.4(g)) are within a 10 percent deviation from current standards; and

c. The facility is stealth when required by Sec. 8107-45.4.

Permit modifications granted pursuant to this Section may include, but are not limited to, conditions requiring the permittee to upgrade the legal nonconforming *wireless communication facility* in order to reduce the level of nonconformance with current development standards.

#### **Sec. 8107-45.14 – Abandonment**

A *wireless communication facility* that is not operated for a period of 12 consecutive months or more from the final date of operation shall be considered an abandoned facility. The abandonment of a *wireless communication facility* constitutes grounds for revocation of the land use *entitlement* for that facility pursuant to Sec. 8111-6.2.

#### **Sec. 8107-45.15 - Voluntary Termination**

When the use of a *wireless communication facility* is terminated, the permittee shall provide a written notification to the *Planning Director* within 30 days after the final day of use. The permittee must specify in the written notice the date of termination, the date the facility will be removed, and the method of removal.

#### **Sec. 8107-45.16 - Site Restoration**

Within one-hundred and eighty (180) days of permit revocation, permit expiration or voluntary termination, the permittee shall be responsible for removal of the *wireless communication facility* and all associated improvements, and for restoring the site to its pre-construction condition. If the permittee does not comply with these requirements, the property owner shall be responsible for the cost of removal, repair, site restoration, and storage of any remaining equipment.

(ADD. ORD. 4470 – 3/24/15)

### **Sec. 8107-46 – Outdoor Events**

(ADD. ORD. 4526 – 7/17/18)

#### **Sec. 8107-46.1 – Purpose**

The purpose of this Sec. 8107-46 is to regulate outdoor events to ensure they are compatible with surrounding land uses and are not detrimental to public health and safety or the environment. This Sec. 8107-46 does not apply to any event that is either (a) attended by 75 or fewer total “attendees” (a term which, as used in this Sec. 8107-46, includes guests, staff, vendors, and any other persons in attendance) over the course of an event on a *lot* smaller than 250 acres, or (b) attended by 100 or fewer attendees over the course of an event on a *lot* that is either greater than 250 acres or, when combined with other contiguous *lots* under common ownership, totals 250 or more acres. This Sec. 8107-46 also does not apply to any event at which the primary event activities occur within dwellings or other structures. Whether or not an outdoor event is regulated by this Sec. 8107-46, the use of fireworks, large tents, bonfires or other structures or activities presenting a fire hazard may require approval by the Ventura County Fire Protection District.

#### **Sec. 8107-46.2 – No Authorization for Installation of Permanent Structures, Equipment or Impervious Surfaces**

The construction or installation of permanent structures, equipment or impervious surfaces shall not be authorized under this Sec. 8107-46 in conjunction with an outdoor event use.

#### **Sec. 8107-46.3 – Outdoor Events Exempt from Permitting**

No Zoning Clearance or other land use approval or *entitlement* is required under this

Chapter for an outdoor event that meets all of the following criteria. An outdoor event authorized under this Sec. 8107-46.3 shall comply with all requirements set forth below:

- a. **Criteria.** The event does not exceed the applicable attendee limit set forth below:
  - (1) For a parcel of less than five acres, the total number of attendees over the course of an event is greater than 75 but does not exceed 150, or such larger number if (i) both the event and the number of attendees are such that the use is customarily incidental, appropriate and subordinate to a principal use of the parcel and (ii) no consideration in any form is provided for allowing use of the parcel for the event; or
  - (2) For a parcel of five acres or greater, the total number of attendees over the course of an event is greater than 75 but does not exceed 250, or such larger number if (i) both the event and the number of attendees are such that the use is customarily incidental, appropriate and subordinate to a principal use of the parcel and (ii) no consideration in any form is provided for allowing use of the parcel for the event; or
  - (3) For a parcel that is either greater than 250 acres or, when combined with other contiguous parcels under common ownership, totals 250 or more acres, the total number of attendees over the course of an event is greater than 100 but does not exceed 350, or such larger number if (i) both the event and the number of attendees are such that the use is customarily incidental, appropriate and subordinate to a principal use of the parcel and (ii) no consideration in any form is provided for allowing use of the parcel for the event; and
  - (4) The event occurs on a legal *lot*.
- b. **Requirements.** The event shall comply with all of the following requirements:
  - (1) No vehicle shall be parked within a 15-foot diameter of the trunk of any Protected Tree as defined in Sec. 8107-25.2.
  - (2) Offsite vehicle parking may occur on public roads and rights-of-way only as legally permitted.
  - (3) Each event may only occur between the hours of 8:00 a.m. and 10:00 p.m. in one calendar day. If set up and/or breakdown cannot be completed on the day of the event between 8:00 a.m. and 10:00 p.m., set up may occur the day prior to the event between the hours of 8:00 a.m. and 5:00 p.m., and breakdown may occur the day after the event between the hours of 8:00 a.m. and 5:00 p.m.
  - (4) No amplified noise or music shall occur before 10:00 a.m. or after 10:00 p.m.
  - (5) No event shall occur in a Hazardous Fire Area unless and until the event host contacts the Ventura County Fire Protection District and agrees to comply with its fire hazard-related ordinances and policies for the event.
  - (6) At least one portable restroom and hand washing station shall be provided for each 50 attendees.
  - (7) All temporary lighting for the event, except for market/string lighting, shall be hooded and/or directed downward to prevent spillover.
- c. **Limitation on Number of Permit-Exempt Events.** The number of Permit-Exempt Outdoor Events that may occur pursuant to this Sec. 8107-46.3 is as follows:

- (1) For a parcel less than 250 acres, no more than five outdoor events meeting the applicable attendee limit of this Sec. 8107-46.3 are held at the parcel each calendar year; or
- (2) For a parcel that is either greater than 250 acres or, when combined with other contiguous parcels under common ownership, totals 250 or more acres, no more than ten outdoor events meeting the applicable attendee limit of this Sec. 8107-46.3 are held at the parcel each calendar year.

#### **Sec. 8107-46.4 – Conditionally Permitted Outdoor Events**

A Conditional Use Permit is required to authorize an outdoor event that is not exempt from permitting pursuant to, or does not meet all requirements set forth in, Sec. 8107-46.1 or 8107-46.3. A Conditional Use Permit may authorize up to 60 outdoor events per calendar year on a *lot* during an initial term. If the initial term is completed, a Conditional Use Permit may be renewed through a permit modification to allow up to 90 events per calendar year on the *lot* during each subsequent term. A Conditional Use Permit shall have a 5-year initial term, or such shorter term as requested by the *applicant*. If the initial term is completed, a Conditional Use Permit may be renewed through permit modifications with subsequent terms of 10 years each, or such shorter terms as requested by the *applicant*.

#### **Sec. 8107-46.5 – Processing and Consideration of Conditionally Permitted Outdoor Event Permit Applications**

- a. No application for a Conditional Use Permit pursuant to Sec. 8107-46.4 shall be accepted for processing if final violations (i.e., violations that were not timely appealed or were confirmed after timely appeal) have been issued for holding two or more outdoor events on the parcel within the previous 24 months without a Conditional Use Permit if required pursuant to Sec. 8107-46.4.
- b. Applications for all Conditional Use Permits under Sec. 8107-46.4, and applications for all *discretionary* modifications thereto, not involving legislative actions shall be processed in accordance with the time limits set forth in the Permit Streamlining Act (Gov. Code, § 65920 et seq.), regardless of whether or not the proposed outdoor event use constitutes “development” as defined by Government Code section 65927. Failure to comply with any time limit set forth in the Permit Streamlining Act shall not constitute a basis for the denial of any such permit application.
- c. The permit approval standards set forth in Sec. 8111-1.2.1.1b (Permit Approval Standards for Outdoor Events and Assembly Uses) and, if applicable to the proposed project, additional standards set forth in Sec. 8111-1.2.1.2 (Additional Standards for AE Zone), Sec. 8111-1.2.1.3 (Compliance with Other Documents), Sec. 8111-1.2.1.4 (Additional Standards for Overlay Zones), and Sec. 8111-1.2.1.7 (Additional Standards for Cultural Heritage Sites) shall be applied to all applications seeking a Conditional Use Permit pursuant to Sec. 8107-46.4 and applications for all *discretionary* modifications thereto.

(ADD. ORD. 4526 – 7/17/18)

### **Sec. 8107-47 – Regulation of Commercial Cannabis Activity**

(ADD. MEASURE O – 11/3/20)

#### **Sec. 8107-47.1 – Purpose**

The purpose of this section 8107-47 is to regulate commercial cannabis activity to ensure such activity is compatible with surrounding land uses and is not detrimental to public health and safety or the environment.



### **Sec. 8107-47.2 – Applicability**

The provisions of this section 8107-47 shall be applicable to all commercial cannabis activity.

### **Sec. 8107-47.3 – Standards**

- a. All commercial cannabis activity, as defined by section 2701, shall comply with the Development Standards set forth in section 2703.
- b. All commercial cannabis activity, as defined by section 2701, shall occur within an existing (1) permanent greenhouse, glasshouse, conservatory, hothouse, or other similar structure using light deprivation and/or one of the artificial lighting models, excluding hoop structures, or (2) other fully-enclosed structures. No commercial cannabis cultivation or nursery cultivation shall occur outdoors.
- c. Notwithstanding any other provision of this Chapter, the *Planning Director* or designee may deny a Zoning Clearance, for commercial cannabis cultivation that exceeds 500 cumulative net acres of commercial cannabis cultivation within the County.
- d. Notwithstanding any other provision of this Chapter, the *Planning Director* or designee may deny a Zoning Clearance, for commercial cannabis nursery cultivation, as defined in section 2701, which exceeds 100 cumulative net acres of commercial cannabis nursery cultivation within the County.
- e. All commercial cannabis activity is subject to the cannabis business licensing requirements set forth in Chapter 5 of Division 2 of the Ventura County Code of Ordinances.

### **Sec. 8107-47.4 – Applications, Hearings, and Appeals**

- a. Zoning Clearance applications for commercial cannabis activity are granted based upon determinations, arrived at objectively and involving little or no personal judgement, that the request complies with sections 8105-4 and 8105-5 as well as the established standards set forth in this section 8107-47. Such determinations and applications are, to the fullest extent permitted, ministerial for the purpose of, and therefore exempt from, the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).
- b. Notwithstanding any other provision of this Chapter, no public hearing shall be conducted regarding Zoning Clearance applications for commercial cannabis activity.
- c. Decisions of the *Planning Director* or designee granting a Zoning Clearance application for commercial cannabis activity are final when rendered and are not subject to appeal pursuant to section 8111-7 or otherwise.
- d. After an *applicant*, as defined by section 2701, obtains a Zoning Clearance pursuant to this section, the county executive officer shall provide authorization to state licensing authorities that the *applicant* may proceed with the state licensing process. However, the *applicant* shall not begin commercial cannabis activities until a county business license is obtained pursuant to Chapter 5 of Division 2 of this code.
- e. The *Planning Director* or designee shall begin accepting and reviewing applications for Zoning Clearances pursuant to this section on January 1, 2021.

(ADD. MEASURE O – 11/3/20)

# **ARTICLE 8: PARKING AND LOADING REQUIREMENTS**

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(REP. AND REEN. ORD. 4407 – 10/20/09)

## **Sec. 8108-0 - Purpose**

This Article establishes requirements for the amount, location, and design of off-street motor vehicle and bicycle parking and loading areas. As part of a balanced transportation system, these requirements are intended to promote public safety and environmental quality. Specifically, these requirements are intended to:

### **Mobility**

- Balance the motor vehicle parking needs of development, including the range of land uses that might locate at a site over time, with the needs of pedestrians, bicyclists, transit users, and the need to preserve community character.
- Ensure that sufficient loading and unloading areas are provided for freight as well as for passengers and users of public transportation services.
- Ensure that the design of motor vehicle and bicycle parking areas facilitates safe, convenient, and comfortable movement for the driver, pedestrian, and bicyclist.
- Allow for transportation options and movement efficiency.

### **Flexibility**

- Provide decision-making flexibility in addressing the parking needs of individual projects.
- Accommodate multiple uses of parking areas.
- Accommodate changing transportation technology and trends, as well as innovative uses of parking infrastructure.

### **Resource Conservation**

- Encourage reduced driving and the use of alternative modes of transportation—thereby reducing traffic congestion, air pollution, and greenhouse gas emissions.
- Avoid installation of excess motor vehicle parking spaces.
- Minimize the use of impervious surfaces.
- Reduce the adverse environmental effects of motor vehicle parking areas, including increased and contaminated stormwater runoff, the urban heat island effect, and resource consumption.

### **Human-Scaled Urban Form**

- Reduce the adverse effects of motor vehicle parking areas on neighborhood design, including the consumption of land for a low-value use; non-compact, sprawling development; and creation of an urban form that discourages walking.
- Ensure that the design of motor vehicle and bicycle parking areas is attractive, efficient, and reduces the visual dominance of pavement.
- Create pleasant neighborhoods designed at a human-scale for human needs (e.g., walking) vs. developments designed primarily around the needs of automobiles.

## **Sec. 8108-1 – Applicability**

### **Sec. 8108-1.1 – New Uses**

Every new land use shall have appropriately maintained off-street parking and loading facilities in compliance with the provisions of this Article.

### **Sec. 8108-1.2 – Changes to or Expansions of Existing Land Uses**

Changes to or expansions of existing land uses shall have appropriately maintained off-street parking and loading facilities in compliance with the provisions of this Article as outlined below.

In order to determine if the change or expansion of the existing land use requires additional motor vehicle parking spaces, the number of parking spaces required by the existing land use (prior to the expansion or change) per Section 8108-4.7 below is compared to the number of parking spaces required by the change or expansion to the land use based on Section 8108-4.7 below, regardless of whether the existing use was established prior to or after adoption of this Article and regardless of the existing number of motor vehicle parking spaces at the land use.

#### **Sec. 8108-1.2.1 – Changes to or Expansions of Existing Land Uses That Do Not Require Additional Motor Vehicle Parking Spaces**

When a change to or expansion of a land use does not require additional motor vehicle parking spaces per Section 8108-1.2 above, modifications to the existing parking spaces or parking area are not required, except that any required short-term bicycle parking must be installed.

#### **Sec. 8108-1.2.2 – Changes to or Expansions of Existing Land Uses That Require Additional Motor Vehicle Parking Spaces**

a. Land Uses that Meet Current Motor Vehicle Parking Space Requirements. Land uses that require additional motor vehicle parking spaces per Section 8108-1.2 above, and that meet the requirements in Section 8108-4.7 below for number of motor vehicle parking spaces, shall comply with the provisions of this Article as follows:

- (1) For land uses with 52 or fewer existing motor vehicle parking spaces, and when 4 or fewer new motor vehicle parking spaces are required, only the additional required motor vehicle parking spaces shall be required to comply with all the provisions of this Article. In addition, short-term bicycle parking requirements shall be met.
- (2) For land uses with 52 or fewer existing motor vehicle parking spaces, and when 5 or more new motor vehicle parking spaces are required, all provisions of this Article shall be met for the new and existing parking spaces and/or parking area.
- (3) For land uses with 53 or more existing motor vehicle parking spaces, and when the number of additional motor vehicle parking spaces required is 9 percent or less of the existing number of motor vehicle parking spaces, only the additional required spaces are required to comply with all the provisions of this Article. In addition, short-term bicycle parking requirements shall be met.
- (4) For land uses with 53 or more existing motor vehicle parking spaces, and when the number of additional motor vehicle parking spaces required is 10 percent or more of the existing number of motor vehicle parking, all provisions of this Article shall be met for the entire parking area.

b. Land Uses that Do Not Meet Current Motor Vehicle Parking Space Requirements. Land uses that require additional motor vehicle parking spaces

per Section 8108-1.2 above, and that do not meet the requirements in Section 8108-4.7 below for number of motor vehicle spaces, shall provide the additional motor vehicle parking spaces required by the change or expansion, and meet all other provisions of this Article for the new and existing parking spaces and/or parking area.

**Exception. A single-family or two-family dwelling that does not meet current parking requirements for number of motor vehicle spaces may be expanded if all of the following conditions exist:**

- (1) The dwelling has at least 1 motor vehicle parking space; and
- (2) The existing *lot* configuration does not allow for a second space or does not allow for access to a second space; and
- (3) The driveway provides a minimum of 20 feet from the property line to the existing covered space that can be utilized as a parking space; and
- (4) The proposed addition otherwise conforms to the provisions of this Chapter.

**If the gross floor area of the dwelling, including the expansion but excluding garage space, will be 1,000 square feet or less, then compliance with (b)(1) and (b)(3) of this subsection is not required.**

## **Sec. 8108-2 – Authority of Planning Director to Modify or Waive Requirements**

The *Planning Director* (Director) may waive or modify the requirements of this Article as indicated, but only if such modifications or waivers are supported by written findings of fact in the final project approval letter showing how the modification or waiver of parking or loading requirements for the particular project meets all of the following:

- Is consistent with the purposes of this Article and Section 8101-4.10 regarding Director interpretation of requirements and standards; and
- Will not adversely affect existing or potential land uses adjoining, or in the general vicinity of, the project site; and
- Is supported by substantial evidence in light of the whole record before the Director.

## **Sec. 8108-3 - General Requirements**

### **Sec. 8108-3.1 - Use of Parking Spaces**

- a. Required covered and uncovered parking spaces shall be available for the temporary parking and maneuvering of vehicles as appropriate to the land use they are intended to serve unless otherwise provided herein.
- b. Required parking spaces shall not be converted to other uses or used for the sale, lease, display, repair, or storage of vehicles, trailers, boats, campers, mobile homes, waste containers, merchandise, equipment, or any other use not authorized by the provisions of this Chapter.
- c. Required parking spaces at automobile repair providers, service stations, or similar land uses shall not be used for the storage of vehicles for repair or servicing.
- d. Multiple uses of parking areas, such as off-hours uses, are encouraged and may be approved if the primary purpose of the parking area is not compromised.
- e. Excess motor vehicle parking spaces may either remain as motor vehicle parking spaces or be converted to bicycle parking spaces, motorcycle parking spaces, landscaping, or other allowable uses.

### **Sec. 8108-3.2 - Maintenance**

The permittee and property owner must ensure that required parking and loading areas and associated facilities are permanently maintain in good condition as determined by the Director and in compliance with permit conditions. This maintenance requirement includes but is not limited to curbs, directional markings, accessible parking symbols, screening, pavement, signs, striping, lighting fixtures, landscaping, and trash and recyclables receptacles.

### **Sec. 8108-3.3 - Proximity to Land Use**

Required parking spaces shall be located on the same site as the building or land use they serve or off-site pursuant to Section 8108-3.3.1 below.

#### **Sec. 8108-3.3.1 - Off-site Parking**

Off-site parking for non-residential land uses may be provided at a site remote from the land use if all of the following conditions can be met:

- a. The off-site parking area is located within 500 feet of the land use to be served. The distance from the off-site parking area to the land use to be served shall be measured along a sidewalk or other pedestrian pathway from the nearest off-site parking space to the nearest public entrance to the building.
  - (1) *Planning Director* Waivers/Modifications. The Director may approve the provision of off-street parking spaces at a site more than 500 feet from the land use to be served if the *applicant* can demonstrate to the Director that such off-site parking will actually be used as intended. Evidence of this may be the provision of shuttle or valet service between the parking area and the land use to be served, or similar arrangements.
- b. The *applicant* provides documentation demonstrating that the off-site parking area is capable of meeting parking demand for both the land use to be served and any other land uses that may utilize the off-site parking area.
- c. The off-site parking area meets the design standards of Section 8108-5.
- d. The off-site parking area can be accessed easily from the primary land use and does not expose pedestrians to hazardous traffic safety conditions or create a traffic hazard.
- e. The number of off-site parking spaces assigned to the property to be served does not exceed the allowed number of parking spaces for the land use.

#### **Sec. 8108-3.3.2 - Off-site Parking Agreements**

The following requirements shall apply whenever the motor vehicle parking required by this Article is not located on the same site as the land use it serves.

- a. The *lot* or part of a *lot* on which the parking is provided shall be legally encumbered by a recorded restrictive covenant to ensure continued use of the *lot* or part of a *lot* for motor vehicle parking. The restrictive covenant shall be recorded with the Ventura County Recorder so that it appears on the subject property's title. The restrictive covenant shall include the following provisions:
  - (1) The County of Ventura must be named as the beneficiary of the restrictive covenant.
  - (2) The restrictive covenant may not be released or terminated without the prior notice and written consent of the Director.
  - (3) The restrictive covenant shall include the persons and addresses of the other land uses sharing the parking.
  - (4) The restrictive covenant shall include the location and number of parking spaces that are being shared.

- b. If the *lot* designated for off-site parking is under different ownership from the subject *lot*, a legal contract between the property owners is required to evidence the existence of a contractual right to use the *lot* as an off-site parking area. Any such contract shall provide for and assign the responsibility for operating and maintaining the facility to the applicable party. The contract shall contain a provision that indemnifies and holds the County harmless from any and all claims or damages relating to the operation or maintenance of the parking area. The County of Ventura shall be named as an intended third party beneficiary to the contract.
- c. The owner of the property shall place and maintain permanent, weatherproof signs providing clear and easy-to-follow directions for access to and from the off-site parking location.
  - (1) There shall be 1 sign at each site or parking area entrance. The signs may be placed at building entrances or other appropriate locations if it is demonstrated that such placement would provide superior information to parking users.
  - (2) Information on the signs shall be readable by a person seated in a vehicle at the nearest driveway. Use of graphics (e.g., maps and arrows) is encouraged to supplement written directions.
  - (3) Signs shall be placed and designed pursuant to the provisions of Article 10 and are subject to approval by the Director.

**Sec. 8108-3.4 – Accessory Parking and Storage of Large Commercial Vehicles**

The accessory parking and storage of commercial vehicles with a gross vehicle weight greater than 10,000 pounds, including attendant trailers and/or equipment, is allowed in residential, agricultural, or open space zoned *lots*, but only if the *applicant* demonstrates one of the following:

- a. The vehicle is required for emergency purposes and is either a government vehicle or under contract to a governmental entity; or
- b. The *lot* on which the vehicle is located is at least 1 acre in size and a waiver has been received pursuant to Section 8111-1.1.2; or
- c. The *lot* on which the vehicle is located is at least 1 acre in size and the vehicle is parked in an enclosed structure; or
- d. The vehicle is used for agricultural production, shipping, or delivery associated with the agricultural land use on the *lot* on which the vehicle is located.

**Sec. 8108-3.5 - Solar Structures**

The installation of solar photovoltaic or hot water systems on canopies or other structures over parking areas/spaces is encouraged and allowable, but only if such structures do not violate any required setback, height, or building coverage restrictions, or obstruct any required fire apparatus access lanes. Solar structures shall be compatible in scale, materials, color, and character with the surrounding building(s) and background.

**Sec. 8108-3.6 – Green Roofs**

The installation of *green roofs* on structures over parking areas/spaces is encouraged and allowable, but only if such structures do not violate any required setback, height, or building coverage restrictions, or obstruct any required fire apparatus access lanes. *Green roofs* shall be compatible in scale, materials, color, and character with the surrounding building(s) and background. The use of any *invasive* or *watch list species*

as inventoried by the California Invasive Plant Council is prohibited. *Green roof* plant material and irrigation systems shall be installed pursuant to the *MWELO* where applicable (see Section 8106-8.2.1(b)). (AM. ORD. 4577 – 3/9/21)

## **Sec. 8108-4 - Number of Parking Spaces Required**

### **Sec. 8108-4.1 - Calculation of Required Parking**

- a. Except as otherwise provided, when calculating the number of required parking spaces results in a fraction, such fractions shall be rounded to whole numbers pursuant to Section 8101-4.8.
- b. When calculating required parking spaces based on gross floor area or sales and display area, areas used for parking are not included.
- c. Motor vehicle parking requirements may be increased or decreased by 10 percent from the basic rates shown in Section 8108-4.7 - Table of Parking Space Requirements by Land Use, but this adjustment shall be used only once. For example, determining if additional parking is required for a change to a land use involves comparing the parking required for the proposed use with the parking required for the current use. In this case, the basic parking rate may be adjusted by up to 10 percent for the proposed use or the current use, but not both.
- d. Whenever requirements (e.g., bicycle or carpool parking spaces) are based upon the number of motor vehicle spaces, these shall be calculated based on the number of required motor vehicle spaces before any subtraction of spaces has occurred for provision of motorcycle spaces, and after any adjustments pursuant to Section 8108-4.8.
- e. When the number of required parking spaces for motor vehicles or bicycles is calculated based upon the number of employees or students, and the number of employees or students is not known at the time of permit application, the Director shall determine the parking requirements based upon the gross floor area, type of land use, or other appropriate factors. The number of employees shall mean the number of employees on the largest shift and the number of students shall mean the maximum number of students expected onsite at any one time.
- f. When the number of required parking spaces is calculated based upon the number of seats and seats are provided by benches or the like, 2 feet shall be considered one seat.
- g. When there are 2 or more separate primary land uses on a site, the required number and type of off-street parking spaces shall be the sum of the requirements for the various individual land uses, unless otherwise provided for in Section 8108-4.6.
- h. Mechanical parking lifts may be used to meet motor vehicle parking requirements.

### **Sec. 8108-4.2 - Motorcycle Parking**

At least 1 designated space for the parking of motorcycles or other two-wheeled motorized vehicles shall be provided for every 20 automobile parking spaces provided. Every required motorcycle parking space provided shall count toward fulfilling 1 required automobile parking space. Existing parking areas may be converted to take advantage of this provision, provided the converted spaces do not exceed the 1 motorcycle space per 20 automobile space ratio. Land uses that require additional motorcycle parking in excess of this ratio may, with Director approval, convert required automobile parking spaces to motorcycle spaces if the converted automobile spaces are designed and kept available for future conversion back to the automobile spaces.



### **Sec. 8108-4.3 - Bicycle Parking**

A minimum number of bicycle parking spaces shall be provided, as set forth in Section 8108-4.7. Where there are 2 or more separate primary land uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for each of the individual land uses.

#### **Sec. 8108-4.3.1 – Planning Director Waivers/Modifications**

The Director may reduce the number of required bicycle parking spaces when the *applicant* demonstrates that providing the otherwise required bicycle parking spaces is not practical because of the remote project location, or because the nature of the land use precludes the use of bicycle parking spaces. The Director may also defer the requirement to provide bicycle parking spaces, but only if the subject permit includes an enforceable commitment by the property owner to supply such deferred bicycle parking spaces as may be needed in the future.

### **Sec. 8108-4.4 - Accessible Parking for Disabled Persons**

Accessible parking for disabled persons shall be provided in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act. Accessible parking is included in the total number of motor vehicle parking spaces required by this Article.

### **Sec. 8108-4.5 - Carpool Parking**

The requirement to provide carpool parking spaces is intended to encourage carpooling, but should not result in parking spaces that consistently go unused.

- a. Number of Spaces. For all land uses, 1 carpool or vanpool parking space shall be provided for every 35 employees employed at the site. Carpool or vanpool parking spaces shall be reserved until 1 hour after the employees' work shift begins, after which they may be open to single-occupancy vehicles. In addition, for professional, vocational, art and craft schools, colleges, universities and the like, 1 out of every 25 student parking spaces on a site shall be reserved for carpool or vanpool parking at all times. This requirement does not preclude designation of more than the minimum required number of carpool spaces.
- b. Signs. Signs shall be posted clearly indicating carpool and vanpool restrictions.
- c. Planning Director Waivers/Modifications. The Director may modify or waive carpool parking requirements when the *applicant* demonstrates that the nature of the land use precludes carpooling.

### **Sec. 8108-4.6 - Shared Parking**

Shared use of required motor vehicle parking spaces is allowable where 2 or more land uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Shared use of required parking spaces may be allowed if an analysis is provided to the satisfaction of the Director, using an authoritative methodology, documenting the parking demand for each land use by hour-of-day, showing that the peak parking demands of the land uses occur at different times, and demonstrating that the parking area will be large enough for the anticipated demands of all the land uses that utilize the shared parking area. The *lot* or part of a *lot* on which the parking is provided shall be legally encumbered by a recorded restrictive covenant to ensure continued availability of the shared parking spaces for all the land uses that utilize the shared parking area. When shared parking is provided at an off-site location, the requirements of Section 8108-3.3.2 shall be met.

**Sec. 8108-4.7 - Table of Parking Space Requirements by Land Use**

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land uses. For non-residential land uses, the number of motor vehicle parking spaces set forth in the table, plus or minus 10 percent of the total, represents the minimum required and the maximum allowed number of spaces, unless varied pursuant to Section 8108-4.8 below. For residential land uses the number of motor vehicle parking spaces set forth in the table represents the minimum required number of spaces, unless varied pursuant to Section 8108-4.8 below.

The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses; storage of vehicle inventory; or other specialty parking needs related to the operation of specific land uses.

The Director has the authority to determine the parking space requirements for any land use not specifically listed based on the requirements for the most comparable land use.

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
<b>AGRICULTURAL LAND USES</b>	<b>+/- 10% of the total</b>	
Buildings for the Packing or Processing of Agricultural Products	1 space per 500 sq. ft. of GFA	
Agricultural Contractor’s Service and Storage Yards and Buildings	As determined by decision-making body	
Agricultural Sales Facilities		
<i>Small</i>	Minimum of 3 spaces	
<i>Large</i>	1 space per 250 sq. ft. of GFA	ST: Minimum of 2 spaces
Greenhouses & Hothouses	2 spaces per acre, plus spaces required for associated offices or retail; minimum of 3 spaces. Or as determined by decision-making body.	LT: 1 space per 30 employees
Agricultural Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
<b>COMMERCIAL AND INSTITUTIONAL LAND USES</b>	<b>+/- 10% of the total</b>	
Assembly Uses	First 3,000 sq. ft. of GFA – 1 space per 125 sq. ft.; plus Over 3001 sq. ft. of GFA – 1 space per 550 sq. ft.; plus Auditorium or main assembly room - 1 space per 70 sq. ft. of GFA; plus Spaces as needed for accessory uses - as determined by decision-making body	ST: 10% of required motor vehicle spaces

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
Automobile Repairing	1 space per 250 sq. ft. of GFA for office or retail space. Service bays, workstations and vehicle storage shall not be counted toward meeting the motor vehicle parking space requirements	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Automobile Service Stations		
<i>Without Retail</i>	1 space. Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements.	ST: 3% of required motor vehicle spaces; minimum of 1
<i>With Retail</i>	1 space, plus 1 space per 250 GFA of retail use. Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements.	ST: 3% of required motor vehicle spaces; minimum of 1
Banks and Financial Institutions	1 space per 250 sq. ft. of GFA	LT: 1 space per 30 employees ST: 5% of required motor vehicle spaces
Bars and Taverns	See "Eating Establishments"	See "Eating Establishments"
Bowling Alleys	3 spaces per bowling lane	LT: 1 space per 25 employees ST: 8% of required motor vehicle spaces
Camps and Retreats	As determined by decision-making body	As determined by decision-making body
Campgrounds	1 space per campsite or table, plus 2 spaces per 25 campsites, plus spaces required for any accessory uses	As determined by decision-making body
Car Washes	As determined by decision-making body	LT: 1 space per 25 employees
Community Centers	See Assembly Uses	See Assembly Uses
Eating Establishments	Up to 5,000 sq. ft. of GFA: Either 1 space per 90 sq. ft. of GFA including outdoor customer dining area, or 1 space per 2.4 seats, as determined appropriate by the decision-making body Over 5,001 sq. ft. of GFA: Either 1 space per 145 sq. ft. of GFA including outdoor customer dining area, or 1 space per 3.2 seats, as determined appropriate by the decision-making body	LT: 1 space per 25 employees ST: 10% of required motor vehicle spaces
Education and Training		

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
<i>Elementary and Middle School</i>	1 space per 8 students of planned capacity	LT: 1 space per 30 employees ST: 1 space (gated) per 12 students, above first grade, of planned capacity
<i>High Schools</i>	1 space per 4 students of planned capacity	LT: 1 space per 30 employees ST: 1 space (gated) per 16 students of planned capacity
<i>Boarding Schools</i>	As determined by decision-making body	As determined by decision-making body
<i>Professional, Vocational, Art and Craft Schools, and the Like</i>	1 space per 4 students of planned capacity	LT: 1 space per 30 employees ST: 8% of required vehicle spaces
<i>Colleges and Universities</i>	1 space per 4 students of planned capacity	LT: 1 space per 30 employees plus 1 space per dormitory unit ST: 10% of required vehicle spaces
Feed Stores	1 space per 300 sq. ft. of sales or display area (excludes storage areas not used by the public)	
Furniture and Appliance Stores Handling Primarily Bulky Merchandise	1 space per 500 sq. ft. of sales or display area (excludes storage areas not used by the public)	LT: 1 space per 25 employees
Golf Courses and Driving Ranges		
<i>Golf Course</i>	3 spaces per hole	
<i>Driving Range</i>	1 space per tee	
<i>Commercial Use</i>	1 space per 300 sq. ft. of GFA	LT: 1 space per 25 employees ST: 2% of required motor vehicle spaces
<i>Eating or Drinking Establishment</i>	See "Eating Establishments"	
Grocery Store	As determined by decision-making body	LT: 1 space per 25 employees ST: 10% of required motor vehicle spaces
Gymnasiums, Health Clubs, Spas, and Similar Land Uses (does not apply to gymnasiums associated with schools or institutions)	1 space per 250 sq. ft. of GFA.	LT: 1 space per 25 employees ST: 10% of required motor vehicle spaces
Lodging		
<i>Hotels, Motels, and Similar Uses</i>	1 space per unit, plus 1 additional space per 20 units	LT: 1 space per 25 employees ST: 1 space per 1,000 sq. ft. of GFA of banquet and meeting room space; minimum of 2 spaces
<i>Bed-and-Breakfast Inns and Similar Land Uses, Having Sleeping Rooms or Areas</i>	Spaces required for the dwelling, plus 1 space per rented room.	ST: 2 spaces

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
Libraries	1 space per 300 sq. ft. of GFA	LT: 1 space per 25 employees ST: 8% of required motor vehicle spaces
Lumber and Building Materials Sales Yards	1 space per 550 sq. ft. of sales or display area (excludes storage areas not used by the public)	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Medical Services		
<i>Hospitals</i>	2.5 spaces per bed	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
<i>Residential Care Facility (7 or more persons)</i>	0.5 spaces per bed	LT: 1 space per 15 residents (not required if the care facility is for people unable to use bicycles, such as convalescents or the physically disabled) and 1 space per 25 employees (enclosed garages/storage lockers are acceptable) ST: 1 space per 20 residents
<i>Intermediate Care Facilities</i>	1 space per bed	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
<i>Offices: Medical, Health Clinic, Dental</i>	1 space per 200 sq. ft. of GFA	LT: 3% of required motor vehicle spaces or 1 space per 30 employees (as determined appropriate by decision-making body) ST: 3% of required motor vehicle spaces; minimum of 1 space
Motor Vehicle, Mobilehome, Recreational Vehicle, and Boat Sales and Rental (includes Trailers)	As determined by decision-making body	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Museums, Art Galleries	As determined by decision-making body	LT: 1 space per 25 employees ST: 6% of required motor vehicle spaces
Offices, Professional and Government	1 space per 300 sq. ft. of GFA	LT: 3% of required motor vehicle spaces or 1 space per 30 employees (as appropriate per <i>Planning Director</i> ) ST: 3% of required motor vehicle spaces
Outdoor Sales and Services, Temporary	As determined by decision-making body.	
Parking Facilities		ST: 5% of required motor vehicle spaces
Parks		
<i>Without Buildings</i>	Minimum of 5 spaces	ST: 10% of required motor vehicle spaces

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
<i>Without Athletic Fields</i>	As determined by decision-making body	ST: 10% of required motor vehicle spaces
<i>With Athletic Fields</i>	1 parking space per 3,000 sq. ft. of field area, plus 1 space per 6 linear feet of seating area; minimum of 20 spaces	ST: 10% of required motor vehicle spaces
Plant Nurseries, Retail	1 space per 550 sq. ft. of sales or display area (excludes storage areas not used by the public)	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Plant Nurseries, Wholesale	Minimum of 3 spaces; plus additional as determined by decision-making body	LT: 1 space per 25 employees
Public Service/Utility Facility Land Uses (Electrical Substations, Pump Stations, etc.) and Public Utility Buildings		
<i>Offices</i>	1 space per 300 sq. ft. of GFA	LT: 1 space per 30 employees
<i>Other Buildings or Land Uses</i>	As determined by decision-making body	
<i>Automated and Unattended</i>	None	
Rental and Leasing of Durable Goods	1 space per 500 sq. ft. of sales or display area (excludes storage areas not used by the public)	
RV Parks	1 space per campsite or table, plus 2 spaces per 25 campsites, plus parking required for any accessory uses	As determined by decision-making body
Shopping Center	As determined by decision-making body	LT: 1 space per 10,000 sq. ft. of GFA ST: 1 space per 4,000 sq. ft. of GFA; minimum of 1 space within 100 ft. of each customer entrance
Theaters, Amphitheaters and Similar Spectator-type Enterprises and Establishments		
<i>With Fixed Seats</i>	1 space per 4 fixed seats	LT: 1 space per 25 employees ST: 1 per 110 fixed seats; minimum of 4 spaces
<i>Without Fixed Seats</i>	1 space per 4 persons of planned capacity	LT: 1 space per 25 employees ST: 1 per 75 persons of planned capacity; minimum of 4 spaces
Transit Stations and Terminals	As determined by decision-making body	As determined by decision-making body
Veterinary Clinics	1 space per 200 sq. ft. of GFA	LT: 1 space per 25 employees ST: 2% of required motor vehicle spaces

<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
Commercial Land Uses Not Otherwise Listed	1 space per 250 sq. ft. of GFA or as determined by decision-making body	As determined by decision-making body
<b>INDUSTRIAL LAND USES</b>	<b>+/- 10% of the total</b>	
Laboratories; Research and Scientific	1 space per 250 sq. ft. of GFA	LT: 1 space per 30 employees
Manufacturing and Processing (includes slaughtering)	1 space per 500 sq. ft. of GFA	LT: 1 space per 25 employees
Mini-storage	Minimum of 2 spaces; plus additional as determined by decision-making body	
Warehousing (includes freight terminals)	1 space per 1,500 sq. ft. of GFA, plus spaces required for associated office space and loading bays	LT: 1 per 60,000 sq. ft. of GFA or 1 per 25 employees (as appropriate per Planning Director)
Waste and Recycling Facilities	As determined by decision-making body	LT: 1 per 25 employees
Industrial Land Uses Not Otherwise Listed	1 space per 500 sq. ft. of GFA	LT: 1 per 25 employees
<b>RESIDENTIAL LAND USES</b>	<b>Minimum Required</b>	
Boarding Houses or Single Room Occupancy (SRO) Units	1 space per unit, plus parking required for single-family dwelling unit	LT: 1 space per 8 rented rooms (enclosed garages/storage lockers are acceptable) ST: 1 space per 20 residents
Animal Caretaker or Farmworker Dwelling Units	1 space for 1 bedroom or less 2 spaces for 2-4 bedrooms 3 spaces for 5 bedrooms	
Farmworker Housing Complexes	See Section 8108-4.7.1	
Group Quarters for Farmworkers	1 space for every 4 beds	
Homeless Shelters	0.2 spaces per resident plus 1 space per employee and volunteer on largest shift, plus 1 space per vehicle used in the operation of the shelter. Up to 25% of the required spaces may be held in reserve or converted to a land use related to the shelter, such as additional bicycle parking, which can be readily reverted back to motor vehicle parking at a later date.	LT: 1 space per 8 residents and 1 space per 25 employees (enclosed garages/storage lockers are acceptable) ST: 1 space per 15 residents
Mobilehome Parks		
<i>Resident Parking</i>	2 spaces per unit	
<i>Visitor Parking (required if internal streets are less than 32 feet wide)</i>	1 space for each 4 units, in addition to parking spaces required for residents	



<b>LAND USE</b>	<b>MOTOR VEHICLE SPACES REQUIRED</b>	<b>BICYCLE SPACES REQUIRED</b>
Multi-Family Dwelling Units	See Sec. 8108-4.7.1	
Accessory Dwelling Units (AM. ORD. 4519-2/27/18; AM. ORD. 4615 – 2/7/23)	1 covered/uncovered space (in addition to the spaces required for the primary dwelling unit)  No additional parking is required for accessory dwelling units that meet the provisions of Sec. 8107-1.7.4 or Sec. 8107-1.7.5(c)(1)	
Junior Accessory Dwelling Units (ADD. ORD. 4615 – 2/7/23)	No parking is required for a Junior Accessory Dwelling Unit	
Single-Family and Two-Family Dwellings <sup>1</sup>		
<i>1-4 Bedrooms (per unit)</i>	2 covered <sup>2</sup> spaces	
<i>5 Bedrooms (per unit)</i>	3 spaces (2 shall be covered <sup>2</sup> )	
<i>6 or More Bedrooms (per unit)</i>	4 spaces, (2 shall be covered <sup>2</sup> )	

(ST: Short-term bicycle parking spaces, generally bike racks.

LT: Long-term bicycle parking spaces, generally enclosed lockers.)

<sup>1</sup> Replacement parking for the principal dwelling unit, as a result of the garage being demolished or converted to an accessory dwelling unit, may be located in any configuration on the same *lot* as the accessory dwelling unit and as uncovered or tandem spaces, pursuant to Sec. 8107-1.7.1(d) and Sec. 8107-1.7.2(h). (ORD. AM. 4519-2/27/18)

<sup>2</sup> Except that on parcels larger than 1 acre located in OS, AE, RA, RE, RO, and TP zones, parking may be uncovered.

**Sec. 8108-4.7.1 Table of Parking Space Requirements for Multi-Family Dwelling Units**

Parking for multi-family dwelling units shall be covered, except for visitor parking, and all parking on parcels larger than 1 acre in the OS, AE, RA, RE, RO, and TP zones. The number of required spaces depends upon both the number of bedrooms and whether provided parking is assigned or unassigned, as indicated in the table below.

<b>Living Unit Size</b>	<b>Motor Vehicle Spaces Required (per unit)</b> by Type of Parking			<b>Required Visitor Parking (per unit)</b>
	<b>No Assigned Parking</b>	<b>1 Assigned Space or 1-Car Garage</b>	<b>2 Assigned Spaces or 2-Car Garage</b>	
Studio	1.0 space	1.33 spaces	2.0 spaces	0.25 spaces
One Bedroom	1.25 spaces	1.4 spaces	2 spaces	0.25 spaces
Two Bedrooms	1.5 spaces	1.7 spaces	2.2 spaces	0.25 spaces
Three or More Bedrooms	2.0 spaces	2.15 spaces	2.3 spaces	0.25 spaces
Each Additional Bedroom	0.20 space	0.20 space	0.20 space	

## **Sec. 8108-4.8 - Adjustments to Number of Motor Vehicle Parking Spaces Required**

The Director may adjust the number of off-street parking spaces required in Section 8108-4.7 by up to 20 percent for a particular project so that the parking supply of individual land uses better corresponds with actual parking demand, but only if such an adjustment to the required parking spaces is commensurate with the land use's demonstrated parking demand and pursuant to the requirements below.

### **Sec. 8108-4.8.1 –Reductions in Number of Motor Vehicle Parking Spaces Required**

An *applicant* may use one or more of the following measures and approaches to justify a reduction in the number of required motor vehicle parking spaces. Additional justifications may be considered by the Director or designee. (AM. ORD. 4577 – 3/9/21)

- a. Parking Study. *Applicant* funds and provides a parking study to assess the land use's parking needs. Parking studies shall be prepared by a person/firm qualified to prepare such studies, as determined by the Director.
- b. Transportation Demand Management Plan. *Applicant* funds and prepares a Transportation Demand Management plan to reduce motor vehicle trips to the land use. Transportation Demand Management plans shall be prepared by a person/firm qualified to prepare such plans, as determined by the Director. Such plans shall provide documentation describing the measures that will be used to reduce parking demand. Such measures may include, but are not limited to:
  - (1) Locating a project within 1,500 feet of a stop for bus, rail, shuttle, or other public transit services.
  - (2) Installing transit stops or enhancing existing adjacent transit stops by incorporating additional landscaping, shelters, informational kiosks, or other amenities.
  - (3) Locating the project adjacent to a designated bicycle route or path.
  - (4) Improving existing bicycle routes and paths in the vicinity of the project.
  - (5) Providing employees with a parking cash-out option.
  - (6) Providing residents or employees with transit passes.
  - (7) Providing shuttle services for employees, visitors, or residents.
  - (8) Creating ridesharing programs.
  - (9) Charging for parking.
  - (10) Improving the pedestrian environment surrounding the project by the provision of sidewalks, marked crosswalks, additional landscaping, street furniture, lighting, and/or other safety features.
  - (11) Allowing flexible work schedules or telecommuting.
  - (12) Providing on-site amenities, which could include daycare, restaurants, and/or personal services such as banking or dry cleaning.
  - (13) Installing additional bicycle parking facilities above the minimum requirements. Requirements for this reduction include:
    - i. Bicycle parking spaces shall meet the short- and long-term bicycle parking standards outlined in Section 8108-6.
    - ii. For every 4 bicycle parking spaces provided above the minimum requirement, the amount of motor vehicle parking spaces provided

may be reduced by 1 space, up to a maximum reduction of 6 percent of required motor vehicle spaces. Existing parking may be converted to take advantage of this provision.

(14) Providing shower and locker facilities. The provision of showers and associated lockers may be provided in lieu of required motor vehicle parking under some circumstances. Requirements for this reduction include:

- i. The number of showers provided shall be based on demonstrated demand. At least 6 lockers for personal effects shall be provided per shower and shall be located near showers and dressing areas. Lockers shall be well ventilated and of a size sufficient to allow the storage of cycling attire and equipment. Showers and lockers should be located as close as possible to the bicycle parking facilities.
- ii. For every 2 showers (1 per gender) and 6 clothing lockers per shower provided, the amount of motor vehicle parking spaces provided may be reduced by 3 spaces, up to a maximum reduction of 3 percent of required motor vehicle spaces. Existing parking may be converted to take advantage of this provision.

(15) Other measures to encourage transit use or to reduce parking needs.

- c. Affordable or Senior Housing. The total number of spaces required may be reduced for affordable (low income, very low income, extremely low income) or senior housing units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities. The reduction shall consider proximity to transit and support services and the Director may require traffic demand management measures in conjunction with any approval.
- d. Drive-Through Land Uses. A reduction in the required number of parking spaces may be approved if documentation is provided which demonstrates to the satisfaction of the Director that the required number of parking spaces will not be needed due to the drive-through nature of the land use.
- e. On-Street Parking. The availability of on-street parking spaces contiguous with the proposed land use's parcel(s) may be considered by the Director in approving a request to reduce the required number of off-street parking spaces.
- f. Parking Reserve. When parking spaces required by this article are not needed by the current land use occupants or are not needed in the current phase of development, the land for those spaces may be held in reserve. For non-residential land uses this parking reserve shall be limited to 1 parking space or up to 10 percent of the total number of required parking spaces, whichever is greater. The parking reserve area shall be included in the determination of *lot* coverage as though the spaces were in use. To take advantage of reserved parking, the following provisions shall be met:
  - (1) The *applicant* must demonstrate that the reduced number of parking spaces will be adequate to provide sufficient parking for the land uses on the property.
  - (2) The area designated as reserve parking must be clearly depicted on the approved site plan, and the terms and conditions of the reserved parking shall be clearly set forth in the approved site plan notations.

- (3) For nonresidential land uses, landscaping must be provided in lieu of the required parking spaces in compliance with Section 8108-5.14 and Section 8106-8.2. (AM. ORD. 4577 – 3/9/21)
- (4) The reserved parking spaces must be maintained in a manner that leaves them available for conversion to required parking spaces. No above-ground improvements shall be placed or constructed upon the reserve parking area.
- (5) The permit shall be conditioned to require the conversion of the reserved spaces into usable parking spaces at any time that the Director determines necessary.

#### **Sec. 8108-4.8.2 - Parking Space Reduction Documentation**

The *applicant* shall provide documentation that describes the proposed parking reduction and identifies the parties responsible for implementing any parking measures associated with the proposed reduction. The documentation shall discuss the estimated parking demand for the land use, describe how parking demand will be met with the requested reduction, explain how the proposed measures will effectively decrease parking demand at the site, and include proposed performance targets for parking. Documentation shall demonstrate how adjusting the amount of parking provided will not impact neighboring or nearby land uses. Required documentation shall include information regarding specific parking reduction measures as described in Section 8108-4.8.1. Required documentation may also include existing parking counts, parking counts at similar land uses, and calculation of future parking demand based on industry standards.

- a. Monitoring Reports. Monitoring reports shall be submitted to the Director 3 years after building occupancy and again 6 years after building occupancy. Monitoring reports shall note the effectiveness of the proposed measures as compared to the initial performance targets, and provide suggestions for modifications if necessary to enhance parking and/or trip reductions. Where the monitoring reports indicate that performance measures are not met, the Director may require further program modifications or the provision of additional parking.
- b. Recordation. As a condition of approval of the parking reduction, the property owner, if different than the *applicant*, may be required to record agreements or restrictive covenants on the subject property prior to issuance of a land use permit to ensure that appropriate measures are implemented to justify the parking reduction.

#### **Sec. 8108-4.8.3 - Increases to the Number of Motor Vehicle Parking Spaces Required**

In order for the Director to approve an increase to the number of parking spaces provided for a land use over the number of motor vehicle parking spaces required by Section 8108-4.7, both of the following provisions must be met:

- a. Parking Study. *Applicant* funds and provides a parking study demonstrating that the number of motor vehicle parking spaces required by Section 8108-4.7 is inadequate for the land use. Parking studies shall be prepared by a person/firm qualified to prepare such studies as determined by the Director.
- b. Other Options Explored. The project *applicant* provides documentation to the Director demonstrating that the *applicant* has fully explored all other options for meeting parking demand without increasing the number of parking spaces, including utilizing shared parking, remote parking, and demand reduction measures.

## **Sec. 8108-5 - Motor Vehicle Parking Design Standards**

The following standards shall apply to all proposed off-street motor vehicle parking areas/spaces, except for temporary parking areas.

### **Sec. 8108-5.1 - Parking Plans**

Applications for land use developments that include parking areas shall include a detailed parking plan(s) with a corresponding preliminary grading and drainage plan. These plans shall be prepared by a California-licensed civil engineer, and shall clearly illustrate compliance with all applicable requirements of this Article. The *applicant* shall submit these plans to the Public Works Agency Director and the Building and Safety Division Director for their approval prior to issuance of any land use *entitlement*.

### **Sec. 8108-5.2 - Stormwater Management**

Parking area design shall be in compliance with the Division 7 of the California Water Code, and in accordance with conditions and requirements established by Ventura County's National Pollutant Discharge Elimination System (NPDES) Permit and Ventura County Stormwater Quality Management Ordinance No. 4142. Larger parking areas may be required to submit a hydrology and hydraulics report to the Public Works Agency to demonstrate compliance with stormwater management requirements. Parking area design should incorporate methods of accommodating infiltration or filtration of stormwater onsite through use of pervious pavements, vegetated drainage swales, bioretention areas, tree box filters, dry swales, or other means.

### **Sec. 8108-5.3 - Location**

Off-street parking areas and spaces shall be located in the following manner:

#### **Sec. 8108-5.3.1 – Behind or Beside Buildings**

To promote attractive urban form and facilitate pedestrian circulation, the preferred location of required parking areas (when provided above ground) relative to the street is as follows:

- First priority: to the rear of buildings or land uses.
- Second priority: to the side of buildings or land uses.
- Last priority: in front of buildings or land uses.

#### **Sec. 8108-5.3.2 - Parking in Setbacks**

Parking in setbacks is limited by Sections 8106-5.3, 8107-1.7 (f), and 8108-1.2.2(b) of this Chapter. Except as provided for in these sections, required uncovered single or two-family residential parking spaces shall not be located within the front set back.

#### **Sec. 8108-5.3.3 - Motorcycle Parking**

Motorcycle parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

#### **Sec. 8108-5.3.4 - Carpool Parking**

Carpool parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

#### **Sec. 8108-5.3.5 - Bicycle Parking**

See Section 8108-6.3.

#### **Sec. 8108-5.3.6 – Floodways and Floodplains**

- a. Parking areas are prohibited in Federal Emergency Management Agency (FEMA) designated regulatory floodways.

- b. Parking areas located in a FEMA designated 1 percent annual chance floodplain (100-year floodplain) are subject to special design requirements pursuant to the Ventura County Floodplain Management Ordinance as administered by the Public Works Agency and Watershed Protection District. These requirements may include, but are not limited to, flood warning signage, design measures to contain motor vehicles in the parking area in the event of a flood, special lighting, mechanical and electrical system design requirements, and fencing restrictions.

## **Sec. 8108-5.4 - Circulation**

### **Sec. 8108-5.4.1 - Cross Access**

Cross access is encouraged between adjacent sites in commercial, industrial, and multi-family housing developments. A joint cross access agreement between 2 or more participating adjacent property owners must be executed where cross access is provided so that cross access between the properties is legally established, enforceable and maintained. This joint cross access agreement must be approved by the Director, recorded by the parties to the agreement and run with the respective properties.

### **Sec. 8108-5.4.2 - Pedestrian Safe Access**

- a. Parking areas serving commercial, institutional, and multi-family land uses shall not impede safe and direct pedestrian access from the street or sidewalk to building entrances.
- b. At least 1 pedestrian pathway shall be provided from the street or sidewalk to the primary building entrance. If not completely separated from vehicular traffic, pedestrian pathways shall be clearly designated using a raised surface, distinctive paving, bollards, special railing, or similar treatment. Such pathways shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act. Pathways shall be designed to have minimal direct contact with traffic and prevent parked vehicles from overhanging the pathways. The use of pervious surface materials for pedestrian pathways is encouraged.
- c. Where feasible, parking rows shall be perpendicular to the main building entrance(s) or main pedestrian pathway(s) to assist safe pedestrian movement toward the building.
- d. Where cross access is provided, it shall be designed, established, and maintained so that internal drive aisles, parking spaces, and pedestrian paths assure safe pedestrian access to adjacent land uses, and adjacent parking areas.
- e. Where pedestrian routes cross driveways such crossings shall be clearly marked.
- f. If parking is designed to allow vehicle overhang into a pedestrian pathway, the pathway width shall be increased by at least 2 feet. Pedestrian pathways adjacent to a building shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act.

### **Sec. 8108-5.4.3 - Fire Apparatus Access**

Approved fire apparatus access roads shall be provided when required by the Ventura County Fire Protection District. Generally this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility

includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage *lots*.

**Sec. 8108-5.4.4 - Adequate Turning Radii**

All internal circulation and queuing areas shall be designed to accommodate the turning radii of the vehicles that will be using the site, pursuant to the design criteria of the American Association for State Highway and Transportation Officials (AASHTO) and/or Institute of Transportation Engineers (ITE).

**Sec. 8108-5.4.5 - Contained Maneuvering**

Parking areas shall be designed so that motor vehicles will exit onto a public street in a forward direction, unless approved otherwise by the Public Works Agency Transportation Director. Circulation of vehicles among parking spaces shall be accomplished entirely within the parking area. The Director may waive or modify this requirement in consultation with the Public Works Agency Transportation Director when the *applicant* can demonstrate that it is not appropriate to the land use or location.

**Sec. 8108-5.4.6 Short Parking Rows**

Parking areas should be divided both visually and functionally into smaller parking courts. Interior rows of parking spaces shall be no more than 270 feet in length, inclusive of landscape planters but not including cross aisles or turnarounds. The Director may waive or modify this requirement when the *applicant* can demonstrate that it is not appropriate to the land use or location.

**Sec. 8108-5.4.7 - Dead Ends Minimized**

Dead-end drive aisles shall be avoided or otherwise minimized.

**Sec. 8108-5.4.8 - Directional Signs**

Maneuvering areas within parking areas shall be clearly marked with directional signs or painted arrows to ensure the safe and efficient flow of vehicles, bicycles, and pedestrians.

**Sec. 8108-5.5 - Driveways**

**Sec. 8108-5.5.1 - Driveway Width**

- a. Portion Within Right-of-Way: Driveway width shall be the minimum necessary to provide access to the land use consistent with the Ventura County Road Standards, Ventura County Fire Protection District requirements, or the latest edition of Caltrans' Standard Plans, as appropriate.
- b. Portion Outside Right-of-Way: Driveway widths shall be minimized where possible.

**Sec. 8108-5.5.2 - Number of Driveways**

Each site is limited to 1 driveway unless the Public Works Agency Transportation Director determines that more than 1 driveway is required to handle traffic volumes or specific designs, such as residential circular driveways. Additional driveways shall not be allowed if they are determined to be detrimental to traffic flow and the safety of adjacent public streets. Whenever a property has access to more than 1 road, access shall be limited to the lowest traffic-volume road whenever possible.

**Sec. 8108-5.5.3 - Shared Driveways**

The number of driveways should be minimized where feasible by the use of shared driveways between adjacent properties. A joint access agreement between 2 or more participating adjacent property owners must be executed where driveways are shared, so that shared driveway access by the properties is legally established, enforceable and maintained. This joint access agreement must be approved by the



Director, recorded by the parties to the agreement properties and run with the respective properties.

**Sec. 8108-5.5.4 - Driveways Clearly Designated**

Parking areas shall be designed to prevent entrance or exit at any point other than driveways. Appropriate barriers and entrance and exit signs shall be provided within parking areas. Stop signs that comply with Manual on Uniform Traffic Control Devices (MUCTD) standards and shall be installed at all exits from parking areas.

**Sec. 8108-5.6 - Parking Area and Space Dimensions**

**Sec. 8108-5.6.1 - Planning Director Waivers/Modifications**

The Director may waive or modify motor vehicle parking design standards when the *applicant* can demonstrate that the required motor vehicle parking design standard is not appropriate to the land use or location.

**Sec. 8108-5.6.2 - Space Angle**

Ninety-degree parking, which uses the least amount of pavement per parking space, is preferred wherever possible.

**Sec. 8108-5.6.3 - Standard Spaces**

Each standard parking space shall be 9 feet wide by 18 feet long, with the following exceptions:

- a. The length of the parking space may be decreased by 2 feet where parking spaces face into landscape planters so that the concrete curb around the planter functions as the wheel stop, allowing motor vehicles to overhang the landscape planter. Use of such a bumper overhang reduces impervious surfaces and is encouraged. Plant material and irrigation equipment in the outside 2 feet of these landscape planters shall conform to the requirements of Section 8108-5.14. Utilization of a bumper overhang shall not allow a vehicle to extend into or over a pedestrian pathway or drive aisle.
- b. Required parking space dimensions do not apply if mechanical parking lifts are used to stack cars.
- c. The width of parking spaces may be reduced to 8 feet on legal *lots* that are less than 26 feet wide and where 2 or more parking spaces are required.
- d. The Director may approve an increase to the width or length of parking spaces for land uses that cater to larger vehicles such as trucks, shuttles, or vans.
- e. Parking space width shall be increased by 6 inches to 9 feet 6 inches (114 inches) if adjacent on 1 side to a wall, *fence*, hedge, or structure; and by 1 foot 6 inches to 10 feet 6 inches (126 inches) if adjacent on both sides to a wall, *fence*, hedge, or structure.

**Sec. 8108-5.6.4 - Motorcycle Spaces**

Each motorcycle parking space shall be a minimum of 4 feet wide by 8 feet long.

**Sec. 8108-5.6.5 - Compact Spaces**

Up to 30 percent of the total parking spaces required for low-turnover, nonretail parking areas serving primarily employees, residents, or students may be provided as compact spaces. Each compact space shall be a minimum of 8 feet 6 inches wide by 16 feet long and be clearly designated for compact vehicles.

**Sec. 8108-5.6.6 - Parallel Spaces**

The minimum size of a parallel parking space shall be 8 feet 6 inches wide by 22 feet long.

**Sec. 8108-5.6.7 - Bicycle Spaces**

See Section 8108-6 – Bicycle Parking Design Standards.

**Sec. 8108-5.6.8 - Clear Height in Parking Structures**

At least 1 floor in parking structures shall be designed with a minimum height of 8 feet 3 inches to allow for vanpool vehicles and accessible parking for disabled persons.

**Sec. 8108-5.6.9 - Dead End Turnout**

Where drive aisles terminate at a dead-end, adequate provision shall be made for vehicles to turn around. Depending on the situation, this may be satisfied by provision of at least 6 feet between the end of parking rows and the end of the drive aisle.

**Sec. 8108-5.6.10 - Drive Aisles and Modules**

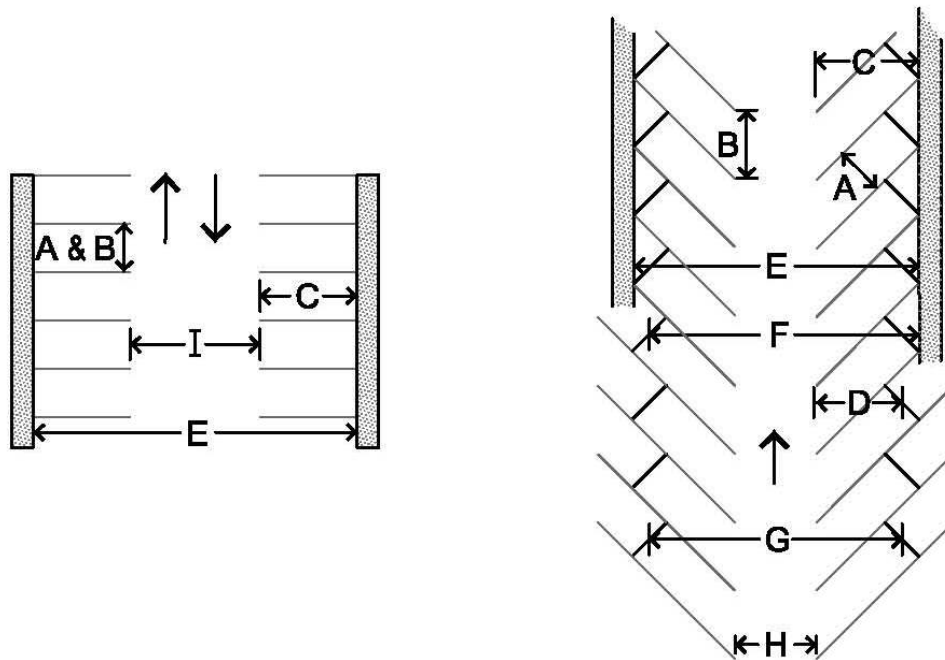
Parking area drive aisles and modules shall be designed following the standard dimensions included in the table in Section 8108-5.6.11 and the figure in Section 8108-5.6.12 and as required to meet Section 8108-5.4. The Director may approve wider aisles when appropriate for truck maneuvering. Two-way aisles are permitted in conjunction with 90-degree and parallel spaces only.

**Sec. 8108-5.6.11 – Table of Parking Area Layout Dimensions**

Angle	Stall Width (A)	Stall Width, parallel to aisle (B)	Stall Length, perpendicular to aisle		Module Width			Aisle Width	
			Wall to Aisle (C)	Interlock to Aisle (D)	Wall to Wall (E)	Wall to Interlock (F)	Interlock to Interlock (G)	One-way (H)	Two-way (I)
<b>Standard Space (9 x 18)<sup>1</sup></b>									
90	9.0	9.0	18.0	18.0	60.0	60.0	60.0	24	24
75	9.0	9.3	19.7	18.5	60.0	58.9	57.7	21.6	NA
60	9.0	10.4	20.1	17.8	55.5	53.3	51.0	15.3	NA
45	9.0	12.7	19.1	15.9	48.5	45.3	42.1	10.3	NA

<sup>1</sup>Parking area design for full rows of compact spaces shall be reviewed on a case-by-case basis.

**Sec. 8108-5.6.12 – Figure 1: Parking Area Layout Dimensions**



**Sec. 8108-5.7 - Tandem Parking**

Required parking may be provided in tandem for residential land uses with the following restrictions:

- a. Tandem parking shall not be more than 2 cars in depth.
- b. Both tandem spaces shall serve the same dwelling unit.
- c. For multi-family residential dwellings, tandem parking may be provided to meet up to 50 percent of the required parking spaces.

**Sec. 8108-5.8 - Slope**

Accessible parking spaces for disabled persons shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act requirements for slope. All other parking spaces shall slope no more than 5 percent in any direction and no less than 0.5 percent in the direction of drainage. The slope in drive aisle and turnaround areas shall be no more than 10 percent.

**Sec. 8108-5.8.1 – Planning Director Waivers/Modifications**

The Director, in consultation with the Public Works Agency Transportation Director, may modify slope requirements, but not for disabled person accessible parking spaces, when appropriate given site constraints.

**Sec. 8108-5.9 - Surfaces**

- a. The surface of all required uncovered off-street motor vehicle parking spaces, aisles, driveways and loading areas shall be constructed and maintained with permanent all-weather, load-bearing pervious or impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. The use of pervious surfaces is encouraged to facilitate on-site infiltration of stormwater. To

reduce heat generation from parking area surfaces, the use of light-colored/high-*albedo* surfaces is encouraged.

- b. The surface of fire apparatus access driveways shall meet the requirements of the Ventura County Fire Protection District.
- c. The surface of the portion of driveways in the right-of-way shall meet the requirements of the Ventura County Road Standards or the latest edition of Caltrans' Standard Plans, as appropriate.
- d. Ribbon driveways outside of the right-of-way may be installed as an alternative to fully paved driveways, subject to the approval by the Ventura County Fire Protection District.

#### **Sec. 8108-5.9.1 – Surfacing Plans**

When pervious surfaces are used, the parking area plans shall document that:

- a. The pervious materials have been designed to support anticipated vehicle weights and traffic volumes.
- b. The pervious materials have been designed to minimize surface cracking, crumbling, eroding, and other maintenance problems for the pervious surface as well as any adjacent surfaces or structures.

Pervious surfaces used for parking spaces in single- and two-family dwellings or other parking *lots* with less than 5 spaces are not subject to the above documentation requirements.

#### **Sec. 8108-5.10 – Parking Space Marking**

Parking spaces within parking areas shall be clearly marked with paint striping or another durable, easily distinguishable marking material. Space marking shall be maintained in good condition.

##### **Sec. 8108-5.10.1 – Exception**

Parking areas surfaced with gravel or other aggregate materials are exempt from space marking requirements.

#### **Sec. 8108-5.11 - Clear Visibility and Safety**

Clear visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking area, and when entering and exiting a parking area.

- a. Each driveway shall be constructed and maintained pursuant to the sight distance requirements of the Ventura County Road Standards or Caltrans, as appropriate.
- b. Landscaping at any interior parking area intersection shall not obstruct a driver's vision of vehicle and pedestrian cross traffic.
- c. With the exception of trees, landscaping adjacent to pedestrian pathways shall be no more than 3 feet in height.

#### **Sec. 8108-5.12 - Lighting**

Lighting shall be provided for all parking areas in compliance with Section 8106-8.6 and the following:

- a. Parking areas that serve night-time users shall be lighted with a minimum 1 foot-candle of light at ground for security.
- b. All lights in parking areas that serve non-residential land uses, except those required for security per subsection (a) above, shall be extinguished at the end of

the working day. Lights may be turned on no sooner than 1 hour before the commencement of working hours.

- c. Light poles shall be located so as not to interfere with motor vehicle door opening, vehicular movement or accessible paths of travel. To the extent possible light poles shall be located away from existing and planned trees to reduce obstruction of light by tree canopies. Light poles shall be located outside of landscape finger planters, end row planters, and tree wells. Light poles may be located in perimeter planters and continuous planter strips between parking rows.
- d. Any light fixtures adjacent to a residential land use or residentially zoned *lot* shall be arranged and shielded so that the light will not directly illuminate the *lot* or land use. This requirement for shielding applies to all light fixtures, including security lighting.
- e. In order to direct light downward and minimize the amount of light spilled into the dark night sky, any new lighting fixtures installed to serve above-ground, uncovered parking areas shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA). New lighting fixtures installed for parking area canopies or similar structures shall be recessed or flush-mounted and equipped with flat lenses.

### **Sec. 8108-5.13 - Trash and Recyclables Receptacles**

At least 1 trash and 1 recyclables receptacle shall be provided for parking area users for the first 20 motor vehicle parking spaces, and 1 trash and 1 recyclables receptacle for every 80 spaces thereafter. Receptacles shall be enclosed to prevent access by animals and wind, placed in convenient, high-visibility locations, and serviced and maintained appropriately.

### **Sec. 8108-5.14 - Landscaping and Screening**

#### **Sec. 8108-5.14.1 - Purpose**

These landscaping and screening requirements are intended to:

- Reduce potential negative effects of parking areas on adjacent land uses.
- Provide visual relief from pavement and motor vehicles.
- Soften and screen parking area edges.
- Provide a visual barrier between vehicle headlights and street traffic.
- Mitigate atmospheric heating from pavement through shading.
- Create pleasant pedestrian conditions.
- Provide retention, filtration and/or infiltration of stormwater.
- Channel and define logical areas for pedestrian and vehicular circulation.

#### **Sec. 8108-5.14.2 - Applicability**

- a. Unless otherwise noted herein, all parking areas shall comply with the landscaping and screening requirements of this section and Sections 8106-8.2.1, 8106-8.2.2, 8106-8.2.3, and 8106-8.2.8. Section 8106-8.2.7 shall apply to any parking areas containing manufactured slopes. Underground parking is exempt from these requirements.
- b. Planning Director Waivers/Modifications. The *Planning Director* or designee may grant modifications and waivers to landscaping requirements where existing structures or irregularly configured *lots* preclude implementation of the requirements, or where compliance would result in the loss of existing required parking spaces due to site size restrictions. The *Planning Director* or

designee shall seek a compromise between reducing the amount of required parking and reducing the amount of required landscaping. Water use efficiency must be incorporated into all landscape designs. Any modification or waiver shall meet or exceed the requirements of the MWELD when it is applicable to the project (see Section 8106-8.2.1(b)). In granting modifications, the *Planning Director* or designee shall prioritize the provision of landscaping as follows: (1) First priority - the provision of landscape screening adjacent to streets and (2) Second priority - the provision of shade trees.

The *Planning Director* or designee may allow the following modifications where there are space constraints or other unique circumstances associated with the site:

- (1) Perimeter Landscaping and Screening, Adjacent to Streets. The Director may allow the use of smaller perimeter planters or waive these requirements, except there shall be no waiver of these requirements for any project that is located across the street from residential zones or land uses.
- (2) Interior Landscaping. If the *applicant* can demonstrate that compliance with interior landscaping requirements would result in the loss of existing required parking spaces, the Director may modify the interior landscaping requirement. Whenever feasible, the Director shall require a minimum of some interior landscaping with priority given to planting shade trees. The Director may also approve acceptable substitutions for interior landscaping, such as:
  - i. Use of a light-colored/high-*albedo* (minimum of 0.3) paving surface, or use of a pervious paving surface pursuant to Section 8108-5.9.1. Such surfaces may be substituted for landscaping at a rate of three times the area required for landscaping.
  - ii. Installation of public art at the site, such as a mural or sculpture. Such art should complement its surroundings in terms of scale, materials, form, and content, and shall not contain advertising. Public art shall conform to height and setback standards. The art should be designed to last as long as the related building or structure and be vandal/theft resistant. Maintenance of public art shall be the responsibility of the property owner and permittee. Public art pieces must be approved by the Director.
  - iii. Shading in the form of canopies with solar photovoltaic or hot water systems, off-site trees and structures, sidewalk canopies and other shade structures.

### **Sec. 8108-5.14.3 - Perimeter Landscaping and Screening**

a. Adjacent to Streets. Where parking areas are not visually screened from any adjacent public or private street by an intervening building or structure, the following requirements apply:

- (1) Planter Width. A minimum 8-foot-wide (inside dimension, inclusive of any bumper overhang) landscape planter shall be provided between the street and the parking area, except at driveways, pedestrian pathways, and other pedestrian spaces.
- (2) Screening Materials and Height. Visual screens, measuring three feet in height from the top of the pavement, shall be provided. Where the ground level adjoining the street is below street grade, the visual screen height may be reduced by the difference in levels. Where the ground level adjoining the street is above street grade, the visual screen height may

be reduced as determined appropriate by the *Planning Director* or designee.

The visual screen shall be composed of a berm or solid wall, plus plant material that softens the look and breaks up the expanse of the screen. Plant material may be used as the main screening element only if a minimum of 50 percent of the plants are of 15-gallon container size when planted, the rest are of 5-gallon container size, and the plants form a dense hedge. Where walls are used, the preferred location is in the middle of the 8-foot planter so that the planter may also serve as a bumper overhang and so that trees may be planted on both sides of the wall. Walls may also be placed behind the plant material, relative to the street.

Where earth berms are used, the berm slope shall be a maximum of 1 foot of rise for every 3 feet of linear distance (3:1 horizontal to vertical).

- (3) **Trees and Shrubs.** Trees shall be provided at a minimum rate of one for each 30 linear feet of landscape planter or fraction thereof, and at least one per planter. Shrubs shall be provided as needed to meet screening requirements, but no less than one for every five linear feet of landscape planter or fraction thereof. See Section 8106-8.2.3 for additional tree and shrub planting requirements.
  - (4) **Large Projects.** Parking areas with more than 100 motor vehicle spaces shall provide a concentration of landscape elements at primary entrances, including specimen trees, flowering plants, and special design elements. Public art may be used, and is encouraged, in conjunction with these elements. Such art should meet the provisions of Section 8108-5.14.2(a)(ii).
  - (5) **Bus Shelters.** Bus shelters may be located within the perimeter landscape planters, but shall not be placed so as to reduce the number of required trees.
  - (6) **Public Art.** Public art may be provided in perimeter landscape planters that are viewable by the general public, in lieu of two required trees. Such art shall meet the provisions of Section 8108-5.14.2(a)(ii).
- b. **Adjacent to Residential Land Uses.** Where parking areas and associated driveways adjoin residentially zoned property or ground-floor residential land uses, a solid masonry wall at least six feet in height shall be installed and maintained along the property line. Said wall shall not be more than three feet in height within the front setback of the abutting residentially zoned property.
  - c. **Side and Rear Property Lines.** Perimeter planters are encouraged where a parking area or driveway adjoins a side or rear property line. Side and rear perimeter planters shall be a minimum of two feet wide (inside dimension) when the planters do not include trees and a minimum of four feet wide (inside dimension) when the planters include trees.

#### **Sec. 8108-5.14.4 - Interior Landscaping**

Parking areas shall include interior landscaping as outlined below. Parking structures and covered parking spaces are exempt from these specific requirements but may be conditioned on a case-by-case basis to ensure that the purposes of this section are met.

- a. **Amount Required.** Interior landscaping shall account for ten percent of the parking area, excluding the area of required perimeter landscaping.
- b. **Tree Spacing.** Trees shall be spaced out evenly throughout the parking area in order to maximize shading of pavement. At a minimum, one shade tree shall



be provided in interior planters for every four adjacent motor vehicle parking spaces (eight total spaces in double-sided parking rows) or equivalent area of motorcycle spaces.

c. Interior Planter Dimensions.

Finger Planters. Finger planters are planters adjacent to the long side of parking spaces. Finger planters shall measure at least five feet wide (inside dimension) by the length of the parking space and shall contain one tree in single-sided rows and two trees (one per side) in double-sided rows.

Tree Wells. Tree wells shall be sized in accordance with Section 8106-8.2.3 (d)(3) and (4).

Strip Planters. Strip planters in front of or between rows of parking spaces shall measure at least four feet wide (inside dimension).

d. Pedestrian-Orientated Design. Landscaping shall be designed so that pedestrians are not likely to cross landscape planters to reach building entrances from parked vehicles. This may be achieved through orientation of the landscape planters away from pedestrian pathways, use of pedestrian pathways or barriers to keep pedestrians out of planters.

e. Preferred Layout. The preferred layout of interior landscaping of parking areas is set forth below. The *Planning Director* or designee shall consider this preferred layout, together with any site constraints, in approving parking area *landscape plans*.

(1) Ends of Parking Rows. The ends of each row of parking spaces should be separated from drive aisles, driveways, or buildings by a finger planter (as described in subparagraph (2) below) or sidewalk.

(2) Double-sided Parking Rows. One finger planter with two trees (one per row) per 12 adjacent spaces, or fraction thereof, should be provided. Between finger planters either two tree wells (one per eight spaces) or a continuous planter containing two trees (one per eight spaces) should be provided.

(3) Single-sided Parking Rows. One finger planter with one tree per 16 adjacent spaces, or fraction thereof, should be provided. Between finger planters either two tree wells (one per four spaces) or a continuous planter containing two trees (one per four spaces) should be provided.

(4) Adjacent to On-Site Buildings. Where a parking area or driveway is adjacent to a building on the same site, the area should be separated from the building by a landscaped planter at least four feet wide.

**Sec. 8108-5.14.5 – Stormwater Management Landscaping**

Stormwater management landscape planters in parking areas shall meet the following criteria:

a. Their location shall not interfere with the movement of vehicles, pedestrians, or bicycles.

b. The designed water flow shall not cause erosion of infrastructure or damage to other required parking area features.

c. They may count toward required parking area landscaping if the following criteria are met:

(1) The stormwater management landscaping does not compromise the number, type, size, location, or health of the required trees. Required trees shall be planted well above the flow line of basins or channels.

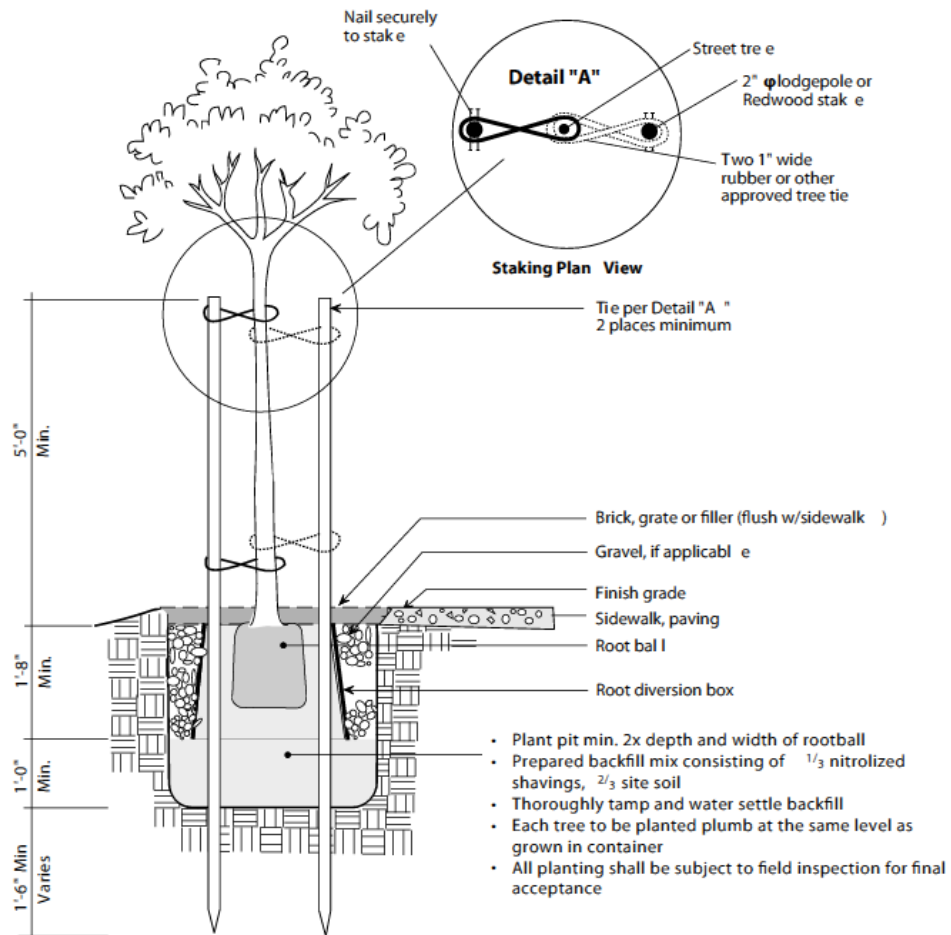
- (2) The stormwater management landscaping does not compromise the screening, shading, or other purposes of Section 8108-5.14.1.
- (3) The stormwater management landscaping is consistent with Sections 8106-8.2.3 and 8106-8.2.7, where applicable.
- (4) Planters containing trees shall be a minimum of eight feet wide (inclusive of bumper overhang).

**Sec. 8108-5.14.6 - Trees**

- a. Tree installation shall meet the requirements of Section 8106-8.2.3.
- b. The largest mature tree size shall be planted wherever feasible with respect to the current uses of the site, pedestrian circulation, vehicle circulation, safety, and standard setbacks. To the maximum extent feasible, native trees should be selected.
- c. Trees shall be a minimum 24-inch box size at planting.
- d. Trees shall be spaced to maximize distance from light poles, in order to maximize the effectiveness of lighting.
- e. Trees shall be kept trimmed to maintain 8 feet 6 inches of ground clearance for parking spaces and pedestrian areas. Trees shall be kept trimmed to maintain 13 feet of ground clearance over driveways and drive aisles.
- f. Trees shall be installed according to the following diagrams:

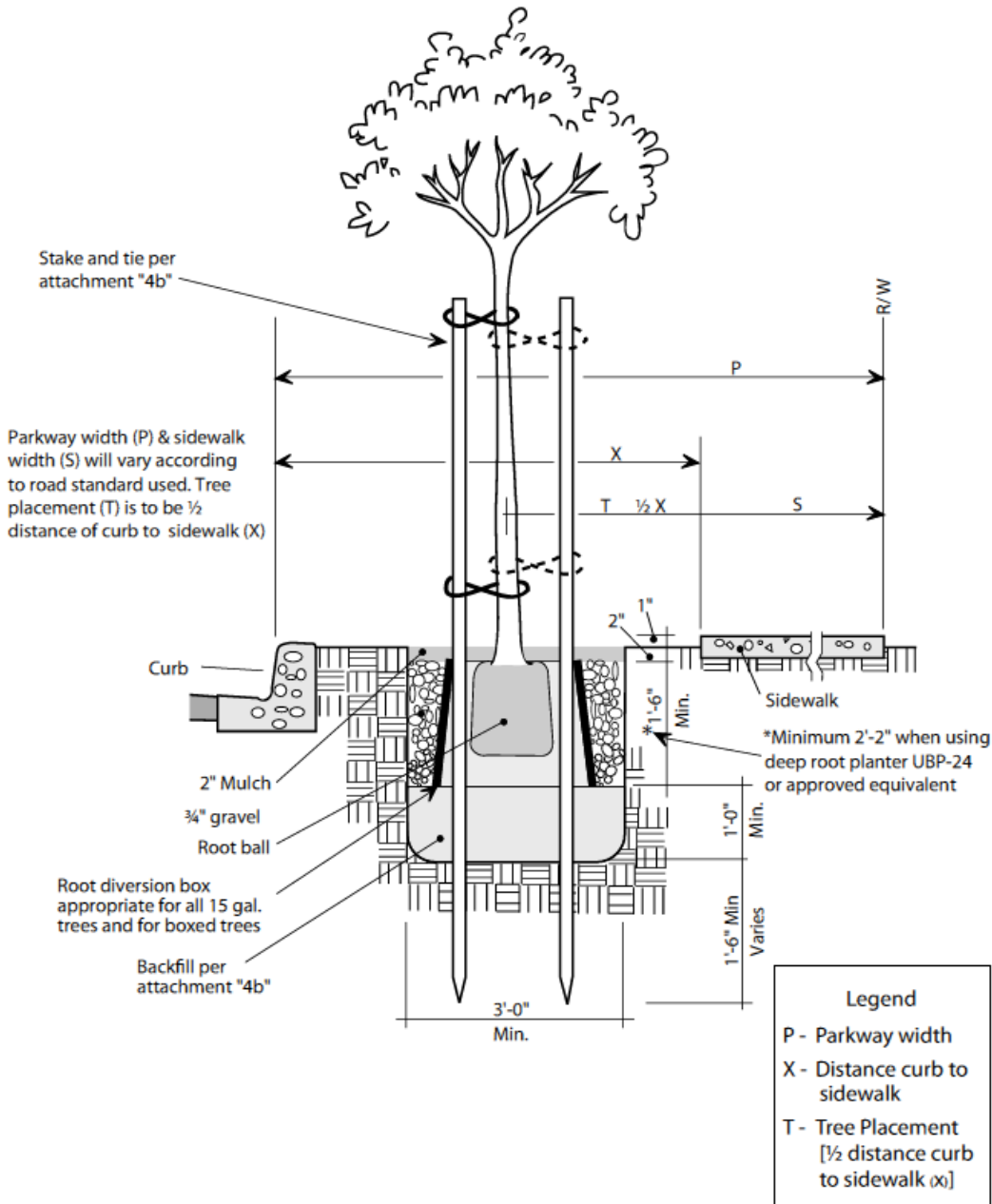
**Diagram 1: Street Tree Planting and Staking Detail:**

## STREET TREE PLANTING AND STAKING DETAIL



**Diagram 2: Parkway Street Tree Detail:**

## PARKWAY STREET TREE DETAIL



### **Sec. 8108-5.14.7 - Curbs**

All parking area or roadway landscape planters shall be protected from vehicular damage by providing a raised curb of at least 6 inches in height or wheel stop of at least four inches in height. Where curbs around landscape planters function as wheel stops, plants and other landscape features in the outside 2 feet of these planters shall not extend more than two inches above the curb or wheel stop. Irrigation equipment should be placed outside of the bumper overhang. Curbs adjacent to landscape planters may contain cuts or notches to allow stormwater to pass into the planter if part of a landscaped stormwater management system.

### **Sec. 8108-5.14.8 - Materials Loading Area Screening**

Materials loading areas shall be visually screened from any adjacent street, residentially zoned parcel, or residential land use. Where such screening is not provided by an intervening building or structure, a landscape screen shall be provided. The landscape screen shall be composed of a solid wall plus plant material that softens the look and breaks up the expanse of the wall. Plant material may be used as the main screening element only if a minimum of 50 percent of the plants are of 15-gallon can size when planted, the rest are of 5-gallon can size, and the plants form a dense hedge.

(AM. ORD. 4577 – 3/9/21)

## **Sec. 8108-6 - Bicycle Parking Design Standards**

The following design standards shall apply to all bicycle parking facilities. The layout and design of required bicycle parking facilities is subject to the review and approval of the Director to ensure safety, security, and convenience.

The Ventura County Parking Design Guidelines illustrate acceptable and unacceptable bicycle rack and bicycle locker designs. Use of bicycle rack or locker designs not listed in the Parking Design Guidelines must be approved by the Director. The Guidelines also provide layout examples that demonstrate clearances and other aspects of bicycle parking facilities.

### **Sec. 8108-6.1 - Short-Term Bicycle Parking (Bicycle Racks)**

Short-term bicycle parking facilities shall have the following characteristics:

- a. Support a bicycle by its frame in 2 places in a stable upright position without damage to the bicycle or its finish.
- b. Enable the frame and 1 or both wheels to be secured with a user-provided U-shaped lock (U-lock) or cable.
- c. Be anchored to an immovable surface or be heavy enough that the rack cannot be easily moved.
- d. Be constructed such that the rack resists being cut, disassembled, or detached with manual tools such as bolt or pipe cutters.
- e. Not have sharp edges that can be hazardous to bicyclists or pedestrians.
- f. Provide easy access to each parked bicycle without awkward movements or moving other bicycles, even when the rack is fully loaded.
- g. The Director may approve other short-term bicycle parking designs that provide adequate safety, security, and convenience, including designs that accommodate the parking of 3-wheeled, recumbent, or other styles of bicycles.

### **Sec. 8108-6.2 - Long-Term Bicycle Parking**

Long-term bicycle parking facilities shall be covered and secured. These facilities shall protect the entire bicycle and accessories from theft, vandalism, and inclement weather by the use of:

- a. Bicycle Lockers. A fully enclosed space for 1 bicycle, accessible only to the owner or operator of the bicycle, or
- b. Restricted-access Enclosure. A locked room or enclosure containing 1 bicycle rack space for each bicycle to be accommodated and accessible only to the owners or operators of the bicycles parked within it. Said racks shall meet the requirements of Section 8108-6.1.

- c. Check-in Facility. A location to which the bicycle is delivered and left with an attendant with provisions for identifying the bicycle's owner. The stored bicycle is accessible only to the attendant, or
- d. Other. Other means that provide the same level of security as deemed acceptable by the Director.

### **Sec. 8108-6.3 - Location**

All required short- and long-term bicycle parking facilities shall be located on-site and provide safe and convenient bicycle access to the public right-of-way and pedestrian access to the main and/or employee entrance(s) of the principal land use. Where access is via a sidewalk or pathway, or where the bicycle parking facility is next to a street, curb ramps shall be installed where appropriate. Long-term employee bicycle facilities may be separated from short-term bicycle facilities.

In addition, the following location criteria shall be met:

#### **Sec. 8108-6.3.1 - Proximity to Main Entrances**

Short-term bicycle parking facilities shall be conveniently located no more than 100 feet from the main building entrance(s) or no farther than the nearest non-disabled motor vehicle parking space from the main building entrance(s), whichever is farther. Where there is more than 1 building on a site or where a building has more than 1 main entrance, the short-term bicycle parking shall be distributed to serve all buildings or main entrance(s). Long-term bicycle parking facilities shall be located no more than 400 feet from the building entrance. Bicycle parking shall not obstruct pedestrian access.

#### **Sec. 8108-6.3.2 - Outside Pedestrian Pathway**

Bicycle parking racks located on pedestrian pathways shall maintain a minimum of 4 feet of unobstructed pathway outside the bicycle parking space.

### **Sec. 8108-6.4 - Layout**

The following design criteria apply to short-term facilities. Because of the additional security level, the layout of long-term facilities shall be determined on a case-by-case basis.

#### **Sec. 8108-6.4.1 - Bicycle Parking Facility Delineation**

Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

- a. All parking facility boundaries shall be delineated by striping, curbing, fencing, or by other equivalent methods. Boundaries shall include all applicable dimensions as outlined in Section 8108-6.4.3 and Section 8108-6.4.4.
- b. Bicycle parking locations near roadways, parking areas, or drives shall be protected from damage by motor vehicles by use of bollards, curbs, concrete planters, landscape buffers, or other suitable barriers.

#### **Sec. 8108-6.4.2 - Bicycle Parking Facility Signage**

Where bicycle parking facilities are not clearly visible to approaching bicyclists, conspicuous signs shall be posted to direct cyclists to the facilities. Long-term bicycle parking facilities that incorporate bicycle lockers shall be identified by a sign at least 1 foot by 1 foot in size that lists the name or title and the phone number or electronic contact information of the person in charge of the facility.

#### **Sec. 8108-6.4.3 - Bicycle Parking Space Dimensions**

Bicycle parking spaces shall have the following dimensions.

- a. Space Length: Each bicycle parking space shall be a minimum of 6 feet in length.

- b. Space Between Racks: The minimum space between bicycle parking posts or racks shall be 2 feet 6 inches.
- c. Space Between Adjacent Walls/Obstructions: A minimum of 2 feet 6 inches shall be provided between the end of a bicycle parking rack and a perpendicular wall or other obstruction (e.g., newspaper rack, sign pole, furniture, trash can, fire hydrant, light pole). A minimum of 2 feet 6 inches shall be provided between the side of a bicycle parking rack and a parallel wall or other obstruction.
- d. The Director may waive or modify bicycle parking space dimensions if the *applicant* can demonstrate that they are not appropriate to the land use or location, and to accommodate the parking of 3-wheeled or recumbent bicycles or other non-standard bicycles.

**Sec. 8108-6.4.4 - Aisle Width**

A 48-inch-wide access aisle, measured from the front or rear of the bicycle parking space, shall be provided beside each row or between 2 rows of bicycle parking. In high traffic areas where many users park or retrieve bikes at the same time, such as at schools or colleges, the recommended minimum aisle width is 6 feet.

Where a public sidewalk or pathway serves as an aisle of a bicycle parking facility and the doors of bicycle lockers open toward that sidewalk or pathway, the lockers shall be set back so an open door does not encroach onto the main travel width of the sidewalk or pathway.

**Sec. 8108-6.5 - Lighting**

Lighting of not less than 1 foot-candle of illumination at ground level shall be provided in both interior and exterior bicycle parking facilities during hours of use.

**Sec. 8108-7 - Drive-Through Facilities**

**Sec. 8108-7.1 - Queuing Lane**

A lane that is physically separated from other traffic circulation on the site shall be provided for motor vehicles waiting for drive-through service. The queuing lane for each drive-through window or station shall be at least 12 feet wide, with sufficient turning radii to accommodate motor vehicles. Queuing lanes shall be designated by paint-striping, curbs, or other physical means as appropriate. Queuing lanes shall be designed to avoid interference with on-site pedestrian access. The principal pedestrian access to the entrance of the drive-through facility shall not cross the drive-through lane.

**Sec. 8108-7.1.1 – Planning Director Waiver/Modification**

The Director may waive or modify this standard if the *applicant* can demonstrate through an interior circulation analysis that the relationship of the length of the queuing lane, the nature of the land use, or the physical constraints of the *lot* make this standard infeasible and that an alternative configuration can safely accommodate vehicle queuing.

**Sec. 8108-7.2 - Directional Signs**

Signs shall be provided to indicate the entrance, exit, and one-way path of drive-through lanes.

**Sec. 8108-7.3 – Location**

Drive-through facilities shall not be located between the street and the main building entrance.



### Sec. 8108-7.4 - Queuing Capacity

The vehicle queuing capacity for land uses containing drive-through facilities shall be as follows:

#### Sec. 8108-7.4.1 – Table of Queuing Lane Requirements

Land Use	Queuing Lane Requirements
Restaurants	Queuing for 8 vehicles behind the pickup window
Banks	Queuing for 5 vehicles for each queuing lane
Other Land Uses	Queuing for 6 vehicles for each queuing lane

### Sec. 8108-8 - Loading Areas

#### Sec. 8108-8.1 – Passenger Loading Areas

Safe and convenient off-street passenger loading areas shall be provided for land uses where there are more than 100 parking spaces, as shown in the table below. Passenger loading areas shall be located at the point(s) of primary pedestrian access from the parking area to the adjacent building, or buildings. Passenger loading areas shall be designed as turn-outs a minimum of 9 feet wide and located in such a manner that vehicles waiting in the loading area do not impede vehicular, bicycle or pedestrian circulation.

#### Sec. 8108-8.1.1 – Table of Required Passenger Loading Areas

Required Parking Spaces	Required Turnout Vehicle Capacity
101-499	1
500+	0.3% of required parking

#### Sec. 8108-8.2 - Materials Loading Areas

All commercial and industrial land uses shall provide and maintain off-street materials loading spaces as provided herein.

#### Sec. 8108-8.2.1 – Planning Director Waiver/Modification

The Director may waive or modify this standard if the *applicant* can demonstrate that the site configuration, nature of the land use, or other considerations make off-street loading spaces unnecessary or infeasible.

#### Sec. 8108-8.2.2 – Table of Required Materials Loading Areas

Gross Floor Area	Loading Spaces Required
0-15,000	1
15,001-40,000	2
40,001-90,000	3
90,000-150,000	4
150,000 and over	5
<b>Hospitals &amp; Educational Land Uses</b>	
0-50,000	1
50,001-100,000	2
100,000 and over	3
Hotels, motels, and restaurants	1

#### Sec. 8108-8.2.3 - Location and Design

Commercial and industrial parking areas with materials loading spaces shall be designed to accommodate access and circulation movement for on-site truck circulation.

- a. Location. Loading spaces shall be located on-site, outside of any required front or side setback, near the service entrance(s) to the building(s), and either to

the rear or side of the building to alleviate unsightly appearances often created by loading facilities. Loading spaces shall also be located as far away as possible from residential land uses.

- b. Screening. See Section 8108-5.14.9.
- c. Dimensions. Spaces serving single-unit trucks and similar delivery vehicles shall be at least 10 feet wide, 30 feet long, and 14 feet high. Spaces serving larger freight vehicles, including semi-trailer trucks, shall be at least 12 feet wide, 55 feet long, and 15 feet high.
- d. Maneuvering. A minimum of 30 feet of maneuvering area for spaces serving single-unit trucks and similar delivery vehicles shall be provided. A minimum of 50 feet of maneuvering area for spaces serving larger freight vehicles shall be provided. Maneuvering areas for loading spaces shall not conflict with parking spaces or with the maneuvering areas for parking spaces. All maneuvering shall be contained on-site.
- e. Driveways. Industrial developments shall include at least 1 driveway approach capable of accommodating a 48-foot wheel track turning radius.
- f. Safe Design. Loading spaces shall be designed and located to minimize intermixing of truck traffic with other vehicular, bicycle and pedestrian traffic on site. Such facilities shall be located off the main access and parking aisles and away from all pedestrian pathways.

# **ARTICLE 9:**

## **STANDARDS FOR SPECIFIC ZONES AND ZONE TYPES**

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### **Sec. 8109-0 - Standards for All Zones**

#### **Sec. 8109-0.1 - Development Criteria**

Factors such as the following may be considered in establishing permit conditions and in determining appropriate intensity of development, including residential densities, for the site of a proposed project:

- Air quality impacts;
- Agricultural resources and operations;
- Biological resources, including flora, fauna and ecological systems;
- Circulation of people and goods, including impacts on existing parking and circulation systems, traffic safety and emergency access;
- Contributions of the development to the stock of affordable housing;
- Cultural resources, including archaeological, historical and Native American resources;
- Energy - impacts on energy sources;
- Erosion and flood hazards;
- Fire hazards;
- Geology and soils;
- Health - impacts on human health;
- Infrastructure available to serve the development, and impacts on existing infrastructure (water, sanitation, electricity, natural gas, fire and police protection, recreational facilities, schools and the like);
- Land - unique natural land features and natural resources;
- Noise - increase in noise levels;
- Orderly development principles;
- Paleontology;
- Population growth inducement;
- Relationship of the site to surrounding properties;
- Scenic Highways;
- Seismic hazards;
- Soil stability;
- Solar access;
- Topography;
- Trees - Preservation of existing Protected Trees during construction on the same site (see Tree Protection Guidelines) and replacement of Protected Trees lost due to a new development project;

- Vegetation - impacts on unique native, ornamental or agricultural plant populations;
- Visual quality; and
- Water - degradation of quality or reduction in supply.

(AM. ORD. 3759 - 1/14/86; AM. ORD. 3810 - 5/5/87; AM. ORD. 4215 - 10/24/00)

### **Sec. 8109-0.2 - Sewage Disposal**

Sewage disposal for all requested uses and structures shall be provided by means of a system approved by the Environmental Health Division and the Division of Building and Safety.

### **Sec. 8109-0.3 - Fire Protection**

Dwellings shall meet all fire protection requirements of the Ventura County Fire Protection District, including all requirements for construction within High Fire Hazard Area as set forth in the Ventura County Building Code.

### **Sec. 8109-0.4 - Protection of Agricultural Resources**

When establishing permit conditions, the adverse effects on agricultural resources shall be considered. It is specifically intended that non-agricultural uses in proximity to agricultural land should be located, designed, and operated to minimize adverse effects on agriculture, including but not limited to water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism; as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural *chemicals* to agricultural property. Specific measures, including but not limited to use restrictions, buffer zones, *fences* and walls, and/or screening, may be required in order to ensure that the above standard is met. Said measures shall be developed in consultation with the Agricultural Commissioner. (ADD. ORD. 4215 - 10/24/00)

### **Sec. 8109-0.5 - Stormwater Quality Protection**

Development shall be undertaken in accordance with conditions and requirements established by the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS063339 and the Ventura Stormwater Quality Management Ordinance No. 4142 and as these permits and regulations may be hereafter amended. (ADD. ORD. 4216 - 10/24/00)

### **Sec. 8109-0.6 - Landscaping**

#### **Sec. 8109-0.6.1 - CO Zone**

The following regulations shall apply to the CO zone:

- At least ten percent of any permit area shall be devoted to landscaping.
- Parking area landscaping may be counted toward the required ten percent permit area landscaping.
- The required landscaping area shall be provided with permanent irrigation systems and may contain pools and pedestrian walks.
- Trees shall be planted in the parkway area between the curbs and sidewalks.

(AM. ORD. 4577 - 3/9/21)

#### **Sec. 8109-0.6.2 - C1 Zone**

At least ten percent of any permit area in the C1 zone shall be landscaped.

**Sec. 8109-0.6.3 - CPD Zone**

*Discretionary* developments in the CPD zone shall require landscaping on at least ten percent of the total permit area, except for *lots* that are less than 5,000 square feet, in which case the minimum landscape requirements may be modified or waived by the *Planning Director* or designee to improve safety factors such as traffic circulation or access. (AM. ORD. 4577 – 3/9/21)

**Sec. 8109-0.6.4 - M-Zones**

The following regulations shall apply to all industrial zones (M1, M2 and M3):

- a. Required yards adjacent to streets, not used for other purposes, shall be improved with appropriate permanently maintained plant material or ground cover that retains its leaves year-round. Such landscaping shall extend to the street curb line, where appropriate.
- b. Trees shall be planted along the street line of each site. Such street trees may also be located on private property and grouped or clustered as appropriate.
- c. At least ten percent of any permit area in the M1 zone shall be landscaped.
- d. At least five percent of any permit area in the M2 or M3 zone shall be landscaped.

(AM. ORD. 4577 – 3/9/21)

**Sec. 8109-0.6.5 - Landscaping in Other Zones**

In other zones, minimum landscaping for design, screening, stormwater management, slope stabilization, or revegetation purposes may be required by the *Planning Director* or designee dependent upon the type of development project. (ADD. ORD. 4407 – 10/20/09; AM. ORD. 4577 – 3/9/21)

**Sec. 8109-0.7 - Transportation Demand and Trip Reduction Measures**

Prior to approval of a *discretionary* development project, the *applicant* shall make provision for, as a minimum, all the following applicable transportation demand management and trip reduction measures.

a. Non-Residential Development Standards

- (1) Non-Residential development serving 40 or more employees, based upon the largest shift of employees at the site during working hours, shall provide the following for the *Planning Director's* review and approval:

A bulletin board, display case, or kiosk displaying transportation information, located where it will be visible to the greatest number of employees. The information for display shall include, but not be limited to, the following:

- (i) Current maps, routes and schedules for public transit routes serving the site;
- (ii) Ridesharing promotional material supplied by commuter-oriented organizations;
- (iii) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency, Dial-A-Route, and local transit operators;
- (iv) Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
- (v) A listing of facilities and services available at the site for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians.

(2) Non-Residential development servicing 110 or more employees, based upon the largest shift of employees at the site during working hours, shall provide the following for the *Planning Director's* review and approval which shall be based upon good planning practices and shall comply with Section 8109-0.7(a)(1) above:

(i) Bus stop improvements if determined necessary by the *Planning Director* to mitigate the project impact. The *Planning Director* will consult with the local bus service providers in determining appropriate improvements (i.e., bus pullouts, bus pads, shelters, etc.). When locating bus stops and/or planning building entrances, entrances should be designed to provide safe and efficient access to nearby transit stations/stops.

(ii) A development design incorporating lunchrooms, cafeterias, eating establishments and other facilities in order to reduce the need for mid-day driving.

b. Residential Development Standards

(1) Residential development of 70 dwelling units up to 349 dwelling units shall provide the following to the satisfaction of the *Planning Director* based upon good planning practices:

Bus stop improvements if determined necessary by the *Planning Director*. The *Planning Director* will consult with the local bus service providers in determining appropriate improvements.

(2) Residential development of 350 dwelling units or more shall comply with Section 8109-0.7(b)(1) above, and shall provide the following measure to the satisfaction of the *Planning Director* based upon good planning practices:

A development design incorporating, to the greatest extent possible and as appropriate based on adjacent land use and markets, services such as dry cleaners, eating establishments, child care facilities, grocery markets, neighborhood work centers and other facilities which will reduce home-based vehicle trips and vehicle miles traveled.

(ADD. ORD. 4407 – 10/20/09)

## **Sec. 8109-1 - Standards For Open Space, Agricultural and Residential Zones**

### **Sec. 8109-1.1 - General Standards**

The following standards shall apply to development in all OS, AE, and R-Zones: (AM. ORD. 4377 – 1/29/08)

#### **Sec. 8109-1.1.1**

Except as otherwise provided in this Chapter, there shall not be more than one principal residential structure on any *lot*. Not more than two (2) dwellings of any type shall be constructed on any *lot* in the R2 zone. (AM. ORD. 3749 - 10/29/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4377 – 1/29/08)

#### **Sec. 8109-1.1.2**

Care facilities - see Art. 7. (*Sec. 8107-22*) (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

#### **Sec. 8109-1.1.3**

No item of open storage, or structures intended for accessory use, other than an accessory dwelling unit, temporary building during construction, or a farmworker dwelling unit, may be used for human habitation. (ADD. ORD. 3730 - 5/7/85; AM. ORD. 4092 - 6/27/95; AM. ORD. 4519-2/27/18)

## **Sec. 8109-1.2 - Standards for Residential Planned Development (RPD) Zone**

The general requirements for the Residential Planned Development Zone are as follows: (AM. ORD. 3759 - 1/14/86; AM. ORD. 3995 - 3/24/92; AM. ORD. 4455 - 10/22/13)

### **Sec. 8109-1.2.1 - General Standards**

The following design criteria shall apply to developments in the RPD zone:

- a. In order to develop an RPD project, there shall be single ownership or unified control of the site, or written consent or agreement of all owners of the subject property for inclusion therein. (AM. ORD. 4377 - 1/29/08)
- b. The landscaping standards of Sec. 8106-8.2 and the parking requirements of Article 8 shall apply in the RPD zone. (AM. ORD. 4377 - 1/29/08; AM. ORD. 4407 - 10/20/09; AM. ORD. 4577 - 3/9/21)
- c. Buildings and circulation systems shall be designed so as to be integrated with the natural topography where feasible, and to encourage the preservation of trees and other natural features.
- d. Mechanical heating and cooling equipment shall be screened from public view.
- e. Minimum project density must be equal to at least 60 percent of that permitted by the zoning designation on the project site. (ADD. ORD. 3759 - 1/14/86)

### **Sec. 8109-1.2.2 - Setback Regulations**

The following regulations, in addition to the standards and exceptions set forth in Article 6, shall apply to the RPD zone:

- a. Minimum setback from any public street: ten feet.
- b. Minimum setback from a rear *lot* line: ten feet.
- c. Minimum distance between structures that are separated by a side *lot* line and do not share a common wall: six feet.
- d. Sum of side yards on any *lot*: minimum six feet.
- e. Entrances to garages and carports shall be set back a minimum of 20 feet from any public street from which they take direct access in order to prevent vehicle overhang onto sidewalks. (AM. ORD. 3730 - 5/7/85)
- f. Detached accessory garages and carports may be constructed along side and rear property lines on commonly-owned land, provided that required setbacks from public streets are maintained.
- g. Structural additions not shown on the originally approved site plan may extend up to 15 feet into common areas, provided that the other setback regulations of this section are adhered to.
- h. In the case of RPD subdivisions involving townhouse developments, the setbacks shall be measured from the exterior property lines surrounding the project.

(AM. ORD. 4377 - 1/29/08)

### **Sec. 8109-1.2.3 - Circulation**

Circulation shall be designed as follows, where feasible:

- a. To minimize street and utility networks;

- b. To provide a pedestrian walking and bicycle path system throughout the common areas, which system(s) should interconnect with circulation systems surrounding the development;
- c. To discourage through-traffic in neighborhoods by keeping intersections to a minimum and by the creation of discontinuities such as curvilinear streets, cul-de-sacs and the like; and
- d. To facilitate solar access by orienting neighborhood streets along an east/west axis, except where this is precluded by the natural topography and drainage patterns.

**Sec. 8109-1.2.4 - Open Space Requirements**

Open space shall be provided for the benefit and recreational use of the residents of each development as follows:

- a. In single-family projects where each dwelling has its own *lot*, at least 20 percent of the *net area* of the site shall be private or common open space, or a combination thereof. All open yard areas around dwellings, except for side yards, shall be counted toward the 20 percent requirement.
- b. In all other residential projects, at least 20 percent of the *net area* shall be preserved as common open space.
- c. Common open space shall be suitably improved for its intended purpose and generally accessible to all the residential areas of the development.
- d. Among the land uses considered as common open space for the purposes of this section are parks, recreational facilities, greenbelts at least ten feet wide, bikeways and pedestrian paths.
- e. At least 50 percent of the area designated as common open space shall be comprised of land with slopes of ten percent or less.
- f. Seventy-five percent of the area of golf courses, lakes and reservoirs may be used in computing common open space.
- g. The following areas may not be used to fulfill the open space requirement:
  - (1) Streets and street rights-of-way;
  - (2) Paved parking areas and driveways;
  - (3) Improved drainage facilities with restricted recreational use.
- h. Appropriate arrangements shall be made, such as the establishment of an association or nonprofit corporation of all property owners within the project area, to insure maintenance of all common open space.
- i. The minimum open space standards above may be modified by the decision-making authority if alternative amenities of comparable value are provided.

**Sec. 8109-1.2.5 - Commercial Uses**

The Planning Commission may allow, within an area covered by a Planned Development Permit, minor specified retail commercial uses for the convenience of project residents when the Commission finds that:

- a. The commercial uses are designed for the sole use of residents within the permit area; and
- b. The commercial uses are incidental to and compatible with the nature and type of development proposed for the permit area, and shall be confined within the boundaries of the development.



**Sec. 8109-1.2.6 - Requests for One Single Family Dwelling Unit In the RPD zone**

A single-family dwelling requested on a *lot* which does not contain an existing principal dwelling, but not requested in conjunction with a subdivision request, shall require only a Zoning Clearance. In such cases, the height and setback standards of the R1 zone shall be used. This exception shall apply only to *lots* which were in existence as of August 18, 1988. (ADD. ORD. 4092 - 6/27/95)

(AM. ORD. 4377 - 1/29/08)

**Sec. 8109-1.3 – Standards for the Residential High Density (RHD) Zone**

(ADD. ORD. 4436 - 6/28/11)

**Sec. 8109-1.3.1 –Definition and Purpose**

The RHD zone is established to comply with Government Code Section 65583.2 and to provide for the development of multi-family residential projects at densities considered by state law to be affordable to lower-income households. The purpose of this section is to establish development standards for the Residential High Density (RHD) zone.

**Sec. 8109-1.3.2 – Residential High Density Zoning Clearance**

A ministerial RHD Zoning Clearance shall be issued for multi-family residential projects in the RHD zone upon the determination by the *Planning Director* or his/her designee that: 1) a RHD Zoning Clearance Application has been submitted and completed in accordance with Section 8109-1.3.8; and 2) the proposed project complies with the standards set forth in Sections 8109-1.3.3 through 8109-1.3.6 below.

**Sec. 8109-1.3.3 – General Density Standards**

Multi-family residential projects in the RHD zone must comply with the following general density standards:

- a. Minimum multi-family residential project density shall be no less than that specified by the zone suffix.
- b. Maximum multi-family residential project density shall not exceed 110 percent of the density specified by the zone suffix, unless the *applicant* is granted a density bonus in accordance with Article 16 Density Bonus and Affordable Housing Incentives Program (Sec. 8116-2.6).

(AM. ORD. 4461 - (3/18/14)

**Sec. 8109-1.3.4 –Residential High-Density Development Standards**

The site plans or other materials submitted with the RHD Zoning Clearance Application shall establish compliance with the following development standards:

a. Setback Regulations

Setbacks shall be in accordance with standards established in Section 8106-1.1.

b. Open Space Requirements

Open space shall be provided for the benefit and recreational use of the residents of the multi-family residential project in accordance with the following standards:

(1) Common Open Space:

- (a) At least 20 percent of the permit area shall be preserved as common open space.
- (b) Land uses considered as common open space for the purposes of this section include parks, recreational facilities, common gardens,

greenbelts at least ten feet wide, bikeways, and pedestrian paths not associated with individual dwelling access. Landscaped common open space areas shall be installed pursuant to Section 8106-8.2. (AM. ORD. 4577 – 3/9/21)

- (c) At least 50 percent of the area designated as common open space shall be comprised of land with slopes of ten percent or less.
- (d) The following areas may *not* be used to fulfill the common open space requirement:
  - i. Streets and street rights-of-way;
  - ii. Parking areas and driveways, and parking area landscaping;
  - iii. Drainage or retention facilities that are not specifically designed for common recreational uses; or
  - iv. Private Outdoor Open Space
- (e) Property owner(s) are responsible for maintenance of all common open space in compliance with Section 8106-8.2.8. (AM. ORD. 4577 – 3/9/21)

(2) Private Outdoor Open Space:

In addition to Common Open Space, private open space shall be provided for each unit. It may be provided in the form of outdoor patios, decks and/or balconies and shall be directly and exclusively accessed by the unit it is intended to serve.

- (a) Ground Floor Level Units: Private outdoor open space must be a minimum of 150 square feet per unit and all dimensions must be a minimum of 8 feet.
- (b) Upper Level Units: Private outdoor open space for upper level units must be provided as balconies or loggias with a minimum 5-foot depth dimension.
- c. Multi-family residential projects located on parcels adjacent to agricultural operations shall include a 300-foot setback between the agriculture and the new residential structures or a 150-foot setback if there is a vegetative barrier between the agriculture and the new residential structures.
- d. Multi-family residential projects located adjacent to railroad right-of-way shall provide six foot high fencing or walls on-site to prevent project residents from accessing the railroad tracks.
- e. The *applicant* must demonstrate that the Water and Environmental Resources Division of the Watershed Protection District has determined: (1) there is sufficient water supply to serve the proposed multi-family development; and (2) if the proposed multi-family development is located within the service area of a water purveyor that provides water from an overdrafted groundwater basin or provides water from a groundwater basin that is in hydrologic connection with an overdrafted groundwater basin, that the proposed multi-family development will not adversely impact the overdrafted groundwater basin. If the groundwater basin that will serve the development is located within the boundaries of the Fox Canyon Groundwater Management Agency then the Water and Environmental Resources Division of the Watershed Protection District must first consult with the Fox Canyon Groundwater Management Agency prior to making its determination.

*Applicants* may be required to submit a water demand study prepared by a state-licensed Civil Engineer or Professional Geologist that demonstrates the

project will not cause a net increase in average annual groundwater extraction. If a water demand study is required, it must consider the current consumptive water demand of existing land uses on the project site and the estimated consumptive water demand of the proposed project. The effects of changes in percolation rates due to development, water recycling and conservation measures such as low water use appliances and efficient irrigation must be considered in the analysis.

- f. If the proposed multi-family residential project site is located in a dam inundation area as identified in the Hazards Appendix of the General Plan, then an emergency evacuation plan submitted by the *applicant* must be approved by the County Office of Emergency Services.
- g. Compliance with all other applicable County development and building standards.

**Sec. 8109-1.3.5 – Construction and Operational Standards**

The construction and operation of the multi-family development must comply with the following standards:

- a. Multi-family residential projects shall comply with the requirements of the Ventura County Construction Noise Threshold Criteria and Control Plan.
- b. Development shall comply with the Ventura County “Paveout Policy”, current County Road Standards and the Traffic Impact Mitigation Fee Ordinance.
- c. Multi-family residential projects shall be designed to ensure that outdoor noise levels in outdoor living and recreation areas do not exceed a CNEL of 60 dB or an Leq (1h) of 65dBA during any hour.
- d. In the event that paleontological, archeological, or cultural resources are found during grading or construction, such activities shall halt in the area of the find and the project developer shall notify the Planning Division. The project developer shall hire a qualified consultant approved by the Planning Division who shall prepare a work plan to address the disposition of the paleontological, archeological, or cultural resource encountered. The work plan must comply with the following minimum standards for resource disposition as determined by the *Planning Director* or designee:
  - (1) The work plan shall include a detailed description of the nature, extent, condition and significance of the sensitive resource.
  - (2) The work plan shall specify the available options for resource disposition such as avoidance, recovery and curation, photo-documentation, incorporation of the resource into project design, and other methods.
  - (3) The work plan shall include a recommendation of a course of action that is most protective of the resource while allowing the project objectives to be fulfilled.

Construction can only proceed in conformity with the approved work plan.

**Sec. 8109-1.3.6 – Site Design Standards for Projects Not Located Within an Area Plan Boundary**

If a proposed multi-family residential project is located within an Area Plan boundary, then the project must be consistent with the design guidelines set forth in the applicable Area Plan. Project application materials must include plans and elevations that demonstrate compliance with the Area Plan design guidelines. If the proposed multi-family residential project is not located within an Area Plan boundary or it is located within an Area Plan that does not have design guidelines,

then the project must be consistent with the following site design standards as demonstrated in the plans and elevations submitted with the application:

## 1. Building Design

### (a) Building Form

- i. Multi-family structures shall clearly articulate individual units.
- ii. Buildings shall be designed to create variation in mass and structure height by incorporation of combinations, such as one, one-and-one half, two, and three story units.

### (b) Roof Forms

- i. Multi-family buildings shall be designed to create varying roof forms and break up the massing of the building by employing multi-form roofs (e.g., gabled, hipped, and shed roof combinations).
- ii. Varying roof forms/changes in roof plane shall be used on all structure elevations visible from a public street or pedestrian right-of way, and adjacent properties.
- iii. Where applicable to the architectural style, any roof eaves shall extend a minimum of 24 inches from the primary wall surface to enhance shadow lines and articulation of surfaces.
- iv. Rooflines shall be broken at intervals no greater than 50 feet long by changes in height or step-backs.
- v. Rooflines will be designed to screen roof mounted mechanical equipment.
- vi. Ancillary structures shall incorporate similar or complementary roof pitch and materials to the main structure.

### (c) Garages and Carports

- i. Vary garage door placement and layout to minimize the dominance of garage doors on the street.
- ii. Carport and garage roofs that are visible from the street shall incorporate roof slopes and materials to match adjacent structures. Flat roofs are allowed if not visible from public streets.

### (d) Entries

- i. Individual unit entries that are oriented to the street shall be easily identifiable and distinguishable by articulation or other architectural elements.
- ii. Development projects shall cluster access points and avoid the use of long monotonous balconies and corridors.

### (e) Articulation

- i. Similar and complementary massing, materials, and details shall be incorporated into every structure elevation. Articulation shall be used on the front and side façades that are visible from public streets.
- ii. In order to provide scale and character, architectural elements such as, recessed or projecting balconies, trellises, recessed windows, verandas, porches, etc shall be employed.
- iii. Architectural elements (e.g., overhangs, trellises, projections, awnings, insets, material, texture, etc.) shall be used to create shadow patterns that contribute to a structure's character and to achieve a pedestrian scale.
- iv. Exterior stairways shall be designed as an integral part of the overall architecture of the structure, complementing the structure's mass and form.

(f) Materials and Colors

- i. The building façade shall be enhanced by use of varying material and complimentary colors.
- ii. Heavier materials shall be used lower on the structure elevation to form the base of the structure.
- iii. Contrasting, but complementary colors shall be used for trim, windows, doors, and key architectural elements.

2. Site Features

(a) Walls, *Fences* and Screening

- i. *Fences* and walls shall be constructed of natural materials or materials that look natural (natural woods, common brick, stone, river rock, etc.), rather than exposed concrete block or chain link, for example.
- ii. *Fences* and walls shall be constructed as low as possible while still performing screening, noise attenuation, and security functions.
- iii. Non-transparent perimeter walls shall be architecturally treated on sides that are visible to the public and incorporate landscaping to prevent or discourage graffiti.
- iv. *Fences* and walls shall be of solid material and screened with landscaping.

(b) Trash Enclosures

- i. Enclosures shall be of sufficient size to accommodate equal size containers for both trash and recyclables.
- ii. Enclosures shall not be visible from primary entry drives.
- iii. Enclosures shall have a concrete apron for trash/recycling containers to be rolled onto for collection.
- iv. Enclosures shall be separated from adjacent parking stalls with landscape planters and paved surfaces behind the curb to ensure adequate space is available for individuals to access vehicles.
- v. Enclosures shall be designed with similar finishes, materials, and details as the primary structures within the project and screened with landscaping.
- vi. Enclosures shall provide a pedestrian access in addition to large access doors.

**Sec. 8109-1.3.7 – Affordability Requirements**

All residential units constructed in the RHD zone shall be affordable to lower-income households as defined by the U.S. Department of Housing and Urban Development (HUD) unless otherwise exempted by State law.

**Sec. 8109-1.3.8 – Development Application Requirements**

Requests for development of a multi-family residential project in the RHD zone shall not be reviewed or considered until a fully completed RHD Zoning Clearance Application form provided by the Planning Division is submitted. If additional information is needed to determine whether the standards of this section are satisfied, the RHD Zoning Clearance Application will not be deemed complete until all of the requested information is submitted.

(ADD. ORD. 4436 – 6/28/11)

**Sec. 8109-1.4 – Standards for the Residential (RES) Zone**

For specific standards that apply to the Residential Zone, see the Old Town Saticoy Development Code, Article 19. In addition, all of the General Standards under Sec. 8109-0 and Sec. 8109-1.1 also apply except for Sec. 8109-1.1.1 and Sec. 8109-1.1.3. (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8109-1.5 – Standards for the Residential Mixed Use (R/MU) Zone**

For specific standards that apply to the Residential Mixed Use Zone, see the Old Town Saticoy Development Code, Article 19. In addition, all of the General Standards under Sec. 8109-0 and Sec. 8109-1.1 also apply except for Sec. 8109-1.1.1 and Sec. 8109-1.1.3. (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8109-2 - Standards for Commercial Zones**

### **Sec. 8109-2.1 - General Standards**

The following standards shall apply to development in all commercial zones:

#### **Sec. 8109-2.1.1 - Enclosed Building Requirements**

All uses shall be conducted within a completely enclosed building, unless the use is specifically listed in Article 5 as an outdoor use or is one which must be located outdoors in order to function.

#### **Sec. 8109-2.1.2 - Lighting**

There shall be no illumination or glare from commercial sites onto adjacent properties or streets which may be considered either objectionable by adjacent residents or hazardous to motorists. Flashing lights are strictly prohibited.

#### **Sec. 8109-2.1.3 - Undergrounding of Utilities**

Utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the *applicant*, who shall make the necessary arrangements with the utility companies for the installation of such facilities. This requirement may be waived by the *Planning Director* where it would cause undue hardship or constitute an unreasonable requirement, provided that such waiver is not in conflict with California Public Utilities Commission rules, requirements or tariff schedules. This section shall not apply to utility lines which do not provide service to the area being subdivided. Appurtenant structures and equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets may be placed aboveground.

#### **Sec. 8109-2.1.4 - Retail Establishments**

Retail establishments may include accessory wholesaling, but not wholesale distribution centers.

#### **Sec. 8109-2.1.5 - Processing Standards**

Not more than five employees shall be involved in the permitted manufacturing, processing or packaging of products. Such activities shall be permitted in commercial zones only as accessory to a principal retail use. This section shall not apply to temporary collection activities for waste and recyclables.

#### **Sec. 8109-2.1.6 - Performance Standards**

Development in commercial zones is subject to the performance standards of Sec. 8109-3.1.3. (ADD. ORD. 3810 - 5/5/87)

(AM. ORD. 4214 - 10/24/00)

### **Sec. 8109-2.2 - Open Storage**

Open storage of materials and equipment shall be permitted in the CPD Zone only when incidental to the permitted use of an office, store or other building located on the front portion of the same *lot*, provided that such storage area shall be completely screened from view from any adjoining property or roadway by a solid wall or *fence* at least six feet in height and shall be appropriately landscaped and maintained in good condition. (AM. ORD. 4377 – 1/29/08)

### **Sec. 8109-2.3 - Accessory Businesses in CO Zone**

In the CO zone, accessory barber shops, beauty shops, coffee shops and newsstands may be located in an office building, provided that there are no entrances direct from the street to such businesses, no signs or other evidence indicating the existence of such businesses visible from the outside of any such office building, and provided that such building is of sufficient size and character that the patronage of such businesses may be expected to be furnished substantially or wholly by tenants of the office building.

(AM. ORD. 4377 – 1/29/08)

### **Sec. 8109-2.4 Standards for the Town Center (TC) Zone**

For specific standards that apply to the Town Center Zone, see the Old Town Saticoy Development Code, Article 19. In addition, all of the General Standards under Sec. 8109-0 and Sec. 8109-2.1 also apply except for Sec. 8109-2.1.4 and Sec. 8109-2.1.5. (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8109-3 - Standards for Industrial Zones**

### **Sec. 8109-3.1 - General Standards**

The following standards shall apply to development in all industrial zones:

#### **Sec. 8109-3.1.1 - Undergrounding of Utilities**

Utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the *applicant*, who shall make the necessary arrangements with the utility companies for the installation of such facilities. This requirement may be waived by the *Planning Director* where it would cause undue hardship or constitute an unreasonable requirement, provided that such waiver is not in conflict with California Public Utilities Commission rules, requirements or tariff schedules. This section shall not apply to utility lines which do not provide service to the area being subdivided. Appurtenant structures and equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets may be placed aboveground. (AM.ORD.3730-5/7/85)

#### **Sec. 8109-3.1.2 - Private Streets**

Private streets may be built as part of an industrial development, in accordance with Article 8.

#### **Sec. 8109-3.1.3 - Industrial Performance Standards**

Industrial performance standards are the permitted levels of operational characteristics resulting from processes or other uses of property. Continuous compliance with the following performance standards shall be required of all uses, except as otherwise provided for in these regulations:

- a. Objectionable Factors - The following shall be maintained at levels which are appropriate for the zone and geographic area and are not objectionable at the point of measurement when the use is in normal operation:
  - (1) Smoke, odors, vapors, gases, acids, fumes, dust, dirt, fly ash or other forms of air pollution;
  - (2) Noise, vibration, pulsations or similar phenomena;
  - (3) Glare or heat;
  - (4) Radioactivity or electrical disturbance.

The point of measurement for these factors shall be at the *lot* or ownership line surrounding the use.

- b. Hazardous Materials - Land or buildings shall not be used or occupied in any manner so as to create any fire, explosive or other hazard. All activities involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local and national safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment in compliance with Ventura County Fire Prevention Regulations. The burning of waste materials in open fires without written approval of the Fire Department is prohibited.
- c. Liquid and Solid Wastes - Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply or interfere with bacterial processes in sewage treatment. The disposal or dumping of solid wastes, such as slag, paper and fiber wastes, or other industrial wastes shall not be permitted on any premises.
- d. Exceptions - Exceptions to these regulations may be made during brief periods for reasonable cause, such as breakdown or overhaul of equipment, modification or cleaning of equipment, or other similar reason, when it is evident that such cause was not reasonably preventable. These regulations shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

**Sec. 8109-3.2 - M1 Zone**

The following regulations shall apply to the M1 Zone:

(AM. ORD. 4377 – 1/29/08)

**Sec. 8109-3.2.1**

Uses involving the following kinds of activities and elements are not considered appropriate in the M1 zone: (AM. ORD. 4377 – 1/29/08)

- a. High temperature processes;
- b. Yards for the storage of materials, unless it is determined by the decision-making body that such activity will not create a nuisance or create significant adverse visual impacts in the project area;
- c. Storage of *chemicals* in excess of that needed as accessory to the main use. This does not apply to accessory recyclable household/CESQG hazardous waste collection facilities;
- d. Explosives in any form;
- e. Obnoxious or dangerous gases, odors, fumes, or smoke;
- f. Assembly-line construction operations.

(AM. ORD. 3810 - 5/5/87; AM. ORD. 4214 - 10/24/00)

**Sec. 8109-3.2.2**

Predominant activities and operations shall be enclosed within buildings, except as otherwise provided in this Chapter. The *Planning Director* is authorized to determine the reasonable application of this provision in cases of operation hardship or other showing of special circumstances.

**Sec. 8109-3.2.3**

Multi-tenant buildings are permitted, provided that the building is designed to appear as a single building with a unified design.



**Sec. 8109-3.2.4**

Principal buildings constructed of metal are not permitted. Accessory buildings constructed of metal shall have exterior surfaces of a stainless steel, aluminum, painted, baked enamel or similarly finished surface.

**Sec. 8109-3.2.5**

Accessory outside storage shall be confined to the area to the rear of the principal building or the rear two-thirds of the property, whichever is the more restrictive, and screened from view from any property line by appropriate walls, fencing, earth mounds or landscaping.

**Sec. 8109-3.2.6**

Off-street parking spaces may be located within required setbacks from streets under certain circumstances; see Sec. 8106-5.3. (ADD. ORD. 3810 - 5/5/87)

**Sec. 8109-3.3 - M2 Zone**

The following regulations shall apply to the M2 Zone:

(AM. ORD. 4377 – 1/29/08)

**Sec. 8109-3.3.1**

The same criteria given for the M1 Zone (Sec. 8109-3.2.1 above) apply to the M2 Zone, except that the latter allows uses which may involve moderate levels of noise, small-scale assembly-line processes and light metal work. (AM. ORD. 3810 - 5/5/87; (AM. ORD. 4377 – 1/29/08)

**Sec. 8109-3.3.2**

Principal buildings constructed of metal shall be faced along any street side with masonry, stone, concrete or similar material, such facing treatment to extend along the interior side yards of such building a distance of at least ten feet. The metal portion of the principal building and all metal accessory buildings shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface.

**Sec. 8109-3.3.3**

Outside storage and operations yards shall be confined to the area to the rear of a line which is an extension of the front wall of the principal building and shall be screened from view from any street by appropriate walls, fencing, earth mounds or landscaping. Outside storage located in a required yard shall not exceed a height of 15 feet.

**Sec. 8109-3.3.4**

Off-street parking spaces may be located within required setbacks from streets under certain circumstances; see Sec. 8106-5.3. (ADD. ORD. 3810 - 5/5/87)

**Sec. 8109-3.4 - M3 Zone**

The following regulations shall apply to the M3 Zone:

(AM. ORD. 4377 – 1/29/08)

**Sec. 8109-3.4.1**

Metal buildings, including accessory buildings, either shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface; or shall be reasonably screened from view from any street by other buildings or by appropriate walls, fencing, earth mounds or landscaping; or shall be located not less than 100 feet from the street centerline.

**Sec. 8109-3.4.2**

Outside storage and operations yards shall be *fenced* for security and public safety at the property line.

### **Sec. 8109-3.5 - Standards for the Light Industrial (IND) Zone**

For specific standards that apply to the Light Industrial Zone, see the Old Town Saticoy Development Code, Article 19. In addition, all of the General Standards under Sec. 8109-0 and Sec. 8109-3.1 also apply. (ADD. ORD. 4479 – 9/22/15)

## **Sec. 8109-4 - Standards for Overlay and Special Purpose Zones**

### **Sec. 8109-4.1 - Scenic Resource Protection Overlay Zone**

#### **Sec. 8109-4.1.1 - Application**

The abbreviated reference for this zone when applied to a base zone shall be "SRP." The provisions of this overlay zone are intended to apply to areas of the County within the viewshed of selected County lakes and State or County-designated highways depicted as "Scenic Resource Area" on the Resource Protection Map of the Ventura County General Plan *Goals, Policies, and Programs* and other scenic areas as determined by an Area Plan. The suffix "SRP" shall be added to the base zone covering land so identified (example: RA-40 ac/SRP), but shall have no effect on the provisions of the base zone, except as provided herein. (AM. ORD. 4377 – 1/29/08; AM. ORD. 4390 – 9/9/08)

#### **Sec. 8109-4.1.2 - Required Permits**

In this overlay zone, the permit requirements of Article 5 shall apply and a *Planning Director*-approved Planned Development Permit is also required whenever any one of the following actions are proposed:

- a. Grading that results in an excavation or fill of more than five feet in height, or involves a cumulative area of 1,000 square feet or larger.
- b. Construction of new structures that meet any of the following characteristics:
  - (1) The proposed structure exceeds 15 feet in height; or
  - (2) Any part of a proposed structure is located within 20 vertical feet of the nearest crest of a prominent ridgeline, unless the *applicant* can demonstrate that the structure will not be silhouetted on the ridgeline as viewed from the County Regional Road Network, a County designated scenic lake, or public location as prescribed by an Area Plan; or
  - (3) The proposed structure(s) cumulatively exceeds 1,000 square feet, or 20 percent of the floor area of an existing structure located within 40 feet, whichever is greater.
- c. Increase in the height or size of any existing structure that exceeds either one of the following:
  - (1) 20 percent of the existing structure's height where the existing structure is located within 20 vertical feet of the nearest crest of a prominent ridgeline, whichever is more restrictive, unless the *applicant* can demonstrate that the structure will not be silhouetted on the ridgeline as viewed from the County Regional Road Network, a County designated scenic lake, or public location as prescribed by an Area Plan; or
  - (2) 20 percent cumulative increase in the size of an existing structure's floor area or 1,000 square feet, whichever is greater.
- d. Destruction or removal of 1,000 square feet or more of *native vegetation*.

(AM. ORD. 3993 - 2/25/92; AM. ORD. 4291 - 7/29/03; AM. ORD. 4390 – 9/9/08; AM. ORD. 4413 – 4/6/10)

### **Sec. 8109-4.1.3 - General and Special Exemptions**

- a. A *discretionary* permit is not required if the *applicant* can demonstrate to the satisfaction of the *Planning Director* or designee that proposed grading or structures will not be visible from any road right-of-way within the County General Plan Regional Road Network or scenic lake identified by the County General Plan, or other location as specified by an Area Plan. Visibility from the Regional Road Network shall be measured from the sidewalk, if available, or as close as practical to the edge of pavement.
- b. A *discretionary* permit is not required for:
  - (1) Restoration of land to its prior condition following floods, landslides or natural disasters;
  - (2) Construction of an at-grade pool on a previously approved graded area;
  - (3) Re-grading of existing or previously irrigated agricultural areas for agricultural purposes so long as no new excavation or fill would exceed five feet in height;
  - (4) Removal of: agricultural crops, vegetation on previously cultivated agricultural areas that have been abandoned for up to five years or on land classified as Prime, Statewide Importance or Unique on the California Department of Conservation Important Farmlands Inventory, landscape vegetation, and non-native *invasive* or *watch list species* of plants found on the list compiled by the California Invasive Plant Council; or
  - (5) Vegetation modification adjacent to existing buildings as required by the Fire Protection District (VCFPD) pursuant to VCFPD Ordinance, or pursuant to a Community Wildfire Protection Plan or similar fuel modification/wildfire protection plan adopted by the VCFPD.

(ADD. ORD. 4413 – 4/6/10; AM. ORD. 4577 – 3/9/21)

### **Sec. 8109.4.1.4 - Required Tree Permit**

A ministerial or *discretionary* Tree Permit shall be obtained from the *Planning Director* pursuant to Section 8107-25 et seq. to alter or destroy any Protected Tree or any trenching, excavating or applying poisons within the drip line or within 15 feet of the trunk of a Protected Tree. If a Planned Development Permit is required pursuant to Section 8109-4.1.2, any required Tree Permit shall be processed concurrently.

(ADD. ORD. 4390 – 9/9/08)

### **Sec. 8109-4.1.5 - Development Standards**

- a. All *discretionary* development shall be sited and designed to:
  - (1) Prevent significant degradation of a scenic view or vista;
  - (2) Minimize alteration of the natural topography, physical features and vegetation;
  - (3) Utilize native plants indigenous to the area for re-vegetation of graded slopes, where appropriate considering the surrounding vegetative conditions;
  - (4) Avoid silhouetting of structures on ridge tops that are within public view;
  - (5) Use materials and colors that blend in with the natural surroundings and avoid materials and colors that are highly reflective or that contrast with the surrounding vegetation and terrain, such as large un-shaded

windows, light colored roofs, galvanized metal, and white or brightly colored exteriors.

(6) Minimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas.

b. All on-site freestanding advertising, identification and non-commercial message signs in excess of five feet in height and all off-site advertising signs are prohibited in the SRP Overlay Zone.

(ADD. ORD. 4390 – 9/9/08; AM. ORD. 4413 – 4/6/10)

## **Sec. 8109-4.2 - Standards and Procedures for Specific Plan (SP) Zone**

### **Sec. 8109-4.2.1 - Special Standards**

Zoning regulations for governing the SP zone, including, but not limited to, the standards, regulations and conditions applicable to the development and uses permitted in the SP Zone, shall be established by a specific plan approved by the County of Ventura with respect to the area within the boundaries of such specific plan.

### **Sec. 8109-4.2.2 - Procedure and Conditions for Permits**

An application for re-zoning to SP shall include a specific plan indicating the location and approximate acreage of all residential, commercial, industrial, institutional and other uses, proposed residential densities, site topography and general circulation plan. The zone change and specific plan shall be approved concurrently by the Board of Supervisors and said specific plan shall be incorporated into the re-zoning ordinance. All subsequent permits shall be in compliance with the approved specific plan. (AM. ORD. 4018 - 12/15/92)

(AM. ORD. 4377 – 1/29/08)

## **Sec. 8109-4.3 - Standards and Procedures of Timberland Preserve (TP) Zone**

### **Sec. 8109-4.3.1 - Rezoning to TP (Owner-Initiated)**

a. Any property owner may make application to the Board of Supervisors (hereinafter the Board) to zone his or her land TP. The Board by ordinance, after receiving the advice of the Planning Commission and after public hearing, shall zone as Timberland Preserve all *lots* submitted to it by application, which meet all of the following criteria.

(1) The subject land must be timberland. "Timberland" means privately owned land, or land acquired for state forest purposes which is devoted to and used for the growing and harvesting of timber, and compatible uses, and which is capable of growing an average annual volume of wood fiber of at least 15 cubic feet per acre.

(2) A plan for forest management of the property must be prepared, or approved as to content, by a registered professional forester. The plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan.

(3) The property shall meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the property is located, or the owner must sign an agreement with the Board to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. If the property is

subsequently zoned as timberland preserve, then failure to meet such stocking standards and forest practice rules within this time period provides the Board with grounds for rezoning of the parcel pursuant to Section 8109-4.3.2c.

- (4) The property shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of a single *lot* or contiguous *lots* of at least 80 acres in aggregate.
- b. Any owner who has so applied and whose land is not zoned as Timberland Preserve may petition the Board for a rehearing on the zoning.
- c. Property shall be zoned as TP for an initial term of ten years. On the first and each subsequent anniversary date of the initial zoning, a year shall be added to the initial ten-year term, unless a notice of rezoning is given as provided in Section 8109-4.3.2a or Section 8109-4.3.2c.
- d. An owner with timberlands in a timberland preserve pursuant to either the mandated rezoning required by Sec. 51112 of the Government Code or the provisions of Section 51113 of said Code may petition the Board to add to the owner's timberland preserve any lands which meet the definition of timberland set forth in Section 8109-4.3.1a above. Except for Section 8109-4.3.1a, the criteria of Section 8109-4.3.1 shall not apply to these lands.
- e. In the event of land exchanges with or acquisitions from a public agency in which the size of an owner's *lot* or *lots* zoned as Timberland Preserve pursuant to Government Code Section 51112 or 51113 is reduced, the TP Zone shall not be removed from the *lot(s)* except pursuant to Section 8109-4.3.2c and except for a cause other than the small *lot* size.

#### **Sec. 8109-4.3.2 - Removal from TP Zone**

- a. Owner-Initiated Rezoning - An owner may initiate rezoning of a parcel zoned TP to another zone, provided, however, that unless the written notice is given at least 90 days prior to the anniversary date of initial zoning, the zoning term shall be deemed extended.
  - (1) Within 120 days of receipt of the written notice of an owner's desire to rezone a *lot*, the Board shall, after a public hearing, rule on the request for rezoning. If the Board denies the owner's request for a change of zone pursuant to this Section, the owner may petition for a rehearing.
  - (2) The Board may, by a majority vote of the full body, remove the *lot* from the TP Zone and specify a new zone for the *lot*. The new zone shall become effective ten years from the date of approval.
- b. Immediate Rezoning (Owner-Initiated) - The purpose of this section is to provide relief from zoning as Timberland Preserve only when the continued use of land as a timberland preserve is neither necessary nor desirable to accomplish the purposes of Section 3(j) of Article XIII of the California Constitution, this Ordinance or the applicable sections of Statute 1976, Chapter 176. A Timberland Preserve Zone may be immediately rezoned only at the request of a property owner and as provided in the following subsections:
  - (1) If application for conversion is required pursuant to Section 4621 of the Public Resources Code, the provisions of Section 51133 of the Government Code shall apply.
  - (2) If an application for conversion is not required pursuant to Section 4621 of the Public Resources Code, the Board may approve the immediate rezoning request only if by a four-fifths vote of the full Board it makes written findings that all of the following exist:

- i. The immediate rezoning would be in the public interest.
  - ii. The immediate rezoning would not have a substantial and unmitigated adverse effect upon the continued timber-growing use or open-space use of other land zoned as timberland preserve and situated within one mile of the exterior boundary of the land upon which immediate rezoning is proposed.
  - iii. The soils, slopes, and watershed conditions would be suitable for the uses proposed if the rezoning were approved.
  - iv. The immediate rezoning is consistent with the purposes of subdivision (j) of Section 3 of Article XIII of the Constitution and of the Government Code, Section 51100 et seq.
- (3) The existence of an opportunity for an alternative use of the land shall not alone be sufficient reason for granting a request for immediate rezoning. Immediate rezoning shall be considered only if there is no proximate and suitable land which allows the desired use.
- (4) While the uneconomic or unprofitable character of the existing use shall not be sufficient reason for the approval of immediate rezoning, it may be considered if there is no other reasonable or comparable timber-growing use to which the land may be put.
- (5) Immediate rezoning action shall comply with all the applicable provisions of State law and local ordinances.
- c. County-Initiated Rezoning - The County may initiate rezoning of a *lot* zoned TP in accordance with the following procedures:
- (1) If the Board, after public hearing and by a majority vote of the full body, desires in any year not to extend the term of the TP zoning, the County shall give written notice of its intent to rezone. A proposed new zone shall be specified. Unless the written notice is given at least 90 days prior to the anniversary date of the initial zoning, the zoning term shall be deemed extended.
  - (2) Upon receipt by the owner of a notice of intent to rezone from the County, the owner may make written protest of the notice and may appeal to the Board within 30 days of receiving notice from the County. The Board may at any time prior to the anniversary date withdraw the notice of intent to rezone.
  - (3) The Board shall hold a public hearing on the proposed change and by a majority vote of the full body may reaffirm its intent to change the zoning and specify a new zone. The new zone shall be effective ten years from the date of the reaffirmation vote.

**Sec. 8109-4.3.3 - Environmental Impact Report: Exemption**

Any action of the Board to rezone a *lot* to TP is exempt from the requirements of Section 21151 of the Public Resources Code.

**Sec. 8109-4.3.4 - Recordation**

When land is zoned as Timberland Preserve or subsequently rezoned from TP and after exhaustion of appeals, a notice of Timberland Preserve Zone status, together with a map and assessor's parcel numbers describing such land, shall be filed for record by the County in the recorder's office.

### **Sec. 8109-4.3.5 - Enforcement and Administration**

Land zoned as Timberland Preserve under this Article shall be enforceably restricted within the meaning of Section 3(j) of Article XIII of the Constitution and the restrictions shall be enforced and administered by the County in a manner to accomplish the purposes of that section and of this Article.

### **Sec. 8109-4.3.6 - Division of Land**

*Lots* zoned as Timberland Preserve under this Article may not be divided into *lots* containing less than 160 acres, unless a joint timber management plan is prepared or approved as to content by a registered professional forester for the *lots* to be created. The Plan shall provide for the management and harvesting of timber by the original and any subsequent owners, and shall be recorded with the County Recorder as a deed restriction on all newly created *lots*. The deed restriction shall run with the land rather than with the owners, and shall remain in force for a period of not less than ten years from the date the division is approved by the Board. The division shall be approved only by a four-fifths vote of the full Board, and only after recording of the deed restriction.

(AM. ORD. 4377 – 1/29/08)

## **Sec. 8109-4.4 - Mineral Resource Protection Overlay Zone**

### **Sec. 8109-4.4.1 - Application**

The abbreviated reference for this zone when applied to a base zone shall be "MRP." The provisions of this zone are intended to apply to all areas of the County designated "Protected Mineral Resource Area" on the Resource Protection Maps of Ventura County's General Plan. The suffix "MRP" shall be added to the base zone covering land so identified (example: OS-160 ac/MRP), but shall have no effect on the provisions of the base zone, except as provided herein. (AM. ORD. 3900 - 6/20/89; AM. ORD. 4144 - 7/22/97; AM. ORD. 4377 – 1/29/08)

### **Sec. 8109-4.4.2 - Permit Standards**

*Discretionary* permits shall not be granted within areas with a "MRP" overlay zone designation if the use will significantly hamper or preclude access to, or the extraction of, a mineral resource, except where one or more of the following findings can be made:

- a. Such use is primarily intended to protect life or property.
- b. Such use provides a significant public benefit.
- c. The resource is not present at the site.
- d. Extraction of the resource is not technically or economically feasible.
- e. Extraction of the resource is not feasible due to limitations imposed by the County.

(ADD. ORD. 3723 - 3/12/85)

## **Sec. 8109-4.5 - Community Business District Overlay Zone**

### **Sec. 8109-4.5.1 - Application**

The abbreviated reference for this zone when applied to a base zone shall be "CBD". This overlay zone applies to community business districts which have been found by the County to have unique historic character which warrants special permit requirements and standards necessary to preserve or re-create the historic character of the district consistent with the design guidelines as adopted under the applicable County Area Plan or Specific Plan. The suffix "CBD" shall be added to the base zone covering land so identified (e.g., CPD/CBD), but shall have no effect on the provisions of the base zone except as provided in Section 8109-4.5 through

4.5.5. In this overlay zone the permit requirements of Article 5 shall apply. (AM. ORD. 4377 – 1/29/08; AM. ORD. 4393 – 12/16/08)

**Sec. 8109-4.5.2 – Ministerial Design Permit**

In this overlay zone, when no *discretionary* permit is otherwise required, any alteration of the exterior (including color); remodeling of an existing building or structure, and/or construction of any building or structure (including signs) shall require a Design Permit. A Design Permit shall be issued if the non-*discretionary* alteration of the exterior (including color); remodeling of an existing building or structure, or construction of any building or structure (including signs) is consistent with the design guidelines adopted in the applicable area plan or specific plan and does not violate any provision of local or state law. (AM. ORD. 4393 – 12/16/08)

**Sec. 8109-4.5.3 - Permit Standards**

Before rendering a final decision approving a *discretionary* permit or a permit modification in this overlay zone, the decision-making authority shall make findings based on evidence in the public record that the following standards, in addition to those set forth in Sections 8111-1.2.1.1 through 1.2.1.7 (as applicable) will be met: (AM. ORD. 4393 – 12/16/08)

- a. The alteration or construction of the building, structure or feature for which the permit or permit modification is to be issued is consistent with the purposes of the Community Business District overlay zone (Sec. 8104-7.4).
- b. The alteration or construction of the building, structure or feature for which the permit or permit modification is to be issued is consistent with the design guidelines adopted under the applicable County Area Plan or Specific Plan.

**Sec. 8109-4.5.4 - Deviations from Development, Parking, Landscape and Sign Standards**

Deviations from the following development, landscape and sign standards may be approved by the decision-making authority, provided the deviations meet the standards set forth in subsections (a) and (b) of Section 8109-4.6.3 and the *MWEL*O, where applicable:

- a. Required Minimum Setbacks (Section. 8106-1.2).
- b. Maximum Structure Height (Section 8106-1.2).
- c. Landscaping (Section 8106-8.2).
- d. Prohibited Signs: Projecting Signs (Section 8110-4i).
- e. General Sign Standards: Location (Section 8110-5.2).
- f. Window Signs (Section 8110-6.13).

(ADD. ORD. 4144 - 7/22/97; AM. ORD. 4390 – 9/9/08; AM. ORD. 4407 – 10/20/09; AM. ORD. 4577 – 3/9/21)

**Sec. 8109-4.5.5 – Mixed-Use Development**

Mixed-use development shall comply with the following requirements:

- a. **Design Considerations.** A mixed-use development shall be designed to achieve the following objectives:
  - 1. The design of the structures and site planning shall encourage integration of the street pedestrian environment with the non-residential uses. Design emphasis should be given to the pedestrian though the provision of inviting building entries, street-level amenities such as the use of plazas, courtyards, walkways, and street furniture designed to encourage pedestrian interaction.



2. The design shall provide for internal compatibility between the different uses. Potential noise, hours of operation, odors, glare and other potentially significant impacts on residents shall be minimized to allow a compatible mix of residential and non-residential uses on the same site.
  3. The design of the mixed-use development project shall take into consideration potential impacts on adjacent properties and shall include specific design features to minimize potential impacts.
  4. The design of a mixed-use project shall ensure that the residential units are of a residential character and that privacy between residential units and between other uses on the site is maximized.
  5. Site planning and building design shall be compatible with and enhance the adjacent and surrounding neighborhood in terms of scale, building design, color, exterior materials, roof styles, lighting, landscaping and signage.
- b. Mix of Uses.** Unless otherwise limited in an applicable County Area Plan or Specific Plan, a mixed-use project may combine residential units with any other use or combination of uses allowed in the base zoning district. Where a mixed-use project is proposed with a use that is otherwise required to have a conditional use permit the entire mixed-use development project shall be subject to the conditional use permit requirement.
- c. Maximum Density.** The maximum density allowed for a mixed-use development shall be 15 dwelling units per acre, except that if a higher density is permitted on an adjacent residentially zoned parcel, then the density of the mixed-use development may be increased to be consistent with the adjacent residentially zoned parcel.
- d. Site Layout and Project Design Standards.** Each proposed mixed-use development project shall comply with the development standards of the underlying zoning district as described in Section 8106-1.2 except as may otherwise be provided in an applicable County Area Plan or Specific Plan. Additionally, mixed-use developments shall comply with the following requirements:
- 1. Location of Residential Units.** Residential units shall not occupy ground floor space.
  - 2. Loading Areas.** Commercial loading areas shall be located as far as practically feasible from the residential units and shall be screened from view from the residential portion of the mixed-use development project to the extent feasible.
  - 3. Refuse and Recycling Areas.** Shared areas for collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and non-residential uses.
  - 4. Lighting.** Lighting for commercial uses shall be appropriately shielded to avoid or mitigate negative impacts on the residential units.
  - 5. Noise.** All residential units shall be designed to minimize adverse impacts from non-residential project noise, in compliance with County noise standards. A noise report prepared by a qualified acoustical engineer may be required to recommend specific measures to ensure compliance with County noise standards.

**6. Hours of Operation.** Commercial operations within a mixed-use development project will limit operations to normal business hours (8:00 a.m. to 6:00 p.m.) unless otherwise specifically approved by the decision-making authority.

**7. Open Space.** A minimum of 80 square feet of private usable open space shall be provided for each residential unit within the project. The open space requirement may be met through provision of patios, decks or enclosed yard areas.

**8. Parking.** *Mixed-use development* projects shall comply with the parking requirements set forth in Section 8108, except that the non-residential parking requirement may be modified pursuant to Section 8109-6.4 above.

- e. Required Finding for *Mixed-Use Development*.** In addition to the permit findings required in Section 8109-4.5.3, the decision-making authority must make the finding that the mixed-use development complies with the standards and requirements of Section 8109-4.5.5 (a) through (d).

(ADD. ORD. 4393 – 12/16/08)

### **Sec. 8109-4.6 – Temporary Rental Unit Regulation Overlay Zone**

The abbreviated reference for this overlay zone when applied to a base zone shall be “TRU.” The suffix “TRU” shall be added to the base zone of the land located within the Temporary Rental Unit Regulation overlay zone (e.g., RA-20/ac/TRU) but shall have no effect on the provisions of the base zone, or on the provisions of any other overlay zone that applies to the same land, except as provided herein.

#### **Sec. 8109-4.6.1 – Temporary Rental of Dwelling Must Be Expressly Authorized**

Except as expressly authorized by this Section 8109-4.6 (the “Section”) or otherwise expressly authorized by this Chapter, no dwelling, property or any portion thereof shall be rented for a term of less than thirty consecutive days in the Temporary Rental Unit Regulation (TRU) overlay zone. Renting for periods of less than thirty days pursuant to purported longer-term leases or by other means intended to evade compliance with this Section is prohibited.

#### **Sec. 8109-4.6.2 – Definitions**

Refer to Sec. 8102-0, for the definitions of the terms home exchange, homeshare, short-term rental, and rent as used in this Chapter. For purposes of this Section only, the following definitions shall apply:

- a. Owner – A person with a full or partial fee title ownership interest in the subject property. For a property held in a trust, each trustee (but no trust beneficiary) is considered an owner.
- b. Primary Residence – A dwelling which is the owner’s main living location as evidenced by the owner’s address-of-record for official documents such as the property’s title, income tax returns, voter registration, or a current property tax bill.

#### **Sec. 8109-4.6.3 – Application**

Unless otherwise specifically stated in this Section, the applicable operational standards of Sec. 8109-4.6.8 and property management requirements of Sec. 8109-4.6.9 are automatically imposed and made a part of every permit issued or renewed for a homeshare or short-term rental pursuant to this Section.

#### **Sec. 8109-4.6.4 – Permit Requirement**

- a. A valid permit issued by the County pursuant to this Section is required in order for any person that seeks or receives any rent, payment, fee, commission or compensation in any form, to rent, offer for rent, advertise for rent, or facilitate the rental of a homeshare or short-term rental located in the TRU overlay zone.
- b. A zoning clearance authorizing a homeshare or short-term rental shall be issued or renewed by the *Planning Director* or designee if the standards and requirements of this Section and those of Sec. 8111-1.1.1(b) are met.

#### **Sec. 8109-4.6.4.1 – Limited Term**

Permits for homeshares and short-term rentals shall be issued or renewed for a maximum term of one year. All permits shall contain the following provision: "This permit shall expire no later than one year after the date of issuance, and is subject to revocation for violation or noncompliance with the requirements of Sec. 8109-4.6 or any other applicable provision of the Ventura County Ordinance Code."

#### **Sec. 8109-4.6.5 – Permit Eligibility**

Permits may only be issued under this Section for homeshares and short-term rentals that meet each of the applicable eligibility requirements stated in this Sec. 8109-4.6.5.

#### **Sec. 8109-4.6.5.1 – Owner Requirements and Limitations**

- a. Permits may only be issued to the owner(s) of the homeshare or short-term rental property, and shall automatically expire upon sale or transfer of ownership of the property, in whole or in part. All permits shall include the following provision: "This permit shall automatically expire upon sale or transfer of the property, in whole or in part, or as stated in Sec. 8109-4.6.4.1, whichever comes first."
- b. A permit may only be issued for a homeshare or short-term rental property if no owner of the subject homeshare or short-term rental property is also the owner of another homeshare or short-term rental property that is currently permitted under this Section. In addition, if a property contains multiple dwelling units (e.g., a duplex, cottages or apartments), only one dwelling unit on the property is eligible for permitting as a homeshare or short-term rental under this Section.

#### **Sec. 8109-4.6.5.2 – Ineligible Dwellings and Structures**

Except as provided in Sec. 8109-4.6.12, no permit for a homeshare or short-term rental shall be issued for any of the following dwellings:

- a. A dwelling that was permitted as a second dwelling unit or an accessory dwelling unit;
- b. A dwelling subject to a County-imposed covenant, condition or agreement restricting its use to a specific purpose including but not limited to an affordable housing unit, farmworker housing, a superintendent or caretaker dwelling;
- c. A dwelling on property subject to a Land Conservation Act (Gov. Code § 51200 et seq.) contract;
- d. A dwelling on property fully or partially owned by a corporation, partnership, limited liability company, or other legal entity that is not a natural person, except in the event every shareholder, partner or member of the legal entity is a natural person as established by documentation (which shall be public record) provided by the permit *applicant*. In the event this exception applies, every such natural person shall be deemed

a separate owner of the subject dwelling and property for purposes of this Section;

- e. A dwelling on property owned by six or more owners, unless each owner shares common ancestors; or
- f. A dwelling or structure that has not, if legally required, obtained a full building final inspection or been issued a valid certificate of occupancy by the County Building Official.

**Sec. 8109-4.6.5.3 – Limitation on Short-Term Rentals**

A short-term rental must meet one of the following criteria to be eligible for permitting under this Section:

- a. If the short-term rental is located on a property designated by the County as a “landmark” as of June 19, 2018 as this term is defined in Sec. 8102-0; or
- b. If the short-term rental is authorized pursuant to Sec. 8109-4.6.12.

**Sec. 8109-4.6.6 – Pre-Permitting Inspection**

Prior to the initial issuance and each renewal of a permit under this Section, the County Building Official or designee shall conduct an inspection to determine the number of bedrooms within the unit and ensure the dwelling and site comply with the provisions of this Section and other applicable building and zoning codes and regulations regarding parking, access, fire, and other relevant health and safety standards. If any violation is identified during the inspection, no permit shall be issued under this Section until the violation(s) is abated.

**Sec. 8109-4.6.7 – Permit Application, Processing and Fees**

- a. Applications for the initial issuance and renewal of permits under this Section shall meet the form and content requirements as established by the *Planning Director* or designee pursuant to Sections 8111-2.1 and 8111-2.3. As part of each application, the *applicant* shall submit documentation, as specified by the *Planning Director* or designee, needed to determine permit eligibility and compliance with all other requirements of this Section.
- b. Each application shall include a site plan depicting the location and describing the use of all existing structures.
- c. Each application shall include an affidavit in a form provided by the *Planning Director* or designee, signed by each owner of the subject property, agreeing to comply with the operational standards of Sec. 8109-4.6.8 and the property management requirements of Sec. 8109-4.6.9 should the permit be issued. The affidavit form shall also include the following statement: “The County considers the temporary rental of dwellings to be businesses that are operated in residential zones. Temporary rentals are not a by-right use. Instead, they are only allowed if operated in strict compliance with the rules and requirements of Section 8109-4.6. Violations are grounds for permit revocation, fines, and/or criminal prosecution.”
- d. For a homeshare only, annually provide to the Planning Division proof of a homeowner’s exemption from the County Assessor and a fully-executed statement that the property is owner occupied.
- e. An annual permit fee authorized by the fee schedule applicable to the Planning Division may be collected upon the filing of an application to cover the County’s costs of administering this Section.
- f. Prior to permit issuance under this Section, the *applicant* shall: (i) pay all applicable County fees; (ii) submit a code compliance deposit in accordance

with Sec. 8109-4.6.10.2; (iii) provide contact information for the owner of a homeshare, or designate and provide contact information for one or two property managers of a short-term rental, pursuant to Sec. 8109-4.6.9.1; (iv) provide a fully-executed affidavit pursuant to Sec. 8109-4.6.7(b); (v) provide proof of compliance with the applicable business tax and licensing, and transient occupancy tax, requirements pursuant to Sec. 8109-4.6.9.5; (vi) for a homeshare only, proof of homeowner's exemption and statement that property is owner occupied pursuant to Sec. 8109-4.6.7(d); (vii) provide proof of insurance pursuant to Sec. 8109-4.6.9.6; and (viii) provide the fully-executed defense and indemnification agreement pursuant to Sec. 8109-4.6.9.7.

- g. Notwithstanding any other provision of this Article, no public hearing shall be conducted regarding permit applications under this Section. Decisions of the *Planning Director* or designee on permit applications are final when rendered and are not subject to appeal.

### **Sec. 8109-4.6.8 – Operational Standards**

The following minimum operational standards apply to all homeshares and short-term rentals. All owners, renters, occupants and visitors of homeshares and short-term rentals shall comply with the operational standards. The owner(s) and permittee(s) of homeshares and short-term rentals are ultimately responsible for ensuring compliance with, and are liable for violations of, these operational standards.

#### **Sec. 8109-4.6.8.1 – Occupancy Limits**

- a. Short-term rental overnight occupancy shall be limited to a maximum of two persons per bedroom occupying up to five bedrooms, plus two additional persons, up to a maximum of ten persons.
- b. Homeshares shall have a maximum of two bedrooms available for rental. Overnight occupancy shall be limited to a maximum of five rental guests.
- c. Inclusive of the owner(s) in the case of homeshares, the maximum number of total persons allowed on the property at any time shall not exceed the maximum overnight occupancy plus six additional persons. No person who is not staying overnight at the homeshare or short-term rental shall be on the property during the quiet hours stated in Sec. 8109-4.6.8.3.
- d. Homeshares and short-term rentals shall not be rented to more than one group at a time; no more than one rental agreement shall be effective for any given date.

#### **Sec. 8109-4.6.8.2 – Parking Requirements**

- a. Parking shall be provided on the property as follows: a minimum of one parking space for short-term rentals in a studio or with one bedroom; a minimum of two parking spaces for homeshares and short-term rentals with two to four bedrooms; and a minimum of three parking spaces for homeshares and short-term rentals with five bedrooms.
- b. Permitted garages and driveways on the property shall be unobstructed and made available for renter parking, if such location(s) are needed to satisfy the parking requirements of subpart a.

#### **Sec. 8109-4.6.8.3 – Noise**

- a. No use or activity associated with a homeshare or short-term rental shall at any time create unreasonable noise or disturbance.
- b. Quiet hours shall be observed from 10:00 p.m. to 7:00 a.m.

- c. No outdoor amplified music/sound shall be allowed during quiet hours when a property is being rented as a homeshare or short-term rental.

**Sec. 8109-4.6.8.4 – Events and Activities**

Unless allowed under an approved Conditional Use Permit, no homeshare or short-term rental property shall be rented or used for any event or activity attended by more persons than are allowed on the property pursuant to Sec. 8109-4.6.8.1, that violates any noise standard of Sec. 8109-4.6.8.3, or that violates any other standard or requirement of this Section or any other local, state or federal law.

**Sec. 8109-4.6.8.5 – Refuse**

Adequate waste collection facilities and services shall be provided for a homeshare or short-term rental at all times. Waste bins and refuse shall not be left within public view, except in proper containers for the purpose of collection on the scheduled collections day(s). The waste collection schedule and information about recycling and green waste separation and disposal shall be included in the rental agreement and posted conspicuously in the rental unit.

**Sec. 8109-4.6.9 – Property Management Requirements**

The following minimum property management requirements apply to all homeshares and short-term rentals.

**Sec. 8109-4.6.9.1 – Owner/Property Manager Requirements**

- a. At all times a homeshare is rented out, a homeshare owner shall be onsite between the hours of 10:00 p.m. and 7:00 a.m., and within forty miles of the property at all other times, to ensure compliance with the standards and requirements of this Section.
- b. At all times a short-term rental is rented out, the short-term rental shall have one or two designated property managers, one of whom shall be available at all times and within forty miles of the property, to ensure compliance with the standards and requirements of this Section. An owner may serve as one of the property managers.
- c. Each application under this Section shall include the name, address, and telephone number(s) at which the property manager(s) can be reached at all times, along with the signature of each property manager. Any requested change to a designated property manager shall be made through a formal written request to the *Planning Director* or designee, and shall include the signature of the proposed property manager and the desired effective date of the change. No change to a short-term rental's designated property manager shall take effect unless and until approved in writing by the *Planning Director* or designee.

**Sec. 8109-4.6.9.2 – Posting Outside of Units; Permit Notification**

- a. At all times a dwelling is in use as a short-term rental or homeshare, the designated property manager's contact information and the contact information for the County Resource Management Agency's Code Compliance Division ("Code Compliance Division") shall be printed legibly on a sign no larger than 8.5 x 11 inches and posted on an outside wall readily visible from the main entrance to the dwelling, or adjacent to the main entry gate where property access is limited.
- b. The Planning Division shall provide a mailed notice of permit issuance, and of each permit renewal, in accordance with Sec. 8111-3.1.3. At a minimum, the notice shall include: (i) a copy of this Section; (ii) the name and contact information for the designated property manager of a short-

term rental, or owner of a homeshare; and (iii) contact information for the Code Compliance Division.

**Sec. 8109-4.6.9.3 – Information in Rental Agreements, Advertisements and Listings**

- a. Each rental agreement, advertisement, and online listing for a short-term rental or homeshare shall prominently display the following information:
  - (1) The permitted occupancy and guest limits for both day and night;
  - (2) Notification that quiet hours shall be observed between 10:00 p.m. and 7:00 a.m.;
  - (3) Notification that no outdoor amplified music or sound is allowed during quiet hours;
  - (4) Notification that the property cannot be used for events that exceed the applicable occupancy or guest limits, or that violate the quiet hours, noise standards or any other standard or requirement of this Section;
  - (5) The available number of onsite parking spaces, and notification discouraging use of on-street parking;
  - (6) The County-issued land use permit number authorizing the homeshare or short-term rental under this Section;
  - (7) The current County-issued Business License Tax Certificate identification number, if required for the operation; and
  - (8) All advertisements for homeshares shall state that the unit is an owner-occupied dwelling, and the owner will be present in the home.
- b. No advertisements or notices regarding the availability of a dwelling for homeshare or short-term rental use shall be posted on the property.

**Sec. 8109-4.6.9.4 –Posting Inside of Dwellings**

The following information, as well as all information required by Sec. 8109-4.6.9.3, shall be posted in a conspicuous location inside the dwelling within six feet of the main entrance of the homeshare or short-term rental:

- a. The name and contact information for the designated property manager of a short-term rental or owner of a homeshare, and the telephone number(s) at which the person can be reached at all times;
- b. The waste collection schedule and information about recycling and green waste separation and disposal;
- c. Notification that the property owner, renter, and occupants are subject to criminal citation and fines, civil penalties and/or permit revocation for violations of the unit’s occupancy limits, noise standards and other operational standards.

**Sec. 8109-4.6.9.5 – Business License; Business Taxes; Transient Occupancy Tax**

To the extent required by applicable County ordinance, the owner of a short-term rental or homeshare shall acquire and maintain a valid County business license, timely pay annual business taxes evidenced by a business tax certificate, and/or obtain and maintain a valid County transient occupancy tax registration certificate and timely pay all required County transient occupancy taxes.

**Sec. 8109-4.6.9.6 – Insurance**

The owner shall maintain an insurance policy that includes coverage for commercial/business general liability with a minimum limit of \$500,000 per occurrence for claims of personal injury or property damage. Proof of such insurance coverage shall be provided with each permit application under this Section, and shall be made available to the *Planning Director* or designee upon request.

**Sec. 8109-4.6.9.7 – Defense and Indemnification**

All owners of a homeshare or short-term rental shall be jointly and severally responsible to defend and indemnify the County and all of its officials, employees and agents from and against all third-party claims, causes of actions, fines, damages and liabilities of whatever nature arising from or related to the processing and issuance of a permit under this Section and/or from the operation of the homeshare or short-term rental. Upon submittal of a permit application under this Section, all owners of the homeshare or short-term rental shall execute a written agreement on a form provided by the *Planning Director* or designee implementing this defense and indemnification requirement.

**Sec. 8109-4.6.9.8 – Record-Keeping**

The owner of a homeshare or short-term rental shall keep and preserve all records as may be necessary to demonstrate compliance with the standards and requirements of this Section. These records shall include but are not limited to all rental agreements entered into, advertisements and online listings. The records shall be maintained during the term of the permit issued under this Section, and shall be made available in electronic format for the County’s review upon request of the *Planning Director* or designee.

**Sec. 8109-4.6.10 – Inspection and Monitoring**

**Sec. 8109-4.6.10.1 – Inspections**

In addition to the pre-permitting inspection of a homeshare or short-term rental pursuant to Sec. 8109-4.6.6, upon reasonable notice, County staff shall be given access to the dwelling and site to conduct an inspection during the term of the permit to ensure continued operation of the homeshare or short-term rental in compliance with the provisions of this Section and other applicable building and zoning codes and regulations regarding parking, access, fire, safety, and other relevant issues.

**Sec. 8109-4.6.10.2 – Monitoring**

County monitoring shall be required for each homeshare and short-term rental operation issued a permit. The permittee shall be responsible for all monitoring costs associated with the operation. Each application request for a permit under this Section shall be accompanied by payment of a code compliance review deposit in the amount stated in the Planning Division Fee Schedule. If the County bills against the deposit, the permittee shall replenish the deposit within seven calendar days after the County’s written request to the permittee.

**Sec. 8109-4.6.11 – Complaints and Violations**

**Sec. 8109-4.6.11.1 – Complaints**

- a. Complaints regarding the condition, operation or conduct of the renters, occupants or visitors of a homeshare or short-term rental shall be directed to the short-term rental property manager or homeshare owner for investigation and resolution. The property manager or owner shall be available by phone at all times the dwelling is rented out as a homeshare or short-term rental.
- b. Upon receipt of a complaint that any renter, occupant or visitor of a homeshare or short-term rental has created unreasonable noise or



disturbance and/or potentially violated any other operational standard of this Section, the property manager or owner shall take all necessary actions to promptly resolve the issue, including by initially contacting the renter to correct the problem within thirty minutes, or within fifteen minutes during the quiet hours between 10:00 p.m. and 7:00 a.m., after the complaint is first received.

- c. Within twenty-four hours after first receiving a complaint pursuant to subsection (b) above, the property manager or owner shall complete the online reporting form provided by the *Planning Director* or designee to:  
(1) report and describe the complaint, including the time the complaint was first received; (2) describe all actions taken to resolve the issue, including the time each action was taken; and (3) describe the resolution or current status.
- d. A property manager's or owner's failure to promptly resolve a complaint pursuant to subsection (b) above which the Planning Division deems to be valid, or to timely and fully report the complaint to the *Planning Director* or designee on the online reporting form, shall each constitute a separate violation of this Section.

#### **Sec. 8109-4.6.11.2 – Violations**

Each of the following acts or omissions related to the operation or use of a homeshare or short-term rental is unlawful and constitutes a violation of this Section. Owners are jointly and severally responsible and liable, along with any other responsible person, for each violation committed with respect to their homeshare or short-term rental. Each day a violation occurs constitutes a separate, additional violation:

- a. Engaging in an act in violation of the permitting requirement of Sec. 8109-4.6.4(a);
- b. Failure to comply with an operational standard of Sec. 8109-4.6.8;
- c. Failure to comply with a property management requirement of Sec. 8109-4.6.9;
- d. Failure to comply with the complaint investigation, resolution and/or reporting requirements of Sec. 8109-4.6.11.1; and
- e. Failure to timely remit to the County any cost or fee pursuant to this Section.

#### **Sec. 8109-4.6.12 – Legal Nonconforming Short-Term Rentals and Homeshares**

This Sec. 8109-4.6.12 governs the continuation of legal nonconforming short-term rentals and homeshares, as defined below. Article 13 shall not apply to this Section.

- a. For purposes of this Section, a legal nonconforming short-term rental or homeshare is one that meets each of the following requirements:
  - (1) A dwelling that was operating and rented as a short-term rental or homeshare as of the effective date of this Section, and has continued to operate as such to the present; and
  - (2) The short-term rental or homeshare does not conform to the permit eligibility requirements of any or all of the following: (i) Sec. 8109-4.6.5.1(b), or (ii) Sec. 8109-4.6.5.2, subdivisions (a), (c), (d), or (e), or (iii) Sec. 8109-4.6.5.3.

- b. Except as specified in this Sec. 8109-4.6.12, a legal nonconforming short-term rental or homeshare shall be subject to and comply with all standards and requirements of this Section that apply generally to short-term rentals and homeshares.
- c. *Applicants* seeking a permit to operate a legal nonconforming short-term rental or homeshare shall comply with all general permitting requirements of this Section except for the permit eligibility requirements identified in Sec. 8109-4.6.12(a)(2) with which the owner or dwelling does not conform. As part of the permitting process, *applicants* shall: (a) submit documentation as specified by the *Planning Director* or designee establishing that the dwelling qualifies for legal nonconforming status pursuant to this Sec. 8109-4.6.12; and (b) state all permit eligibility requirements identified in Sec. 8109-4.6.12(a)(2) with which the short-term rental or homeshare does not conform.
- d. A legal nonconforming short-term rental or homeshare shall be permitted to operate for a maximum of two years from the effective date of this Section, or until the sale or transfer of the property in whole or part, or until the permit is revoked for cause or is not renewed, whichever occurs first ("Grace Period").
- e. After expiration or revocation of the permit authorizing a legal nonconforming short-term rental or homeshare, no person who seeks or receives any rent, payment, fee, commission, or compensation in any form from the subject legal nonconforming homeshare or short-term rental shall rent, offer for rent, advertise for rent, or facilitate the rental of the subject legal nonconforming homeshare or short-term rental.

(ADD. ORD. 4523 – 6/19/18)

**Sec. 8109-4.7 – Dark Sky Overlay Zone (DKS)**

The abbreviated reference for the Dark Sky overlay zone when applied to a base zone shall be "DKS". This overlay zone applies to areas found by the County to have a unique character which warrant special requirements and standards necessary to prevent *light pollution* and preserve the natural darkness of the night sky, reduce *sky glow*, have improved star viewing, and have decreased energy consumption.

The suffix DKS shall be added to the base zone covering land so identified (e.g., RA-20 ac/DKS). The standards and procedures in this Sec. 8109-4.7 shall apply to all property in the Dark Sky overlay zone in addition to those of the base zone. Where a property is subject to the standards of more than one overlay zone, the more restrictive standards shall apply.

**Sec. 8109-4.7.1 – Applicability**

Except for outdoor lighting that is exempt pursuant to Sec. 8109-4.7.5 (Exempt Lighting), or authorized pursuant to Sec. 8109-4.7.6 (Deviation from Standards and Requirements), this Sec. 8109-4.7 shall apply as follows:

- a. The standards and requirements of Sec. 8109-4.7.3 (Prohibited Lighting) and Sec. 8109-4.7.4 (General Standards) shall apply to all *outdoor luminaires*, and night lighting within translucent or transparent enclosed structures for agricultural operations, installed or replaced after November 1, 2018.
- b. Any *outdoor luminaire* installed as of November 1, 2018 that does not comply with any standard or requirement of Sec. 8109-4.7.4 (General Standards) shall be subject to the applicable requirements of Sec. 8109-4.7.2 (Existing Lighting).
- c. The use of any *outdoor luminaire* installed as of November 1, 2018 that is prohibited by Sec. 8109-4.7.3 (Prohibited Lighting) shall be discontinued as of November 1, 2019.

### Sec. 8109-4.7.2 – Existing Lighting

Any *outdoor luminaires* installed as of November 1, 2018 that do not comply with any standard or requirement of Sec. 8109-4.7.4 are subject to the following requirements, as applicable:

- a. The provisions of Article 13 shall not apply to any lighting subject to this Sec. 8109-4.7.
- b. **Non-Essential Luminaires.** Except for lighting subject to subsection (d) below, existing *non-essential luminaires* may remain in use until replaced, but shall comply with the following requirements as of November 1, 2019:
  - (1) *Luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties; and
  - (2) The lighting shall be turned off during dark hours as described in Sec. 8109-4.7.4(d).
- c. **Essential Luminaires.** Except for lighting subject to subsection (d) below, existing *essential luminaires* may remain in use until replaced, including during dark hours as described in Sec. 8109-4.7.4(d). As of November 1, 2019, existing *essential luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties.
- d. **Existing Outdoor Lighting for Commercial and Industrial Uses in Commercial and Industrial Zones.** Existing *outdoor lighting* installed for commercial and industrial uses in a Commercial or Industrial zone are subject to the following:
  - (1) **Non-Essential Luminaires.** *Non-essential luminaires* shall comply with the following requirements as of November 1, 2019:
    - i. *Luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties; and
    - ii. The lighting shall be turned off during dark hours as described in Sec. 8109-4.7.4(d).
  - (2) **Essential Luminaires.** As of November 1, 2019, *essential luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties.
  - (3) **All Luminaires.** All *luminaires* shall either comply with the standards and requirements of Sec. 8109-4.7.4 as of November 1, 2021, or shall be turned off during dark hours as described in Sec. 8109-4.7.4(d) after this date. An extension of this November 1, 2021 deadline may be sought by submitting a written request to the Planning Division. Non-compliant, *non-essential luminaires* shall remain turned off during dark hours while the request is pending. Upon demonstration of good cause for providing additional time to comply with the applicable standards and requirements of Sec. 8109-4.7.4, the *Planning Director* may extend the time to comply and/or may require a plan for compliance that requires partial compliance in advance of full compliance. For purposes of this section, the term “good cause” shall mean a significant financial or other hardship which warrants an extension or conditional extension of the time limit for compliance.

- (4) **Permitted Facilities.** Notwithstanding subsection (d)(3) above, all existing lighting approved in conjunction with a use and/or structure authorized by a *discretionary* permit granted pursuant to this Chapter may remain in use past November 1, 2021, subject to the applicable requirements of subsections (d)(1) and (d)(2) above. Upon approval of a minor or major modification to the subject *discretionary* permit, all such lighting shall be required to be modified or replaced so that the lighting conforms to the standards and requirements of Sec. 8109-4.7.4, with the replacement lighting to be phased in within a reasonable time period past November 1, 2021.

#### **Sec. 8109-4.7.3 – Prohibited Lighting**

No *outdoor luminaire* prohibited by this Sec. 8109-4.7.3 shall be installed or replaced after November 1, 2018. In addition, the use of any existing *outdoor luminaire* that is prohibited by this Sec. 8109-4.7.3 shall be discontinued as of November 1, 2019. The following *luminaires* are prohibited:

- a. *Luminaires* located along the perimeter of a *lot*, except those used for security/safety purposes that comply with all other applicable standards and requirements of Sec. 8109-4.7.4.
- b. Permanently installed *luminaires* that blink, flash, rotate, have intermittent fading, or strobe light illumination.

#### **Sec. 8109-4.7.4 – General Standards**

All *luminaires* installed or replaced after November 1, 2018 shall comply with the following standards and requirements:

- a. **Shielding and Direction of Luminaires.** All *outdoor luminaires* shall be *fully shielded*, directed downward, and installed and maintained in such a manner to avoid *light trespass* beyond the *lot* line in excess of those amounts set forth in Sec. 8109-4.7.4(i) below. Lights at building entrances, such as porch lights and under-eave lights, may be partially shielded.
- b. **Lighting Color.** The *correlated color temperature* of each *outdoor luminaire*, except those used for *security lighting* (see Sec. 8109-4.7.4(e)), shall not exceed 3,000 *Kelvin*.
- c. **Maximum Lumens Per Luminaire.** Each *outdoor luminaire*, except those used for *security lighting* and *outdoor recreational facility lighting*, shall have a maximum output of 850 *lumens*. (See Sec. 8109-4.7.4(e) for standards regarding *security lighting*, and Sec. 8109-4.7.4(g) for standards regarding *outdoor recreational facility lighting*.)
- d. **Dark Hours.** All *outdoor luminaires*, other than an *essential luminaire*, shall be turned off from 10:00 p.m., or when people are no longer present in exterior areas being illuminated, or the close of business hours, whichever is latest, until sunrise.
- e. **Security Lighting.**
  - (1) *Outdoor luminaires* used for *security lighting* shall not exceed a maximum output of 2,600 *lumens per luminaire*.
  - (2) Where the light output exceeds 850 lumens, motion sensors with timers programmed to turn off the light(s) no more than 10 minutes after activation must be used between 10:00 p.m. and sunrise. The foregoing does not apply to *security lighting* used for agricultural operations conducted on parcels within the Agricultural Exclusive (AE), Open Space (OS), and Rural Agricultural (RA) zones.

(3) Where security cameras are used in conjunction with *security lighting*, the lighting color may exceed 3,000 *Kelvin* but shall be the minimum necessary for effective operation of the security camera.

**f. Parking Area Lighting.** Parking area lighting shall comply with the standards set forth in Sec. 8108-5.12, and is not subject to any other standard set forth in this Sec. 8109-4.7.4.

**g. Outdoor Recreational Facility Lighting**

(1) *Outdoor recreational facility lighting* may exceed 850 lumens and 3,000 *Kelvin* per *luminaire*. Lighting levels for these facilities shall not exceed those recommended in the Lighting Handbook available online by the Illuminating Engineering Society of North America (IESNA) for the class of play (Sports Class I, II, III or IV).

(2) In cases where *fully-shielded luminaires* would cause impairment to the visibility required for the intended recreational activity, *partially-shielded luminaires* and *directional lighting* methods may be utilized to reduce *light pollution, glare* and *light trespass*.

(3) With the exception of *security lighting* as specified in Sec. 8109-4.7.4(e), and parking area lighting as specified in Sec. 8108-5.12, *outdoor recreational facilities* shall not be illuminated between 10:00 p.m. and sunrise, except to complete a recreational event or activity that is in progress as of 10:00 p.m.

(4) See Sec. 8109-4.7.4(j) for additional lighting requirements for *outdoor recreational facilities*, by zone.

(5) The lighting system design (including *lumens, Kelvin, etc.*) shall be prepared by a qualifying engineer, architect or landscape architect, in conformance with this Section 8109-4.7.

(6) The proposed lighting design shall be consistent with the purpose of this section and minimize the effects of light on the environment and surrounding properties.

**h. Service Station Lighting:** All *luminaires* mounted on or recessed into the lower surface of the service station canopies shall be *fully shielded* and utilize flat lenses. No additional lighting is allowed on the columns of the service station.

**i. Allowable Light Trespass:** *Outdoor lighting* shall conform to the quantitative *light trespass* limits shown in Table 1 below, measured from the property line illuminated by the light source. The more restrictive zone will apply. For example, when a commercial zone abuts a single-family residential zone, the *light trespass* limit shall be 0.1 foot-candles at the property line.

**Table 1  
Quantitative Light Trespass Limits, by Zone**

<b>Open Space, Agriculture and Special Purpose Zones (such as OS, AE, TP)</b>	
Horizontal-plane limit	0.1 <i>foot-candles</i> at property lines
Vertical-plane limit	
<b>Rural Residential and Single-family/Two-family Residential Zones (such as RA, RE, RO, R-1, R-2)</b>	
<i>Horizontal-plane</i> limit	0.1 <i>foot-candles</i> at property lines
<i>Vertical-plane</i> limit	
<b>Multi-family Residential Zones (such as RPD)</b>	
Horizontal-plane limit	0.2 <i>foot-candles</i> at property lines
Vertical-plane limit	
<b>Commercial and Industrial Zones (such as C-O, C-1, CPD, M-1, M-2, M-3)</b>	
Horizontal-plane limit	0.25 <i>foot-candles</i> at property lines, unless otherwise approved by PD or CUP
Vertical-plane limit	

**j. Maximum Height Allowance:**

- (1) *Luminaires* affixed to structures for the purpose of lighting *outdoor recreational facilities* (such as for equestrian arenas, batting cages, tennis courts, basketball courts, etc.) shall not be mounted higher than 15 feet above ground level. In cases where *luminaires* are affixed to *fences*, the top of the fixture shall not be higher than the height of the *fence*.
- (2) Freestanding light fixtures used to light walkways, driveways, or hardscaping shall utilize *luminaires* that are no higher than two feet above ground level. Freestanding light fixtures used for commercial and industrial uses shall comply with subsection (j)(3) below.
- (3) All other freestanding light fixtures shall not be higher than 20 feet above ground level, unless specifically authorized by a *discretionary* permit granted under this Chapter.

**k. Night Lighting for Translucent or Transparent Enclosed Agriculture Structures:** All night lighting within translucent or transparent enclosed structures used for ongoing agriculture or agricultural operations (e.g., greenhouses for crop production) shall use the following methods to reduce *sky glow*, beginning at 10:00 p.m. until sunrise:

- (1) *Fully- or partially-shielded directional lighting*; and
- (2) Blackout screening for the walls and roof, preventing interior night lighting from being visible outside the structure.

**Sec. 8109-4.7.5 Exempt Lighting**

The following outdoor lighting is exempt from all regulations and requirements of this Sec. 8109-4.7.

- a. Temporary lighting for construction.
- b. Temporary emergency lighting.

- c. Lighting for *wireless communication facilities* to the extent required by the Federal Aviation Administration. This lighting is subject to Sec. 8107-45.4.
- d. Temporary or intermittent outdoor agricultural lighting consistent with usual or customary agricultural practices, including during weather events.
- e. Lighting for signage permitted in accordance with Article 10.
- f. *Seasonal or festive lighting*.
- g. *Luminaires* with a maximum output of 60 lumens or less, including solar lights.
- h. Temporary lighting associated with a use authorized by this Chapter or a permit granted pursuant to this Chapter.
- i. Lighting on public and private streets.
- j. Lighting required to comply with preemptive state or federal law.

**Sec. 8109-4.7.6 Deviation from Standards and Requirements**

- a. The *Planning Director* may authorize deviations from any standard or requirement of this Sec. 8109-4.7 during the processing of an application for a *discretionary* permit or approval. The decision to authorize each deviation must include written findings of fact supported by substantial evidence in the record establishing that the *applicant's* proposed *lighting* will be the functional equivalent, with regard to the strength and duration of illumination, *glare*, and *light trespass*, of the lighting that would otherwise be required by the applicable standard or requirement.
- b. The request shall state the circumstances and conditions relied upon as grounds for each deviation, and shall be accompanied by the following information and documentation:
  - (1) Plans depicting the proposed *luminaires*, identifying the location of the *luminaire(s)* for which the deviation is being requested, the type of replacement *luminaires* to be used, the total light output (including *lumens*, *Kelvin*, etc.), and the character of the shielding, if any;
  - (2) Detailed description of the use of proposed *luminaires* and the circumstances which justify the deviation. The description shall include documentation supporting the making of the required findings of fact as stated in subsection (a) above;
  - (3) Supporting documentation such as a lighting plan, if requested; and
  - (4) Other data and information as may be required by the Planning Division.

(ADD. ORD. 4528 - 9/25/18)

**Sec. 8109-4.8 – Habitat Connectivity and Wildlife Corridors Overlay Zone**

The abbreviated reference for the Habitat Connectivity and Wildlife Corridors overlay zone when applied to a base zone shall be "HCWC." The suffix "HCWC" shall be added to the base zone covering land so identified (example: AE-40 ac/HCWC). Where applicable, the standards, requirements and procedures in this Sec. 8109-4.8 shall apply to parcels in the Habitat Connectivity and Wildlife Corridors overlay zone in addition to those of the base zone. In the case of conflicting zone standards, requirements or procedures, the more restrictive standard, requirement or procedure shall apply within the Habitat Connectivity and Wildlife Corridors overlay zone.

### **Sec. 8109-4.8.1 – Applicability**

- a. Except as otherwise specifically stated in Sec. 8109-4.8.2.1 regarding *outdoor lighting* and Sec. 8109-4.8.3.3 regarding prohibitions, the standards, requirements and procedures of this Sec. 8109-4.8 shall only apply to land uses and *structures* requiring a *discretionary* permit or modification thereto, or a ministerial Zoning Clearance, the applications for which are decided by the County decision-making authority on or after May 18, 2019, or to uses or activities not requiring a *discretionary* permit or Zoning Clearance which occur after May 18, 2019.
- b. If a *lot* is located both inside and outside of the Habitat Connectivity and Wildlife Corridors overlay zone, the standards, requirements and procedures of this Sec. 8109 - 4.8 shall only apply to the portion of the *lot* that is located inside the Habitat Connectivity and Wildlife Corridors overlay zone.
- c. For purposes of calculating *lot* sizes to apply the provisions of this Sec. 8109-4.8, the Ventura County Resource Management Agency Geographic Information System (GIS) shall be used.
- d. If a proposed land use or *structure* requires a *discretionary* permit or modification thereto under a section of this Chapter other than this Sec. 8109-4.8, no additional *discretionary* permit or Zoning Clearance shall be required for the proposed land use or *structure* pursuant to this Sec. 8109-4.8. Instead, the applicable standards, requirements and procedures of this Sec. 8109-4.8 shall be incorporated into the processing of the application for, and the substantive terms and conditions of, the *discretionary* permit or modification that is otherwise required by this Chapter.
- e. If the same proposed land use, *structure* or project requires two or more *discretionary* permits or modifications or Zoning Clearances pursuant to this Sec. 8109-4.8 and/or Sec. 8109-4.9, the permit applications shall be processed and acted upon concurrently as part of the same project.
- f. Except as expressly stated in this Sec. 8109-4.8, if a permit condition, subdivision condition, or other covenant, condition, easement, or instrument imposes standards or restrictions on development which is subject to this Sec. 8109-4.8, the more restrictive standards and restrictions shall apply.

### **Sec. 8109-4.8.2 – Outdoor Lighting**

#### **Sec. 8109-4.8.2.1 – Applicability**

*Outdoor lighting* standards are intended to minimize potential impacts of light on wildlife movement. Except for *outdoor lighting* that is exempt pursuant to Sec. 8109-4.8.2.2, this Sec. 8109-4.8.2 applies to *outdoor lighting* and to *luminaires* within translucent or transparent enclosed *structures* for agricultural operations. The provisions of Article 13 shall not apply to any lighting subject to this Sec. 8109-4.8.2.

#### **Sec. 8109-4.8.2.2 – Exemptions**

The following *outdoor lighting* and related activities are not subject to this Sec. 8109-4.8.2:

- a. *Temporary* lighting for construction.
- b. *Temporary* emergency lighting.
- c. Lighting for *wireless communication facilities* to the extent required by the Federal Aviation Administration, except for the requirements set forth in Sec. 8109-4.8.2.4.b(9).



- d. *Temporary* or intermittent outdoor night lighting necessary to conduct agricultural activities including *outdoor lighting* used during weather events such as frosts, and *temporary* or intermittent outdoor night lighting used for surface mining operations or *oil and gas exploration and production* regardless of the location or number of lights used intermittently. As used in this Sec. 8109-4.8.2.2 the term “intermittent” means a period of between 31 and 90 calendar days within any 12-month period. For example, the use of intermittent lighting in cases where it is used simultaneously to illuminate multiple, discreet facilities (well sites, multiple tanks, etc.) is not limited provided that each individual location is illuminated no longer than 90 calendar days within any 12-month period.
- e. *Outdoor lighting* for signage permitted in accordance with Article 10.
- f. Seasonal or festive lighting.
- g. *Outdoor lighting* with a maximum output of 60 *lumens* or less, including solar lights.
- h. *Temporary outdoor lighting* associated with a use authorized by this Chapter or a permit granted pursuant to this Chapter.
- i. Lighting on public and private streets.
- j. Lighting used for any facility, equipment, or activity that is required to comply with any federal or state law, or any condition or requirement of any permit, approval or order issued by a federal or state agency.
- k. Lighting used in a swimming pool that is an *accessory use* to a dwelling or in a swimming pool associated with a legally authorized camp use.

**Sec. 8109-4.8.2.3 – Prohibited Lighting**

No *outdoor luminaire* prohibited by this Sec. 8109-4.8.2.3 shall be installed or replaced after May 18, 2019. In addition, the use of any *outdoor luminaire* installed as of May 18, 2019 that is prohibited by this Sec. 8109-4.8.2.3 shall be discontinued as of May 18, 2020. The following luminaires are prohibited:

- a. Permanently installed *luminaires* that blink, flash, rotate, have intermittent fading, or have strobe light illumination.
- b. *Luminaires* located along the perimeter of a *lot* except for *security lighting* that complies with all other applicable standards and requirements of Sec. 8109-4.8.2.
- c. *Uplighting* of landscapes (e.g., trees, fountains) or for aesthetic purposes (e.g., outdoor statues, buildings) after 10:00 p.m. or after people are no longer present in exterior areas being illuminated, whichever occurs latest.

**Sec. 8109-4.8.2.4 – Existing Lighting; Standards and Requirements**

- a. Existing Lighting

(1) Any *outdoor luminaire* installed prior to May 18, 2019 and use thereof that does not comply with any standard or requirement of Sec. 8109-4.8.2.4.b, and is not otherwise approved in conjunction with a land use and/or *structure* authorized by a *discretionary* permit granted pursuant to this Chapter, may remain in use until replaced, but shall comply with the following requirements as of May 18, 2020:

- i. *Luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent

feasible, to reduce *glare* and *light trespass* onto adjacent undeveloped areas; and

- ii. Lighting shall be turned off at 10:00 p.m. or when people are no longer present in exterior areas being illuminated, whichever occurs latest, and shall remain turned off until sunrise, except for *essential luminaires* which may remain on if used to illuminate circulation areas such as walkways and driveways or building entrances, or if used for safety or *security lighting*, pursuant to the requirements of Sec. 8109-4.8.2.4.b(5).

(2) Any *outdoor luminaire* installed prior to May 18, 2019 and use thereof that does not comply with any standard or requirement of this Sec. 8109-4.8.2 that is approved in conjunction with a land use and/or *structure* authorized by a *discretionary* permit granted pursuant to this Chapter may remain in use until at least May 18, 2022 subject to the applicable requirements of subsections a(1)(i) and a(1)(ii) above. Upon approval of a minor or major modification to the subject *discretionary* permit, all such lighting shall be required to be modified or replaced so that the lighting and use thereof conforms to the applicable standards and requirements of this Sec. 8109-4.8.2, with the replacement lighting to be phased in within a reasonable time period after May 18, 2022.

- b. Standards and Requirements. Except as provided in Sec. 8109-4.8.2.4.a regarding existing *lighting*, the following standards and requirements apply to *lighting* and use thereof subject to and not prohibited by this Sec. 8109-4.8.2:

(1) Shielding and Direction of Luminaries - All *outdoor lighting* shall be *fully-shielded*, directed downward, and installed and maintained in such a manner to avoid *light trespass* beyond the property line. Lights at building entrances, such as porch lights and under-eave lights, may be *partially-shielded luminaires*.

(2) Maximum Height of Lighting

- i. *Luminaires* affixed to *structures* for the purposes of *outdoor recreational facility* lighting shall not be mounted higher than 15 feet above ground level. In cases where a *luminaire* is affixed to a *fence*, the top of the *luminaire* shall be no higher than the height of the *fence*.
- ii. Freestanding light fixtures used to light walkways and driveways shall use *luminaires* that are no higher than two feet above ground level.
- iii. All other freestanding light fixtures shall not exceed 20 feet above ground level, unless authorized by a *discretionary* permit granted under this Chapter.

(3) Lighting Color (Chromaticity) - The *correlated color temperature* of all *outdoor lighting* shall not exceed 3,000 *Kelvin*.

(4) Maximum Lumens - All *outdoor lighting*, except that used for *security lighting*, *outdoor recreational facility* lighting, and driveway and walkway lighting, shall have a maximum output of 850 *lumens* per *luminaire*.

- iv. Driveway and walkway lighting shall have a maximum output of 100 *lumens per luminaire*.
- v. See Sec. 8109-4.8.2.4.b(5) for standards regarding *security lighting*.
- vi. See Sec. 8109-4.8.2.4.b(7) for standards regarding *outdoor recreational facility* lighting.

(5) Security Lighting

- i. *Outdoor lighting* installed for *security lighting* shall have a maximum output of 2,600 *lumens per luminaire*. If required for proper functioning of a security camera used in conjunction with *security lighting*, the *correlated color temperature* may exceed 3,000 *Kelvin*. Where the light output exceeds 850 *lumens*, *security lighting* shall be operated by motion sensor or a timer switch and shall be programmed to turn off no more than 10 minutes after activation.
- ii. Notwithstanding subsection (i) above, if *security lighting* is installed within a *surface water feature*, it shall be programmed to turn off no more than five minutes after activation.
- iii. *Outdoor lighting* installed for *security lighting* that is used in connection with agricultural uses on *lots* zoned Agricultural Exclusive (AE), Open Space (OS), and Rural-Agricultural (RA) or legally authorized *oil and gas exploration and production* uses operating under a *discretionary* permit as of May 18, 2019 shall not be subject to the requirements for motion sensors and timers set forth in subsections (i) and (ii) above.
- iv. *Essential luminaires* may remain on if used to illuminate circulation areas such as walkways, driveways or building entrances.

(6) Parking Area Lighting shall comply with the standards set forth in Sec. 8108-5.12 and is not subject to any other standard or requirement set forth in this Sec. 8109-4.8.2.

(7) Outdoor Recreational Facility Lighting

- i. *Outdoor recreational facility* lighting may exceed an output of 850 *lumens* and 3,000 *Kelvin* per *luminaire*. Lighting levels for these facilities shall not exceed those levels recommended in the Lighting Handbook available online by the Illuminating Engineering Society of North America (IESNA) for the class of play (Sports Class I, II, III or IV).
- ii. In cases where *fully-shielded luminaires* would impair the visibility required for the intended recreational activity, *partially-shielded luminaires* and *directional lighting* methods may be used to reduce *light pollution*, *glare* and *light trespass*.
- iii. *Outdoor recreational facility* lighting shall not be illuminated between 10:00 p.m. and sunrise, except to complete a recreational event or activity that is in progress as of 10:00 p.m. Notwithstanding the foregoing, any *essential luminaire* and parking area lighting may be operated as part of the

*outdoor recreational facility* in accordance with Sec. 8108-5.12.

- iv. A lighting system design and installation plan (including lamps, lumens, Kelvin, etc.) shall be prepared by a qualified engineer, architect or landscape architect, in conformance with this Sec. 8109-4.8.2.2.b(7), and submitted to and approved by the County prior to the issuance of the applicable permit.
- v. The lighting system design shall be consistent with the purpose of this Sec. 8109-4.8.2 and minimize the effects of *light pollution* on adjacent undeveloped areas within the Habitat Connectivity and Wildlife Corridors overlay zone.

- (8) Service Station Lighting - All *luminaires* mounted on or recessed into the lower surface of the service station canopy shall be *fully-shielded luminaires* and utilize flat lenses. No additional lighting is allowed on columns of the service station.
- (9) Wireless Communication Facilities - In addition to all other applicable standards for *wireless communication facilities* specified in Sec. 8107-45, *wireless communication facilities* (including radio and television towers) that are higher than 200 feet shall not use red-steady lights unless otherwise required by the Federal Aviation Administration (FAA). Only white strobe or red strobe lights or red flashing LED lights shall be used at night, and these should be the minimum number, minimum intensity, and minimum number of flashes per minute (i.e., longest duration between flashes/dark phase) allowable by the FAA. To the extent feasible, light flashes emanating from a single tower shall be set (synchronized) to flash simultaneously.
- (10) Night Lighting for Translucent or Transparent Enclosed Agriculture Structures - All night lighting within translucent or transparent enclosed *structures* used for ongoing agriculture or agricultural operations (e.g., greenhouses for crop production) shall use the following methods to reduce *light pollution* between 10:00 p.m. and sunrise:
  - i. Fully- or partially-shielded directional lighting; and
  - ii. Blackout screening for the walls and roof, preventing interior night lighting from being visible outside the *structure*.
- (11) Lighting for Oil and Gas Exploration and Production and Surface Mining Operations: *Outdoor lighting* utilized for *oil and gas exploration and production* and for surface mining operations may deviate from the above-stated standards and requirements and shall be specified in a lighting plan approved by the County during the *discretionary* permitting process for the subject facility or operation. All such lighting shall be designed and operated to minimize impacts on wildlife passage to the extent feasible.

**Sec. 8109-4.8.2.5 – Deviations from Standards and Requirements**

- a. *Applicants* may request deviations from any standard or requirement of Sec. 8109-4.8.2.4.b as part of an application for a *discretionary* permit or modification thereto. The decision to authorize each deviation must include written findings of fact supported by substantial evidence in the record establishing that the *applicant's* proposed lighting will be the

functional equivalent, with regard to the strength and duration of illumination, *glare*, and *light trespass*, of the lighting that would otherwise be required by the applicable standard or requirement.

- b. The request shall state the facts and circumstances supporting each deviation, and shall be accompanied by the following information and documentation:
  - (1) Plans depicting the proposed *luminaires*, identifying the location of the *luminaire(s)* for which the deviation is being requested, the type of replacement *luminaires* to be used, the total light output (including *lumens*, *Kelvin*, etc.), and the character of the shielding, if any;
  - (2) Detailed description of the use of proposed *luminaires* and the facts and circumstances which justify the deviation;
  - (3) Supporting documentation such as a lighting plan, if requested; and
  - (4) Other data and information as may be required by the Planning Division.

**Sec. 8109-4.8.3 – Applicability and Exemptions, Prohibitions, Wildlife Crossing Structures, Surface Water Features, Vegetation Modification, Wildlife Impermeable Fencing, Permitting**

**Sec. 8109-4.8.3.1 – Applicability**

- a. This Sec. 8109-4.8.3 applies to the *structures* and *wildlife impermeable fencing* (collectively referred to as “development” in this Sec. 8109-4.8.3) described below, except to the extent any such development is exempt pursuant to Sec. 8109-4.8.3.2:
  - (1) Construction of any new *structure* that requires a Zoning Clearance or other permit required under Article 5 with a *gross floor area* of 120 square feet or more inclusive of open-roofed *structures*, or any addition to an existing *structure*, that requires a Zoning Clearance or other permit under Article 5 and that will result in any new *fuel modification* required by the Ventura County Fire Protection District.
  - (2) Installation of new or replacement *wildlife impermeable fencing* that forms an enclosed area on *lots* zoned Open Space (OS) or Agricultural Exclusive (AE), including installation of *wildlife impermeable fencing* to facilitate livestock grazing. For purposes of this Sec. 8109-4.8, the term “enclosed area” means an area that is enclosed by *wildlife impermeable fencing* regardless of whether the *fence* or wall contains one or more gates or doors that can be opened to allow access. *Wildlife impermeable fencing* that includes unobstructed vertical gaps of at least 24 inches at intervals of 50 linear feet or less does not form an “enclosed area.”
  - (3) *Vegetation modification* unless otherwise exempt pursuant to Sec. 8109-4.8.3.2 *Fence* posts, corner posts, and gate uprights that are prohibited in Sec. 8109-4.8.3.3.d.

**Sec. 8109-4.8.3.2 – General Exemptions**

The following are not subject to this Sec. 8109-4.8.3:

- a. *Vegetation modification* or the installation of *wildlife impermeable fencing* that is required to comply with any federal or state law, or any condition or requirement of any permit, approval or order issued by a federal or state agency.

- b. *Vegetation modification* performed on a maximum cumulative area, within a 12-month period, of 10 percent of the area of the *lot* that is located within a *surface water feature*. (For example, *vegetation modification* is exempt if performed on a maximum of 100 square feet on a *lot* within which 1,000 square feet of the total *lot* area is a *surface water feature*).
- c. Land, *fences*, or improvements other than *structures* involuntarily damaged or destroyed by fire, flood, landslide, or natural disaster restored or rebuilt to their original state and in their original location if a complete building permit application is submitted to the County within three years of the date that the damage occurred, and the permit once approved is diligently pursued to completion prior to expiration, or if no permit is required, the rebuilding commences within the aforementioned three-year period and is diligently pursued to completion. Notwithstanding any other provision of this Chapter, the restoration or rebuilding of land, *fences* or improvements following fire, flood, landslide or natural disaster not meeting the above requirements shall comply with the permitting and all other applicable requirements of this Sec. 8109-4.8.
- d. *Structures* involuntarily damaged or destroyed by fire, flood, landslide, or natural disaster rebuilt to their original state and in their original location if (i) less than 50 percent of the *structure* is damaged or destroyed and (ii) a complete building permit application is submitted to the County within three years of the date that the damage occurred, and the permit once approved is diligently pursued to completion prior to expiration. Notwithstanding any other provision of this Chapter, the rebuilding of *structures* following fire, flood, landslide or natural disaster not meeting the above requirements shall comply with the permitting and all other applicable requirements of this Sec. 8109-4.8.
- e. Notwithstanding subsections c and d above, land, *fences*, improvements and *structures* damaged or destroyed in the Thomas Fire of 2017-2018 or the Woolsey-Hill Fires of 2018 rebuilt to their original state if a complete building permit application has been submitted to the Building and Safety Division on or before the applicable deadline set forth in Sec. 8113-6.1.1, and the building permit once approved is diligently pursued to completion prior to permit expiration; or if no building permit is required for the rebuilding of any such land, *fence*, improvement or *structure*, the rebuilding commences before the above-referenced deadline and is diligently pursued to completion.
- f. Planting or harvesting of crops or orchards that will be commercially sold, including *vegetation modification* necessary to construct or maintain a driveway or road internal to a *lot* that is utilized for such a commercial agricultural activity.
- g. *Vegetation modification* on previously cultivated agricultural land left uncultivated for up to 10 years, or on land classified as "Prime," of "Statewide Importance," "Unique," of "Local Importance," or "Grazing" by the California Department of Conservation Important Farmlands Inventory, that is associated with the cultivation of agricultural crops.
- h. *Vegetation modification* performed by a public agency on publicly owned or maintained property.
- i. *Vegetation modification* by a *conservation organization* for the purpose of maintaining or enhancing biological habitat or wildlife movement.

- j. *Vegetation modification* associated exclusively with *vegetation* that has been intentionally planted as a landscape.
- k. *Vegetation modification* including *fuel modification* in accordance with one or more of the following: (1) performed with hand-operated tools and without heavy equipment (i.e., heavy-duty vehicles designed for performing construction tasks such as earthwork operations), as otherwise authorized under Sec. 8107-25 (Tree Protection Regulations), federal and state law; (2) as required by the Ventura County Fire Protection District (VCFPD) pursuant to VCFPD Ordinance 30, as may be amended; (3) pursuant to a Community Wildfire Protection Plan or similar *fuel modification*/wildfire protection plan adopted and/or amended by VCFPD; or (4) pursuant to a burn permit approved by VCFPD.
- l. Livestock grazing, except that the installation of *wildlife impermeable fencing* which forms an enclosed area to facilitate livestock grazing is not exempt.
- m. Development, or a portion thereof, to the extent dependent upon being located within a *surface water feature* or near a *wildlife crossing structure* setback area as described in Sec. 8109-4.8.3.4. Examples include in-stream mining, flood control improvements, road crossings and bridges, roadway improvements, and *vegetation modification* associated with the construction, maintenance, repair or replacement of such *structures*.
- n. Repair or maintenance of an existing, legally established *structure* or *fence*.
- o. Development within a public road right-of-way.
- p. *Vegetation modification* reasonably required to maintain, repair or replace existing transportation, utility and public safety infrastructure. Examples include roads, bridges, pipelines, utility lines, flood control improvements, and drainage and utility ditches.
- q. Development, including but not limited to *vegetation modification*, within a *surface water feature* that is authorized by a permit or approval issued by the California Department of Fish and Wildlife, Regional Water Quality Control Board, State Water Resources Control Board, U.S. Army Corps of Engineers, any of their successor agencies, or other federal or state agency responsible for protection of aquatic resources.
- r. *Vegetation modification* carried out as part of a habitat preservation, restoration or enhancement project when specified by a mitigation plan, habitat conservation plan, or similar plan approved by the California Department of Fish and Wildlife, Regional Water Quality Control Board, U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, or other federal or state agency responsible for conservation of wildlife resources.
- s. *Structures*, *wildlife impermeable fencing* or improvements that are *temporary*, or are located entirely or substantially underground (e.g., pipelines, cables, individual sewage disposal systems).

**Sec. 8109-4.8.3.3 – Prohibitions**

Unless otherwise exempt pursuant to Sec. 8109-4.8.3.2, the following are prohibited in the Habitat Connectivity and Wildlife Corridors overlay zone:

- a. The intentional planting of *invasive plants*, unless planted as a commercial agricultural crop or grown as commercial nursery stock.
- b. The installation of new *wildlife impermeable fencing* that forms an enclosed area on a *lot* that has no existing, lawfully established principal use.
- c. The installation of new *wildlife impermeable fencing* around the perimeter of a *lot* that forms an enclosed area, unless exempt pursuant to Sec. 8109-4.8.3.7.
- d. Any new *fence* post, corner post, or gate upright with open, vertical pipes on *lots* zoned as Open Space (OS) or Agricultural Exclusive (AE) that could trap small birds or other animals. All such *fence* posts and gate uprights shall be entirely filled with concrete, sand, gravel, or other material, or covered with commercial caps.

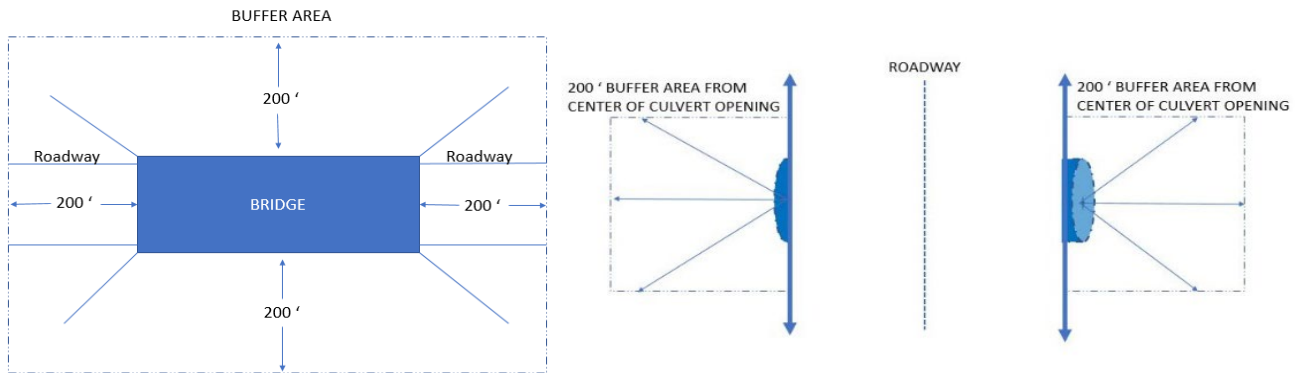
**Sec. 8109-4.8.3.4 – Wildlife Crossing Structures – Setbacks and Permitting**

- a. Development subject to and not prohibited by this Sec. 8109-4.8.3 requires a *Planning Director*-approved Planned Development Permit pursuant to Sec. 8111-1.2 if any portion thereof, including any resulting *fuel modification* required by the Ventura County Fire Protection District, is proposed to be sited or conducted within 200 feet from the entry or exit point of a *wildlife crossing structure* as measured from: 1) the center of the inlet or outlet side of a pipe or box culvert; or 2) the perimeter of a bridge *structure*.
- b. Notwithstanding the foregoing, proposed development within a setback area described in subsection a above shall not be subject to this Sec. 8109-4.8.3.4 to the extent: (i) the proposed development would be sited within a portion of the setback area that is encumbered by a conservation easement, restrictive covenant, deed restriction, or similar instrument, or an irrevocable offer to dedicate any of the foregoing (collectively “conservation instrument”), and the conservation instrument prohibits the proposed development from being sited within a specified distance from the *wildlife crossing structure* for the express purpose of protecting biological habitat or wildlife movement; and (ii) the conservation instrument is created and recorded with the Ventura County Recorder pursuant to a permit, approval, order, or agreement, or a mitigation plan, habitat conservation plan or similar plan issued or approved by the County or a federal or state agency responsible for conservation of wildlife resources.



## Example Illustrations of Setbacks from Bridge Structures and Culverts

### Sec. 8109-4.8.3.4



### Sec. 8109-4.8.3.5 – Surface Water Features – Setbacks and Permitting

- a. Development subject to and not prohibited by this Sec. 8109-4.8.3, other than the removal of *invasive plants* addressed in subsection b below, requires a *Planning Director*-approved Planned Development Permit pursuant to Sec. 8111-1.2 if any portion thereof, including any resulting *fuel modification* required by the Ventura County Fire Protection District, is proposed to be sited or conducted within a *surface water feature*.
- b. A Zoning Clearance issued pursuant to Sec. 8111-1.1 is required to authorize any *vegetation modification* subject to and not prohibited by this Sec. 8109-4.8.3 that is limited exclusively to *invasive plants* within a *surface water feature*. An application for such a Zoning Clearance shall include, in addition to all other information required by the Planning Division pursuant to Sec. 8111-2.1 and 8111-2.3, the following: (i) photographs of all *vegetation* proposed to be removed; (ii) identification of all *invasive plants* to be removed; (iii) method by which the removal will occur; and (iv) measures that will be taken to ensure that no native *vegetation* is damaged or removed. The Zoning Clearance shall prohibit the damaging or removal of native *vegetation* and shall require implementation of the identified measures to ensure that no native *vegetation* is damaged or removed.
- c. Notwithstanding the foregoing, proposed development within a *surface water feature* shall not be subject this Sec. 8109-4.8.3.5 to the extent: (i) the proposed development would be sited within a portion of a *surface water feature* that is encumbered by a conservation easement, restrictive covenant, deed restriction, or similar instrument, or an irrevocable offer to dedicate any of the foregoing (collectively "conservation instrument"), and the conservation instrument prohibits the proposed development from being sited within a specified distance from the area containing the stream, creek, river, wetland, seep, or pond associated with the *surface water feature* for the express purpose of protecting biological habitat or wildlife movement, and (ii) the conservation instrument is created and recorded with the Ventura County Recorder pursuant to a permit, approval, order, or agreement, or a mitigation plan, habitat conservation plan or similar plan that is

issued or approved by the County or a federal or state agency responsible for conservation of wildlife or aquatic resources.

- d. The designation of any area, or portion thereof, as a *surface water feature* may be reconsidered by the Planning Division upon request by an *applicant* proposing a development subject to this Sec. 8109-4.8.3.5. When reconsideration is requested, the sole issue to be determined is whether the area qualifies as a *surface water feature* as the term is defined in Article 2. The reconsideration request shall be submitted on a form provided by the Planning Division and shall include the information and materials requested by the *Planning Director* based on the relevant facts and circumstances presented. If requested, such information and materials may include, among other things, a field survey of the designated *surface water feature* that is prepared by a qualified biologist in accordance with the Biological Resources section of the Ventura County Initial Study Assessment Guidelines, as may be amended. The first hour of County staff time expended processing the reconsideration request shall be at no cost to *applicant*; the *applicant* shall be responsible for the cost of all subsequent County staff time expended processing the reconsideration request.

#### **Sec. 8109-4.8.3.6 – Wildlife Impermeable Fencing – Permitting Requirements**

- a. Unless otherwise exempt pursuant to Sec. 8109-4.8.3.7, this Sec. 8109-4.8.3.6 applies to the installation of new or replacement *wildlife impermeable fencing* that forms an enclosed area on *lots* zoned Open Space (OS) or Agricultural Exclusive (AE), including installation of *wildlife impermeable fencing* to facilitate livestock grazing. The standards and requirements of Sec. 8106-8.1 (*Fences, Walls and Hedges*), as may be amended, also apply to *wildlife impermeable fencing* subject to this Sec. 8109-4.8.3.6.
- b. Installation of *wildlife impermeable fencing* subject to this Sec. 8109-4.8.3.6 requires a Zoning Clearance issued pursuant to Sec. 8111-1.1 if the *wildlife impermeable fencing* forms an enclosed area that does not exceed the following limits:
  - (1) For *lots* with no *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by the proposed *wildlife impermeable fencing* does not exceed 10 percent of the gross *lot* area; or
  - (2) For *lots* with existing *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by the proposed *wildlife impermeable fencing* does not exceed 10 percent of the *lot* area net of the area enclosed by existing *wildlife impermeable fencing*. For example, if a 10-acre *lot* includes *wildlife impermeable fencing* that existed prior to May 18, 2019 and encloses a total area of one acre, the cumulative area enclosed by any new *wildlife impermeable fencing* proposed to be installed after May 18, 2019 may not exceed 0.9 acres, or 10 percent of nine acres.
- c. Installation of *wildlife impermeable fencing* subject to this Sec. 8109-4.8.3 requires a *Planning Director*-approved Planned Development Permit pursuant to Sec. 8111-1.2 if the *wildlife impermeable fencing* forms an enclosed area as follows:
  - (1) For *lots* with no *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by

the proposed *wildlife impermeable fencing* is greater than 10 percent of the gross *lot* area; or

- (2) For *lots* with existing *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by the proposed *wildlife impermeable fencing* is greater than 10 percent of the *lot* area net of the area enclosed by existing *wildlife impermeable fencing*. For example, if a 10-acre *lot* includes *wildlife impermeable fencing* that existed prior to May 18, 2019 and encloses a total area of one acre, the cumulative area enclosed by any new *wildlife impermeable fencing* proposed to be installed after May 18, 2019 that exceeds 0.9 acres, or 10 percent of nine acres, would require a *Planning Director*-approved Planned Development Permit.
- d. All applications for a Zoning Clearance or *discretionary* permit or modification thereto pursuant to this Sec. 8109-4.8.3.6 shall include a fencing site plan depicting the type, design, and location of all existing and proposed *wildlife impermeable fencing* on the subject *lot*, including calculations for the enclosed area of each existing and proposed *wildlife impermeable fence*.
- e. When any portion of a *lot* is located outside the Habitat Connectivity and Wildlife Corridors overlay zone, the calculation of gross *lot* area pursuant to this Sec. 8109-4.8.3.6 shall only consist of the portion of the *lot* that is located within the Habitat Connectivity and Wildlife Corridors overlay zone.

**Sec. 8109-4.8.3.7 – Wildlife Impermeable Fencing – Exemptions**

Sec. 8109-4.8.3.6 does not apply to *wildlife impermeable fencing* that forms an enclosed area when:

- a. It forms an enclosed area all of which is located within 50 feet of an exterior wall of a legally established dwelling or within 50 feet of a *structure* related to an agricultural use set forth in Article 5. Such portion of the enclosed area is not counted toward the enclosed area limitations of Sec. 8109-4.8.3.6.b and c.
- b. It is used to enclose commercially grown agricultural crops or products. For purposes of this Sec. 8109-4.8.3.7 the phrase “commercially grown agricultural crops or products” means any crop or plant product (including orchard, food, plant fiber, feed, ornamentals, or forest) that will be commercially sold.
- c. It is used to enclose a water well or pump house and does not enclose more than 500 square feet.
- d. It is installed on publicly owned or maintained property for the purpose of restricting wildlife from entering a road right-of-way or directing wildlife toward a *wildlife crossing structure*.
- e. It is used for habitat protection or a *restoration project* when specified by a habitat preservation plan, habitat restoration plan or similar plan, or a condition of approval or mitigation measure associated with a land use *entitlement*, that is approved by a public entity; or it is constructed with a grant of public funds or by a *conservation organization*.
- f. It is installed on a *lot* that has an area of 10,000 square feet or less in size, regardless of base zoning.
- g. It is installed to control access to outdoor shooting ranges.

**Sec. 8109-4.8.3.8 – Discretionary Permit Applications, Development Guidelines, and Permit Approval Finding**

The following shall apply whenever a *discretionary* permit or modification thereto is required to authorize development pursuant to this Sec. 8109-4.8.

- a. Permit applications shall include, among all other information required by the Planning Division pursuant to Sec. 8111-2.1 and 8111-2.3, documentation, prepared by a qualified biologist, identifying all *surface water features, wildlife crossing structures*, landscape features such as *riparian* corridors and ridgelines, undeveloped areas, and other areas and features on the *lot* that could support *functional connectivity* and wildlife movement, or that could block or hinder *functional connectivity* and wildlife movement such as roads, *structures*, and *fences*. The permit application and supporting documentation shall also address the proposed development’s consistency with the development guidelines stated in subsection b below. Additional information and study may be required in order to review a proposed development under the California Environmental Quality Act or other applicable law.
- b. Development, including any resulting *fuel modification* required by the Ventura County Fire Protection District (VCFPD) pursuant to VCFPD Ordinance 30, as may be amended, should comply with the following applicable development guidelines to the extent feasible:
  - (1) Development should be sited and conducted outside the applicable setback areas set forth in Sec. 8109-4.8.3.4 and 8109-4.8.3.5 to the extent feasible;
  - (2) Development should be sited and conducted to minimize the removal and disturbance of biological resources, landscape features and undeveloped areas that have the potential to support *functional connectivity* and wildlife movement;
  - (3) Development should be sited and conducted to provide the largest possible contiguous undeveloped portion of land; and
  - (4) *Wildlife impermeable fencing* should be sited and designed to minimize potential impacts to wildlife movement.
- c. In addition to meeting all other applicable permit approval standards set forth in Sec. 8111-1.2, the following additional permit approval finding must be made or be capable of being made with reasonable conditions and limitations being placed on the proposed development: The development, including any resulting *fuel modification* required by VCFPD pursuant to VCFPD Ordinance 30, as may be amended, is sited and conducted in a manner that is consistent with the development guidelines set forth in Sec. 8109-4.8.3.8.b to the extent feasible.

(ADD. ORD. 4537 – 3/19/19)

**Sec. 8109-4.9 – Critical Wildlife Passage Areas Overlay Zone**

The abbreviated reference for the Critical Wildlife Passage Areas overlay zone when applied to a base zone shall be “CWPA.” The suffix “CWPA” shall be added to the base zone covering land so identified (example: RA-40 ac/HWCW/CWPA). Where applicable, standards, requirements and procedures in this Sec. 8109-4.9 shall apply to parcels in the Critical Wildlife Passage Areas overlay zone in addition to those of the base zone and other overlay zones, including but not limited to the Habitat Connectivity and Wildlife Corridors overlay zone. In the case of conflicting zone standards, requirements or procedures, the more restrictive standard, requirement or procedure shall apply within the Critical Wildlife Passage Areas overlay zone.

### **Sec. 8109-4.9.1 – Applicability**

- a. For purposes of calculating *lot* sizes to apply the provisions of this Sec. 8109-4.9, the Ventura County Resource Management Agency Geographic Information System (GIS) shall be used.
- b. Unless exempt pursuant to Sec. 8109-4.9.2, this Sec. 8109-4.9 shall apply to the following land uses, *structures* and *wildlife impermeable fencing* on *lots* that are two acres or greater (collectively referred to as “development” in this Sec. 8109-4.9):
  - (1) Construction of a new *structure* or addition to an existing *structure* that requires a Zoning Clearance or other permit under Art. 5.
  - (2) Initiation of a new land use that requires a Zoning Clearance or other permit under Art. 5.
  - (3) Installation of new or replacement *wildlife impermeable fencing* that forms an enclosed area on *lots* zoned Open Space (OS) or Agricultural Exclusive (AE), including when such a *fence* is used to facilitate livestock grazing. For purposes of this Sec. 8109-4.9, the term “enclosed area” means an area that is enclosed by *wildlife impermeable fencing* regardless of whether the *fence* or wall contains one or more gates or doors that can be opened to allow access. *Wildlife impermeable fencing* that includes unobstructed vertical gaps of at least 24 inches at intervals of 50 linear feet or less does not form an “enclosed area.”
- c. In cases where any portion of a *lot* is outside the Critical Wildlife Passage Area overlay zone, this Sec. 8109-4.9 shall not apply to any portion of the *lot*.
- d. The standards, requirements and procedures of this Sec. 8109-4.9 shall only apply to new development, the *discretionary* permit or Zoning Clearance application for which is decided by the County decision-making authority on or after May 18, 2019.
- e. If development requires a *discretionary* permit or modification thereto under a section of this Chapter other than this Sec. 8109-4.9, no additional *discretionary* permit or Zoning Clearance shall be required for the development pursuant to this Sec. 8109-4.9. Instead, the applicable standards, requirements and procedures of this Sec. 8109-4.9 shall be incorporated into the processing of the application for, and the substantive terms and conditions of, the *discretionary* permit or modification that is otherwise required by this Chapter.
- f. If the same development or project requires two or more *discretionary* permits or modifications or Zoning Clearances pursuant to Sec. 8109-4.8 and/or this Sec. 8109-4.9, the permit applications shall be processed and acted upon concurrently as part of the same project.
- g. Except as expressly stated in this Sec. 8109-4.9, if a permit condition, subdivision condition, or other covenant, condition, easement, or instrument imposes standards or restrictions on development which is subject to this Sec. 8109-4.9, the more restrictive standards and restrictions shall apply.

### **Sec. 8109-4.9.2 – Exemptions**

This Sec. 8109-4.9 does not apply to the following development:

- a. Any development on a *lot* zoned Commercial (CO, C1, CPD).
- b. Any development on a *lot* zoned Residential (RA, RE, RO, R1, R2, RPD or RHD) located in the Simi Hills Critical Wildlife Passages area as shown on the

“Critical Wildlife Passage Areas” map within the Planning GIS Wildlife Corridor layer of the County of Ventura, County View Geographic Information System (GIS), as may be amended.

- c. *Wildlife impermeable fencing* used to enclose commercially grown agricultural crops or products. For purposes of this Sec. 8109-4.9.2 the phrase “commercially grown agricultural crops or products” means any crop or plant product (including orchard, food, plant fiber, feed, ornamentals, or forest) that will be commercially sold.
- d. Above-ground pipelines, utility transmission lines, flood control improvements, *wireless communication facilities, structures* related to such facilities, and *wildlife impermeable fencing* required to protect such facilities.
- e. Facilities for the production, generation, storage, transmission, or distribution of water, including *wildlife impermeable fencing* required to protect such facilities.
- f. *Agricultural shade/mist structures*, animal shade *structures* authorized by Sec. 8107-34, and above-ground fuel storage as an *accessory use*.
- g. Land, *fences*, or improvements other than *structures* involuntarily damaged or destroyed by fire, flood, landslide, or natural disaster restored or rebuilt to their original state and in their original location if a complete building permit application is submitted to the County within three years of the date that the damage occurred, and the permit once approved is diligently pursued to completion prior to expiration, or if no permit is required, the rebuilding commences within the aforementioned three-year period and is diligently pursued to completion. Notwithstanding any other provision of this Chapter, the restoration or rebuilding of land, *fences* or improvements following fire, flood, landslide or natural disaster not meeting the above requirements shall comply with the permitting and all other applicable requirements of this Sec. 8109-4.9.
- h. *Structures* involuntarily damaged or destroyed by fire, flood, landslide, or natural disaster rebuilt to their original state and in their original location if (i) less than 50 percent of the *structure* is damaged or destroyed and (ii) a complete building permit application is submitted to the County within three years of the date that the damage occurred, and the permit once approved is diligently pursued to completion prior to expiration. Notwithstanding any other provision of this Chapter, the rebuilding of *structures* following fire, flood, landslide or natural disaster not meeting the above requirements shall comply with the permitting and all other applicable requirements of this Sec. 8109-4.9.
- i. Notwithstanding subsections g and h above, land, *fences*, improvements and *structures* damaged or destroyed in the Thomas Fire of 2017-2018 or the Woolsey-Hill Fires of 2018 rebuilt to their original state if a complete building permit application has been submitted to the Building and Safety Division on or before the applicable deadline set forth in Sec. 8113-6.1.1, and the building permit once approved is diligently pursued to completion prior to permit expiration; or if no building permit is required for the rebuilding of any such land, *fence*, improvement or *structure*, the rebuilding commences before the above-referenced deadline and is diligently pursued to completion.
- j. Construction and maintenance of driveways or roads internal to a *lot*.
- k. *Structures* or improvements that are *temporary* or are located entirely or substantially underground (e.g., pipelines, cables, individual sewage disposal systems).

- l. Repair or maintenance of an existing, legally established *structure* or *fence*.
- m. The following land uses set forth in Art. 5, except that an associated structure or *wildlife impermeable fencing* subject to this Sec. 8109-4.9 is not exempt unless covered by a separate exemption in this Sec. 8109-4.9.2:
  - (1) Animal Keeping and Animal Husbandry (domestic animals, horses & other equines, including more than permitted by Art. 7)
  - (2) Agricultural Crop and Orchard Production Including Packaging or Preliminary Processing Involving No Structures
  - (3) Apiculture
  - (4) Aquaculture/Aquiculture
  - (5) Vermiculture (open beds)
  - (6) Agricultural Promotional Uses
  - (7) Home Occupations
  - (8) Cemeteries
  - (9) Cultural/historic uses
  - (10) Filming Activities
  - (11) Firewood operations
  - (12) Drilling for temporary geologic testing
  - (13) *Botanic Gardens* and *Arboreta*
  - (14) Athletic Fields
  - (15) Golf Courses
  - (16) Parks
  - (17) Wholesale Nurseries for Propagation
- n. Development that is required to be sited in a specific location, or *wildlife impermeable fencing* that is required to form an enclosed area in a specific location, to comply with any federal or state law, or any condition or requirement of any permit, approval or order issued by a federal or state agency.

**Sec. 8109-4.9.3 – Permitting Requirements**

- a. Development subject to this Sec. 8109-4.9 requires a Zoning Clearance pursuant to Sec. 8111-1.1, which shall be issued if the development, including all proposed *structures*, uses, and enclosed areas formed by *wildlife impermeable fencing*, complies with the following applicable siting criteria and meets the general standards set forth in Sec. 8111-1.1.1.b:
  - (1) If development is proposed to be located on an undeveloped parcel, the first *principal structure/use* which constitutes development subject to this Sec. 8109-4.9 may be located anywhere on the parcel as otherwise authorized by this Chapter. All other and/or subsequently permitted development subject to this Sec. 8109-4.9, including the installation of *wildlife impermeable fencing* forming an enclosed area, shall be subject to the applicable siting criteria stated in subsections a(2) and a(3) below. For the purpose of this subsection a(1), “undeveloped parcel” means that the parcel contains no legally established *structure* that constitutes development subject to this Sec. 8109-4.9.
  - (2) The development meets one or more of the following criteria:
    - i. The development is located entirely within 100 feet of the centerline of a public road;
    - ii. The development is located entirely within 100 feet of any portion of and on the same *lot* as (i) an existing, legally

established *structure*, or (ii) the centerline of a publicly accessible trail; or

- iii. The development is located entirely within 100 feet of and on the same *lot* as the centerline of an agricultural access road that supports the production of commercially grown agricultural products. For purposes of this Sec. 8109-4.9.3, the phrase “commercially grown agricultural products” means any plant or animal agricultural product (including food, feed, fiber, ornamentals, or forest) that will be commercially sold, including livestock raised for commercial production.

(3) For development consisting solely of the installation of *wildlife impermeable fencing* forming an enclosed area, the enclosed area is located entirely within an area described in subsection (2)(i), (2)(ii) or (2)(iii) above, and:

- i. For *lots* with no *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by the proposed *wildlife impermeable fencing* is less than 10 percent of the gross *lot* area; or
- ii. For *lots* with existing *wildlife impermeable fencing* forming an enclosed area installed as of May 18, 2019, the cumulative area enclosed by the proposed *wildlife impermeable fencing* is less than 10 percent of the gross *lot* area excluding the cumulative area already enclosed by existing *wildlife impermeable fencing*.

- b. If development subject to this Sec. 8109-4.9 does not qualify for a Zoning Clearance pursuant to Sec. 8109-4.9.3.a, a *Planning Director*-approved Planned Development Permit is required to authorize the development.
- c. In addition to providing all information required by the Planning Division pursuant to Sec. 8111-2.3, an application for a Zoning Clearance or Planned Development Permit required by this Sec. 8109-4.9.3 shall include a site plan showing all existing and proposed *structures*, roads, driveways, and other improvements on the subject *lot*, and all public roads and publicly accessible trails on or adjacent to the *lot*. Such applications for development consisting of the installation of *wildlife impermeable fencing* shall also include a fencing site plan depicting the type, design, and location of all existing and proposed *wildlife impermeable fencing* on the subject *lot*, including calculations for the enclosed area of each existing and, if applicable, proposed *wildlife impermeable fence*.

#### **Sec. 8109-4.9.4 – Discretionary Permit Applications and Approval Standards**

The following apply whenever a *discretionary* permit or modification thereto is required to authorize development pursuant to this Sec. 8109-4.9.

- a. Permit applications shall include, among all other information required by the Planning Division pursuant to Sec. 8111-2.1 and 8111-2.3, documentation, prepared by a qualified biologist, identifying all *surface water features*, *wildlife crossing structures*, landscape features such as *riparian* corridors and ridgelines, undeveloped areas, and other areas and features on the *lot* that could support *functional connectivity* and wildlife movement, or that could block or hinder *functional connectivity* and wildlife movement such as roads, *structures*, and *fences*. The permit application and supporting documentation shall also address the proposed



development's consistency with the development guidelines stated in subsection b below. Additional information and study may be required in order to review a proposed development under the California Environmental Quality Act or other applicable law.

- b. Development, including any resulting *fuel modification* required by Ventura County Fire Protection District (VCFPD) pursuant to VCFPD Ordinance 30, as may be amended, should comply with the following applicable development guidelines to the extent feasible:
  - (1) Development should be sited and conducted to minimize the removal and disturbance of biological resources, landscape features and undeveloped areas that have the potential to support *functional connectivity* and wildlife movement;
  - (2) Development should be sited and conducted to provide the largest possible contiguous undeveloped portion of land; and
  - (3) *Wildlife impermeable fencing* should be sited and designed to minimize potential impacts to wildlife movement.
- c. In addition to meeting all other applicable permit approval standards set forth in Sec. 8111-1.2, the following additional permit approval finding must be made or be capable of being made with reasonable conditions and limitations being placed on the proposed development: The development, including any resulting *fuel modification* required by VCFPD pursuant to VCFPD Ordinance 30, as may be amended, should be sited and conducted in a manner that is consistent with the development guidelines set forth in Sec. 8109-4.9.4.b to the extent feasible.

(ADD. ORD. 4537 – 3/19/19)

## **Sec. 8109-4.10 – Mobilehome Park Overlay Zone**

### **Sec. 8109-4.10.1 - Application**

The abbreviated reference for this zone when applied to a base zone shall be "MHP". The provisions of this overlay zone are intended to apply to all mobilehome parks in the unincorporated area. The suffix "MHP" shall be added to the base zone covering land so identified (e.g., RPD-8 du/ac/MHP), but shall have no effect on the provisions of the base zone, except for the limitations provided herein. In this overlay zone the permit requirements of Articles 5, 11, 13 and 17 shall apply.

### **Sec. 8109-4.10.2 – Allowed Uses**

Only the following uses, as authorized in this Chapter and with appropriate permits, are allowed in the MHP Overlay Zone:

- a. Principal Use: Mobilehome parks.
- b. Accessory Uses: Accessory structures and uses customarily incidental and subordinate to the operation of mobilehome parks, and for the exclusive noncommercial use of the mobilehome park residents and their guests, such as a clubhouse or community center, community pool, recreational vehicle storage, or common laundry facility.
- c. Accessory Uses to Dwellings, in accordance with section 8105-4.
- d. Uses exempt from obtaining permits, in accordance with section 8105-4.
- e. Uses not listed or referenced above to which owners and residents of mobilehome parks have reasonable expectancy, consistent with applicable permit conditions and section 8101-4.10, and which do not interfere with the operation of mobilehome parks or their use and enjoyment by residents.

Examples of such uses include occasional filming activities and wireless communications facilities.

(ADD. ORD. 4554 – 12/10/19)

## **Sec. 8109-4.11 – Senior Mobilehome Park Overlay Zone**

### **Sec. 8109-4.11.1 – Application**

The abbreviated reference for this zone when applied to a base zone shall be “SMHP”. The provisions of this overlay zone are intended to apply to all mobilehome parks in the unincorporated area where, as of the operative date of the Ordinance enacting this Section 8109-4.11, such mobilehome parks meet the definition of senior mobilehome park and are rezoned to the SMHP Overlay Zone. The suffix “SMHP” shall be added to the base zone covering land so identified (e.g., RPD-8 du/ac/MHP/SMHP), but shall have no effect on the provisions of the base zone, except for the limitations provided herein. In this overlay zone the permit requirements of Division 11, Chapter 1, Articles 5, 11, 13 and 17 shall apply.

### **Sec. 8109-4.11.2 – Allowed Uses**

Only the following uses, as authorized in this Chapter and with appropriate permits, are allowed:

- a. Principal Uses: Senior mobilehome parks.
- b. Accessory Uses: Accessory structures and uses incidental to the operation of senior mobilehome parks, and for the exclusive noncommercial use of the senior mobilehome park residents and their guests, such as a clubhouse or community center, community pool, recreational vehicle storage, or common laundry facility.
- c. Accessory Uses to Dwellings, in accordance with section 8105-4.
- d. Uses exempt from obtaining permits, in accordance with section 8105-4.
- e. Uses not listed above to which owners and residents of mobilehome parks have reasonable expectancy, consistent with applicable permit conditions and section 8101-4.10, and which do not interfere with the operation of mobilehome parks or their use and enjoyment by residents. Examples of such uses include occasional filming activities and wireless communications facilities.

### **Sec. 8109-4.11.3 – Land Use Regulations**

All owners, operators, and occupants, as applicable, located within the Senior Mobilehome Park Overlay Zone shall comply with all of the requirements and limitations described below.

#### **Sec. 8109-4.11.3.1 – Signage, Advertising, Rental Agreements and Leases**

- a. Signage, advertising, park rules, regulations, rental agreements and leases for units in a mobilehome park in the Senior Mobilehome Park Overlay Zone must state that the park is a “Senior Mobilehome Park.”
- b. Any advertisement for a rental or vacancy in a Senior Mobilehome Park must state that the vacancy is intended for occupancy by at least one person 55 years of age or older.

#### **Sec. 8109-4.11.3.2 – Occupancy Limitations & Rentals**

At least 80 percent of the occupied units in a Senior Mobilehome Park must be occupied by at least one person 55 years of age or older.

Senior Mobilehome Park occupancy satisfies the requirements of this section even if:

- a. There are unoccupied mobilehomes, provided that at least 80% of the occupied mobilehomes are occupied by at least one person 55 years of age or older.
- b. To the extent permitted by applicable law, for a period of no more than two consecutive years fewer than 80 percent of the occupied units are occupied by at least one person 55 years of age or older, provided the Senior Mobilehome Park has reserved all unoccupied mobilehomes for occupancy by at least one person 55 years of age or older.

**Sec. 8109-4.11.4 – Age Verification & Compliance Procedures**

- a. The County shall determine, and maintain summary documentation establishing, that at least 80 percent of the mobilehomes in a Senior Mobilehome Park are occupied by at least one resident who is 55 years of age or older. The occupancy verification documentation shall be made available by park owners for inspection by County upon reasonable notice and request.
- b. At least once every two years owners and operators of Senior Mobilehome Parks shall submit documentation confirming that at least 80 percent of all occupied mobilehomes are occupied by at least one resident 55 years of age or older to the Planning Division of the County of Ventura Resource Management Agency.
- c. The County shall consider government-issued identification to be reliable documentation of the age of the residents of the mobilehome park, provided that it contains specific information about current age or date of birth (e.g., driver’s license).
- d. Reliable documentation shall also include a certification in a lease, application, affidavit, or other document signed by any member of the household age 18 or older asserting that at least one person in the unit is 55 years of age or older.
- e. If the occupant(s) of a particular mobilehome refuse or are unable to comply with these age verification procedures, the County may, if it has sufficient evidence, consider the unit to be occupied by at least one person 55 years of age or older. Such evidence may include:
  - (1) Government records or documents;
  - (2) Prior forms or applications; or
  - (3) A statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under penalty of perjury.

**Sec. 8109-4.11.4.1 – Duty of Mobilehome Park Residents to Comply with Age Verification Request**

Upon the operative date of this Section 8109-4.11.4.1, and no later than 30 days after request for age verification by a mobilehome park owner or operator or an employee or agent of the County, all owners and residents of all mobilehomes located, or proposed to be located, within the Senior Mobilehome Park Overlay Zone shall provide to the mobilehome park operator and to the Planning Division of the County the requested age verification documents.

**Sec. 8109-4.11.4.2 – Duty of Mobilehome Park Owners/Operators to Comply With Age Reporting Requirement and Certification**

- a. Within 60 days of the passage (12/10/2019) of this Section 8109-4.11.4.2, and then every two years thereafter, the owner or operator of each Senior Mobilehome Park shall report to the *Planning Director* of the County confirmation that at least 80 percent of all occupied mobilehomes are occupied by at least one resident 55 years of age or older. The owners or

operators of each senior mobilehome park shall maintain procedures for verifying the age of park residents.

- b. The senior mobilehome park owner or operator shall provide to the County a certification substantially in the following form:

*"I [name] hereby certify that there is at least one occupant 55 years of age or older living in \_\_\_ [number of such mobilehomes] mobilehomes out of a total number of \_\_\_ [total number] mobilehomes located in this mobilehome park. This certification is based on my personal knowledge of the residents, evidence provided to me in the form of official government documents containing specific information about the current age of the residents, resident affidavits, or age certifications made by residents."*

(ADD. ORD. 4555 – 12/10/19)

# ARTICLE 10: SIGN REQUIREMENTS

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(REP./REEN.ORD. 3682 - 3/13/84)

## **Sec. 8110-0 - Purpose**

The purpose of this Article is to promote traffic safety and the aesthetics of the visual environment of Ventura County through the regulation of all signs within the unincorporated areas, except in public rights-of-way. Regulations contained herein are the least burdensome regulations to carry out the above stated purpose. (AM. ORD. 3730 - 5/7/85)

For areas located within the Old Town Saticoy boundary, as delineated in the Old Town Saticoy Development Code (Article 19, Figure 1.1.2), refer to the Old Town Saticoy Development Code for additional sign regulations. (ADD. ORD. 4479 - 9/22/15)

## **Sec. 8110-1 - Definitions**

Advertising Sign - A sign which calls attention to products, goods or services for sale or hire, or which otherwise contains a commercial message.

Attached Sign - Any sign posted, painted on, or constructed or otherwise attached to the wall, facade, canopy, marquee, or other architectural part of a building.

Canopy Sign - Any sign attached to or constructed in or on a canopy or marquee.

Directional Sign - Any sign which serves solely to designate entrances or exits, or the location or direction of any on-site area.

Double-faced Sign - A sign structure with messages on both sides of a sign board or panel; or a sign with two faces that are attached to each other on one side and form an angle of not more than 30 degrees; or a sign structure with two attached parallel faces not more than 18 inches apart, with a message on each face. (ADD. ORD. 3810 - 5/5/87)

Freestanding Sign - Any sign which is anchored directly to the ground or supported from the ground, or is attached to a freestanding wall or *fence*. (AM. ORD. 3810 - 5/5/87)

Identification Sign - An on-site sign which indicates the premises, occupants, address, neighborhood or entrance location to the premises.

Noncommercial Message - A display or statement on a sign which calls attention to something other than products, goods, or services for sale or hire including personal political statements, unrelated to pending elections. Such messages are permitted on any type of sign provided that all the standards of this Article are followed. "Noncommercial Message" signs shall be regulated in the same manner as "Identification" signs. (AM. ORD. 4054 - 2/1/94)

Off-site Sign - A sign which displays commercial or noncommercial messages related to property, goods, services, or ideas not found on, or related to, the property on which the sign is located.

On-site Sign - A sign located on the same site as the occupant, business, trade or profession to which it relates.

Permanent Sign - A sign intended to be erected and maintained for a period of more than 60 days.

Political Sign - A temporary sign or handbill erected prior to, and referencing specific individuals or issues in, a pending election, excluding leased space on the face of permanent, legal, off-site advertising signs (billboards). (AM. ORD. 4054 - 2/1/94)

Projecting Sign - An attached sign which projects outward perpendicularly or at an angle from a wall or building face.

Real Estate Sign - A sign which advertises the sale, rental or lease of the property on which it is maintained.

Roof Sign - Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

Sign - A communication device using words or symbols, illuminated or nonilluminated, which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary display designed to advertise, identify or convey information.

#### Sign Area

- a. Area of Simultaneously Visible Faces - Where the lettered or illustrative material of a sign is placed upon a sign board or other sign structure having a continuous or essentially continuous surface or face (whether plane, curved, angulated or otherwise), the background or face area of simultaneously visible faces of such sign board or sign structure shall be the sign area. For purposes of computation, single and double faced signs are considered to have the same area; in other words, a double-faced sign having two square feet of sign copy on each face is considered to have two square feet of sign area. The *Planning Director* may require landscaping or other screening at the open end of a double-faced sign whose faces are not parallel. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87)
- b. Framed Area - Where the lettered or illustrative material of a sign is not placed as described in a. above, but is framed either mechanically or visually by the design or layout of the sign itself, then the area so framed shall be the sign area.
- c. Geometric Unframed Figure - Where the lettered or illustrative material is not placed or framed in the manner described in a. or b. above, but is composed either vertically, horizontally, diagonally or otherwise, essentially in the form of a rectangle, triangle or similar geometric figure, the area of the geometric figure within which such material could be enclosed shall be the sign area; except that when the space between the elements comprising the sign exceeds 1½ times the average size of the elements themselves, the area of the elements may be measured separately as provided in d. below.
- d. Area of Abutting Rectangles - Where the lettered or illustrative material is not placed, framed or composed as described in a., b. or c. above, the total area of the abutting rectangles or other simple geometric shapes within which the individual words, letters, illustrations or other elements comprising the sign could be enclosed shall be the sign area.
- e. Clocks and Thermometers - Time and temperature devices without advertising copy will not be included in determining the sign area.

Tract Sign - An off-site sign relating to the original sale of property other than that on which the sign is constructed.

Window Sign - A sign or combination of signs painted on, attached to, or designed or placed so as to be read principally through the windows from outside the structure.

## **Sec. 8110-2 - Permit Requirements**

To ensure compliance with the regulations contained in this Chapter, a Zoning Clearance is required for each nonexempted sign to be erected or maintained, except as required elsewhere in this Chapter. Plot plans and elevation drawings shall be submitted with all Zoning Clearance applications for signs. Only signs on one property may be applied for on one application. (AM. ORD. 4144 - 7/22/97)

## **Sec. 8110-3 - Exempted Signs**

Except as otherwise specified in this Article and subject to regulations locating signs with reference to street intersections, freeways, scenic highways and primary roads, the following signs shall be exempt from the requirements of this Article:

- a. Governmental signs providing general information to the public, and for control of traffic or similar regulatory purposes, including street signs, danger signs and warnings at railroad crossings; (AM. ORD. 3810 - 5/5/87)
- b. Memorial tablets or signs, including those indicating names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar noncombustible material;
- c. Signs required to be maintained by law or governmental order, rule or regulation, with a total surface area not exceeding ten square feet on any *lot*; or street address numbers with a total surface area not exceeding two square feet;
- d. Signs which are not visible beyond either the boundaries of the *lot* on which they are located, or from any public right-of-way, or from any parking area, or circulation area open to the general public;
- e. Flags or seals of the United States of America or the State of California, or emblems of a civic, philanthropic, educational or religious organization, when such emblems do not exceed four square feet in area and, if freestanding, five feet in height, and such flags or emblems are not used in connection with a commercial promotion or as an advertising device; (AM. ORD. 3730 - 5/7/85)
- f. Parking area or other private traffic directional signs not exceeding four square feet in area per sign. Each *lot* is permitted one such sign per entrance to the *lot* or premises, to direct pedestrian or vehicular traffic on the same property. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4407 - 10/20/09)
- g. Signs placed by a public utility, conveying information on the location of facilities in the furtherance of service or safety;
- h. Freestanding on-site real estate signs 12 square feet or less in area, having a maximum panel length or height of eight feet (excluding real estate tract signs);
- i. Temporary construction signs, provided that:
  - (1) Only one sign is erected per construction site;
  - (2) The sign does not exceed six square feet in open space, agricultural and R-zones, or 24 square feet in all other zones;
  - (3) The sign is used only to indicate the name of the construction project and the names and locations (state and city or community only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and/or financing company;
  - (4) The sign is displayed during construction only; and
  - (5) The sign does not exceed six feet in height if freestanding.

(ADD. ORD. 3730 - 5/7/85)

- j. On-site real estate "for sale" or "for lease" signs pertaining to the property displayed within a window, subject to Sec. 8110-6.13. Only one such sign is allowed on each street frontage of the property. (ADD. ORD. 3730 - 5/7/85)
- k. Temporary "open house" signs. Only one such sign is allowed on each street frontage of the property on which the open house is being held. Such sign may be single- or double-faced and is limited to a maximum of three square feet in area and four feet in height. Such signs shall contain only the address of the property where the open house is being held and the name of the real estate agent or party holding the open house. Such signs shall be erected and removed on the same day the open house is held and shall not be fastened or attached in any way to a building facade or architectural element. (ADD. ORD. 3730 - 5/7/85)
- l. Signs or banners announcing the opening of a new business which, in the aggregate, do not exceed ten square feet or 25 percent of the window area, whichever is greater. Such signs may be erected for a maximum of 60 days during the opening of the new business. (ADD. ORD. 3730 - 5/7/85)
- m. Other signs, including political and "no trespassing" signs, having noncommercial messages and not exceeding two square feet in area on any *lot*. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87)
- n. Individual window signs not exceeding ten square feet in area that are consistent with the provisions of Sec. 8110-6.13. (ADD. ORD. 3810 - 5/5/87; AM. ORD. 4123 - 9/17/96)

## **Sec. 8110-4 - Prohibited Signs**

The following signs and sign types are prohibited:

- a. Sandwich-board, A-frame and portable freestanding signs;
- b. Bench signs, except at bus stops designated on a valid bus schedule;
- c. Signs which flash, scintillate, move or rotate, except for clocks and time and temperature signs;
- d. Banners, pennants, flags (except as permitted by Sec. 8110-3e; no other flags are permitted);
- e. Captive balloons or signs which change color or appear to change color or where the intensity of light changes or appears to change, except on a temporary basis in accordance with Sec. 8110-6.11;
- f. Portable or trailer-mounted off-site advertising or tract signs;
- g. Any sign which emits sound;
- h. Any sign erected in such a manner that any portion of the sign or its support is attached to or will interfere with the free use of any fire escape, exit or standpipe, or will obstruct any stairway, door, ventilator or window
- i. Projecting signs, unless suspended from a canopy in accordance with Sec. 8110-6.2, or attached to a service station canopy roof in accordance with Sec. 8110-6.9.1;
- j. Roof signs;
- k. Any sign or sign structure which is structurally unsafe or constitutes a hazard to health or safety by reason of design, inadequate maintenance or dilapidation;



- l. Any sign erected or attached to any tree or utility pole within any public right-of-way, or any sign erected within the boundaries of the required right-of-way for any mapped road as shown on the Circulation Element of the Ventura County General Plan;
- m. Any sign erected in such a manner that it will or may reasonably be expected to interfere with, obstruct, confuse or mislead traffic;
- n. The use of any item of merchandise or other commodity related to the business as a sign, except as such commodity may be permanently incorporated into a sign structure as permitted by this Article;
- o. Signs attached to the exterior surfaces of windows; (ADD. ORD. 3810 - 5/5/87)
- p. Off-site signs, except as specifically permitted in Sections 8110-5.1 and 8110-5.6. (ADD. ORD. 3810 - 5/5/87)

### **Sec. 8110-5 - General Sign Regulations**

Section 8110-5.1 sets forth the standards for sign categories, except bench signs, canopy signs, cooperative display panels, illuminated signs, political signs, service station signs, symbol signs, temporary signs and window signs which are set forth in Sec. 8110-6 below. The latter section also contains more detailed standards and regulations applicable to tract signs.

**Sec. 8110-5.1 - Sign Standards**

(AM. ORD. 4054 - 2/1/94; AM. ORD. 4123 - 9/17/96, AM ORD. 4317 - 03/15/05; AM. ORD 4390 - 9/9/08)

<b>OPEN SPACE, AGRICULTURAL AND R-ZONES</b>					
<b>Sign Type</b>	<b>On-Site</b>			<b>Off-Site</b>	
	<b>Attached</b>	<b>Freestanding</b>		<b>Freestanding</b>	
	<b>Identification/Noncommercial Messages (l)</b>		<b>Real Estate (a)</b>	<b>Tract (b, k)</b>	
Maximum number per lot	1	1	1	1	
Permitted area (square feet)	Lesser of 20 or F*/20 (o)	Lesser of 25 or F*/10 (square feet)	12(c)	72	
Maximum Height (feet)	Not above wall to which it is attached	5	10	10	
Maximum Length (feet)	(d)	10	16	16	
<b>COMMERCIAL AND INDUSTRIAL ZONES</b>					
<b>Sign Type</b>	<b>On-Site</b>			<b>Off-Site</b>	
	<b>Attached</b>	<b>Freestanding</b>		<b>Freestanding</b>	
	<b>Identification</b>		<b>Real Estate (a)</b>	<b>Advertising (e)</b>	<b>Tract (f, k)</b>
Maximum number per lot	No limit	(g)	1	1, Irrespective of type	
Permitted area (square feet)	(h)	Greater of 10 or F*/5 to max. of 200	12(c)	See Sec. 8110-6.7.5	72
Maximum Height (feet)	(i)	Lesser of 25 or height of highest building on site	16	25	10
Maximum Length (feet)	(d)	25	25	25(j)	16

**Regulatory Notes:**

\*F = Total street frontage of lot in linear feet.

(a) Only those real estate signs over 12 square feet require Zoning Clearance.

(b) Prohibited in open space zones; see also Sec. 8110-6.12.

- (c) Real estate signs may exceed 12 sq. ft. by one square foot for each 10 feet by which the width of the *lot*, or two or more contiguous *lots* in single ownership, exceeds 70 feet, to a maximum of 72 square feet.
- (d) Sign may be as long as the building wall to which it is attached, and may wrap around a corner, but may not project beyond a corner.
- (e) Permitted in M2 and M3 zones only; see also Sec. 8110-6.7. (AM. ORD. 4377 – 1/29/08)
- (f) Permitted on vacant property in CPD and M-zones only; see also Sec. 8110-6.12. (AM. ORD. 4377 – 1/29/08)
- (g) Large sites may have signs 500 feet apart; maximum 200 sq. ft. of total freestanding sign area per *lot*. A drive-through restaurant may have an extra 16-square foot menuboard; see Section 8110-6.14.
- (h) Each wall or building face is permitted one square foot of sign area per linear foot of wall length; maximum 120 square feet, regardless of the number of signs.
- (i) Sign may not extend above the eaves of a gable roof, nor more than two feet above the face of the canopy or a parapet wall to which it is attached.
- (j) For 375-square-foot signs, the length may be increased to 36 feet.
- (k) Prohibited in SRP Overlay Zone; see also Sec. 8109-4.1.4b.
- (l) Agricultural sales facilities may have additional signs in accordance with Sec. 8107-6.1.6.
- (m) Assembly Uses may have up to 20 square feet of attached sign regardless of *lot* width. (AM ORD. 4411 – 3/2/10)
- (n) Assembly Uses may have up to 25 square feet of freestanding sign regardless of *lot* width. (AM ORD. 4411 – 3/2/10)
- (o) Principal Structures Related to Agriculture, Except Shade/Mist Structures, over 20,000 square feet in size, may have one square foot of sign area per two linear feet of wall length, regardless of the number of signs. The *Planning Director* may approve additional sign area, to a maximum total of 120 square feet per qualified building, as part of a complete Sign Program for the site. Such Sign Program may be approved as a modification to an existing permit, such as a Conditional Use Permit or Planned Development Permit. If no such permit exists for the site, the *applicant* shall submit the Sign Program as part of a Planned Development Permit.  
(AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87; AM. ORD. 4215 - 10/24/00;  
AM. ORD. 4216 - 10/24/00 AM. ORD. 4317 – 3/15/05; AM. ORD 4390 – 9/9/08)

## **Sec. 8110-5.2 - Location**

### **Sec. 8110-5.2.1**

Signs are subject to the structural setbacks set forth in Section 8106-1; the setback shall be measured to the outermost projection of the sign structure on the side where the setback is being measured. Exceptions as follows:

- a. On-site freestanding signs three feet or less in height may be located within a setback adjacent to a street.
- b. A sign attached to an existing wall or *fence* is exempt from the setback requirements, provided that the sign does not project beyond any edge of such wall or *fence*.

**Sec. 8110-5.2.2**

No sign shall be erected within a sight triangle unless such sign, in compliance with the provisions of this Article, is less than two feet or more than eight feet above curb grade, and no part of its means of support has a single or combined horizontal cross section exceeding eighteen inches.

(AM. ORD. 3749 - 10/29/85; AM. ORD. 3810 - 5/5/87)

**Sec. 8110-5.3 - Maintenance**

Every sign as permitted by this Article shall be maintained in good condition. The *Planning Director* may require any improperly maintained sign, temporary or permanent, to be repaired or removed upon the failure of the owner(s) to repair or remedy a condition of any sign declared by the Department of Building and Safety to be unsafe, or declared by the *Planning Director* to be improperly maintained, within 30 days from the receipt by the owner(s) of a written notice to that effect. (AM. ORD. 3810 - 5/5/87)

**Sec. 8110-5.4 - Public Rights-of-Way**

**Sec. 8110-5.4.1**

Installation of any sign within a County right-of-way requires an Encroachment Permit issued by the Transportation Department of the Public Works Agency.

**Sec. 8110-5.4.2**

No existing tree shall be trimmed, pruned or removed from a County right-of-way to increase the visibility of any sign, unless such work is first approved by the Public Works Agency. (ADD. ORD. 3730 - 5/7/85)

**Sec. 8110-5.5 - Measurement of Sign Height**

Where the average grade of the *lot* on which a sign is placed is at or above the adjacent street grade, the sign shall be measured from the grade level adjacent to the sign. Where the average grade of the *lot* is below the adjacent street grade, the sign height shall be measured from the adjacent street grade. (ADD. ORD. 3730 - 5/7/85)

**Sec. 8110-5.6 - Lots Having No Street Frontage**

If a *lot* has no street frontage, the easement providing for access to the *lot* shall be considered part of said *lot* for purposes of sign placement. (ADD. ORD. 3810 - 5/5/87)

**Sec. 8110-6 - Specific Regulations by Type of Sign**

**Sec. 8110-6.1 - Bench Signs**

are permitted at bus stops designated on a valid bus schedule. The copy area of such signs shall be a maximum of four square feet in open space, agricultural and residential zones, and eight square feet in commercial and industrial zones. No bench sign shall extend beyond the edges of the bench backrest.

**Sec. 8110-6.2 - Canopy Signs**

may extend to within one foot of the edge of a canopy from which the sign is suspended. Signs painted on or affixed to canopies shall be considered part of the total allowable area of attached signs for that building. Signs suspended under canopies which project over private walks or drives open to the public shall be limited to an area of eight square feet per sign.

**Sec. 8110-6.3 - Clocks and Thermometers**

Time and temperature devices shall have a maximum area of 24 square feet.

### **Sec. 8110-6.4 - Display Structures for Pedestrian Viewing**

Such structures are allowed subject to conditions stated in a CUP or PD Permit in all commercial zones, and may include enclosed display of products sold or bulletin-type advertising stands which may or may not serve other functional purposes, such as kiosks, covers for inclement weather and the like, or they may serve as an additional structural element visually to enhance pedestrian ways or landscaped or parking areas.

- a. Location - Such structures shall not be located in any required setbacks.
- b. Area - The area of pedestrian sign display structures shall be in accordance with Sec. 8110-5.1 (matrix), and may be allowed in addition to sign area otherwise permitted for the *lot*.
- c. Lighting - Illumination of pedestrian sign display structures such as kiosks may be by indirect or diffused light only.

### **Sec. 8110-6.5 - Illuminated Signs**

Signs in open space, agricultural and residential zones may have indirect or diffused illumination. Illuminated signs in nonresidential zones shall not exceed the brightness of a diffused light panel having cool white fluorescent 800 milliamperes lights spaced at least ten inches on center. Sign illumination shall not result in glare being directed toward surrounding properties.

### **Sec. 8110-6.6 - Back-Mounted Freestanding Signs**

Any sign erected on the back of an existing freestanding sign must have the same exterior dimensions as the existing sign.

### **Sec. 8110-6.7 - Freestanding Off-Site Advertising Signs**

Such signs are permitted only with the granting of a *Planning Director* Conditional Use Permit in accordance with Article 11, and are subject to the following regulations and standards in addition to those listed in Sec. 8110-5.1:

#### **Sec. 8110-6.7.1**

Freestanding off-site advertising signs are prohibited within Scenic Corridors or if visible from a Scenic Highway. No such sign shall be established so as to obstruct the view toward any area of scenic or historic significance designated by the Planning Commission. The view of the ocean from a freeway has scenic significance.

#### **Sec. 8110-6.7.2**

Only uni-pole design is permitted for such signs up to 72 square feet in area, and encouraged for all other signs. (AM. ORD. 3730 - 5/7/85)

#### **Sec. 8110-6.7.3**

Any such sign shall be located at least 500 feet from any other freestanding off-site sign, at least 500 feet from a freeway interchange, at least 50 feet from the exterior boundaries of a service station site and at least six feet from any other structure. Such sign may not extend beyond the boundaries of the *lot* on which it is located. (AM. ORD. 3730 - 5/7/85)

#### **Sec. 8110-6.7.4**

The back of such sign, if not used for advertising copy, shall be screened if visible from any public right-of-way.

**Sec. 8110-6.7.5**

Maximum sign size allowed shall be based on the following:

NO. LANES	SPEED LIMIT (in mph)	SIGN SIZE (in square feet)
0-4	35 or less	0-72
0-4	Greater than 35	0-300
5 or more	55	0-375

- a. The number of lanes shall be measured on the side of the road from which the sign is designed to be read.

**Sec. 8110-6.7.6**

In addition to the permit standards of Sec. 8111-2.1.2, the following design criteria shall be considered in the reviewing of all Conditional Use Permit applications: (AM. ORD. 3730 - 5/7/85)

- a. Sign structures shall be of the most modern design and aesthetically attractive type feasible.
- b. The number of light fixtures shall be kept to a minimum and integrated into the design of the structure.
- c. On developed sites, landscaping shall be used to enhance the appearance of the sign, and to the extent possible, to allow the sign to blend with the remainder of the site.
- d. The use of planter boxes to improve the appearance of the sign base, and trees to mask the unused side of a single-faced sign, are encouraged.
- e. Sign poles and other non-copy elements shall be made to blend visually with the color(s) and texture(s) of the background, including any buildings.

**Sec. 8110-6.7.7**

Noncommercial messages are permitted on freestanding, off-site advertising signs in accordance with all requirements of Sec. 8110-6.7 and Sec. 8110-5.1.

**Sec. 8110-6.8 - Political Signs**

The purpose of this section is to prevent damage to Public property, protect the integrity of the electoral process and prevent the erosion of aesthetic quality and historic values within the County. It is specifically recognized that if temporary political signs on private property are not removed after the election is held, the deteriorating signs and accumulating debris become a blight, defacing the landscape. It is therefore an intent of this Article to make provision for the erection and removal of such signs after the election which they publicized has been held.

**Sec. 8110-6.8.1 - Political Signs on Private Property**

No temporary political sign face shall exceed thirty-two (32) square feet in area. The aggregate area of all temporary signs placed or maintained on any lot in one ownership shall not exceed ninety-six (96) square feet. (AM. ORD. 4216 - 10/24/00)

**Sec. 8110-6.8.2 - Political Sign Registration**

In order to keep track of the placement of temporary political signs to assure removal subsequent to an election, such signs shall be registered with the Planning Department by the candidate or his or her registered agent, or, when a ballot proposition is involved, by an authorized agent of the group or organization sponsoring the signs, prior to the distribution of such signs for the attachment or installation on any property. Registration of political signs shall be on forms available in the Planning Department and shall be accompanied by an agreement signed by the candidate or his or her authorized agent, or when a ballot proposition is involved, by an authorized agent of the group or organization sponsoring the signs, that within ten calendar days after the election all political signs shall be removed, and a certified statement by the registrant that consent will be obtained from each owner of the property on which a sign is to be posted.

**Sec. 8110-6.8.3 - Location**

Political signs may not be affixed, installed, or erected within 100 feet of a polling place or historic site, nor within the right of way of any highway, nor within 660 feet of the edge of a "Scenic Highway" or landscaped freeway, nor in any location where the sign will impair sight distance or create a hazard to traffic or pedestrians, nor on any telephone pole, lamppost, tree, wall, fence, bridge, bench, hydrant, curbstone, sidewalk or other structure in or upon any public right-of-way, nor upon any other public property. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4216 - 10/24/00)

**Sec 8110-6.8.4 - Time Frames**

Temporary political signs shall not be posted sooner than 90 days prior to a scheduled election administered by the County Elections Department. Said signs shall be removed within 10 days after the election. (ADD. ORD. 4216 - 10/24/00)

**Sec. 8110-6.8.5 - Enforcement**

Except for signs remaining posted after the post-election deadline, any political sign not posted in accordance with the provisions of this Article shall be deemed to be a public nuisance and shall be subject to removal by the candidate, property owner, or, when a ballot proposition is involved, the authorized agent of the group or organization sponsoring the sign or, upon their failure to do so after reasonable attempt at notice by the County, by County officers or zoning inspectors. Any political sign which is not removed within the specified period following an election shall be subject to summary removal and confiscation by the County. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4216 - 10/24/00)

**Sec. 8110-6.9 - Service Station Signs**

On-site service station signs are permitted in accordance with the following regulations:

**Sec. 8110-6.9.1 - Attached Signs**

are permitted as follows:

- a. Maximum permitted area in square feet is three times the square root of the area (in square feet) of the wall or canopy face. Maximum 200 square feet for all attached signs, except that when wall area exceeds 5,000 square feet, the sign area may be increased by ten square feet for each additional 500 square feet of wall area over 5,000, to a maximum of 300 square feet. (AM.ORD.3749-10/29/85)
- b. Maximum height - 16 feet, provided that the sign does not extend above the eaves of a gable roof nor more than two feet above the face of the canopy or parapet wall to which it is attached.
- c. Brand name insignia, emblems or medallions may be attached to the building frontage of the service station. Symbol background area may be 14 square

feet maximum per symbol, maximum ten feet horizontally and maximum eight feet vertically.

**Sec. 8110-6.9.2 - Freestanding Signs**

are permitted as follows:

- a. Maximum area in square feet is the lesser of 120 or  $0.8F-40$ , where F is the *lot* frontage in linear feet.
- b. Maximum height is 25 feet or 1.8 times the square root of the *lot* frontage, whichever is less. (AM.ORD.3730-5/7/85)

**Sec. 8110-6.9.3 - Overall Area Limit**

The maximum total area for all signs on a service station site is 300 square feet.

**Sec. 8110-6.9.4 - Numerical Limit**

There is no limit on the number of signs on a service station site, except that poster boards are limited to two; see Sec. 8110-6.9.5, below.

**Sec. 8110-6.9.5 - Poster Boards -**

Two poster boards mounted on permanently anchored footings may be installed in locations which do not obstruct safe visibility from vehicles. Each poster board may have a maximum area of 15 square feet and a maximum height of six feet.

**Sec. 8110-6.9.6 - Identification Sign**

An identification sign may be mounted on a pole projecting through the roof of a pump island canopy, and a suspended sign may be attached to hang below the canopy.

**Sec. 8110-6.10 - Symbol Signs Not on Service Stations**

One symbol sign in the form of a graphic presentation of goods or services sold or rendered on the premises or a traditional emblem associated with a trade, which emblem or symbol bears no written message or trademark, shall be permitted on each building frontage of the enterprise provided that it is affixed to the building, canopy or wall which is part of the building frontage and does not project over any publicly maintained right-of-way nor more than two feet above the canopy or wall. No such symbol sign if attached to the building shall exceed 64 square feet in area, and no such symbol sign if hanging from a canopy or fascia shall exceed two square feet in area. Such signs shall be included in the total area of signs allowed on the *lot* where they are located.

**Sec. 8110-6.11 - Temporary Signs**

are permitted as follows:

**Sec. 8110-6.11.1 - Attraction Devices**

The *Planning Director* may authorize temporary banners, pennants, flags or captive balloons for a period of up to 30 days in any 90-day period for the purpose of advertising a grand opening or other special event.

**Sec. 8110-6.11.2 - Removal**

No Zoning Clearance for a temporary sign promoting an event shall be issued unless and until the *applicant* therefor has signed an agreement that the sign involved will be removed within seven days after the expiration of the 30-day temporary period. Said agreement shall authorize County agents to remove expired signs and shall be accompanied by a cash deposit of \$100.00, which deposit may be used to defray the costs of sign removal in the event the permit holder defaults upon the agreement as aforesaid. Appropriate refunds to the *applicant(s)* shall be made upon written report to the *Planning Director* that sign removal has been satisfactorily accomplished.



### **Sec. 8110-6.12 - Off-Site Tract Signs**

Such signs are permitted on agriculturally zoned property, on vacant residentially or industrially zoned property, and on vacant property zoned CPD, only after a final tract map has been recorded, for a period of 18 months from the date of issuance of the Zoning Clearance for such sign or until all *lots* have been sold, whichever is the first to occur. No tract shall have more than four off-site signs advertising its existence. Such signs may be located adjacent to routes traveled to reach the tract advertised unless such route has been adopted as a freeway or County Scenic Highway on the Ventura County Scenic Highways Element of the General Plan, or is a State-designated Scenic Highway, or if the proposed sign location is within a "Scenic Corridor" adopted by the Board of Supervisors. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4377 - 1/29/08)

#### **Sec. 8110-6.12.1 - County Restrictions**

Tract signs located within the County shall advertise only tracts located within the County or within cities located therein, or may exhibit noncommercial messages for a period of 18 months.

#### **Sec. 8110-6.12.2 - Additional Restrictions**

No *lot* shall have thereon both a tract advertising sign and an on-site identification sign, and no tract sign shall be placed within 500 feet of any other tract sign. (AM. ORD. 3730 - 5/7/85)

### **Sec. 8110-6.13 - Window Signs**

Window signs shall not exceed 25 percent of a given window's area. That portion of the total window signage area that exceeds ten square feet on any individual business shall be counted toward the attached sign area permitted for that business. Signs attached to the exterior surfaces of windows are prohibited. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4216 - 10/24/00) See also Sec. 8110-3[n]

### **Sec. 8110-6.14 - Menu Boards for Drive-Through Restaurants**

A drive-in or drive-through restaurant is permitted one menu board not exceeding 16 square feet in area, which shall not be counted toward the sign area or permitted number of signs otherwise allowed for the *lot* or premises. (ADD. ORD. 3810 - 5/5/87)

## **Sec. 8110-7 - Abatement of Signs Relating to Inoperative Functions**

Signs pertaining to enterprises or occupants that are no longer using a property shall be removed from the premises within 60 days after the associated enterprise or occupant has vacated the premises. Other signs of a temporary nature shall be removed within ten days following the event or other purpose served by the sign in the first instance. Any such sign not removed within the required period shall constitute a nuisance and shall be subject to summary abatement pursuant to Section 38773 of the California Government Code, and the expense of such abatement shall be a lien against the property on which the sign was maintained and a personal obligation against the property owner. Said property owner shall first be served with a notice to abate the nuisance and shall be given the opportunity for a hearing before the *Planning Director*.

## **Sec. 8110-8 - Nonconforming Signs**

### **Sec. 8110-8.1 - Continuance**

In cases where the area of signs existing as a valid nonconforming use on a property exceed the total allowable area for permitted signs, no additional signs shall be permitted on the property. If the size or configuration of a *lot* or building is changed by the subdivision of the property or by alterations, identification signs and outdoor

advertising signs on the resulting properties shall be required to conform to the sign regulations applicable to the newly created *lot* or *lots* at the time such change becomes effective.

**Sec. 8110-8.2 - Repair**

A nonconforming sign may be repaired, provided that it has not been damaged in excess of 60 percent of its value. Such damaged nonconforming sign may not be expanded, reconstructed or relocated without being made to comply in all respects with the provisions of this Article.

**Sec. 8110-8.3 - Amortization**

All signs rendered nonconforming by the provisions of this Article shall be altered, removed or otherwise made to comply with the provisions of this Article within the following time periods, which shall run from either the effective date of this Article or such later date as the use is made nonconforming:

Political Signs	10 days
Signs painted on structures	1 year
All other signs	5 years

Provided, however, that the following time periods shall apply to signs legally erected, pursuant to a valid sign permit issued within the two years immediately preceding the effective date of this Article:

Signs painted on structures	1 year from effective date of this Article or from the expiration date of the permit
Freestanding off-site advertising sign in open space, agricultural or residential zones	Pursuant to Calif. Business & Professions Code, Sec. 5412.1 et seq.
Freestanding off-site advertising	Not subject to amortization
All other signs	5 years from effective date of this Article or from the expiration date of the permit

**Sec. 8110-8.4 - Abatement**

Nonconforming signs shall either be made to conform with the provisions of this Article or be abated within the applicable period of time. In the event they are not, the *Planning Director* shall order the same to be abated by the owner of the property or by any other person known to be responsible for the maintenance of the sign.

**Sec. 8110-8.5 - Manner of Abatement**

Unless some other mode of abatement is approved by the *Planning Director* in writing, abatement of nonconforming signs shall be accomplished in the following manner:

- a. Signs Painted on Structures - By removal of the paint constituting the sign or by permanently painting it in such a way that the sign shall not thereafter be or become visible;
- b. Other Signs - By removal of the sign, including its dependent structures and supports; or pursuant to a sign permit duly issued allowing modification, alteration or replacement thereof in conformity with the provisions of this Article.

# ARTICLE 11: ENTITLEMENTS – PROCESS AND PROCEDURES

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(REP./REEN. ORD. 3730 - 5/7/85) (REP./REEN. ORD. 4092 - 6/27/95)

## Sec. 8111-0 - Purpose

The purpose of this Article is to establish procedures for the processing of land use *entitlements*, including permits and variances and for modification, suspension, or revocation of any permit or variance, and appeals thereto.

## Sec. 8111-1 - Entitlements

*Entitlements* authorized by this Chapter include the following:

### Sec. 8111-1.1 - Ministerial Entitlements and Modifications

These *entitlements*, and modifications thereto, are granted based upon determinations, arrived at objectively and involving little or no personal judgment, that the request complies with established standards set forth in this Chapter. Such will be issued by the *Planning Director* or his/her designee without a public hearing. (AM. ORD. 4377 – 1/29/08 – grammar)

#### Sec. 8111-1.1.1 - Zoning Clearance: Purpose Of

A Zoning Clearance certifies that a proposed use of land or structures, or construction or demolition of structures, is consistent with the provisions of this Chapter and any applicable conditions of any previously issued *entitlement*, and the use or structure may be inaugurated. Where no other Planning Division issued *entitlement* is required, a Zoning Clearance also serves as an *entitlement* granted for as long as the subject use or structure is in compliance with the applicable requirements of this Chapter. More than one Zoning Clearance may be required and issued for the same property and one Zoning Clearance may be issued for multiple purposes.

- a. Zoning Clearance: Applicability Of - A Zoning Clearance is required prior to any of the following actions occurring. To be valid, it must specify for which of the following purposes it is being issued:
  - (1) Inauguration of construction or demolition of a structure, unless exempted pursuant to Sections 8105-4 and 8105-5;
  - (2) Inauguration of a use of land, structures, or facilities, including a change of use where a new use replaces an existing one, unless exempted pursuant to Sections 8105-4 and 8105-5;
  - (3) Issuance of a Certificate of Occupancy pursuant to the Ventura County Uniform Building Code; and
  - (4) Maintenance, alteration, demolition, improvement, reconstruction and the like of any Cultural Heritage Site enumerated in Sec. 8107-32.2; or any site which is potentially eligible to become a designated Cultural Heritage Site as described in the Ventura County Cultural Heritage Ordinance. A Certificate of Appropriateness issued pursuant to the Cultural Heritage Ordinance shall function as a Zoning Clearance for minor work done to a Cultural Heritage Site. Such work includes building exterior surface modifications, re-roofing, installation of new windows and the like for which a zoning clearance is not required for non-coastal cultural heritage sites.

(ADD. ORD. 4220 - 12/5/00)

- b. Zoning Clearance: Issuance Of - A Zoning Clearance shall be issued if the proposed use of land, structures, or construction:
- (1) Is permissible under the present zoning on the land and complies with the standards of Division 8, Chapter 1 and 2 of the Ordinance Code;
  - (2) Is compatible with the policies and land use designations specified in the General Plan;
  - (3) Complies with the applicable terms and conditions of any applicable permit or other *entitlement* granting the use in question, and the decision granting said permit is considered "effective" pursuant to Sec. 8111-4.4;
  - (4) Is not located on the same *lot* where a violation exists of standards found in said Chapters 1 and 2 or of any Ventura County Ordinance regulating land use, such as the Ventura County Building Code or any grading ordinance, or of the terms of an existing permit covering the *lot*, unless the Zoning Clearance is necessary for the abatement of the existing violation;
  - (5) Is not being requested by or for the same party that owes the County fees or billings, fines, civil penalties, or forfeitures associated with this Chapter;
  - (6) Is consistent with portions of the County Hazardous Waste Management Plan which identify specific sites or sitting criteria for hazardous waste facilities;
  - (7) Is located on a legal *lot*;
  - (8) Is being undertaken by an owner and/or tenant, who, along with the associated contractors and agents, are in compliance with the Ventura County Business License Tax Ordinance;
  - (9) Is determined to be consistent with conditions and requirements established by the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS06339 and the Ventura Stormwater Quality Management Ordinance No. 4142 and as these permits and regulations may be hereafter amended; and
  - (10) Has, in the case of a designated or potentially eligible Cultural Heritage Site been issued a Certificate of Appropriateness or is otherwise authorized to proceed with the project in compliance with that ordinance. Any Zoning Clearance requested for a designated historic site issued a Planned Development permit pursuant to Sec. 8107-32 et seq must also comply with the provisions of that permit.

(ADD. ORD. 4220 - 12/5/00; AM. ORD. 4291 - 7/29/03)

- c. Zoning Clearance: Expiration and Extensions Of – Zoning Clearances shall expire and may be extended in accordance with the following provisions unless specifically indicated otherwise on the Zoning Clearance or specifically indicated elsewhere in this chapter:
- (1) Zoning Clearances for which a Building Permit is Required: Zoning Clearances issued to authorize the *inauguration* of construction or demolition of *structures*, certificates of occupancy, *uses* of land, and/or other development (collectively, "Development") for which a building permit is required pursuant to the Ventura County Building Code are valid for 180 days following issuance of the Zoning Clearance during which time a complete building permit application(s) for all *structures* and other Development that are subject of the Zoning Clearance (hereafter, "Building Permit Application") must be submitted to the Ventura County Building and

Safety Division (“Effective Period”). The Effective Period may be extended pursuant to subsection (3) below. If a Building Permit Application is not submitted on or before expiration of the Effective Period for any or all of the *structures* and other Development requiring a building permit, the Zoning Clearance shall expire with respect to those *structures* and other Development. If a Building Permit Application is submitted prior to expiration of the Effective Period for any or all of the *structures* and other Development requiring a building permit, the Zoning Clearance shall thereafter expire with respect to those *structures* and Development if the Building Permit Application expires or requires renewal (i.e., Zoning Clearance shall expire 360 days from submittal of Building Permit Application even if Building Permit Application is renewed), is withdrawn, or is terminated without the finalized building permit being issued. If a Building Permit Application is timely submitted and a finalized building permit is issued, the Zoning Clearance shall remain valid authorizing the subject *structures* and other Development that have received all other County *entitlements* and licenses so long as the Development remains consistent with the Chapter or the conditions of a previously issued *entitlement*. Notwithstanding the foregoing, if only a portion of a Zoning Clearance’s *structures* and other Development receive a finalized building permit that is applied for during the Effective Period, the Zoning Clearance shall only authorize and be effective as to those specific *structures* and Development, and shall not authorize or be effective as to any other *structure* or other Development requiring a building permit.

- (2) Zoning Clearances for which a Building Permit is not Required: Zoning Clearances issued to authorize the *inauguration* of construction or demolition of *structures, uses* of land, and/or development (collectively, “Development”) for which a building permit is not required pursuant to the Ventura County Building Code are valid for 180 days following issuance of the Zoning Clearance (“Effective Period”). The Effective Period may be extended pursuant to subsection (3) below. If the Development has not received all other required County *entitlements* and licenses and/or Development activities (i.e., demolition and construction) have not commenced on or before expiration of the Effective Period, the Zoning Clearance shall expire. If the Development has received all other required County *entitlements* and licenses and Development activities have commenced on or before expiration of the Effective Period, the Zoning Clearance shall remain valid to authorize the Development so long as the Development remains consistent with this Chapter or the conditions of a previously issued *entitlement*.
- (3) Zoning Clearance Extensions: An *applicant* may file an application requesting an extension of the 180-day Effective Period with the Planning Division on the form provided. The application shall not be accepted for processing and decision unless accompanied by the required fees in accordance with the Board-adopted fee schedule, and may only be submitted within 30 days of expiration of the Effective Date. A one-time extension may be granted by the Planning Division for good cause shown extending the Effective Period for up to 180 days (i.e., the total, extended Effective Period may be up to 360 days), provided that (a) there are no material changes to the project or its constituent *structures* or development, (b) the project is consistent with all applicable General Plan policies, *entitlements*, and development standards of this Chapter in effect at the time the extension is sought, and (c) the project remains subject to the Zoning Clearance permitting requirement, as opposed to a newly

enacted discretionary permitting requirement, at the time the extension is sought.

(AM. ORD. 4216 - 10/24/00; AM. ORD. 4580 - 4/13/21))

**Sec. 8111-1.1.2 - Zoning Clearance with Waivers**

Various uses and structures as noted in Sections 8105-4 and 8105-5 may be allowed with a Zoning Clearance if the surrounding property owners and/or residents sign "waivers" concurring with the proposed use or structure. The wording of the waiver shall be determined in accordance with good planning practices by the *Planning Director*, unless otherwise specified in the Zoning Ordinance, and shall address such issues as the nature and operation of the use or structure, ordinance provisions to be waived, duration of the waiver, extensions, revocation provisions, and the number of parties required to be notified and to sign. Unless otherwise specified in the waiver, a waiver shall be considered completely signed when signatures have been obtained from all of the property owners of the affected property(s) or their authorized agents, and one adult resident from each legal dwelling unit on the affected property(s). (AM. ORD. 4123 - 9/17/96 - grammar; AM. ORD. 4216 - 10/24/00)

**Sec. 8111-1.2 - Discretionary Entitlements**

These *entitlements* and modifications thereto are granted following determinations that require the exercise of judgement or deliberation, as opposed to merely determining that the request complies with a set of standards.

**Sec. 8111-1.2.1 - Discretionary Permits**

- a. Planned Development (PD) Permit - A Planned Development Permit is a permit based upon a *discretionary* decision that is required prior to initiation of specified uses and structures which are allowed as a matter of right, but which are subject to site plan review and which may be conditioned in order to assure compliance with the requirements of this Chapter and with the purposes of the applicable zone. Planned Development Permits may be granted by the *Planning Director* or his/her designee through an administrative hearing process, or by the Planning Commission or Board of Supervisors through a public hearing process.

In the case of a use or development that also contemplates a subdivision of property located within the RPD Zone, the Planned Development Permit shall be processed simultaneously with the subdivision application. Where the subdivision application would normally be approved by some authority higher than the authority normally specified for approval of the permit by Article 5, the permit may be approved only by that higher authority. Where the subdivision application would normally be approved by some authority lower than the authority normally specified for approval of the permit by Article 5 or this subsection (a), that lower authority shall defer action on the subdivision application to that higher authority. For the purposes of this Section, the Planning Commission is a higher authority than the *Planning Director* and the Board of Supervisors is a higher authority than the Planning Commission. (AM. ORD. 4377 - 1/29/08)

- b. Conditional Use Permit (CUP) - A Conditional Use Permit is a permit based upon a *discretionary* decision required prior to initiation of particular uses not allowed as a matter of right. Such permits are subject to site plan review and may be conditioned in order to assure compliance with the requirements of this Chapter and with the purposes of the applicable zone. Such permits may be denied on the grounds of unsuitable location, or may be conditioned in order to be approved. Conditional Use Permits may be granted through a public hearing process by the Board of Supervisors, the Planning Commission, or the

*Planning Director* or designee. Except for projects initiated by a County agency or department, applications for Board of Supervisors-approved Conditional Use Permits shall first be reviewed by the Planning Commission.

- c. Emergency Use Authorization (EUA) - The *Planning Director* may authorize, by letter and without a hearing, a use or structure in an emergency situation where delay incident to the normal processing of an application would be physically detrimental to the health, safety, life, or property of the *applicant* or the public. EUAs may only be granted in accordance with the following standards:
  - (1) If directly related to an earthquake, flood, tsunami, landslide, chemical spill, collision, explosion, or similar disaster or catastrophic physical change that has occurred or is imminent. EUAs may also be granted under other circumstances if the magnitude of the impacts on the public or the *applicant* are, or can be expected to be, comparable to those attributed to the disasters and catastrophic changes referenced above.
  - (2) The EUA shall be valid for a period for no more than 180 days. Where the use or structure is intended to continue beyond 180 days, application for the appropriate permit shall be made to the appropriate decision-making authority in the usual manner within 30 days after issuance of the EUA.
  - (3) The standards of Sec. 8111-1.2.1.1 and the standards of Section 8111-1.2.1.2 through 8111-1.2.1.6 as applicable to the location and use.
- d. Major and Minor Modifications - These are *discretionary* actions which authorize the modification of existing permits and are granted through a process set forth in Section 8111-6.
- e. Continuation Permits for Nonconforming Uses and Structures – A Continuation Permit for Nonconforming Uses and Structures is a Planning Commission-approved *discretionary* permit for the time extension of nonconforming uses and structures. These permits are subject to the criteria of Sec. 8113-2 for mobilehomes, and Sec. 8113-5.4 for other nonconforming uses no longer permitted. (AM. ORD. 4411 – 3/2/10)
- f. Expansion Permits for Nonconforming Uses - An Expansion Permit for Nonconforming Uses is a Planning Commission-approved *discretionary* permit for the expansion of existing lawfully permitted uses in the Open Space zone that were made nonconforming by changes to zoning regulations approved on March 2, 2010. Expansion Permits for Nonconforming Uses are subject to the standards in place at the time the use was made nonconforming. (ADD. ORD. 4411 – 3/2/10)

**Sec. 8111-1.2.1.1a. – General Permit Approval Standards**

Planned Development and Conditional Use Permits shall be granted if all billed fees and charges for processing the application request that are due for payment have been paid, and if all of the following standards are met, or if such conditions and limitations, including time limits, as the decision-making authority deems necessary, are imposed to allow the standards to be met. The *applicant* shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the following standards can be met. Specific factual findings shall be made by the decision-making authority to support the conclusion that each of these standards, if applicable, can be satisfied. (AM. ORD. 4526 – 7/17/18)

- a. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code;

- b. The proposed development is compatible with the character of surrounding, legally established development;
- c. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses;
- d. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare;
- e. For Conditional Use Permits only, the proposed development is compatible with existing and potential land uses in the general area where the development is to be located;
- f. The proposed development will occur on a legal *lot*; and
- g. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws.

In analyzing whether the above standards have or have not been met, the decision making authority shall consult and consider the relevant factors identified in Article 9, section 8109-0, et seq.

If all applicable standards cannot be satisfied, specific factual findings shall be made by the decision-making authority to support that conclusion.

(AM. ORD. 4123 - 9/17/96; AM. ORD. 4503 - 2/7/2017; AM. ORD. 4518 - 2/6/18)

**Sec. 8111-1.2.1.1b. – Permit Approval Standards for Outdoor Events and Assembly Uses**

Conditional Use Permits authorizing outdoor events and assembly uses shall be granted if all billed fees and charges for processing the application that are due for payment have been paid and if all of the following standards are met. An application for a Conditional Use Permit shall not be denied on the basis of the content of protected expression associated with the proposed use. The *applicant* shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the following standards can be met. Specific factual findings shall be made by the decision-making authority to support the conclusion that each of these standards, if applicable, can be satisfied.

- a. The proposed use is compliant with applicable provisions of the County’s General Plan and of Division 8, Chapter 1 of the Ventura County Ordinance Code;
- b. The proposed use can coexist in relative proximity, and is not expected to unduly interfere with, the existing land uses of the surrounding area as determined based on the following land use factors:
  - (1) Whether the proposed use would generate offsite noise louder than ambient noise levels by considering: (i) the volume and times of day such noise would be generated; (ii) the proximity of the proposed use to the nearest offsite noise sensitive receptors such as dwellings, schools, hospitals, nursing homes and libraries; (iii) the topography of the surrounding area likely to affect how noise travels; and (iv) the existence of other nearby uses likely to generate offsite noise at similar times; and
  - (2) Whether the proposed use would generate vehicular traffic affecting the level of service of a road segment or intersection located within one mile of the proposed use as determined pursuant to Section



27a(1), "Transportation & Circulation – Roads and Highways – Levels of Service (LOS)," of the County's Initial Study Assessment Guidelines, as such section may be amended or renumbered;

- c. The proposed use would not be detrimental to public health and safety as determined based on the following land use factors:
  - (1) Whether public and private roads and driveways used to access the site of the proposed use can safely accommodate all vehicular traffic associated with the proposed use, including emergency vehicles, and meet all applicable requirements of the Ventura County Fire Code; and
  - (2) Whether the proposed use or site of the proposed use would create risk of harm to persons, nearby properties, or the environment based on fire hazards, geologic hazards, flood hazards, hazardous materials, or increased risk of vandalism or trespass that cannot be controlled through reasonable event security.
- d. The proposed use will occur on a legal *lot*; and
- e. The proposed use is approved in accordance with the California Environmental Quality Act and all other applicable laws.

If all standards cannot be satisfied, specific written factual findings shall be made by the decision-making authority to support that conclusion.

(ADD. ORD. 4526 – 7/17/18)

**Sec. 8111-1.2.1.2 - Additional Standards for AE Zone**

In addition to the provisions of Section 8111-1.2.1.1, before any permit is issued for any structure or land use which requires a *discretionary* permit in the AE Zone, the following standards shall be met or be capable of being met with appropriate conditions and limitations being placed on the use: (AM. ORD. 4377 – 1/29/08)

- a. That the establishment or maintenance of this use will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area;
- b. That structures will be sited to minimize conflicts with agriculture, and that other uses will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area, where applicable; and
- c. That the use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible.

**Sec. 8111-1.2.1.3 - Compliance with Other Documents**

When necessary to ensure consistency with other County Planning documents such as area plans, conditions which are more restrictive than the standards of this Ordinance may be imposed on *discretionary* permits.

**Sec. 8111-1.2.1.4 - Additional Standards for Overlay Zones**

In addition to the provisions of Sec. 8111-1.2.1.1, development within any overlay zone having specific development standards, pursuant to Article 9, must comply with such standards.

**Sec. 8111-1.2.1.5 - Additional Standard for Hazardous Waste Collection, Treatment and Storage Facilities and Hazardous Waste Disposal Facilities**

In addition to the provisions of Section 8211-1.2.1.1 and Section 8111.2.1.2 for any proposed development of a hazardous waste collection, treatment and storage facility or a hazardous waste disposal facility, the following additional finding must be made or be capable of being made with conditions and limitations being placed on the use:

- a. That the proposed hazardous waste collection, treatment and storage facility or hazardous waste disposal facility is consistent with the portions of the County Hazardous Waste Management Plan which identify siting criteria for hazardous waste facilities.

**(AM. ORD. 4214 - 10/24/00)**

**Sec. 8111-1.2.1.6 - Additional Standards for RPD Zone**

In addition to the provisions of Section 8111-1.2.1.1, the provisions of this Section shall apply to any Planned Development Permit for any use or development in the RPD Zone that contemplates a subdivision of the property to which the permit applies. Such a Planned Development Permit may be granted only if an application for the subdivision is approved simultaneously with the granting of the permit. (AM. ORD. 4377 - 1/29/08)

**Sec. 8111-1.2.1.7 - Additional Standards for Cultural Heritage Sites**

Where a proposed project requiring a *discretionary* permit is located on the same *lot* as a designated Cultural Heritage site, a Certificate of Appropriateness shall have been issued pursuant to the Ventura County Cultural Heritage Ordinance for the project in question prior to its approval.

**Sec. 8111-1.2.2 - Variances**

Variances are adjustments in the regulations and development standards contained in this Chapter. Variances are based on *discretionary* decisions and may be granted to allow deviations from ordinance regulations governing such development factors as setbacks, height, *lot* coverage, *lot* area and width, signs, off-street parking, landscaping and wall, fencing and screening standards. Variances shall be processed in accordance with the provisions of this Article. Variances may not be granted to authorize a use or activity which is not otherwise expressly authorized by the zone regulations governing the property. Except for administrative variances, variance requests shall be heard by the Planning Commission through a public hearing process. (AM. ORD. 4123 - 9/17/96)

**Sec. 8111-1.2.2.1 - Purpose**

The sole purpose of any variance shall be to enable a property owner to make reasonable use of his or her property in the manner in which other property of like character in the same vicinity and zone can be used. For the purposes of this section, vicinity includes both incorporated and unincorporated areas if the property in question is within the sphere of influence of an incorporated area. (AM. ORD. 4123 - 9/17/96)

**Sec. 8111-1.2.2.2 - Standards for Variances**

Before any variance may be granted, the *applicant* must establish, and the decision-making authority must determine, that all of the following standards are met:

- a. That there are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography, location or surroundings, which do not apply generally to comparable properties in the same vicinity and zone; and

- b. That granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and zone; and
- c. That strict application of the zoning regulations as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations; and
- d. That the granting of such variance will not be detrimental to the public health, safety or general welfare, nor to the use, enjoyment or valuation of neighboring properties; and
- e. That the granting of a variance in conjunction with a hazardous waste facility will be consistent with the portions of the County's Hazardous Waste Management Plan (CHWMP) which identify specific sites or siting criteria for hazardous waste facilities.

**(AM. ORD. 4123 - 9/17/96)**

**Sec. 8111-1.2.2.3 - Burden of Proof**

The *applicant* shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the above standards can be met.

**(AM. ORD. 4123 - 9/17/96)**

**Sec. 8111-1.2.2.4 - Administrative Variances by Planning Director Approval**

A request for a minor variance from certain types of zoning regulations may be approved by the *Planning Director* as an administrative variance, if the standards of Sec. 1.2.2.2 are met. The procedures of Sec. 8111-3 shall be followed. An administrative variance may be granted only in the following situations:

- a. To allow a decrease not exceeding 20 percent in required minimum setbacks; (AM. ORD. 4407 - 10/20/09)
- b. To allow walls, *fences* or hedges to exceed height limit regulations by a maximum of one foot in setback areas, except in the traffic safety sight area;
- c. To allow an increase not exceeding ten (10) percent for maximum building coverage, or sign area or height; and
- d. To allow one of the required parking spaces for a single-family dwelling to be provided in tandem.

**(AM. ORD. 4123 - 9/17/96)**

**Sec. 8111-1.2.2.5 - Duration**

Any variance is considered to run with the land. An expiration date may be imposed at the time the variance is granted. (AM. ORD. 4123 - 9/17/96)

**Sec. 8111-1.3 - Other Entitlements**

**Sec. 8111-1.3.1 - Tree Permit**

A ministerial or *discretionary* Tree Permit is required, pursuant to Sec. 8107-25 et seq., for the alteration of Protected Trees in all applicable Base Zones and Overlay Zones; see also Article 9. Ministerial Tree Permits shall be processed in the same manner as Zoning Clearances, and *discretionary* Tree Permits shall be processed in the same manner as Conditional Use Permits. A Tree Permit may be issued for the alteration of one or more Protected Trees as appropriate.

### **Sec. 8111-1.3.2 - Film Permit**

A ministerial or *discretionary* Film Permit is required, pursuant to Sec. 8105-4 and 8105-5 and is subject to the standards of Sec. 8107-11. Ministerial Film Permits shall be processed in the same manner as Zoning Clearances, and *discretionary* Film Permits shall be processed in the same manner as Conditional Use Permits.

(REP./ADD. ORD. 4123 - 9/17/96)

## **Sec. 8111-2 - Filing and Processing of Application Requests**

### **Sec. 8111-2.1 - Submission of Applications**

Application requests shall be filed with the Planning Division. No application request shall be accepted for filing and processing unless it conforms to the requirements of this Chapter; contains in a full, true and correct form the required materials and information prescribed by the forms supplied by the Ventura County Planning Division; and is accompanied by the appropriate fees in accordance with the Board-adopted fee schedule. The County staff may refer any application request to an independent and qualified consultant for review and evaluation of issues beyond the expertise or staffing capabilities of the County. The costs for all such consultant work shall be borne by the *applicant* and are independent of the fees paid to the Planning Division for processing of the requests. (AM. ORD. 4123 - 9/17/96)

### **Sec. 8111-2.2 - Applications**

Applications may be filed as provided in the following sections:

- a. Who May Apply - An application for a permit, ordinance amendment or variance may be filed by the owner of the property or his/her authorized agent, by a lessee who holds a lease with terms that permit the use applied for, or by any duly constituted government authority or agent thereof. Regardless of who is the *applicant*, the property owner shall sign the application. (AM. ORD. 4123 - 9/17/96)
- b. Co-applicants - All holders or owners of any other interests of record in the affected property shall be notified in writing of the permit application and invited to join as *co-applicant*.
- c. Modification, Suspension and Revocation - An application for modification, suspension or revocation of any variance or permit may be filed by any person listed in the preceding section, or by any person or political entity aggrieved; or by an official department, board or commission of the county affected.
- d. Amendments to this Chapter - An application to amend this Chapter shall be proposed in accordance with Article 15.
- e. Appeals - An appeal concerning any order, requirement, permit, determination or decision made in the administration or enforcement of this Chapter may be filed in accordance with Section 8111-7.
- f. Processing Applications Where Violations Occur - No application request for a new *entitlement* or time extension of an existing *entitlement* whose initial term has expired shall be accepted if a violation of Chapter 1 or Chapter 2 exists on the *lot*, unless the acceptance of the application is necessary to abate the existing violation. (AM. ORD. 4123 - 9/17/96 - grammar)
- g. Nullification of Applications When Violations Are Discovered - Where a violation is discovered on a *lot* where an application request has been accepted or is being processed after being deemed complete, said application shall become null and void and returned to the *applicant*. All new applications shall comply with the

provisions of this Chapter including, but not limited to, the filing of Late Filing Fees and the submission of full, true and correct information.

- h. Completeness of Application - Not later than 30 calendar days after the Planning Division has accepted an application under this Chapter, the *applicant* shall be notified in writing as to whether the application is complete or incomplete, except in the case of zone changes, which are legislative acts and thus are not subject to the 30-day limit. If the application is determined to be incomplete, the *applicant* shall be notified in writing of the reasons for such determination and of the information needed to make the application complete.
  - (1) Review of Supplemental Information - If any application is deemed incomplete and the *applicant* subsequently submits the required information, the application is then treated as if it were a new filing, and the 30-day review period begins on the day that the supplemental information is submitted.
  - (2) Termination of Incomplete Application - Upon written notification to the *applicant*, processing of an incomplete application may be terminated if no reasonable effort has been made by the *applicant* to complete the application for a period of six months from the date of notification of incompleteness. All unused fees shall be refunded to the *applicant*. An extension to this six-month period may be granted by the *Planning Director* on written request by the *applicant* showing good cause.

### **Sec. 8111-2.3 - Content of Applications**

The form and content of all applications shall be determined by the Planning Division. Additional information may be required to be submitted with an application request such as site plans and elevations (in color, with building materials identified), sample floor plans and samples of exterior finishing materials as deemed appropriate by the *Planning Director* for complete review of the request. If the project is proposed to be developed in phases, the sequence of such phases shall also be shown. For applications to develop oil or gas resources, see Section 8107-5.6 for additional requirements.

### **Sec. 8111-2.4 - Applicant's Responsibilities**

The names of all persons entitled to notice pursuant to Section 8111-4 shall be obtained by the *applicant* and filed with the application. The omission by the *applicant* of the name and address of any such person is grounds for denial or revocation of the permit, variance, or amendment, or such other action as the Planning Commission or *Planning Director* may choose to take in regard thereto. Names and addresses of property owners shall be obtained from the last equalized assessment roll, or from such other records of the assessor or tax collector as may contain more recent addresses.

### **Sec. 8111-2.5 - Review and Conditioning of Applications**

Applications and proposed uses shall be reviewed for the appropriate environmental document and also by various County departments as well as interested parties such as cities and special districts which are involved in the review and conditioning of projects. (AM. ORD. 4526 – 7/17/18)

#### **Sec. 8111-2.5.1 - Earthquake Fault Zones**

Any application proposing an activity which is defined as a "project" in the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code, Chapter 7.5, Section 2621 et seq.) shall be reviewed by the County Geologist in accordance with the requirements of said Act and the policies and criteria established by the State Mining and Geology Board pursuant to said Act.

**Sec. 8111-2.5.2 - Abandoned Oil/Gas Wells**

All projects will be reviewed for location over or near any abandoned or idle-deserted oil or gas well, based on maps provided by the Division of Oil and Gas (D.O.G.). In addition, project *applicants* shall notify the County and D.O.G. immediately when such wells are encountered in site preparation or construction. *Applicants* shall bear the cost of reabandonment if required prior to project approval. The County will notify D.O.G. of the location of any proposed project that is found to be over or near any such well(s).

**Sec. 8111-2.5.3 - Abandoned Water Wells**

All projects will be reviewed for location over or near any abandoned water wells in conjunction with Chapter 8, Article 1, of the Ventura County Ordinance Code. Project *applicants* shall notify the Ventura County Public Works Agency Water Resources Division immediately when such wells are encountered in site preparation or construction. *Applicants* shall bear the cost of abandonment, if required, prior to project approval. The Planning Division will notify the Public Works Agency of the location of any proposed project that is found to be over or near any such well(s).

**Sec. 8111-2.6 - No Vesting of Rights**

No person obtains any right or privilege to use land or structures for any purpose or in any manner described in an application request merely by virtue of the County's acceptance of an application or approval of the subject request.

**Sec. 8111-2.7 - Nullification**

Zoning Clearances and all licenses issued therefrom, and all other *entitlements*, shall be null and void for any of the following causes, once the *applicant* has been notified of such nullification:

- a. The application request which was submitted was not in full, true and correct form. Examples of such inadequate submittals are failures to show all existing uses, structures, facilities and improvements, which have been authorized by Chapters 1 and 2 of this Code, or which were commenced without required authorization.
- b. The *entitlement* issued does not comply with the terms and conditions of the permit originally granting the use under Division 8, Chapters 1 and 2, of the County Ordinance Code.
- c. The *entitlement* was issued erroneously.

(AM. ORD. 4123 - 9/17/96)

**Sec. 8111-2.8 - Sureties**

Except as otherwise specified in this Chapter, the decision-making authority may impose a penal and/or performance surety on any *discretionary entitlement* as a condition of such *entitlement*. The sureties shall be filed in a form acceptable to the County Counsel and certified by the County Clerk.

- a. The required amount of the surety(s) may be increased periodically by the *Planning Director* in order to compensate for inflation (based on the applicable regional Consumer Price Index) or other factors, so that the same relative value of the surety is maintained over the life of the permit, and to assure that performance sureties continue to reflect the actual anticipated costs for completing a required task. No surety shall be released until after all of the applicable conditions of the permit have been met.
- b. In the event of any failure by the permittee to perform or comply with any term or condition of a *discretionary entitlement*, the decision-making authority may,

after notice to the permittee and after a public hearing, determine by resolution the amount of the penalty, and declare all or part of the surety forfeited. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any surety shall not insulate the permittee from liability in excess of the sum of the surety for damages or injury, nor from expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of the permit or of any applicable ordinance or of the surety.

- c. The permittee shall maintain the minimum specified amount of a penal surety throughout the life of the *entitlement*. Within 30 days of any forfeiture of a penal surety, the permittee shall restore the surety to the required level.

### **Sec. 8111-2.9 - Fees**

Each application request for any purpose subject to the regulations of Division 8, Chapters 1 and 2 of the Ordinance Code, except appeals, shall be accompanied by payment of all required processing fees and all outstanding fees, charges, and penalties billed by and owed to the County under Division 8, Chapters 1 and 2 by the *applicant* or by persons, partnerships, corporations or other entities owned or controlled by the *applicant* or owning or controlling the *applicant*. Furthermore, each application request for any purpose, including appeals and requests for presubmittal review, shall be accompanied by the fee specified by the adopted schedule of fees and charges before it is accepted for filing and processing.

#### **Sec. 8111-2.9.1 - Exemptions**

Exemptions, in whole or in part, from application filing fees may be authorized by the fee schedule applicable to the Planning Division.

#### **Sec. 8111-2.9.2 - Late Filing Fees**

Where a use actually commences, or construction to that end is commenced, prior to the granting of required County permits or variances, a late filing fee for said permits or variances shall be collected, in addition to the required processing fees, provided that the County has given written notification to the property owner of the violation. If applications for the permits or variances needed to remedy the violation have been filed within 30 days of the issuance of said notification and deemed complete within 90 days of said notification, the late filing fee shall be refunded. The late filing fee shall be equal to the filing fee or initial deposit of each application request necessary to legalize the violation as set forth in the adopted schedule of fees and charges, but shall not individually exceed \$1,000.00. Payment of a late filing fee does not constitute a vested right and shall not relieve persons from fully complying with the requirements of this Code, nor from any other penalties prescribed herein. (AM. ORD. 4123 - 9/17/96)

#### **Sec. 8111-2.9.3 - Billing Method**

Once a project has been acted upon and inaugurated or the application is either withdrawn or closed, the *applicant* shall be billed for the balance of fees and charges up to the ceiling amount as specified by the adopted schedule of fees and charges. Should final costs be less than the deposit fee, the unused portion of the deposit shall be refunded to the *applicant*. Upon written request to the Operations Division of the Resource Management Agency, an accounting of all fees and charges billed to the *applicant* shall be made available. An *applicant* may request, or the County may require, incremental billing for processing costs of an application request. All fees and charges shall be due and payable within 30 days of the date of any billing invoice. If billed fees and charges are not paid within 30 days of the invoice date, a penalty charge of five percent of the unpaid balance will be added to the balance due. Each month thereafter, an interest charge of two percent of the unpaid balance shall be added and compounded until the bill is paid

in full. Whenever fees and charges are not paid as prescribed, the County shall pursue collection of said fees and charges in a diligent manner, and the permit/*entitlement* is subject to revocation.

**Sec. 8111-2.9.4 - Failure to Pay**

While the County may choose not to stop processing an application for which the applicable billed fees and charges have not been paid, the County may, after a hearing, deny such application based on the *applicant's* failure to pay said fees and charges. Such fees shall include those costs associated in processing any environmental documents that might be required as a result of an application.

**Sec. 8111-2.10 - Continuance of Permit During Application Renewal Process**

Unless otherwise provided in the conditions of the permit, permits being processed for renewal shall remain in full force and effect until the renewal request is acted on, or up to twenty-four (24) months maximum or all administrative appeals have been exhausted, provided that: 1) the renewal application was accepted as complete by the Planning Division prior to the expiration of the permit; and 2) the permittee is in compliance with all terms and conditions of the original permit at the time of the application for renewal. All the terms and conditions of the original permit must be followed at all times. At the sole discretion of the *Planning Director*, the 24 month period may be extended if the protracted time frame for permit processing was substantially beyond the control of the *applicant*.

**Sec. 8111-3 - Notice and Hearing Procedures**

**Sec. 8111-3.1 - Notice**

**Sec. 8111-3.1.1**

All hearing notices prepared pursuant to this Article shall include the date, time and place of the hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the subject property.

**Sec. 8111-3.1.2**

Whenever a hearing is required under this Article before an application can be acted upon, the Planning Division shall set a date, time and place for the matter to be heard, and shall give public notice of the hearing by publication in a newspaper of general circulation at least ten days prior to the hearing.

**Sec. 8111-3.1.3**

In addition, if the hearing involves a *discretionary* permit (other than an Emergency Use Authorization) or modification thereto, a variance or modification or revocation thereof, an appeal regarding any variance or *discretionary* permit, or a zoning ordinance amendment which affects the permitted uses of property, then a written notice, postage prepaid, shall be mailed to all of the following at least ten (10) days before the hearing:

- a. The owner of the subject property, or the owner's duly authorized agent;
- b. The *applicant*, if different from the owner;
- c. Each local agency whose ability to provide essential services or facilities to the project may be significantly affected by the project; and
- d. The owners of all real property situated within a radius of 300 feet of the exterior boundaries of the Assessor's Parcel(s) which is the subject of the application. If the 300-foot radius does not include 15 or more parcels of real property, the radius shall be expanded until the owners of at least 15 parcels will be notified.



Names and addresses shall be obtained from the latest equalized assessment roll. If the number of owners exceeds 1,000, a one-eighth page advertisement published at least ten days prior to the hearing in a newspaper of general circulation may be substituted for the direct mailing.

(AM. ORD. 4473 – 6/2/15)

**Sec. 8111-3.1.4**

Notification shall also be mailed or delivered, at least ten days prior to the hearing, to any person who has filed a written request for such notice with the *Planning Director* or the Clerk of the Board of Supervisors.

**Sec. 8111-3.1.5**

In the case of appeal hearings, notice shall also be provided to the appellant and, if applicable, to the County official, department, Board or Commission whose order, requirement, permit, decision or determination is the subject of the appeal.

**Sec. 8111-3.2 - Hearing Procedures**

The decision-making authority(s) shall hold at least one public hearing on any duly filed application that requires a *discretionary* decision except Permit and Variance Adjustments. Such hearings shall be conducted in such a manner as to allow the *applicant* and all other interested parties to be heard and present their positions on the case in question, and shall have a record of the decision kept, along with the findings made which supported the decision. Administrative hearings shall be conducted by the *Planning Director* or designee.

**Sec. 8111-3.3 - Public Hearing Quorum**

A quorum for a hearing before the Planning Commission or Board of Supervisors shall consist of three members. The approval of any *discretionary* decision or permit, or other matters brought before either body, requires the concurrence of at least three of its members. The secretary shall enter the decision in the minutes or records of the meeting.

**Sec. 8111-3.4 - Referrals**

A decision-making authority may refer a matter back to the preceding hearing body for further report, information or study.

**Sec. 8111-3.5 - Continued Matters**

If it is necessary to continue the hearing or decision on any matter before the decision-making authority, the person presiding at the hearing shall, before adjournment thereof, publicly announce the date, time and place to which the matter will be continued. Except for the posting of an agenda containing the continued matter in a public place at least 72 hours before the continued hearing, no further notice need be given.

**Sec. 8111-4 - Decisions**

Not more than 40 calendar days following the termination of hearings on an application request requiring a *discretionary* decision, the final decision-making authority shall render its decision either by the adoption of a Resolution (for applications decided by the Planning Commission) or by the issuance of a Determination Letter (for applications decided by the *Planning Director* or designee). A Resolution or Determination Letter rendering a decision on an application request shall recite such conditions and limitations deemed necessary by the decision-making authority and shall require that all conditions requiring recordation of an interest in property, and other conditions as appropriate, shall be satisfied prior to issuance of a Zoning Clearance for the inauguration of a Planned Development or Conditional Use Permit or variance.

## **Sec. 8111-4.1 - Deferral of Decisions on Applications**

### **Sec. 8111-4.1.1**

The *Planning Director* may defer any decision on a Planned Development Permit or Conditional Use Permit application or modification, suspension, or revocation thereto, to the Planning Commission or Board of Supervisors at any time up to 30 days after the close of the administrative public hearing if the project:

For the Planning Commission:

- a. May result in significant adverse environmental impacts which cannot be mitigated to less than significant levels; or
- b. Involves significant public controversy; or
- c. May be in conflict with County policies, or would necessitate the establishment of new policies; or
- d. May be precedent setting; or
- e. Should be deferred for any other cause deemed justifiable by the *Planning Director*.

For the Board of Supervisors:

- a. Was heard by the Board of Supervisors as the original decision making body; or
- b. Was last heard on appeal by the Board of Supervisors and the issue involves, or is related to, one of the points of appeal; or
- c. Involves interpretation or new policy making on a substantial issue that clearly requires Board of Supervisors involvement; or
- d. Should be deferred for any other cause deemed justifiable by the *Planning Director*.

(AM. ORD. 4216 - 10/24/00)

### **Sec. 8111-4.1.2**

The Planning Commission may defer a decision on an *entitlement* to the Board of Supervisors in cases where two *entitlements* regarding the same property or site are being processed concurrently, and the Board is the decision-making authority for one of the *entitlements*.

## **Sec. 8111-4.2 - Decision Options**

The decision-making authority hearing a *discretionary* matter may approve, deny or modify, wholly or partly, the request being reviewed. The authority may impose such reasonable conditions necessary to ensure that the project satisfies the applicable standards of permit approval. In the absence of any provision to the contrary in a decision granting a request, said request is granted as set forth in the application. All conditions and restrictions applied to a decision on an application request not appealed shall automatically continue to govern and limit the subject use or structure unless the action of the decision-making authority clearly indicates otherwise. (AM. ORD. 4526 - 7/17/18)

## **Sec. 8111-4.3 - Notice of Final Decision**

Not later than 4 calendar days following the effective date of a decision, the Planning Division shall cause the decision-making authority's decision to be mailed to the *applicant* or appellant in resolution or letter form, in care of the address appearing on the application or such other address designated in writing by the *applicant* or

appellant. In addition, the authority and/or agency whose decision is the subject of an appeal shall also be notified of the decision.

#### **Sec. 8111-4.4 - Effective Date of Decisions**

##### **Sec. 8111-4.4.1**

An administrative decision or a decision of the Planning Commission is effective at the expiration of the decision's appeal period unless an appeal, in proper form and addressed to the appropriate decision-making authority, is filed with the *Planning Director* prior to the expiration of the appeal period.

##### **Sec. 8111-4.4.2**

A decision of the Board of Supervisors is effective on the date it is rendered.

#### **Sec. 8111-4.5 - Effect of an Appeal**

The filing of an appeal shall automatically stay all proceedings in furtherance of the subject request. Neither the *applicant* nor any enforcement agency may rely on an authority's decision until the expiration of the decision's appeal period or until the appeal has been resolved, whichever occurs later. See also Sec. 8111-7.

#### **Sec. 8111-4.6 - Implementation**

The *Planning Director* shall be responsible for preparing the resolutions or letters mentioned in this Article and any other paper or document required by the Planning Commission or the Board of Supervisors in order to discharge their duties and responsibilities under this Article and Chapter. (AM. ORD. 4123 - 9/17/96)

#### **Sec. 8111-4.7 - Expiration**

Unless otherwise specified in this Ordinance Code or in the permit conditions, any permit hereafter granted that requires a Zoning Clearance becomes null and void if a Zoning Clearance is not obtained by the permittee within the time specified in such permit. If no date is specified, the permit shall expire one year from the date of issuance unless a Zoning Clearance has been issued. After expiration of a permit, the property affected thereby shall be subject to the regulations of the applicable zone classification and all other provisions of this Chapter. The permittee is solely responsible for the timely renewal of a permit; the County has no obligation to notify the permittee of the imminent expiration of the permit.

### **Sec. 8111-5 - Reapplication**

An application request may be denied with prejudice on the grounds that two or more similar application requests have been denied in the past two years, or that other good cause exists for limiting the filing of applications with respect to the property. If such denial becomes effective, no further application for the denied request shall be filed in whole or in part for the ensuing 18 months except as otherwise specified at the time of the denial, or unless there is a substantial change in the application.

### **Sec. 8111-6 - Modification, Suspension and Revocation**

#### **Sec. 8111-6.1 - Modification of Permits**

An application for modification of a permit or variance pursuant to this Section may be filed by any person or entity listed in Sec. 8111-2.2. Any change of an approved *discretionary* permit is also a *discretionary* decision and is considered to fall into one of the categories noted below, except as specified in Sec. 8107-45.10 regarding wireless communication facilities and Section 8106-8.2.9 regarding *landscape plans*. For all of the following situations, any adjustments or modifications to permits or variances issued without a previously approved environmental document shall be

reviewed for its incremental impact on the environment, and subject to the appropriate process. (AM. ORD. 4470 - 3/24/15; AM. ORD. 4577 - 3/9/21)

**Sec. 8111-6.1.1 - Permit or Variance Adjustment**

Any change which would not alter any of the findings made pursuant to Secs. 8111-1.2.1.1 through 1.2.1.6 or Sec. 8111-1.2.2.2, nor any findings contained in the environmental document prepared for the permit or variance, and would not have any adverse impact on surrounding properties, may be deemed a permit or variance adjustment and acted upon by the *Planning Director* or designee without a hearing. Such changes may include, but are not limited to, the following: (ADD. ORD. 4470 -3/24/15)

- a. A cumulative increase or decrease of not more than 10 percent in gross floor area; permit area; the area of walls, *fences*, or similar structures used as screening; height; parking area; landscaping area; or total area of on-site identification signs; provided that any resulting increase in parking space requirements will be accommodated on-site or off-site as described in Sec. 8108-3.3.1.
- b. Internal remodeling or minor architectural changes or embellishments involving no change in basic architectural style.
- c. A change in use where the new use requires the same or a lesser permit than the existing use; or the establishment of a new use in an unoccupied building that has been granted a permit; provided, in both cases, that any resulting increase in parking space requirements will be accommodated on-site or off-site as described in Sec. 8108-3.3.1.

(AM. ORD. 4123 - 9/17/96; AM. ORD. 4144 - 7/22/97; AM. ORD. 4407 - 10/20/09)

**Sec. 8111-6.1.2 - Minor Modification**

Any proposed change that exceeds the criteria of a Permit Adjustment as described above, but is not extensive enough to be considered a substantial or fundamental change in land use relative to the permit, would not have a substantial adverse impact on surrounding properties, and would not change any findings contained in the environmental document prepared for the permit, shall be deemed a minor modification and be acted upon by the *Planning Director* or the *Planning Director's* designee through an administrative public hearing process.

**Sec. 8111-6.1.3 - Major Modification**

Any proposed modification which is considered to be a substantial change in land use relative to the original permit, and/or would alter the findings contained in the environmental document prepared for the permit, shall be deemed a major modification and be acted upon by the decision-making authority which approved the original permit.

**Sec. 8111-6.2 - Modification, Suspension and Revocation for Cause**

Any permit or variance heretofore or hereafter granted may be modified or revoked, or its use suspended, by the same decision-making authority and procedure which would normally approve the permit or variance under this Chapter. An application for such modification, suspension or revocation may be filed by any person or entity listed in Sec. 8111-2.1 or by any other aggrieved person. The *applicant* for such modification, suspension or revocation shall have the burden of proving one or more of the following causes:

- a. That any term or condition of the permit or variance has not been complied with;
- b. That the property subject to the permit or variance, or any portion thereof, is or has been used or maintained in violation of any statute, ordinance, law or regulation;

- c. That the use for which the permit or variance was granted has not been exercised for at least 12 consecutive months, has ceased to exist, or has been abandoned;
- d. That the use for which the permit or variance was granted has been so exercised as to constitute a public nuisance;
- e. That the permittee has failed to pay any fees, charges, fines, or penalties associated with processing or enforcing the permit; or
- f. That the permittee has failed to comply with any enforcement requirement established in Article 14.

(AM. ORD. 4526 -7/17/18)

**Sec. 8111-6.2.1 - Modification for Violations**

Whenever a violation of this Chapter or permit condition is determined to exist on a site subject to a *discretionary* permit, said permit shall be automatically modified to:

- a. Require the permittee to submit to the Planning Division, and thereafter maintain, a deposit equal to the applicable amount specified in the then current Fee Schedule adopted by the Board of Supervisors. Said deposit covers the County's cost for periodic condition compliance reviews of the site pursuant to Sec. 8114-3.4 and abatement of confirmed violations.

The specific condition added to the modified permit shall be provided to the permittee by the *Planning Director* after the permittee has exhausted his administrative appeal remedies associated with the determination that a violation exists.

**Sec. 8111-6.2.2 - Nonwaiver**

The failure of the *Planning Director*, Planning Commission or Board of Supervisors to revoke a variance or permit, or to suspend its use, whenever cause therefor exists or occurs, does not constitute a waiver of such right with respect to any subsequent cause for revocation or suspension of the use.

**Sec. 8111-6.2.3 - Prohibition**

No person shall carry on any of the operations authorized to be performed under the terms of any permit during any period of suspension thereof, or after the revocation thereof, or pending a judgement of court upon any application for writ taken to review the decision or order of the final appeal body in the County in suspending or revoking such permit; provided, however, that nothing herein contained shall be construed to prevent the performance of such operations as may be necessary in connection with a diligent and bona fide effort to cure and remedy the default, noncompliance or violation, for which a suspension of the permit was ordered by the applicable County entity, or such operations as may be required by other laws and regulations for the safety of persons and the protection and preservation of property.

**Sec. 8111-7 - Appeals**

Unless otherwise provided in this Chapter, an appeal shall be processed in the same manner as other *discretionary* application requests set forth in this Article and in accordance with the following:

**Sec. 8111-7.1 - General**

An application for an appeal concerning any order, requirement, permit or decision made in the administration of this Chapter may be filed by an aggrieved party within ten calendar days after the alleged decision-making error, or on the following work day if the tenth day falls on a weekend or holiday. Included within this Section are

appeals of the *Planning Director's* refusal to accept or process an application until the *applicant* paid all outstanding fees and charges in accordance with Sections 8111-2.1, 8111-2.9 and 8201-5. In hearing and deciding such an appeal of the *Planning Director's* refusal, the Planning Commission shall consider the correctness of the amount of the outstanding debt or charge and whether the debt or charge is owed by the appellant, if such issues are raised by the appellant. Decisions made regarding enforcement reports, which are not a part of this Chapter, are not appealable. The filing of an appeal shall automatically stay all proceedings in furtherance of the subject request. (See also Sec. 8111-4.5)

### **Sec. 8111-7.2 - Hearing Body**

All appeals shall be filed with the Planning Division on the appropriate application forms and be addressed to the decision-making authority hearing the appeal. The appropriate decision-making authorities, unless otherwise stipulated here in this Article, are as follows:

- a. Appeals of Administrative Decisions (by the *Planning Director* or designee) shall be heard by the Planning Commission, except that Zoning Clearances for Accessory Dwelling Units are final decisions and are not subject to appeal. (AM. ORD. 4519-2/27/18)
- b. Appeals of Planning Commission decisions shall be heard by the Board of Supervisors.
- c. Appeals relating solely to requests under this Chapter for waivers or modifications of policies of the Board of Supervisors need only be heard by the Board of Supervisors.

(AM. ORD. 4282 - 5/20/03)

### **Sec. 8111-7.3 - Appeal Period**

The appeal period for appeals to County decision-making authorities shall end ten calendar days after the decision being appealed is rendered pursuant to Section 8111-4, or on the following workday if the tenth day falls on a weekend or holiday.

### **Sec. 8111-7.4 - Hearing and Notice**

Upon receipt of a complete appeal application form and any required fees, the Planning Division shall establish a date, time and place for the hearing. Notice shall be given in the same manner as required for the original request, and shall also be given to the *applicant* and appellant, as the case may be.

#### **Sec. 8111-7.4.1**

The *Planning Director* shall deliver all pertinent information relating to the matter on appeal to the authority hearing the appeal prior to the date of the hearing, unless otherwise directed by that authority.

#### **Sec. 8111-7.4.2**

A matter on appeal may be referred back to the preceding decision-making authority for further report, information or study.

#### **Sec. 8111-7.4.3**

Whenever a matter on appeal has been referred back to the preceding decision-making authority, said authority shall respond within 30 calendar days following the date of such referral, unless otherwise specified by the decision-making authority making the referral.

**Sec. 8111-7.4.4**

Hearings on multiple appeals may be consolidated.

**Sec. 8111-7.5 - Appellate Decision**

The decision-making authority shall either approve, deny, or approve with modifications, the appeal request.

**Sec. 8111-7.6 - Accessory Dwelling Unit Procedures and Junior Accessory Dwelling Unit Procedures**

Notwithstanding any other provisions of this Article:

- a. No public hearings shall be conducted on applications for accessory dwelling units or junior accessory dwelling units under Sections 8105-4, 8107-1.7, and 8108-4.7. (AM. ORD. 4407 – 10/20/09)
- b. Decisions on accessory dwelling units and junior accessory dwelling units are final County decisions when rendered and are not subject to appeal.

(ADD. ORD. 4282 - 5/20/03; AM. ORD. 4519-2/27/18; AM. ORD. 4615 – 2/7/23)

**Sec. 8111-8 - Compliance with Zoning Ordinance Requirements and Permit Conditions**

**Sec. 8111-8.1 - Responsibility for Compliance with Regulations and Permit Conditions**

The permittee and his successors in interest shall be initially responsible for compliance with all applicable regulations and permit conditions. Should the permittee fail to comply with applicable requirements, the property owner and his successors in interest are responsible for such compliance.

**Sec. 8111-8.2 - Acceptance of Permit Conditions**

The inauguration of a use, construction of a structure, grading, or other preliminary site work, authorized or unauthorized, to establish a use for which an *entitlement* has been granted, shall constitute acceptance by the permittee and property owner of the conditions imposed on *entitlements* issued for such use or structure.

**Sec. 8111-8.3 - Recording Notice of Responsibilities**

As a condition of approval for all *discretionary* permits, a notice shall be recorded on the deed to the subject property, in a manner acceptable to the County, that describes the responsibilities of the property owner and permittees for compliance with applicable permit conditions and regulations in accordance with Sec. 8111-8 and its applicable subsections.

(ADD. ORD. 4123 - 9/17/96)

**Sec. 8111-9 - Reasonable Accommodation**

(ADD. ORD. 4436 – 6/28/11)

**Sec. 8111-9.1 – Purpose**

Pursuant to the Federal Fair Housing Act, and the California Fair Employment and Housing Act (the Acts), it is the policy of the County of Ventura to provide individuals with disabilities reasonable accommodations in land use and zoning rules, policies, practices and procedures that may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. Requests for reasonable accommodation shall be processed in accordance with this section.

Reasonable accommodations may include, but are not limited to, setback area encroachments for ramps, handrails, or other such accessibility improvements; *hardscape* additions, such as widened driveways, parking area or walkways that would not otherwise comply with required landscaping or open space area provisions; and building addition(s) necessary to afford the *applicant* an equal opportunity to use and enjoy a dwelling.

### **Sec. 8111-9.2 – Fair Housing Reasonable Accommodation Requests**

A “Fair Housing Reasonable Accommodation Request” application form provided by the Planning Division must be completed and filed with the Planning Division. If the project for which the request is being made requires a *discretionary entitlement*, the *applicant* shall file the Reasonable Accommodation Request application concurrent with the application for *discretionary* approval. In this case, the review period for the Reasonable Accommodation request shall be the same as the application review period for the *discretionary entitlement*.

Although the *applicant* may be represented by an agent, the *applicant* must qualify as a protected individual under the Acts. If the *applicant* needs assistance in making the Fair Housing Reasonable Accommodation Request or processing any appeals associated with the request, the Planning Division shall provide assistance necessary to ensure that the process is accessible to the *applicant*.

### **Sec. 8111-9.3 – Fair Housing Reasonable Accommodation Determination**

Upon receipt of a completed written application for a Fair Housing Reasonable Accommodation Request, the *Planning Director* shall review the Request and make a determination whether to approve or deny it, in whole or in part. All references to the *Planning Director* in Sec. 8111-9 shall include his or her designee.

If additional information is needed to make a determination, the *Planning Director* shall request it of the *applicant*, specifying in writing the information that is needed. The *applicant* shall provide the information prior to the *Planning Director* acting upon and/or making a determination on the Fair Housing Reasonable Accommodation Request.

### **Sec. 8111-9.4 – Standards for Determining Fair Housing Reasonable Accommodation Requests**

The *Planning Director* shall consider the following criteria in making a determination on a Fair Housing Reasonable Accommodation Request:

- a. The *applicant* seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. The accommodation(s) is reasonable and necessary to afford the *applicant* an equal opportunity to use and enjoy a dwelling unit(s).
- c. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- d. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including zoning ordinances.
- e. Other factors that may have a bearing on the accommodation request.



### **Sec. 8111-9.5 – Conditions of Approval**

The *Planning Director* may impose conditions on the approval of a Fair Housing Reasonable Accommodation Request, which may include, but are not limited to, any or all of the following:

- a. Periodic inspection of the affected premises by the County's Code Compliance Division to verify compliance with this section and any applicable conditions of approval;
- b. Removal of the improvements by the *applicant* when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the dwelling unit(s), if removal would not constitute an unreasonable financial burden;
- c. Expiration of the approval when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the dwelling unit; and/or
- d. A requirement that the *applicant* advise the Planning Division if the *applicant* no longer qualifies as an individual with a disability under the Acts or if the accommodation granted is no longer reasonable or necessary to afford the *applicant* an equal opportunity to use and enjoy a dwelling unit(s).

### **Sec. 8111-9.6 – Written Determination on the Request for Reasonable Accommodation**

Except as provided in Section 8111.9.2, not more than 45 days after receiving a completed Fair Housing Reasonable Accommodation Request Form, the *Planning Director* shall issue a written determination and shall set forth in detail the basis for the determination, the findings on the criteria set forth Section 8111-9.4, and the conditions of approval. The determination shall be sent to the *applicant* by certified mail and shall give notice of the *applicant's* right to appeal as set forth in Section 8111-9.7.

Upon the request of the *Planning Director* to the *applicant* to provide additional information pursuant to Sec. 8111-9.3, the 45 day determination period shall be stopped. Once the *applicant* provides the *Planning Director* the information requested, a new 45-day period shall begin.

### **Sec. 8111-9.7 – Appeals**

Within 10 days of the date of the *Planning Director's* written determination, the *applicant* may file an appeal of the determination pursuant to Section 8111-7. Appeals will be heard by the Ventura County Planning Commission.

### **Sec. 8111-9.8 – Limitations on Approvals of Fair Housing Reasonable Accommodation Requests**

Any grant of accommodation shall be personal to the *applicant* and shall not run with the land.

(ADD. ORD. 4436 – 6/28/11)

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# **ARTICLE 12:**

## **LIMITATIONS ON ISSUANCE OF BUILDING PERMITS IN THE OJAI VALLEY TO PROTECT AIR QUALITY**

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(REP. & REEN. ORD. 3919 - 12/19/89) *Editor's Note: See also ORDs. 3896, 3897, 3901*

### **Sec. 8112-0 - Purpose**

The purpose of this Article is to protect the health, safety and general welfare of present and future residents of Ventura County against the adverse effects of poor air quality attributable to population related emissions.

### **Sec. 8112-1 - Findings**

The Ventura County Board of Supervisors, by adopting the Air Quality Management Plan (AQMP) as defined in this Article, has made, and hereby reaffirms, the following findings:

- a. There is a direct relationship between the quality of the County's air and the health, safety and welfare of the County's residents; and
- b. The quality of the County's air has deteriorated to the point where it currently fails to meet state and federal ambient air quality standards designed to protect health, safety and welfare; and (AM. ORD. 3919 - 12/19/89)
- c. Failure to meet such state and federal standards in the County results in aggravation of the illness of persons suffering from asthma or chronic lung disease, an increase in the work of breathing for many healthy persons, impairment of the performance of persons engaged in strenuous activities, significant health care costs attributable to air quality related health problems, and air pollution damage to crops amounting to millions of dollars annually; and
- d. There is a direct measurable relationship between population growth and emissions which contribute to the deterioration of air quality in the County; and
- e. The AQMP has identified all reasonably available control measures for the control of emissions in the Ojai Valley (as defined in this Article) and has established the maximum rate of population growth, as measured by the rate of increase in the number of dwelling units, that can be accommodated in the Ojai Valley, assuming the implementation of all such reasonably available control measures, without precluding ultimate compliance within such area with the state and federal ambient air quality standards; and
- f. Regulation of population growth in the Ojai Valley, as measured by the increase in the number of dwelling units, in accordance with the AQMP, in addition to the implementation of all other reasonably available control measures for the control of emissions, is necessary in order to preserve a reasonable chance of ultimate compliance with federal ambient air quality standards and to protect adequately the public health, safety and welfare; and
- g. Such regulation pursuant to this Article may have the effect of limiting housing opportunities in the Ojai Valley, but that risk is outweighed by the above-described adverse impacts upon the public health, safety and welfare which would result if there were no such regulation.

### **Sec. 8112-2 - Definitions**

As used in this Article, the following terms shall have the meanings set forth in this Section:

AQMP - The Air Quality Management Plan for Ventura County, including all appendices thereto, as amended from time to time.

AQMP Figure E-1 and AQMP Table E-6 - Figure E-1 and Table E-6, respectively, of Appendix E-87 to the version of the AQMP adopted July 26, 1988, or if such figure and table are amended by later versions of the AQMP, the most recent versions of such figure and table, however numbered.

Completed Dwelling Unit - A dwelling unit that is or could be lawfully occupied without the issuance of any further certificate of occupancy, certificate of final inspection or similar document.

Current Number of Dwelling Units - As of any given point in time, the total number of:

- a. Completed Dwelling Units; plus
- b. dwelling units that are not yet Completed Dwelling Units but for which a Current Residential Permit has been issued; plus
- c. dwelling units that are not yet Completed Dwelling Units but for which an unexpired building permit has been issued by the City of Ojai.

Current Residential Permit - A Residential Permit that has been issued and has not yet expired.

Developable Lot - A *lot* that:

- a. is a legal *lot*;
- b. meets all of the requirements set forth in Section 8111-2.2.1, subdivision (a), for the issuance of a Zoning Clearance for construction of an additional dwelling unit; and
- c. has been issued all *discretionary* permits, if any, that are a condition precedent to issuance of a building permit for an additional dwelling unit; provided that, if the *lot* could lawfully be developed with more than one additional dwelling unit the *lot* shall, for the purposes of this Article, be deemed to contain one Developable *Lot* for each such additional dwelling unit.

Maximum Permissible Number of Dwelling Units - As of any given point in time, the total number of dwelling units that, according to AQMP Table E-6, are forecasted to be in the Ojai Valley on January 1 of the second succeeding calendar year. For example, AQMP Table E-6 forecasts that there will be 11,044 dwelling units in the Ojai Valley on January 1, 1992. Hence, the Maximum Permissible Number of Dwelling Units for any given point of time in 1990 is 11,044. The second succeeding calendar year is selected in recognition of the fact that it takes approximately one year to complete a dwelling unit after the requisite permits have been issued.

Ojai Valley - The area comprised of all those areas referred to in AQMP Table E-6 as the "Ojai GA," "Ojai NGA," "Ventura River GA," and "Ventura River NGA," and depicted on AQMP Figure E-1 as the "Growth Area" and the "Nongrowth Area" for "Ojai" and "Ventura River Valley."

Residential Permit - A ministerial permit issued by the *Planning Director* pursuant to Section 8112-6.

## **Sec. 8112-3 - Limitations on Issuance of Building Permits**

Notwithstanding any other provisions of this Code or of any other ordinance or resolution of the County, no building permit may be applied for or issued for the construction or installation of an additional dwelling unit (as opposed to the repair, modification or replacement of an existing dwelling unit), in the unincorporated portion of the Ojai Valley unless a Current Residential Permit has been issued for that unit.

## **Sec. 8112-4 - Limitations on Issuance of Residential Permits**

No Residential Permit may be issued for the unincorporated portion of the Ojai Valley if the issuance of such permit would cause the Current Number of Dwelling Units for the whole of such area (including both the incorporated and unincorporated portions thereof) to exceed the Maximum Permissible Number of Dwelling Units for such area. A Residential Permit respecting a *lot* located within the unincorporated portion of the Ojai Valley may be issued only if such *lot* is listed upon a waiting list established for that area pursuant to Section 8112-5.

## **Sec. 8112-5 - Waiting Lists for Residential Permits**

Two waiting lists (designated "Waiting List A" and "Waiting List B") for Residential Permits shall be established for the Ojai Valley.

### **Sec. 8112-5.1 - Waiting List A**

The record owner of a Developable *Lot* located within the unincorporated portion of the Ojai Valley may cause such *lot* to be listed on Waiting List A by submitting to the *Planning Director* a completed application for such listing in the form approved by the *Planning Director* together with a payment of the processing fee established by resolution of the Board of Supervisors. No such application shall be accepted if any record owner, in whole or in part, of such *lot* is also the record owner, in whole or in part, of any other *lot* listed on Waiting List A which other *lot* was placed on such list in the same calendar year in which the application in question was submitted. Each accepted application shall be marked with the time and date of its acceptance by the *Planning Director*. The *lot* to which an accepted application relates shall then be listed on Waiting List A in the chronological order of such acceptance.

### **Sec. 8112-5.2 - Waiting List B**

The record owner of two or more Developable *Lots* located within the unincorporated portion of the Ojai Valley may cause such *lots* to be listed on Waiting List B, or cause space to be reserved for later listing of such *lots* on Waiting List B, by submitting a completed application for such listing or reservation in the form approved by the *Planning Director* together with the payment of the processing fee established by resolution of the Board of Supervisors. No such application shall be accepted if any record owner, in whole or in part, of such *lots* would, after such *lots* had been listed or spaces therefor been reserved, be the record owner, in whole or in part, of more than the permitted maximum number of listed *lots* and reserved spaces in the aggregate on Waiting List B which had been placed on such list in the same calendar year. For the purpose of this Article, the record owner of *lots* for which spaces have been reserved on Waiting List B shall be deemed to be the record owner of such reserved spaces. Further, no such application shall be accepted if, after such *lots* had been listed or spaces therefor had been reserved, the total number of *lots* from a single subdivision listed on Waiting List B plus the total number of spaces reserved on Waiting List B for *lots* from that same subdivision would be more than the permitted maximum number. *Lots* are "from a single subdivision" if they are depicted on a single approved tentative map and were created by one or more final or parcel maps recorded in compliance with such tentative map. The "permitted maximum number" of listed *lots* and spaces that can be owned by a record owner or be from a single subdivision is 10, unless all of such *lots* and spaces have received a density bonus and a Planned Development Permit for an affordable or senior housing development pursuant to Article 16 of this Chapter. (AM. ORD. 4455 – 10/22/13)

#### **Sec. 8112-5.2.1 - Specific Lots**

If the application is for the immediate listing of specific *lots*, the following procedures shall apply. Each accepted application shall be marked with the time

and date of its acceptance by the *Planning Director*. The *lots* to which an accepted application relate shall be listed on Waiting List B in the chronological order of such acceptance.

#### **Sec. 8112-5.2.2 - Reserved Spaces**

If the application is for the reservation of one or more spaces on the waiting list, the following procedures shall apply. Each application shall identify the specific *lots* which could potentially be listed in such space or spaces. For example, the record owner of ten *lots* could reserve space on the waiting list for five *lots*. The application would identify each of the ten *lots* which could potentially be listed in such five spaces, but would not have to specify which five out of the ten would ultimately be listed. Each accepted application shall be marked with the time and date of its acceptance by the *Planning Director*. The number of spaces to which an accepted application relates shall be reserved on Waiting List B in the chronological order of such acceptance. Such owner may submit multiple applications pertaining to the same group of potentially listed *lots* provided that the number of spaces reserved for such group of *lots* in the aggregate does not exceed the total number of such *lots* which are not yet specifically listed but are still owned as a matter of record by such owner. For example, the record owner of ten *lots* identified for potential listing for which five spaces had been reserved could later reserve a maximum of five additional spaces farther down the list pertaining to the same ten *lots*. The person designated on the application for such purposes or such person's designee shall have the authority to specify which particular *lot* identified in the application for potential listing will actually be listed in each space reserved therefore regardless of whether ownership of the *lots* has changed. Such specification shall be made by submitting to the *Planning Director* a completed form satisfactory to the *Planning Director*. Such form must be submitted prior to submission of an application for a building permit respecting such reserved space. The *lot* so specified shall then be listed on Waiting List B in the space to which it has been assigned.

#### **Sec. 8112-5.3 - Listing of Lots on Waiting Lists A and B**

A *lot* may simultaneously appear on both Waiting List A and Waiting List B, provided that it meets all other requirements for listing. No specific *lot* may appear more than once on either one of the lists at any given time. A *lot* that has been stricken from a waiting list pursuant to this Article may be listed again, provided that it meets all of the requirements for listing at such time.

#### **Sec. 8112-5.4 - Relisting in Event of Water Moratorium**

If a *lot* or reserved space is stricken from a waiting list pursuant to Section 8112-6 because of the owner's failure to submit an acceptable application for a building permit but, within the time period specified in that section for submitting such an application, the current record owner of the *lot* or reserved space has shown to the satisfaction of the Building Official that such failure was due to a temporary moratorium on connections to the applicable domestic water supply system, then the *lot* or reserved space shall be automatically restored to its relative position on the waiting list on the January 1 next following the date on which it was stricken from that list. (ADD. ORD. 3994 - 3/3/92)

#### **Sec. 8112-5.5 - Relisting in Event of Voluntary Withdrawal**

If the owner of a *lot* or reserved space for which a Residential Permit has been issued pursuant to Section 8112-6 submits to the *Planning Director*, within 90 calendar days following the issuance of the Residential Permit, a request that the *lot* or reserved space be stricken from the waiting list immediately and restored to the waiting list in the following year, then the *lot* or reserved space shall be stricken from the waiting

list immediately and be automatically restored to its relative position on the waiting list on the January 1 next following, by at least 90 calendar days, the date on which it was stricken. The Residential Permit shall expire when the *lot* or reserved space to which it pertains is stricken from the waiting list. A given *lot* or reserved space may be stricken from and then restored to the waiting list pursuant to this Section only once, except as otherwise provided below. A given *lot* or reserved space may be stricken from and then restored to the waiting list pursuant to this Section any number of times if, at the time the request is submitted to the *Planning Director*, the owner demonstrates to the satisfaction of the *Planning Director* that all of the following are true:

- a. The proposed domestic water supply to the *lot* or reserved space is to be provided by a public water system as defined in Section 4010.1 of the Health and Safety Code;
- b. A binding agreement has been entered into between the owner and the water supplier, enforceable by the owner and the owner's successors in interest to the *lot* or reserved space, providing, on terms substantially the same as those given the water supplier's customers generally, for the connection to the water supplier's system of the *lot* or reserved space; and
- c. The agreement was in effect on March 3, 1992, and is still in effect.

(ADD. ORD. 3994 - 3/3/92)

## **Sec. 8112-6 - Issuance of Residential Permits and Application for Building Permits**

From time to time, as it appears to the *Planning Director* that the provisions of Section 8112-4 would no longer prohibit the issuance of Residential Permits with respect to one or more *lots* or reserved spaces at the top of the waiting lists, the *Planning Director* shall mail the Residential Permits to the addresses indicated for such purpose on the applications for listing. The *Planning Director* shall mail such permits so that within each calendar year, to the fullest extent possible, 50 percent of the *lots* and reserved spaces to which they relate are listed on Waiting List A and 50 percent are listed on Waiting List B; provided that, if it appears as of December 1 of any calendar year that either list is not long enough to use up its allocation within that calendar year, the *Planning Director* shall make such unused allocation available to the other list by mailing the Residential Permits in December of that year. The Residential Permit shall state that unless the current record owner of the *lot* or reserved space submits to the Building Official of the County an acceptable application for a building permit within the time period specified in this Section, the *lot* or reserved space shall be stricken from the waiting list and the Residential Permit shall expire. If the Residential Permit pertains to a reserved space, it shall further state that, prior to applying for a building permit, the record owner must submit to the *Planning Director* in compliance with Section 8112-5.2.2 a form specifying the particular *lot* to be listed in the reserved space. The application for a building permit shall be completed in a manner acceptable to the Building Official. The time period for submitting an acceptable application for a building permit shall be the 90 calendar days following the day on which the Residential Permit is deposited in the mail; provided, however, that for good cause shown prior to the expiration of such 90-day period, the Building Official may extend such period for an additional period not to exceed 90 calendar days. Any decision to grant or deny such an extension shall be final and conclusive when announced by the Building Official. If the current record owner of the *lot* or reserved space does not submit an acceptable application for a building permit within such 90-day period or any extension thereof, the *lot* or reserved space shall be stricken from the waiting list and the Residential Permit shall expire. If the current record owner of the *lot* does submit an acceptable application for a building permit within such 90-day period or any extension thereof, the date on which such application was accepted by the Building Official shall be marked thereon. (AM. ORD. 3994 - 3/3/92)

## **Sec. 8112-7 - Issuance of Building Permits**

All of the requirements for issuance of the building permit for which a Residential Permit is required must be satisfied within 90 calendar days following the date on which the application for the building permit was accepted pursuant to Section 8112-6; provided, however, that for good cause shown prior to the expiration of such 90-day period the Building Official may extend such period for an additional period not to exceed 30 calendar days. Any decision to grant or deny such an extension shall be final and conclusive when announced by the Building Official. If any of such requirements is not satisfied within such 90-day period or any extension thereof, the building permit shall not be issued, the *lot* shall be stricken from the waiting list, and the Residential Permit shall expire. If all such requirements are satisfied within such 90-day period or any extension thereof, the building permit shall be issued and the *lot* shall be stricken from the waiting list. When a building permit is issued, the Residential Permit shall remain in effect until either the building permit expires or the unit becomes a Completed Dwelling Unit, at which time the Residential Permit shall expire.

## **Sec. 8112-8 - Voluntary Withdrawal From Waiting List**

Any *lot* or reserved space on a waiting list established pursuant to Section 8112-5 shall be stricken from such list at the request of the current record owner of such *lot* or reserved space. Any Residential Permit pertaining to such *lot* or reserved space shall expire when the *lot* or reserved space is stricken pursuant to this Section.

## **Sec. 8112-9 - Annual Review**

The Board of Supervisors shall hold annual public hearings each January to review the effectiveness of this Article. At each hearing, the *Planning Director* shall report the following for the Ojai Valley:

- a. The Current Number of Dwelling Units as of January 1 of the year of the hearing, broken into the following components:
  - (1) Completed Dwelling Units;
  - (2) Dwelling units that are not yet Completed Dwelling Units but for which a Current Residential Permit has been issued; and
  - (3) Dwelling units that are not yet Completed Dwelling Units but for which an unexpired building permit has been issued by the City of Ojai.
- b. The Maximum Permissible Number of Dwelling Units.
- c. The maximum number of additional dwelling units, if any, for which Residential Permit could be issued in the year of the hearing.
- d. The number of dwelling units for which *lots* or reserved spaces are listed, as of January 1 of the year of the hearing, on the waiting lists established pursuant to Section 8116-5.



# **ARTICLE 13:**

## **NONCONFORMITIES AND SUBSTANDARD LOTS**

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### **Sec. 8113-0 - Purpose**

The purpose of this Article is to provide for the continuation, alteration, conversion or termination of certain classes of lawful, nonconforming uses and structures (other than signs and billboards) under certain conditions, and to regulate substandard *lots*. These provisions apply to uses and structures which deviate from the regulations of this Chapter.

### **Sec. 8113-1 - Nonconforming Structures**

Where structures have been rendered nonconforming due only to revisions in development standards dealing with *lot* coverage, *lot* area per structure, height or setbacks, and the use therein is permitted or conditionally permitted in the zone, such structures are not required to be terminated under this Article and may be continued and expanded or extended on the same *lot* provided that the structural or other alterations for the expansion or extension of the structure are either required by law, or are in conformance with the regulations in effect for the zone in which such structures are located. (AM. ORD. 3810 - 5/5/87)

#### **Sec. 8113-1.1 - Nonconforming Facilities for Nonmotorized Wheeled Conveyances**

Notwithstanding any other provision of this Article, any facility or structure for nonmotorized wheeled conveyances that has been rendered nonconforming by the enactment of Section 8107-23 and the subsections thereof shall, on or before September 1, 1989, either be brought into conformance or be removed. (ADD. ORD. 3895 - 4/25/89; AM. ORD. 4123 - 9/17/96 - grammar)

#### **Sec. 8113-1.2 - Nonconforming Wireless Communication Facilities**

Notwithstanding any other provision of this Article, any *wireless communication facility* rendered nonconforming solely by the enactment or subsequent amendment of development standards stated in Section 8107-45.4 shall be governed by Section 8107-45.13.

### **Sec. 8113-2 - Continuation of Existing Nonconforming Mobilehomes**

#### **Sec. 8113-2.1**

A nonconforming mobilehome used as a residence under a Continuation Permit in lieu of any and all other residences permitted or conditionally permitted for any purpose may continue to be used as a residence by a new owner if a complete application for a *Planning Director* Conditional Use Permit (CUP) is received within 60 days of written notice being provided to the owner of the land on which the mobilehome is located that the Continuation Permit has expired and, thereafter, if the CUP is obtained and the following conditions are met:

- a. The mobilehome is in compliance with Sections 8107-1.3.2 and 8107-1.3.3 and the parking requirements of Article 8; and (AM. ORD. 3810 - 5/5/87; AM. ORD. 4407 - 10/20/09)
- b. The mobilehome was being used legally as a residence on the subject site on or before July 24, 1978, and the mobilehome has been so used and has remained continuously in place since the actual commencement of such use.

### **Sec. 8113-2.2**

Mobilehomes used as residences under a *Planning Director* Conditional Use Permit between July 24, 1978 and July 2, 1981, may continue to be used as such if no other residence was located on the subject site at any time between July 24, 1978 and the time of issuance of the *Planning Director* Conditional Use Permit, provided that either: 1) a modification to renew the *Planning Director* Conditional Use Permit is obtained; or 2) the status of the mobilehome as a single family dwelling meets the provisions of Section 8107-1.3.3 and the parking space requirements of Section 8108-4.7. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4407 - 10/20/09)

(AM. ORD. 4092 - 6/27/95)

### **Sec. 8113-3 - Nonconforming Uses Due Only to Changes in Parking Requirements**

Where uses have been rendered nonconforming due only to changes in parking requirements, and the use is permitted or conditionally permitted in the zone, such uses are not required to be terminated under this Article and may be continued and expanded or changed according to the procedures outlined in Sections 8108-1, 8108-2, 8108-4.7 and 8111-6. (AM. ORD. 4407 - 10/20/09)

### **Sec. 8113-4 - The Keeping of Animals**

Except for the nonconformities due to the keeping of *roosters* which are regulated by Section 8107-2.3.7 of this Chapter, nonconformities due to the keeping of all other *animals* as a use, number of *animals*, type of *animals*, *minimum lot area* required for *animals*, or other standards for the keeping of *animals* as an *accessory use* to *dwellings*, shall be brought into conformance not later than three years after the same becomes nonconforming, unless a Continuation Permit is granted in accordance with Section 8113-5.4 of this Chapter. (AM. ORD. 4411 - 3/2/10; AM. ORD. 4580 - 4/13/21)

### **Sec. 8113-5 - Other Nonconforming Uses (No Longer Permitted)**

All nonconforming uses which are no longer permitted in the zone in which they are located shall be regulated according to the following provisions:

#### **Sec. 8113-5.1 - Uses Not Involving Permanent Structures**

The nonconforming use of land where no permanent structure is involved shall be terminated not later than three years after such use becomes nonconforming.

#### **Sec. 8113-5.2 - Uses Within Structures Subject to Amortization**

All nonconforming commercial or industrial uses in Residential (R), Open Space or Agricultural zones, within conforming or nonconforming structures, shall be amortized from the effective date of this Chapter or a later amendment which renders the use nonconforming, based on the square footage of the structure at the time the use is rendered nonconforming, as follows: Ten years for 1,000 square feet, plus 1.25 years for each additional 100 square feet over 1,000 square feet; maximum 60 years. At the end of the amortization period, the use shall be brought into conformance with this Chapter or terminated, unless a continuance is obtained pursuant to Section 8113-5.4. (AM. ORD. 3730 - 5/7/85)

##### **Sec. 8113-5.2.1 - Expansion and Change of Use Prohibited**

Nonconforming uses under Sec. 8113-5.2 above shall not be changed to another use or be expanded or extended in any way on the same or any adjoining land nor into any other portion of a structure or *lot* during the amortization period, except

for structural alterations which may be required by law, or expansions as allowed by Section 8113-5.5. Furthermore, such nonconforming uses shall not be expanded or extended beyond the scope of specific conditions to a continuance of nonconformity granted pursuant to Sec. 8113-5.4 of this Article, and subsequent to the period of amortization. (AM. ORD. 3730 - 5/7/85)

**Sec. 8113-5.2.2 - Discontinuance or Change of Use Status**

The discontinuance for a period of 180 or more days of a nonconforming use or a change of nonconforming use to a conforming use constitutes abandonment and termination of the nonconforming status of the use.

**Sec. 8113-5.2.3 - Notice of Amortization**

The *Planning Director* shall give notice by certified mail of the date upon which an amortization period will end to each owner of record whose property, or use of property, is not in conformance with the regulations of this Chapter, in those instances where the *Planning Director* has knowledge of such nonconformity. Such notice shall be sent in a timely manner. If the amortization period ends before or less than six months after such knowledge of the nonconformity, notice shall be given that the amortization period in each instance shall be not less than six months from the date the notice is sent. The notice shall set forth all pertinent provisions of this Article, including the declared purposes thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record shall not invalidate any proceedings under this Article.

**Sec. 8113-5.2.4 - Notice of Termination and Order to Comply**

Notice of Termination of a nonconforming use and order to comply shall be served by the *Planning Director* at the end of the amortization period upon the owner of record whose property contains such nonconforming use. In those instances where the *Planning Director* is unable with reasonable effort to serve such notice to the property owner, such notice and order shall be served within 30 days of the end of the amortization period by delivering same to an occupant of the structure containing the nonconforming use.

(AM. ORD. 4411 - 3/2/10)

**Sec. 8113-5.3 - Uses Not Amortized**

Upon the effective date of this Chapter or a later amendment thereto, any nonconforming use within a structure not otherwise identified in Section 8113-5.2, such as schools, boardinghouses, residential uses in commercial and industrial zones, uses in excess of the number permitted per *lot*, commercial uses in commercial zones, and industrial uses in industrial zones, may continue, provided that: (AM. ORD. 3730 - 5/7/85)

**Sec. 8113-5.3.1 - Expansion**

No additions or enlargements shall be made to such nonconforming use or the structure in which it is located, except for alterations which may be required by law, expansions within the existing structure if no structural alterations are made, expansions as allowed by Section 8113-5.5, or additions to existing principal dwellings in residential zones, which otherwise conform to the specific development standards of the zone in which the use is located. In the case of principal dwellings in excess of the number permitted per *lot*, only one such dwelling may be expanded. The height and setback standards of the R1 zone shall apply to a nonconforming residential use in a commercial or industrial zone. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87)

**Sec. 8113-5.3.2 - Change of Use**

The nonconforming use may be changed to a use that is similar, provided that it has a parking requirement which is the same as or less than the nonconforming

use, except that the nonconforming use may not be changed to a use that requires a Conditional Use Permit under this Chapter.

**Sec. 8113-5.3.3 - Discontinuance and Change of Use Status**

The discontinuance for a period of 180 or more days of the nonconforming use, or a change of the nonconforming use to a conforming use, a dissimilar use or a Conditionally Permitted Use, constitutes abandonment and termination of the nonconforming status of the use.

(AM. ORD. 4411 - 3/2/10)

**Sec. 8113-5.4 - Continuance of Nonconforming Uses and Structures**

a. Grounds for Continuance - A Continuation Permit for Nonconforming Uses and Structures may only be granted if all of the following standards are met, or if the Planning Commission imposes conditions and limitations as necessary to allow the following standards to be met:

- (1) Special circumstances apply to any such use or structure that do not apply generally to other uses and structures in the same vicinity and zone; and
- (2) The continuance is not detrimental to the public interest, health, safety, convenience, or welfare.

b. Application Process for Continuance - Any application for a Continuation Permit for Nonconforming Uses and Structures must be filed with the Planning Division prior to permit expiration or within 30 days following the service of a Notice of Termination and Order to Comply.

(ADD. ORD. 4411 - 3/2/10)

**Sec. 8113-5.5 – Expansion of Nonconforming Uses in the Open Space Zone**

Uses that are no longer permitted in the Open Space zone due to changes to zoning regulations approved on March 2, 2010 may be expanded with an Expansion Permit for Nonconforming Uses. An Expansion Permit for Nonconforming Uses may only be granted if all of the following standards are met, or if the Planning Commission imposes conditions and limitations as necessary to allow the following standards to be met:

- a. The expansion is 25 percent or less of the total square footage of the buildings or use area that existed, or were lawfully permitted, on March 2, 2010; and
- b. The expansion of the use is not detrimental to the public interest, health, safety, convenience, or welfare.

(ADD. ORD. 4411 - 3/2/10)

**Sec. 8113-6 - Destruction**

The following provisions shall regulate the destruction of structures in the given situations:

**Sec. 8113-6.1 - Uses Not Amortized**

The following provisions shall apply to nonamortized nonconforming structures and structures containing nonconforming uses not subject to amortization:

**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.

(AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95; AM. ORD. 4532 - 10/30/18)

**Sec. 8113-6.1.2**

Whenever any such structure is voluntarily removed, damaged or destroyed to the extent of more than 50 percent of its floor or roof area which existed before destruction, no structural alterations, repairs or reconstruction shall be made unless every portion of such structure and the use are made to conform to the regulations of the zone classification in which they are located.

**Sec. 8113-6.2 - Uses Amortized**

The following provisions shall apply to amortized nonconforming structures and structures containing nonconforming uses subject to amortization:

**Sec. 8113-6.2.1**

Whenever any such structure is voluntarily or involuntarily removed, damaged or destroyed to the extent of 50 percent or less of its floor or roof area before destruction, 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 partial destruction may be continued if the restoration is started within a period of 12 months after the occurrence of the partial destruction and is diligently pursued to completion. 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. (AM. ORD. 3810 - 5/5/87; AM. ORD. 4092 - 6/27/95)

**Sec. 8113-6.2.2**

Whenever any such structure is voluntarily or involuntarily removed, damaged or destroyed to the extent of more than 50 percent of its floor or roof area before such removal, damage or destruction, no structural alterations, repairs or reconstruction shall be made unless every portion of such structure and the use are made to conform to the regulations of the zone classification in which they are located.

(AM. ORD. 3730 - 5/7/85)

**Sec. 8113-7 - Additional Use**

While a nonconforming use of any kind except the keeping of animals exists on any *lot*, no additional principal or accessory use is permitted even if such additional use would be a conforming use.

## **Sec. 8113-8 - Use of Nonconforming Lots**

The use of land as permitted for the zone or subzone in which it is located shall be permitted on a *lot* of less area than that required by the regulations of such zone or subzone if and only if the *lot* is a legal *lot*. (AM. ORD. 3730 - 5/7/85; AM. ORD. 3810 - 5/5/87)

## **Sec. 8113-9 - Involuntary Nonconformance**

Notwithstanding any other provision of this Chapter, no *lot* shall be considered nonconforming within the purview of this Article if such *lot* is rendered nonconforming as a result of a conveyance of any interest in said *lot* to a public entity through eminent domain proceedings, under threat of eminent domain proceedings or to meet a requirement of any public entity having jurisdiction. (AM. ORD. 3730 - 5/7/85)

## **Sec. 8113-10 - Effect of Change of Zoning Regulations**

### **Sec. 8113-10.1 - On Authorized Uses Under Discretionary Permits**

Any construction, expansion or alteration of a use of land or structures and any required Zoning Clearance therefor, which are authorized by a *discretionary entitlement* approved on or before the effective date of an ordinance amendment, may be completed as authorized in the *entitlement* and in accordance with Section 8111-5.7 of this Chapter.

### **Sec. 8113-10.2 - On Uses Requiring a Ministerial Decision**

All uses involving construction, expansion or alteration of a use of land or structures which requires a ministerial decision only, shall be required to comply with the new regulations on the effective date of the ordinance amendment. If the required Zoning Clearance has been issued and the change of regulation is such that the Zoning Clearance no longer conforms to the provisions of this Chapter, a new Zoning Clearance which conforms to the newly adopted regulations must be obtained before a building permit or other necessary *entitlement* is issued by any agency.

### **Sec. 8113-10.3 - Where the Only Change is in the Type of Permit Required**

If the adoption of this Chapter, or any amendment to this Chapter, results only in a requirement for a different permit for the same existing use or structure, the use or structure shall be governed by the following provisions:

- a. If the use or structure affected is existing lawfully as a permitted or conditionally permitted use or structure, the existing use or structure is hereby deemed to be conforming without any further action.
- b. Except as provided in this Section, any modification or expansion of the use or structure, change of use, or additional use shall conform to the provisions of this Chapter, including the requirements for type of permit. In those instances where a new *discretionary* permit is required, all uses and structures on the same parcel(s) as the modified or expanded use or structure shall be subject to the *discretionary* permit. Any conditions imposed on any such new permit shall be reasonably related to the modification or expansion being requested. (ADD. ORD. 4092 - 6/27/95)
- c. Any change to a use or structure which requires a Planned Development Permit or a Conditional Use Permit, but would be exempt from CEQA, not have any adverse impact on adjacent land uses, and would not conflict with the findings otherwise required pursuant to Sections 8111-1.2.1.1 through 1.2.1.6, may be acted upon by the *Planning Director* or designee through a Zoning Clearance. Such changes

may include, but are not limited to the following:

- (1) A change in use where the new use requires the same or lesser type of permit as the existing use, provided that any resulting increase in parking space requirements will be accommodated on-site or off-site as described in Section 8108-3.3.1.
- (2) A cumulative increase or decrease of not more than 10 percent in gross floor area; permit area; the area of walls, *fences* or similar structures used as screening; height; parking area; landscaping area; or total area of on-site identification signs; provided that any resulting increase in parking space requirements will be accommodated on-site or off-site as described in Section 8108-3.3.1.
- (3) Replacements of accessory dwelling units or farmworker or caretaker dwellings, where said replacements do not exceed the current standards of this Chapter.
- (4) Internal remodeling or minor architectural changes or embellishments involving no change in basic architectural style.

(AM. ORD. 4281 - 5/6/03; AM. ORD. 4407 - 10/20/09; AM. ORD. 4519-2/27/18)

- d. Any modification required by law shall not result in a requirement for a new land use permit. (ADD. ORD. 4092 - 6/27/95)
- e. If the use affected is under a permit that specifies an expiration date or clause and the new regulation requires a different permit, the use may continue until the specified point of expiration, at which time the permit expires and the use shall terminate, unless the required permit has been applied for under this Chapter prior to the expiration of the existing permit. (AM. ORD. 4092 -6/27/95; AM. ORD. 4123 - 9/17/96)

(ADD. ORD. 3810 - 5/5/87; AM. ORD 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96; AM. ORD. 4144 - 7/22/97)

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# ARTICLE 14: ENFORCEMENT AND PENALTIES

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(AM. ORD. 3730 - 5/7/85)

## **Sec. 8114-0 - Purpose**

This Article establishes procedures for enforcement of the provisions of this Chapter. The enforcement procedures set forth are intended to assure due process of law in the abatement or correction of nuisances and violations of this Chapter.

## **Sec. 8114-1 - Pending Violations**

No prosecution or action resulting from a violation of zoning regulations heretofore in effect shall be abated or abandoned by reason of the enactment of any ordinance amendment, but shall be prosecuted to finality under the former provisions the same as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated. Any violation of provisions, which occurred prior to the effective date of the amendment, for which prosecution or legal action has not been instituted prior to the effective day of the amendment, may be hereafter subject to prosecution or action as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated.

## **Sec. 8114-2 - Penalties**

Any person who violates any provision or fails to comply with any of the requirements of this Chapter or of any term or condition of, or applicable to any permit, variance or amendment thereto is guilty of a misdemeanor/infraction as specified in Section 13-1 of the Ventura County Ordinance Code and, upon conviction thereof shall be punishable in accordance with Section 13-2 of the Ventura County Ordinance Code. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Chapter is committed, continued, or permitted by such person, and shall be punishable therefore as provided in Section 13-2.

### **Sec. 8114-2.1 - Public Nuisance**

Except as otherwise provided in Section 8114-2.1.1, in addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter shall be deemed a public nuisance and may be summarily abated as such, and each day that such condition continues shall be regarded as a new and separate public nuisance.

#### **Sec. 8114-2.1.1 - Exception - Agricultural Operations Protection**

No agricultural activity, operation, or facility that is consistent with this Chapter and the General Plan, and is conducted or maintained for commercial purposes in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than one year if it was not a nuisance at the time it began.

- a. Exception - This section shall not apply if the agricultural activity, operation, or facility, obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or any public park, square, street, or highway.

- b. Definition - For purposes of this section, the term "agricultural activity, operation, or facility" shall include, but not be limited to, the cultivation and tillage of the soils, dairying, the production, irrigation, frost protection, cultivation, growing, pest and disease management, harvesting and field processing of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or market, or delivery to carriers for transportation to market.

(AM. ORD. 4151 - 10/7/97)

### **Sec. 8114-3 - Enforcement**

The *Planning Director* or the *Planning Director's* designee is hereby designated as the enforcing agent of this Chapter. Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by California Penal Code Section 836.5, the *Planning Director* or the *Planning Director's* designee shall have the power of arrest without warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infraction, or infraction, consisting of a violation of the provisions of this Code or any other ordinance or statute which the *Planning Director* or *Planning Director's* designee has a duty to enforce. (AM. ORD. 4054 - 2/1/94)

#### **Sec. 8114-3.1 - Procedure**

In any case in which a person is arrested pursuant to this Section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on the person's promise to appear as prescribed by Chapter 5C (commencing with Section 853.6) of the California Penal Code. The provisions of that Chapter shall thereafter apply with reference to any proceedings based upon the issuance of a written notice to appear pursuant to this Section. (AM. ORD. 4054 - 2/1/94)

#### **Sec. 8114-3.2 - Rights of Entry Upon Land**

In the performance of their functions, designated personnel may, with either the consent of the occupant or other authorized person, or with a valid inspection warrant, enter upon property and make examinations and surveys in a manner consistent with the consent or the inspection warrant. In cases where no inspection warrant is obtained, designated personnel in the performance of their functions may enter upon property open to the general public and may enter upon property by way of a route normally accessible to visitors or tradespeople, or other persons having legitimate business with the occupants, in order to seek consent to inspect the property.

#### **Sec. 8114-3.3 - Enforcement of Performance Standards**

Following the initiation of an investigation, the *Planning Director* may require the owner or operator of any use which may be in violation of performance standards to submit, in a reasonable amount of time, such data and evidence as is needed by the *Planning Director* to make an objective determination. Failure to submit data required shall constitute grounds for revoking any previously issued approvals or permits and ceasing of operations until the violation is remedied, as provided for in Section 8111-7 of this Chapter. (AM. ORD. 4054 -2/1/94)

#### **Sec. 8114-3.4 - Monitoring and Enforcement Costs**

The County may impose fees and charges on persons as established by resolution adopted by the Board of Supervisors, or as established by conditions of the *entitlement* to cover the full costs incurred by the County or its contractors for enforcing activities

related to confirmed violations of the Zoning Ordinance and permit conditions and the monitoring of permits issued pursuant to this Chapter to ensure compliance with permit conditions and the requirements of this Chapter.

Where costs are related to condition compliance work or enforcement of violations associated with a permit, the party holding the permit (the permittee) shall be initially responsible for the costs incurred by the County. If the permittee fails to pay the costs billed to him, then the property owner shall become responsible for the costs since the property owner is the ultimate permittee because the permit goes with the land.

Parties purchasing property with outstanding permit monitoring costs or on which notices of violation are recorded are responsible for the unpaid County monitoring and enforcement costs associated with the property.

Enforcement activities shall be in response to confirmed violations and may include such measures as drafting and implementing compliance agreements, inspections, public reports, penalty hearings, forfeiture of sureties and suspension modification or revocation of permits. The recovery of costs for the abatement of confirmed violations shall be in accordance with the provisions of this Chapter, adopted charge rates, applicable compliance agreement terms and other authorized means such as, but not limited to, small claims court and liens on property. (AM. ORD. 4054 - 2/1/94; AM. ORD. 4291 - 7/29/03)

### **Sec. 8114-3.5 - Frequency of Monitoring Inspections**

To ensure compliance with permit conditions and the provisions of this Chapter, all permits issued pursuant to this Chapter may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. The *Planning Director* may institute a more frequent monitoring schedule when he/she determines that the intensity of the use or failure to comply with applicable requirements could have a significant effect on the environment, surrounding properties and the public; or there have been violations which suggest the permittee is not assuming responsibility for monitoring his/her own compliance. (ADD. ORD. 4054 - 2/1/94)

### **Sec. 8114-3.6 - Notice of Violation and Notice of Noncompliance**

For purposes of this section and section 8114-3.7, the following definitions apply: (a) "violation" means the lack of compliance with a provision of Division 8, Chapter 1 of the Ventura County Ordinance Code or any term or condition of any permit *entitlement*, variance or amendment thereto issued pursuant to this Chapter or any term or condition imposed and adopted as mitigation measures pursuant to the California Environmental Quality Act, including restrictive covenants; (b) "violator" means the owner of the property on which a violation exists and, if applicable, a permittee responsible in whole or in part for the violation. All notices required by this section shall be sent by first class mail to the last known address of the violator and shall be deemed served three days after the date of mailing.

#### **Sec. 8114-3.6.1 – Notice of Violation**

Whenever the *Planning Director* determines that a violation exists, the *Planning Director* shall send the violator a Notice of Violation. The Notice of Violation shall: 1) state the violation(s); 2) state how the violation(s) may be corrected; 3) advise that if the violation(s) is not corrected by the specified deadline, a Notice of Noncompliance may be recorded against the property in the Office of the County Recorder; 4) advise that all enforcement costs are recoverable pursuant to Section 8114-3.4; 5) advise that civil penalties may be imposed pursuant to Section 8114-3.7; and 6) advise that the determination that a violation exists may be appealed, but that the appeal must be filed in accordance with section 8111-7.

### **Sec. 8114-3.6.2 – Recorded Notice of Noncompliance**

If the violation is not corrected pursuant to the Notice of Violation as determined by the *Planning Director* within the time allotted or if the violation is upheld after an appeal pursuant to section 8111-7, a Notice of Noncompliance may be recorded in the Office of the County Recorder. The Notice of Noncompliance shall describe the property and specify the Ordinance section(s) or permit terms or conditions violated. The *Planning Director* shall record a Release of Notice of Noncompliance with the Office of the County Recorder only if and after the violations have been fully corrected and all County's enforcement costs and fees have been paid to the satisfaction of the *Planning Director*. The violator must pay a fee for recordation of the Release of Notice of Noncompliance as determined in the adopted schedule of fees.

(ADD. ORD. 3807 - 3/31/87; AM. ORD. 4054 - 2/1/94; REP./REEN. ORD. 4354 - 12/5/06)

### **Sec. 8114-3.7 – Civil Administrative Penalties**

Civil administrative penalties may be imposed for final violations. For purposes of this section, a violation, as defined in 8114-3, is "final" if the Notice of Violation issued pursuant to section 8114-3.6 is not appealed in accordance with section 8111-7 or, if properly appealed, the appeal process is complete and the Notice of Violation is upheld. All notices required by this section shall be sent by first class mail to the last known address of the violator(s), as defined in 8114-3.6, and shall be deemed served three days after the date of mailing. The *Planning Director* or his/her designees shall be Enforcement Officers authorized to impose civil administrative penalties as provided herein.

#### **Sec. 8114-3.7.1 – Notice of Impending Civil Penalties**

Once a violation is confirmed, a Notice of Impending Civil Penalties shall be served upon the violator separately, or as part of the Notice of Violation. The Notice of Impending Civil Penalties shall: (1) state the violation(s); (2) state a range of the amount of the impending daily civil penalty per violation; (3) state the date by which the violation must be corrected, which date shall not be less than thirty days from the date of service of the notice; and (4) advise that the civil penalties will begin accruing on a daily basis if the violation is not corrected by the date established in the notice. If the *Planning Director* determines that a violation creates an immediate danger to health or safety, penalties may be imposed after a period of time that is less than thirty days.

The date upon which the daily penalty will begin to accrue may be extended by the *Planning Director* upon a showing that the time frame allotted in the Notice of Impending Civil Penalties is not a reasonable period of time to correct the violation.

#### **Sec. 8114-3.7.2 – Notice of Imposition of Civil Penalties**

Once the violation is final and if it has not been corrected by the date stated in the Notice of Impending Civil Penalties or an amendment thereto, then a Notice of Imposition of Civil Penalties shall be served upon the violator.

The Notice of Imposition of Civil Penalties shall describe the property and state the following for each violation: (1) the amount of the penalty that will accrue daily per violation as determined pursuant to section 8114-3.7.4; (2) the date the penalty will begin accruing, which may be the same date the notice is served; (3) that the daily penalty will continue to accrue until the violation is corrected as determined by the *Planning Director*; (4) that the amount of the daily penalty may be increased in the future if the violation is not corrected; (5) that the accrued penalties are immediately due and owing and that a lien will attach to the property for all unpaid penalties; and (6) that the amount of the daily penalty may be

administratively appealed in accordance with section 8114-3.7.5 within ten (10) days of the date of service of the Notice of Imposition of Civil Penalties.

**Sec. 8114-3.7.3 – Notice of Increase in Civil Penalties**

Notwithstanding an appeal of a previously imposed penalty pursuant to section 8114-3.7.5, the Enforcement Officer may increase the amount of the penalty if the violation continues uncorrected and the circumstances warrant an increase considering the factors set forth in section 8144-3.7.4. To impose the increase, the Enforcement Officer must first serve a Notice of Increase in Civil Penalties upon the violator that shall state: (1) the amount of the increase of the daily civil penalty; (2) the effective date of the increase, which date shall not be less than thirty days from the date of service of the notice; and (3) that the amount of the increase, if contested, may be appealed, but only in accordance with section 8114-3.7.5. The amount of the penalty then in effect prior to the increase may not be appealed.

**Sec. 8114-3.7.4 – Factors Considered in Determining the Amount of Civil Penalties**

The amount of the penalty imposed for each separate violation may be up to, but not exceed, \$1,000 per day. In determining the amount of the penalty, the Enforcement Officer shall consider the known relevant circumstances in light of various factors which include, but are not limited to, the following: (1) the actual or potential extent of the harm caused; (2) the likelihood to cause harm; (3) the seriousness or gravity of the violation (i.e., the level of threat to property, health, or safety of people and animals or the environment); (4) whether the violation is subject to correction by obtaining a permit or cannot be corrected by permit; (5) the culpability of the violator in causing the violation; (6) the length of time over which the violation occurs; (7) the history of past violations, either of a similar or different nature, on the same or different property under the same ownership; (8) the cooperation of the violator in resolving the existing and past violations; (9) the financial burden to the violator; (10) the factors and policies set forth in the Civil Administrative Penalty Guidelines adopted by the Board of Supervisors; and (11) all other relevant circumstances.

Once imposed, the daily penalty will continue to accrue until the violation is corrected to the satisfaction of the *Planning Director*. The *Planning Director* may stay the imposition of penalties or decrease the amount of penalties, either temporarily or permanently, if the *Planning Director* determines that: (1) substantial progress is being made toward correcting the violation and that decreasing the penalties would further the goal of correcting the violation; or (2) circumstances exist that were either beyond the control of the violator or were unknown at the time the penalties were imposed and warrant the reduction or suspension of the penalties. If the amount of the civil penalties is modified or suspended, the Notice of Imposition of Civil Penalties shall be amended stating the modified terms and shall be served on the violator.

The daily civil penalty imposed for a violation that is prosecuted as an infraction by the District Attorney shall not exceed the amount of the maximum amount of fines or penalties for infractions set forth in Government code sections 25132 subdivision (b) and 36900 subdivision (b).

**Sec. 8114-3.7.5 – Administrative Appeal of Civil Penalties**

If disputed, the amount of the penalty must first be contested by filing an administrative appeal as provided herein and as required by Government Code section 53069.4 before seeking judicial relief. Only the violator may challenge the amount of the penalty. Only a Notice, or Amended Notice, of Imposition of Civil Penalties or a Notice, or Amended Notice, of Increase in Civil Penalties may be appealed.

If an appeal is not timely filed, then the imposition of the penalties pursuant to the Notice, or Amended Notice, of Imposition of Civil Penalties or the Notice, or Amended Notice, of Increase of Civil Penalties, as the case may be, shall be final and no longer subject to appeal either administratively or judicially.

Appeals will be heard by a Hearing Officer selected by the Board of Supervisors or the County Executive Officer.

- a. Pre-Appeal Procedures and Requirements – An appeal must be filed with and received by the Planning Division no later than ten (10) days from the date of service of the notice or amended notice from which the appeal is taken. An appeal form shall be provided by the Planning Division upon request. In order to be deemed timely submitted, the appeal form must include the following: (1) the violation case number and date stated on the notice or amended notice being appealed; (2) the facts and bases supporting the appellant’s position that the amount of penalties should be reduced; (3) the name and address of the appellant; and (4) the filing fee established by the Board of Supervisors.

At least ten (10) days prior to the date of the hearing, the appellant shall be notified by first class mail at the address stated on the appeal form of the location, time and date of the hearing.

A continuance may be requested in writing to the Hearing Officer which must be received no later than ten (10) days before the date of the hearing. If timely filed, the hearing date will be continued to the next scheduled hearing date and the appellant and Planning Division will be so notified.

- b. Hearing and Hearing Officer’s Final Administrative Order – The jurisdiction of the Hearing Officer is limited solely to reviewing the amount of the penalty determined by the Enforcement Officer.

Both parties (appellant(s) and the County) may present relevant evidence in support of their contention of the proper amount of the penalty. The content of the County’s files submitted to the Hearing Officer which may include, but is not limited to, the Notice of Violation, the Notice of Noncompliance, the Notice of Impending Civil Penalties, the Notice of Imposition of Civil Penalties and the Notice of Increase in Civil Penalties (if applicable), and any amendments thereto, shall constitute prima facie evidence of the facts stated therein.

If the appellant or the appellant’s representative does not appear at the hearing, the Hearing Officer shall only consider, on behalf of the appellant, the evidence submitted with the appeal form and the evidence submitted by the appellant to the Hearing Officer ten (10) days prior to the date of the hearing.

The Hearing Officer must evaluate the evidence presented in light of the factors set forth in section 8114-3.7.4 and, based thereon, shall either affirm or reduce the amount of the daily penalty imposed by the Enforcement Officer for each day the penalties have accrued and may continue to accrue into the future. The amount of the daily penalty determined by the Hearing Officer shall continue to accrue until the violation is corrected as determined by the *Planning Director* or until the amount of the daily penalty is increased in accordance with section 8114-3.7.3.

The Hearing Officer’s determination shall be set forth in a written order served upon the appellant by first class mail at the address stated on the appeal form submitted by the appellant. The order shall be considered the Final Administrative Order for purposes of Government Code section 53069.4.

Penalties shall continue to accrue while the appeal is pending. If some or all of the penalties have been paid and the Hearing Officer orders a reduction in the amount of the penalty that exceeds the total amount due and owing the County, including enforcement costs, then the County shall refund the difference to the person who paid the penalty unless penalties are continuing to accrue.

- c. Appeal of Hearing Officer's Final Administrative Order - Pursuant to Government Code section 53069.4 subdivision (b)(1), if the Final Administrative Order is contested, review must be sought in the Superior Court as a limited civil case within twenty (20) days after the date of service of the Final Administrative Order. A copy of the Notice of Appeal must be served on the County of Ventura, *Planning Director* either in person or by first class mail.

If no notice of appeal is timely filed with the Superior Court, the Final Administrative Order issued by the Hearing Officer shall be deemed confirmed and final.

#### **Sec. 8114-3.7.6 - Enforcement**

A penalty that is final either by termination of appeal rights or by completion of the appeal process may be collected by any lawfully authorized means including but not limited to filing a civil action to recover the amount of the unpaid penalties.

In addition, the County shall have a lien against the subject property in the amount of the unpaid penalties accrued and to be accrued until the violation is corrected. The lien may be recorded in the Office of the County Recorder by the recording of the Notice, or Amended Notice, of Imposition of Civil Penalties or the Notice, or Amended Notice, of Increase in Civil Penalties, whichever is applicable.

The lien shall remain in effect until released and shall run with the land.

Upon correction of the violation(s) and payment of all penalties and costs associated with the imposition, enforcement and collection of the penalties, the *Planning Director* shall record a release of lien pertaining to the paid penalties

(ADD. ORD. 4054 - 2/1/94; REP./REEN. ORD. 4354 - 12/5/06)

### **Sec. 8114-4 - Administrative Process**

Before any enforcement action is instituted pursuant to this Chapter, the person alleged to be responsible for a confirmed violation of regulations of this Chapter or conditions of a permit issued pursuant to this Chapter, may be given an opportunity to resolve the complaint through an administrative process. This process involves an informal office hearing to attempt to negotiate a solution to the violations and/or a compliance agreement and payment of office hearing fees and Compliance Agreement fees as set forth by the schedule of fees and charges adopted by the Board of Supervisors. (AM. ORD. 4054 - 2/1/94)

### **Sec. 8114-5 – Enforcement and Penalties for Temporary Rental Units**

This Sec. 8114-5 establishes procedures for the enforcement of Sec. 8109-4.6 regulating the temporary rental of dwellings. Except as otherwise stated in this Sec. 8114-5, the enforcement rights, penalties and other remedies available to the County under this Sec. 8114-5 are cumulative and not exclusive of any other civil and criminal enforcement rights and remedies available to the County under the Ventura County Ordinance Code and applicable law, including but not limited to Sections 13-1 and 8114-2 making violations of this Chapter punishable as a misdemeanor/infraction criminal offense.

### **Sec. 8114-5.1 – Notice of Violation and Penalty**

- a. Complaints regarding a homeshare or short-term rental received by the County will be addressed by the *Planning Director* or the Director of the Resource Management Agency's Code Compliance Division ("Code Compliance Director"), or their designees, who may conduct an investigation to determine whether a violation of Sec. 8109-4.6 has occurred and if so, the appropriate recourse. Evidence of a violation may include, but is not limited to, sheriff reports, criminal citations, online searches, and documentation consisting of photos, sound recordings and video.
- b. If the *Planning Director* or Code Compliance Director, or their designees, determines that a violation has occurred, the owner of the homeshare or short-term rental shall be duly noticed of the violation in writing sent by first class mail to the address of record for the owner on file with the Planning Division or, if no permit has been issued for the property pursuant to this Section, to the property's address and to the property owner's address of record as stated on latest equalized assessment roll maintained by the Ventura County Assessor.
  - (1) For violations involving an administrative civil penalty, the notice shall include: a description of the violation and supporting evidence; the amount of the daily and/or total penalty being imposed pursuant to Sec. 8114-5.2; and notice of the owner's right to appeal the violation and/or penalty amount pursuant to Sec. 8114-5.4.
  - (2) For violations involving permit revocation, the notice shall include: a description of the violation and supporting evidence; a statement that permit revocation is being sought; notice of the two-year permit ineligibility period that would result from permit revocation pursuant to Sec. 8114-5.3; and notice that the permit revocation shall be subject to the administrative hearing process of Sec. 8114-5.5.
- c. A violation and associated penalty that becomes final and non-appealable either by the lapse of the owner's appeal rights pursuant to Sec. 8114-5.4, or upon completion of the administrative hearing process pursuant to Sec. 8114-5.5, are referred to hereinafter as a Final Violation and Penalty.

### **Sec. 8114-5.2 – Civil Administrative Penalties**

- a. Penalties for violations may be assessed and imposed by the *Planning Director* or Code Compliance Director, or their designees, on any person responsible for the violation in an amount of up to \$1,000 per day the violation occurs. In determining the amount of the penalty, the following factors shall be considered:
  - (1) The seriousness of the violation with respect to the type and extent of deviation from the standards and requirements of Sec. 8109-4.6; the harm or threat of harm to persons, the environment and property caused by the violation; the impact of the violation on the property's neighbors, the community at large and surrounding land uses;
  - (2) The degree of the responsible person's culpability and other circumstances indicating: a greater or lesser need to motivate compliance, such as history of violations either of a similar or different nature, on the same or different property under the same ownership; extent of cooperation with or obstruction of County officials in resolving the violation(s); and economic benefit derived from the violation(s);
  - (3) The factors and policies set forth in the Civil Administrative Penalty Guidelines adopted by the County Board of Supervisors; and



- (4) Other factors as justice may require, including the financial burden of the penalty on the responsible person, if the person raises the issue and produces reliable documentation of their financial condition.
- b. Penalties shall be paid by the date required by the County as stated in a written notice which the County shall send to the responsible person(s). Failure to timely pay an assessed penalty associated with a Final Violation and Penalty constitutes a separate, additional violation. Unpaid penalties may be collected by any lawfully authorized means including but not limited to filing of civil action to recover the amount of unpaid penalties. In addition, the County shall have a lien against the subject property in the amount of the unpaid penalties, notice of which may be recorded in the Office of the Ventura County Recorder.

**Sec. 8114-5.3 – Permit Revocation for Cause; Two-Year Permit Ineligibility**

- a. As an alternative to imposing civil administrative penalties for a violation pursuant to Sec. 8114-5.2, the *Planning Director* or Building Official, or their designees, may find that revocation of a permit issued pursuant to Sec. 8109-4.6 is warranted because, based on the factors set forth in Sec. 8114-5.2, the imposition of civil administrative penalties is an inadequate remedy to redress a violation. The final decision regarding permit revocation shall be made by the Hearing Officer pursuant to the administrative hearing process of Sec. 8114-5.5.
- b. If a permit is revoked for cause, no owner of the parcel upon which where the homeshare or short-term rental is located shall be eligible for a new permit under Sec. 8109-4.6 to operate the homeshare or short-term rental at the same parcel for a period of two years from the effective date of revocation.

**Sec. 8114-5.4 – Appeals of Violations and Civil Administrative Penalties**

- a. The property owner, permittee or other responsible person may administratively appeal a violation determination and/or associated penalty amount. Appeals are considered by a Hearing Officer pursuant to the administrative hearing process of Sec. 8114-5.5. A completed appeal form shall be submitted to the *Planning Director* or designee no later than ten calendar days from the date of the County's service of the notice of violation and associated penalty pursuant to Sec. 8114-5.1. Appeal forms shall be made available by the Planning Division.
- b. To be deemed complete, an appeal form shall include the following: (1) the permit number (or, if no permit exists, the property's address) and date stated on the notice of violation and associated penalty; (2) all facts and bases supporting the appellant's position; (3) the name and address of the appellant; and (4) the appeal filing fee established by the County Board of Supervisors.
- c. Timely submission of a complete appeal form shall stay the effectiveness of the violation and associated penalty pending the outcome of the administration hearing process. Conversely, if a complete appeal form is not timely submitted, the violation and associated penalty shall become final and not subject to administrative appeal or challenge in a court of law.

**Sec. 8114-5.5 – Administrative Hearing Process**

- a. An impartial Hearing Officer appointed by the Director of the County's Resource Management Agency or designee, or otherwise acting pursuant to Government Code sections 27720 through 27728, shall conduct the administrative hearing process. The Hearing Officer shall be authorized to issue subpoenas, receive evidence, administer oaths, and rule on questions of law and the admissibility of evidence. The Hearing Officer shall have no financial interest in the outcome of

the matter; shall not solicit or receive evidence outside of the hearing; and shall avoid personal contacts and correspondence concerning substantive issues outside of the hearing. The parties to the administrative hearing shall be the County and the person(s) deemed responsible for the subject violation(s).

- b. The Planning Division shall coordinate and provide notice regarding the scheduling of the hearing. At least twenty calendar days before date of the hearing or rescheduled hearing, the *Planning Director* or designee shall notify the parties and Hearing Officer by first class mail of the time and date of the hearing. Either party may make a written request to the Planning Division for one continuance of the hearing no later than ten calendar days before the date of the hearing. If the request for continuance is timely submitted, the hearing date shall be rescheduled to a new date certain not more than thirty calendar days after the initially-scheduled hearing date.
- c. The Hearing Officer shall consider the following in making his or her decision on the merits: (1) the notice of violation issued by the County pursuant to Sec. 8114-5.1, along with the County's supporting evidence; (2) the appellant's notice of appeal submitted pursuant to Sec. 8114-5.4, if applicable; and (3) all other evidence and materials offered by the parties to support their respective position. No later than five calendar days before the hearing date, each party shall deliver, by personal service or overnight mail, its above-referenced evidence and all other materials the party intends to present to support its position, to the Hearing Officer and to the other party. In addition, the parties shall be allowed to testify and offer argument at the hearing. The hearing need not be conducted according to the technical rules of evidence. Hearsay evidence may be admitted for any purpose but shall not be sufficient in itself to support a finding unless it would be admissible over objections in civil actions. Testimony shall be taken under oath or affirmation. The hearing shall be recorded.
- d. The Hearing Officer shall evaluate the evidence and testimony and shall decide the following issues:
  - (1) With respect to violations involving permit revocation, the Hearing Officer shall decide whether the alleged violation(s) occurred and, if so, whether permit revocation is the appropriate remedy. If the Hearing Officer determines that the alleged violation occurred but that revocation is not warranted, then the Hearing Officer shall remand the matter to the County for determination of an appropriate administrative penalty to impose in lieu of permit revocation.
  - (2) With respect to appeals of violations and/or the amount of associated civil administrative penalties, the Hearing Officer shall decide whether the violation occurred and if so, whether the amount of the penalty is appropriate. If the Hearing Officer determines that the alleged violation occurred but that the amount of the penalty is excessive, then the Hearing Officer shall determine an appropriate, lesser penalty amount based on the factors set forth in Sec. 8114-5.2.
- e. The Hearing Officer's decision shall be set forth in a written order served upon the parties by first class mail delivery no later than thirty calendar days after the hearing date. The order shall be considered the Final Administrative Order for purposes of Government Code section 53069.4.
- f. Pursuant to Government Code section 53069.4, subdivision (b)(1), if the Final Administrative Order is contested, review shall be sought in the Ventura County Superior Court as a limited civil case within twenty calendar days after the date of service of the Final Administrative Order. A copy of the Notice of Appeal shall be served on the *Planning Director* or designee either in person or by first class mail. If no Notice of Appeal is timely filed with the Superior Court, the Final

Administrative Order issued by the Hearing Officer shall be deemed confirmed and final.

**Sec. 8114-5.6 – Informal Resolution Process**

As an alternative to pursuing formal enforcement action, the *Planning Director* or Code Compliance Director, or their designees, may give the person(s) deemed responsible for a violation of Sec. 8109-4.6 the opportunity to resolve the matter through an informal resolution process intended to achieve and maintain compliance. This process may involve the payment of a negotiated settlement amount by the responsible person(s) and/or a compliance agreement to establish compliance deadlines and related terms and conditions. Persons participating in the informal resolution process shall be required to pay all applicable fees and costs adopted by the County Board of Supervisors.

(ADD. ORD. 4523 - 6/19/18)

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# **ARTICLE 15: AMENDMENTS TO THE CHAPTER**

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## **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 and, for amendment to this chapter in conjunction with a hazardous waste facility whenever such amendments are consistent with the portions of the County Hazardous Waste Management Plan (CHWMP) which identify specific sites or siting criteria for hazardous waste facilities. (AM. ORD. 3945 - 7/10/90; AM. ORD. 4092 - 6/27/95)

## **Sec. 8115-1 - Amendments**

Changes to the boundaries of any zone, changes to the zoning or land use classifications of any property, and amendments to the text of this Chapter shall be considered to be amendments to this Chapter.

### **Sec. 8115-1.1 - Initiation of Amendments**

Proposals to amend this Chapter may be initiated by any of the following methods:

- a. By the adoption of a Resolution of Intention by the Board of Supervisors requesting the Planning Commission to set the matter for study, hearing and recommendation within a reasonable time;
- b. By the adoption of a Resolution of Intention by the Planning Commission setting the matter for study, hearing and recommendation;
- c. By a request from the *Planning Director* to the Planning Commission, followed by the adoption of a Resolution of Intention by the Planning Commission setting the matter for study, hearing and recommendation;
- d. By filing with the Planning Division a complete application for (1) a zone change by the owner of the property, by a person with a power of attorney from the owner or by the attorney at law of the owner; or (2) a proposal for an ordinance text amendment by an interested person, in which case such person shall be directed to make the request directly to the Board of Supervisors; or (AM. ORD. 3730 - 5/7/85)
- e. By *Planning Director* action, for proposed amendments to the text of this Chapter. (ADD. ORD. 3730 - 5/7/85)

### **Sec. 8115-1.2 - Study of Additional Area**

The *Planning Director*, upon review of an application or Resolution of Intention for an amendment, may elect to include a larger area or additional land in the study of the amendment request.

## **Sec. 8115-2 - Hearing and Notice Requirements**

The decision-making authority(s) shall each hold at least one public hearing on any amendment request. The notice and hearing requirements shall be the same as those prescribed in Section 8111-3. For rezonings involving TP zoned property, see Section 8109-

4.3. (AM. ORD. 3730 - 5/7/85; AM. ORD. 4123 - 9/17/96 – grammar; AM. ORD. 4377 – 1/29/08)

## **Sec. 8115-3 - Decisions**

### **Sec. 8115-3.1 - Planning Commission Approval**

The Planning Commission shall forward to the Board of Supervisors by resolution those requests for which the Planning Commission recommends approval of the adoption of an ordinance amendment. Such recommendation must include the reasons for the recommendation and the relationship of the proposed ordinance or amendment to applicable general and specific plans. Said resolution shall be forwarded to the Board of Supervisors within 40 days following the close of the Planning Commission hearing thereon, unless the 40 days is waived by the Board of Supervisors.

### **Sec. 8115-3.2 - Planning Commission Denial**

Amendment requests initiated by private parties, the *Planning Director*, or the Planning Commission which the Planning Commission has recommended for denial shall not be forwarded to the Board of Supervisors, and the action of the Planning Commission shall be final unless an appeal is filed in accordance with Article 11. Amendment requests initiated by the Board of Supervisors for which the Planning Commission has recommended denial shall be forwarded to the Board of Supervisors within 40 days following the close of the Planning Commission hearing.

### **Sec. 8115-3.3 - Planning Commission Failure to Act**

If the Planning Commission fails to act upon a request initiated by the Board of Supervisors within a reasonable time, the Board may by written notice require that the report be rendered up within 40 days of such notice. Upon receipt of the written notice the Planning Commission, if it has not done so, shall conduct the public hearing as required. Failure to so report to the Board of Supervisors within the 40 days shall be deemed to be approval by the Planning Commission.

### **Sec. 8115-3.4 - Action by the Board of Supervisors**

Following a public hearing, the Board of Supervisors may approve, modify or disapprove any Planning Commission recommendation regarding an amendment request; provided that any modification of the proposed ordinance or amendment by the Board of Supervisors not previously considered by the Planning Commission during its hearing shall first be referred to the Commission for a report and recommendation, and the public hearing shall be continued to allow sufficient time for the Planning Commission to report back. The Planning Commission shall not be required to hold a public hearing thereon. Failure of the Commission to report within 40 days after such referral or within a period of time designated by the Board of Supervisors shall be deemed to be approval by the Commission of the proposed modification. A modification shall be deemed "previously considered" if the modification of the proposed ordinance or amendment by the Board of Supervisors is based upon the issues and evidence initially heard by the Planning Commission.

### **Sec. 8115-3.5 - Denial With Prejudice**

A zone change may be denied with prejudice, in which event no further application shall be filed affecting all or part of the property for the ensuing 18 months except as otherwise specified at the time of denial. A zone change may be denied with prejudice on the grounds that two or more similar applications for zone change have been denied in the past two years, or that other good cause exists for limiting the filing of applications with respect to the property. The Planning Commission, upon being presented with good cause, may permit an *applicant* to apply for a zone change on

the same property within 18 months. Upon denial by the Planning Commission the *applicant* may appeal to the Board of Supervisors.

**Sec. 8115-3.6 - Decision of the Board of Supervisors**

The Board shall announce its decision by resolution within 30 days after the conclusion of the hearing. The resolution need not contain a recital of findings upon which the decision is predicated if its decision is based upon the report of findings, summaries of hearing and recommendations of the Planning Commission, and those findings are incorporated by reference in its decision. The Board may impose reasonable conditions on any amendment request for the protection of public health, safety, and general welfare.

**Sec. 8115-3.7 - Notice of Decisions**

Decisions of the Planning Commission or Board of Supervisors, as the case may be, shall be noticed in accordance with Section 8111-5.3. (AM. ORD. 3730 - 5/7/85)

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# **ARTICLE 16:**

## **DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES PROGRAM**

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(REP. AND REEN. ORD. 3995 – 3/24/92; REP. AND REEN. ORD. 4455 – 10-22-13)

### **Sec. 8116-0 – Title and Purpose**

This Article 16 shall be referred to as the Density Bonus and Affordable Housing Incentive Program. The purpose of this Article is to implement the statutory requirements set forth in Government Code section 65915, et seq. (known as the Density Bonus Law) and programs related to the Housing Element of the Ventura County General Plan. To the extent practicable, the citation to the governing statutory provision is included next to the implementing ordinance section. If any provision of this Article conflicts with state law, the latter shall control. Applicable statutes should be consulted for amendments prior to applying the ordinance provision.

### **Sec. 8116-1 – Definitions**

In addition to the definitions in Article 2, the following definitions in this section apply to this Article and shall control where there is a conflict with the definitions in Article 2. State law definitions, as they may be amended from time to time, control over the definitions in this section. Where the definitions are provided by state law, the citation to the statute follows. In this Article, defined terms are capitalized.

Affordable Housing Benefits - means one or more of the following:

- a Density Bonus pursuant to Section 8116-2;
- an Incentive pursuant to Section 8116-3;
- a Development Standard Waiver or Modification pursuant to Section 8116-4; and
- a Parking Standard Modification pursuant to Section 8116-5.

Affordable Housing Cost - means the definition set forth in Health and Safety Code Section 50052.5. (Gov. Code § 65915(c)(1).)

Affordable Housing Developer – means the *applicant* or permittee of a Qualified Housing Development and its assignees or successors in interest.

Affordable Rent – means the definition set forth in Health and Safety Code Section 50053. (Gov. Code § 65915(c)(1).)

Affordable Unit – means a residential dwelling unit that is guaranteed by the Affordable Housing Developer to be rented or sold in accordance with the requirements of this Article to either (a) a Very Low Income Household; (b) a Low Income Household; or (c) a Moderate Income Household within a Common Interest Development. (Gov. Code §§ 65915(c)(1)-(c)(2).)

Child Care Facility - means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers. (Gov. Code § 65915(h)(4).)

Common Interest Development – means any of the following: a community apartment project, a condominium project, a planned development, and a stock cooperative pursuant to Civil Code section 1351(c) through December 31, 2013, and pursuant to Civil Code section 4100 on and after January 1, 2014. (Gov. Code § 65915(c)(2).) All Common Interest Development units must be offered to the public for purchase. (Gov. Code § 65915(b)(1)(D).)

Condominium Conversion Project – means a residential project in which the *applicant* proposes to convert apartment units to condominiums pursuant to Government Code section 65915.5(a).

County – means County of Ventura or its designee.

Density Bonus – except as used in Section 8116-10 of this Article, means a density increase over the otherwise Maximum Allowable Residential Density as of the date of application to the County for a Qualified Housing Development. (Gov. Code § 66915(f).) As used in Section 8116-10, 'Density Bonus' shall be defined as set forth in section 8116-10.2. (Gov. Code § 66915.5(b).)

Density Bonus Units – means dwelling units granted pursuant to Section 8116-2 which exceed the otherwise Maximum Allowable Residential Density.

Development Standard – means a site or construction condition, including, but not limited to, a height limitation, a setback requirement, a floor area ratio, an onsite open-space requirement, or a parking ratio, that applies to a residential development pursuant to the Zoning Ordinance, the General Plan or other County condition, law, policy, resolution, or regulation. (Gov. Code § 65915(o)(1).)

Housing Development – means a development project of five or more residential units and includes a subdivision or Common Interest Development that is approved by the County and consists of residential units or unimproved residential *lots* and either a project to substantially rehabilitate and convert an existing commercial building to residential use or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in available residential units. (Gov. Code § 65915(i).)

#### Household Income Category Definitions

Very Low Income Household – means a household whose income does not exceed fifty percent (50%) of the County's median household income as defined in Health and Safety Code Section 50105. (Gov. Code § 65915(b)(1)(B).)

Low Income Household – means a household whose income does not exceed eighty percent (80%) of the County's median household income as defined in Health and Safety Code Section 50079.5. (Gov. Code § 65915(b)(1)(A).)

Moderate Income Household – means persons or families whose income does not exceed one hundred and twenty percent (120%) of the County's median household income as defined in Health and Safety Code Section 50093. (Gov. Code § 65915(b)(1)(D).)

Incentive – means "incentives and concessions" as that phrase is used in Government Code section 65915.

Market-rate Unit – means a dwelling unit that is not an Affordable Unit.

Maximum Allowable Residential Density - means the density allowed under the Zoning Ordinance and the Land Use Element of the General Plan, or if a range of density is permitted, means the maximum allowable density for the specific zoning range and Land Use Element of the General Plan applicable to the project. Where the density allowed under the Zoning Ordinance is inconsistent with the density allowed under the Land Use Element of the General Plan, the General Plan density shall prevail. (Gov. Code § 65915(o)(2).)

Minimum Affordable Housing Component: - means a Housing Development project which includes a minimum of any of the following:

Very Low Income Minimum Affordable Housing Component - Provides at least five percent (5%) of the Total Units for Very Low Income Household residents (Gov. Code § 65915(b)(1)(B)); or

Low Income Minimum Affordable Housing Component - Provides at least ten percent (10%) of the Total Units for Low Income Households (Gov. Code § 65915(b)(1)(A)); or

Moderate Income Minimum Affordable Housing Component - Provides at least ten percent (10%) of the Total Dwelling Units in a Common Interest Development for moderate income households (Gov. Code § 65915(b)(1)(D)).

Other Incentives of Equivalent Financial Value – means the reduction or waiver of requirements which the County might otherwise apply as conditions of condominium conversion approval, but shall not be construed to require the County to provide cash transfer payments or other monetary compensation. (Gov. Code § 65915.5(c).)

Qualified Housing Development - means a Housing Development that meets the requirements of Section 8116-2.2, .3, .4, or .5 for Density Bonus.

Qualified Land – means land offered for donation in accordance with Section 8116-2.5 that meets the criteria set forth in Section 8116-2.5.1(c).

Senior Citizen Housing Development - means a residential development that is developed, substantially rehabilitated, or substantially renovated for, senior citizens and that has at least thirty-five (35) Senior Citizen Housing Development Units. (Gov. Code § 65915(b)(1)(C).)

Senior Citizen Housing Development Unit – means a residential dwelling unit within a Senior Citizen Housing Development that is available to, and occupied by, a senior citizen as defined in Civil Code Section 51.3.

Specific, Adverse Impact – means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application for the Housing Development was deemed complete. Inconsistency with the zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact upon the public health or safety. (Gov. Code § 65589.5(d)(2).)

Total Units and Total Dwelling Units – means dwelling units other than Density Bonus Units. (Gov. Code § 65915(b)(3).)

Zoning Ordinance – means the County Non-Coastal Zoning Ordinance set forth in Division 8, Chapter 1 of the Ventura County Ordinance Code.

## **Sec. 8116-2 – Density Bonuses**

### **Sec. 8116-2.1 – Eligibility for Density Bonus**

Density Bonuses are available to Affordable Housing Developers in accordance with this Article for the following:

- a. Housing Developments which include a Minimum Affordable Housing Component (Section 8116-2.2);
- b. Housing Developments which include a Minimum Affordable Housing Component and a Child Care Facility (Section 8116-2.3);
- c. Senior Citizen Housing Developments (Section 8116-2.4); and
- d. Land Donations for Very Low Income Housing (Section 8116-2.5).

For the purpose of calculating a Density Bonus, the residential units must be on contiguous sites that are the subject of one development application, but do not have to be based upon individual subdivision maps or parcels. (Gov. Code § 65915(i).)

**Sec. 8116-2.2 - Density Bonus for Housing Development with Minimum Affordable Housing Component**

**Sec. 8116-2.2.1 - Criteria for Density Bonus for Housing Development with Minimum Affordable Housing Component**

To be granted a Density Bonus pursuant to Section 8116-2.2.2 for including a Minimum Affordable Housing Component in a Housing Development, the Affordable Housing Developer must comply with all of the following requirements:

- a. Submit an application for a Housing Development in accordance with Section 8116-7 that includes a Minimum Affordable Housing Component. (Gov. Code § 65915(d)(1).)
- b. State in the application the specific Minimum Affordable Housing Component proposed for the Housing Development. (Gov. Code § 65915(b)(2).)
- c. Enter into an agreement with the County or its designee pursuant to Section 8116-9 to maintain and enforce the Minimum Affordable Housing Component of the Housing Development. (Gov. Code § 65915(c).)

**Sec. 8116-2.2.2 - Density Bonus Allowance for Housing Development with Minimum Affordable Housing Component**

If the requirements of Section 8116-2.2.1 are met, then the Affordable Housing Developer is entitled to a Density Bonus pursuant to Government Code section 65915(f) as follows:

<b>Table 8116-2.2 – Density Bonus Allowance for Housing Development Projects with Minimum Affordable Housing Components</b>				
<b>Household Income Category</b>	<b>Minimum Affordable Units</b>	<b>Density Bonus</b>	<b>Additional Density Bonus for each 1% increase in Affordable Units</b>	<b>Maximum Possible Density Bonus</b>
<b>Affordable Housing Development</b>				
Very Low Income	5%	20%	2.50%	35%
Low Income	10%	20%	1.50%	35%
Moderate Income (Common Interest Developments)	10%	5%	1%	35%

As demonstrated in Table 8116-2.2, the amount of Density Bonus to which the *applicant* is entitled shall vary according to the amount by which the percentage of Affordable Units offered by the *applicant* exceeds the percentage of the Minimum Affordable Housing Component. (Gov. Code § 65915(f).)

The *applicant* may also elect to accept a lesser percentage of Density Bonus. (Gov. Code § 65915(f).)

All density calculations resulting in fractional units shall be rounded up to the next whole number. (Gov. Code § 65915(f)(5).)

## **Sec. 8116-2.3 - Density Bonus for Housing Development with Minimum Affordable Housing Component and Child Care Facility**

### **Sec. 8116-2.3.1 - Criteria for Density Bonus for Housing Development with Minimum Affordable Housing Component and Child Care Facility**

For a Density Bonus to be granted pursuant to Section 8116-2.3.2 for including a Minimum Affordable Housing Component with a Child Care Facility in a Housing Development, all of the following must be satisfied:

- a. Compliance with each requirement in Section 8116-2.2.1. (Gov. Code § 65915(h)(1).)
- b. The Housing Development must include a Child Care Facility that will be located on the premises of, as part of, or adjacent to, the Housing Development. (Gov. Code § 65915(h)(1).)
- c. Approval of the Housing Development must be conditioned to ensure that both of the following occur:
  - (1) The Child Care Facility must remain in operation for a period of time that is as long as or longer than the period of time during which the Affordable Units are required to remain affordable pursuant to Section 8116-9.1 (Gov. Code § 65915(h)(2)(A)); and
  - (2) Of the children who attend the Child Care Facility, the children of Very Low Income Households, Low Income Households, or Moderate Income Households must equal a percentage that is equal to or greater than the percentage of dwelling units that are required under the respective Minimum Affordable Housing Component Income Category for which the Density Bonus is sought (Gov. Code § 65915(h)(2)(B)).
- d. The County has not made a finding based upon substantial evidence that the community has adequate Child Care Facilities. (Gov. Code § 65915(h)(3).)

### **Sec. 8116-2.3.2 - Density Bonus Allowance for Housing Development with Minimum Affordable Housing Component and Child Care Facility**

If the requirements of Section 8116-2.3.1 are met, then an *applicant* for a Housing Development with a Minimum Affordable Housing Component and Child Care Facility is entitled to:

- a. A Density Bonus pursuant to Section 8116-2.2.2; and
- b. An additional Density Bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the Child Care Facility. (Gov. Code § 65915(h)(1)(A).)

## **Sec. 8116-2.4 – Density Bonus for Senior Citizen Housing Development**

An *applicant* for a Senior Citizen Housing Development or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Civil Code Sections 798.76 or 799.5 is entitled to a Density Bonus of twenty percent (20%) of the number of Senior Citizen Housing Development Units. (Gov. Code § 65915(b)(1)(C)&(f)(3).)

## **Sec. 8116-2.5 - Density Bonus for Land Donations**

### **Sec. 8116-2.5.1 - Density Bonus Criteria for Land Donation for Very Low Income Housing**

For a Density Bonus for a Qualified Land donation to be granted pursuant to Section 8116-2.5.2, all the requirements of this section must be met.

- a. The *applicant* must be applying for a tentative subdivision map, parcel map, or other residential development approval. (Gov. Code § 65915(g)(1).)
- b. The application must include at least a ten percent (10%) Minimum Affordable Housing Component for Very Low Income Households. (Gov. Code § 65915(g)(1).)
- c. The *applicant* must agree to donate and transfer Qualified Land which is land that meets both the following criteria:
  - (1) The developable acreage and zoning classification of the land being transferred must be sufficient to permit construction of units affordable to Very Low Income Households in an amount not less than ten percent (10%) of the number of residential units of the proposed development pursuant to Section 8116-2.5.1(a) (Gov. Code § 65915(g)(2)(B)); and
  - (2) The transferred land must be at least one acre in size or of sufficient size to permit development of at least 40 units, have the appropriate General Plan designation, be appropriately zoned with appropriate development standards for development at the density described in Government Code Section 65583.2(c)(3), and is or will be served by adequate public facilities and infrastructure (Gov. Code § 65915(g)(2)(C)).
- d. The Qualified Land must be transferred to the County or to a housing developer approved by the County. The County may require the *applicant* to identify and transfer the land to an approved housing developer. (Gov. Code § 65915(g)(2)(F).)
- e. The Qualified Land must have all of the permits and approvals, other than building permits, necessary for the development of the Very Low Income Housing Affordable Units on the Qualified Land, not later than the date of approval of the final subdivision map, parcel map, or residential development application filed pursuant to Section 8116-2.5.1(a). However, the County may subject the proposed development to subsequent design review to the extent authorized by Government Code section 65583.2(i) if the design is not reviewed by the County prior to the time of transfer. (Gov. Code § 65915(g)(2)(D).)
- f. The Qualified Land must be donated and transferred no later than the date of approval of the final subdivision map, parcel map, or residential development application filed pursuant to Section 8116-2.5.1(a). (Gov. Code § 65915(g)(2)(A).)
- g. The Qualified Land and the Affordable Units must be subject to a deed restriction ensuring continued affordability of the units consistent with Section 8116-9, which must be recorded against the Qualified Land at the time of the transfer. (Gov. Code § 65915(g)(2)(E).)
- h. The Qualified Land must be within the boundary of the proposed development or, if the County agrees, within one-quarter mile of the boundary of the proposed development. (Gov. Code § 65915(g)(2)(G).)
- i. A proposed source of funding for the Very Low Income Household units must be identified not later than the date of approval of the final subdivision map, parcel map, or residential development application filed pursuant to Section 8116-2.5.1(a). (Gov. Code § 65915(g)(2)(H).)

**Sec. 8116-2.5.2 - Density Bonus Allowance for Qualified Land Donation for Very Low Income Housing**

If the requirements of Section 8116-2.5.1 are satisfied, the *applicant* shall be entitled to at least a 15-percent increase above the otherwise Maximum Allowable Residential Density for the entire development, as follows (Gov. Code § 65915(g)(1)):

<b>Table 8116-2.5 – Density Bonus Allowances for Qualified Land Donation Projects</b>				
<b>Household Income Category</b>	<b>Minimum Percentage of Very Low Income Units</b>	<b>Density Bonus</b>	<b>Additional Density Bonus for each 1% increase in Very Low Income Units</b>	<b>Maximum Possible Density Bonus</b>
<b>Land Donation</b>				
Very Low Income Housing	10% of entire development	15%	1%	35% (max. combined)

The increase in Density Bonus authorized by this section shall be in addition to any increase in density allowed for providing a Minimum Affordable Housing Component in accordance with Section 8116-2.2, up to a maximum combined mandated density increase of 35 percent if an *applicant* seeks an increase pursuant to both this section and Section 8116-2.2. (Gov. Code § 65915(g)(1) & (2).)

All density calculations resulting in fractional units shall be rounded up to the next whole number. (Gov. Code § 65915(g)(2).)

**Sec. 8116-2.6 – Additional Density Bonus for Qualified Housing Development with 100% Very Low or Low Income Affordable Housing Component**

**Sec. 8116-2.6.1 – Eligibility for an Additional Density Bonus**

To qualify for consideration of an additional Density Bonus pursuant to Section 8116-2.6.2 that is above the Density Bonus authorized by Sections 8116-2.2.2 and 8116-2.3.2, all *lots* or units within the Qualified Housing Development (i.e., 100 percent) must be affordable to Very-Low or Low-Income Households for a minimum 30-year period in accordance with Section 8116-9.1.

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**Sec. 8116-2.6.2 – Allowance and Criteria for Granting an Additional Density Bonus**

If the requirements of Section 8116-2.6.1 are met, then the decision-maker for the Qualified Housing Development may grant an additional Density Bonus of between 1% and 15%, but not to exceed a total maximum Density Bonus granted under this Article of 50 percent (50%). In determining whether to grant an additional Density Bonus and the amount of the additional Density Bonus, the decision-maker must find that the additional Density Bonus requested would not render the proposed Qualified Housing Development, with Density Bonus granted pursuant to Section 8116.2.2, incompatible with the character of surrounding,

legally established development and would not be detrimental to the public interest, health, safety, convenience, or welfare.

### **Sec. 8116-3 – Affordable Housing Incentives**

Government Code section 65915(d), (j), (k) and (l) govern the following provisions regarding affordable housing incentives.

#### **Sec. 8116-3.1 – Qualifications for Incentives**

Subject to Section 8116-3.4, all of the following applicable requirements must be satisfied to be granted an Incentive(s) pursuant to Sections 8116-3.2 and 3.3:

- a. The *applicant* for an Incentive must qualify for a Density Bonus pursuant to Section 8116-2 (Gov. Code § 65915(d)(1));
- b. A specific written proposal for an Incentive(s) must be submitted with the application for Density Bonus in accordance with Section 8116-7 (Gov. Code § 65915(b)(1) and (d)(1));
- c. If an Incentive(s) pursuant to Section 8116-3.2(a) or (c) is sought, the *applicant* must establish that each requested incentive would result in identifiable, financially sufficient, and actual cost reductions for the Qualified Housing Development (Gov. Code § 65915(k)(1) & (3));
- d. If an Incentive(s) pursuant to Section 8116-3.2(b) is sought, the *applicant* must establish that requirements of Section 8116-3.2(b) are met (Gov. Code § 65915(k)(2)); and
- e. If an additional Incentive for a Child Care Facility is sought pursuant to Section 8116-3.3(d), the *applicant* must establish that requirements of Section 8116-3.3(d) are met (Gov. Code § 65915(h)(1)(B)).

The granting of an Incentive shall not be interpreted, in and of itself, to require a General Plan amendment, Local Coastal Plan amendment, zoning change, or other *discretionary* approval. (Gov. Code § 65915(j).) An Incentive is applicable only to the project for which it is granted. An *applicant* for an Incentive may request a meeting with the *Planning Director* and, if requested, the *Planning Director* will meet with the *applicant* to discuss the proposal. (Gov. Code § 65915(d)(1).)

#### **Sec. 8116-3.2 – Types of Incentives**

For the purposes of this Article, Incentive means any of the following:

- a. A reduction in site Development Standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions. (Gov. Code § 65915(k)(1).)
- b. Approval of mixed use zoning in conjunction with the Qualified Housing Development if commercial, office, industrial, or other land uses will reduce the cost of the Qualified Housing Development and if the commercial, office, industrial, or other land uses are compatible with the Qualified Housing Development and the existing or planned development in the area where the proposed Qualified Housing Development will be located. (Gov. Code § 65915(k)(2).)
- c. Other regulatory Incentives proposed by the Affordable Housing Developer or the County that result in identifiable, financially sufficient, and actual cost reductions. (Gov. Code § 65915(k)(3).)



Nothing in this section limits or requires the provision of direct financial incentives by the County for the Qualified Housing Development, including the provision of publicly owned land, or the waiver of fees or dedication requirements. (Gov. Code § 65915(l).)

**Sec. 8116-3.3 – Number of Incentives Granted**

Subject to Section 8116-3.4, the *applicant* who meets the requirements of Section 8116-3.1 above shall receive the following number of Incentives described below and as shown in Table 8116-3.3:

- a. One Incentive for Qualified Housing Development projects that include at least 10 percent (10%) of the Total Units for Low Income Households, at least 5 percent (5%) for Very Low Income Households, or at least ten percent (10%) for persons and families of Moderate Income Households in a Common Interest Development. (Gov. Code § 65915(d)(2)(A).)
- b. Two Incentives for Qualified Housing Development projects that include at least 20 percent (20%) of the Total Units for Low Income Households, at least 10 percent (10%) for Very Low Income Households, or at least 20 percent (20%) for persons and families of Moderate Income Households in a Common Interest Development. (Gov. Code § 65915(d)(2)(B).)
- c. Three Incentives for Qualified Housing Development projects that include at least 30 percent (30%) of the Total Units for Low Income Households, at least 15 percent (15%) for Very Low Income Households, or at least 30 percent (30%) for persons and families of Moderate Income Households in a Common Interest Development. (Gov. Code § 65915(d)(2)(C).)
- d. Subject to Section 8116-3.4(d), a Qualified Housing Development proposal that includes a Child Care Facility shall be granted an additional incentive that contributes significantly to the economic feasibility of the construction of the Child Care Facility. (Gov. Code § 65915(h)(1)(B).)

<b>Table 8116-3.3 – Incentive Allowances for Qualified Housing Developments</b>			
<b>Income Category</b>	<b>Minimum % of Affordable Units</b>		
Very Low Income	5%	10%	15%
Low Income	10%	20%	30%
Common Interest Development (Moderate Income)	10%	20%	30%
<b>Incentives Allowed</b>	<b>1</b>	<b>2</b>	<b>3</b>

**Sec. 8116-3.4 – Criteria for Denial of Application for Incentives**

Except as otherwise provided in this Article or by state law, if the requirements of Section 8116-3.1 are met, the County shall grant the Incentive(s) that are authorized by Sections 8116-3.2 and 8116-3.3 unless a written finding, based upon substantial evidence, is made with respect to any of the following, in which case the County may refuse to grant the Incentive(s):

- a. The Incentive is not required in order to provide Affordable Housing Costs or Affordable Rents for the Affordable Units subject to the Qualified Housing Development application. (Gov. Code § 65915(d)(1)(A).)
- b. The Incentive would have a Specific Adverse Impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact without rendering the development unaffordable to low- and moderate-income households. (Gov. Code § 65915(d)(1)(B); Gov. Code § 65915 (d)(3).)
- c. The Incentive would be contrary to state or federal law. (Gov. Code § 65915(d)(1)(C).)
- d. The community has adequate Child Care Facilities, in which case the additional Incentive for a Child Care Facility pursuant to Section 8116-3.3(d) may be denied. (Gov. Code § 65915(h)(3).)

## **Sec. 8116-4 – Waiver or Modification of Development Standards**

### **Sec. 8116-4.1 - Requirements for Waiver or Modification of Development Standards**

- a. Application. To qualify for a waiver or reduction of one or more Development Standards, the *applicant* must submit a written application (together with an application for a Qualified Housing Development) that states the specific Development Standard(s) sought to be modified or waived and the basis of the request. (Gov. Code § 65915(e)(1).) An *applicant* for a waiver or modification of Development Standard(s) pursuant to this section may request a meeting with the *Planning Director* to review the proposal. If requested, the *Planning Director* shall meet with the *applicant*. (Gov. Code § 65915(e)(1).) An application for the waiver or reduction of Development Standard(s) pursuant to this section shall neither reduce nor increase the number of Incentives to which the *applicant* is entitled pursuant Section 8116-3. (Gov. Code § 65915(e)(2).)
- b. Findings. All of the following findings must be made for each waiver or reduction requested:
  - (1) The Development Standard for which a waiver or reduction is requested will have the effect of physically precluding the construction of the proposed Qualified Housing Development at the densities or with the Incentives permitted under this Article. (Gov. Code § 65915(e)(1).)
  - (2) The requested waiver or reduction of a Development Standard will not have a Specific, Adverse Impact, as defined in Government Code section 65589.5(d)(2), upon health, safety, or the physical environment or, if such a Specific, Adverse Impact exists, there is a feasible method to satisfactorily mitigate or avoid the Specific Adverse Impact. (Gov. Code § 65915(e)(1).)
  - (3) The requested waiver or reduction of a Development Standard will not have an adverse impact on any real property that is listed in the California Register of Historical Resources. (Gov. Code § 65915(e)(1).)
  - (4) The requested waiver or reduction of a Development Standard is not contrary to state or federal law. (Gov. Code § 65915(e)(1).)

### **Sec. 8116-4.2 - Granting Application for Waiver or Modification of Development Standards**

If the requirements of Section 8116-4.1 are satisfied, the application for waiver or modification of Development Standard(s) shall be granted. If the requirements of Section 8116-4.1 are satisfied, the County shall not apply a Development Standard that will have the effect of physically precluding the construction of a Qualified Housing Development at the densities or with the Incentives permitted by this Article. (Gov. Code § 65915(e)(1).)

### **Sec. 8116-5 - Parking Standard Modifications for Qualified Housing Developments**

#### **Sec. 8116-5.1 – Requirements for Parking Standard Modifications**

Parking standard modifications pursuant to Section 8116-5.2 are available only for Qualified Housing Developments. An application for parking standard modifications stating the specific modification requested pursuant to Section 8116-5.2 must be submitted with the Qualified Housing Development application. (Gov. Code § 65915(p)(3).)

#### **Sec. 8116-5.2 – Parking Standard Modifications**

- a. If the requirements of Section 8116-5.1 are met, the vehicular parking ratio, inclusive of handicapped and guest parking, shall not exceed the following ratios (Gov. Code § 65915(p)(1)):
  - b. Zero to one bedroom: one onsite parking space.
  - c. Two to three bedrooms: two onsite parking spaces.
  - d. Four and more bedrooms: two and one-half parking spaces.
- e. If the total number of parking spaces required for the Qualified Housing Development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this section, “onsite parking” may be provided through tandem parking or uncovered parking, but not through on-street parking. (Gov. Code § 65915(p)(2).)
- f. Except as otherwise provided in this section, all other provisions of Section 8108 (Parking and Loading Requirements) applicable to residential development apply.
- g. An *applicant* may request additional parking Incentives beyond those provided in this section if applied for pursuant to Section 8116-3. (Gov. Code § 65915(p)(3).)

### **Sec. 8116-6 – Density Bonus and Affordable Housing Incentive Program - Project Design and Phasing**

Subject to Section 8116-4, projects seeking an Affordable Housing Benefit pursuant to this Article must comply with the following requirements, unless otherwise specified in writing by the *Planning Director*:

- a. Location/Dispersion of Units. Affordable Units shall be reasonably dispersed throughout the development where feasible and shall contain on average the same (or greater) number of bedrooms as the Market-rate Units.
- b. Phasing. If a project is to be developed in phases, each phase must contain the same or substantially similar proportion of Affordable Units and Market-rate Units.

- c. Exterior Appearance. The exterior appearance and quality of the Affordable Units must be similar to the Market-rate Units. The exterior materials and improvements of the Affordable Units must be similar to, and architecturally compatible with, the Market-rate Units.

## **Sec. 8116-7 - Density Bonus and Affordable Housing Incentive Program Application Requirements**

An application for one or more Affordable Housing Benefits must be submitted as follows:

- a. Each Affordable Housing Benefit requested must be specifically stated in writing on the application form provided by the County.
- b. The application must include the information and documents necessary to establish that the requirements of this Article are satisfied for each Affordable Housing Benefit requested, including:
  - (1) For Density Bonus requests, that the requirements of Section 8116-2 are met;
  - (2) For Incentive requests, that the requirements of Section 8116-3 are met;
  - (3) For Development Standard Waiver or Modification requests, that the requirements of Section 8116-4 are met; and/or
  - (4) For Parking Standard Modification requests, that the requirements of Section 8116-5 are met.
- c. The application must be submitted concurrently with a complete application for a Qualified Housing Development.
- d. The application must include a site plan that complies with and includes the following:
  - (1) For Senior Citizen Housing Development projects - the number and location of proposed Total Units and Density Bonus Units.
  - (2) For all Qualified Housing Development projects other than Senior Citizen Housing Development projects – the number and location of proposed Total Units, Affordable Units and Density Bonus Units. The Density Bonus Units shall be permitted in geographic areas of the Qualified Housing Development other than the areas where the Affordable Units are located. (Gov. Code § 65915(i).)
  - (3) The location, design and phasing criteria required by Section 8116-6, including any proposed Development Standard(s) modifications or waivers pursuant to Section 8116-4.
- e. The application for a Qualified Housing Development must state the level of affordability of the Affordable Units and include a proposal for compliance with Section 8116-9 for ensuring affordability.
- f. If a Density Bonus is requested for a Qualified Land donation pursuant to Section 8116-2.5, the application must show the location of the Qualified Land in addition to including sufficient information to establish that each requirement in Section 8116-2.5 has been met.
- g. If an additional Density Bonus or Incentive is requested for a Child Care Facility pursuant to section 8116-2.3 and/or section 8116-3.3, the application shall show the location and square footage of the Child Care Facility in addition to including sufficient information to establish that each requirement in Section 8116-2.3 and/or section 8116-3.3 has been met.

An application for an Affordable Housing Benefit under this Article will not be processed until all of the provisions of this section are complied with as determined by the *Planning*

*Director* and shall be processed concurrently with the application for the Qualified Housing Development project for which the Affordable Housing Benefit is sought.

Prior to the submittal of an application for a Qualified Housing Development, an *applicant* may submit to the *Planning Director* a preliminary proposal for Affordable Housing Benefits. The *Planning Director* shall, within 90 days of receipt of a written proposal, notify the *applicant* of the *Planning Director's* preliminary response and schedule a meeting with the *applicant* to discuss the proposal and the *Planning Director's* preliminary response.

## **Sec. 8116-8 – Determination on Density Bonus and Affordable Housing Incentive Program Requests**

The decision making body for the underlying Qualified Housing Development application is authorized to approve or deny an application for an Affordable Housing Benefit in accordance with this Article.

### **Sec. 8116-8.1 – Affordable Housing Benefit Determinations**

An application for an Affordable Housing Benefit shall be granted if the requirements of this Article are satisfied unless:

- a. The application is for an Incentive for which a finding is made in accordance with Section 8116-3.4; or
- b. The underlying application for the Qualified Housing Development is not approved independent of and without consideration of the application for the Affordable Housing Benefit.

### **Sec. 8116-8.2 – Affordable Housing Benefit Compliance Provisions**

To ensure compliance with this Article and state law, approval of an application for an Affordable Housing Benefit may be subject to, without limitation:

- a. The imposition of conditions of approval to the Qualified Housing Development, including imposition of fees necessary to monitor and enforce the provisions of this Article;
- b. An affordable housing agreement and, if applicable, an equity sharing agreement pursuant to Section 8116-9; and
- c. Recorded deed restriction implementing conditions of approval and/or contractual or legally mandated provisions.

A decision regarding an Affordable Housing Benefit application is subject to the appeal provisions of Section 8111-7.

## **Sec. 8116-9 – Affordable Housing Agreement and Equity Sharing Agreement**

No Density Bonus pursuant to Section 8116-2 shall be granted unless and until the Affordable Housing Developer, or its designee approved in writing by the *Planning Director*, enters into an affordable housing agreement and, if applicable, an equity sharing agreement, with the County or its designee pursuant to and in compliance with this section. (Gov. Code § 65915(c).) The agreements shall be in the form provided by the County which shall contain terms and conditions mandated by, or necessary to implement, state law and this Article. The *Planning Director* may designate a qualified administrator or entity to administer the provisions of this section on behalf of the County. The affordable housing agreement shall be recorded prior to, or concurrently with, final map recordation or, where the Qualified Housing Development does not include a map, prior to issuance of

a building permit for any structure on the site. The *Planning Director* is hereby authorized to enter into the agreements authorized by this section on behalf of the County upon approval of the agreements by County Counsel for legal form and sufficiency.

### **Sec. 8116-9.1 - Affordable Housing Agreements**

#### **Sec. 8116-9.1.1 - Density Bonus Granted for Qualified Housing Development based upon Low or Very Low Income Minimum Affordable Housing Component or for Senior Citizen Housing Development**

The Affordable Housing Developer of a Qualified Housing Development based upon the inclusion of Low Income and/or Very Low Income Affordable Units must enter into an agreement with the County to maintain the continued affordability of the Affordable Units for 30 years, or a longer period if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program, as follows (Gov. Code § 65915(c)(1)):

- a. Rental units. Rents for the Low Income and Very Low income Affordable Units that qualified the Housing Development for the Density Bonus pursuant to Section 8116-2 shall be set and maintained at an Affordable Rent. (Gov. Code § 65915(c)(1).)
- b. For-Sale Units. Owner-occupied Low Income and Very Low Income Affordable Units that qualified the Housing Development for the Density Bonus pursuant to Section 8116-2 shall be available at an Affordable Housing Cost. (Gov. Code § 65915(c)(1).)
- c. Senior Units. At least thirty-five (35) Senior Citizen Housing Development Units are maintained and available for rent or sale to senior citizens as defined in Civil Code section 51.3.

#### **Sec. 8116-9.1.2 - Density Bonus Granted for Qualified Housing Development based upon Moderate Income Minimum Affordable Housing Component**

The Affordable Housing Developer of a Qualified Housing Development based upon the inclusion of Moderate Income Affordable Units in a Common Interest Development must enter into an agreement with the County ensuring that: (a) the initial occupants of the Moderate Income Affordable Units that are directly related to the receipt of the Density Bonus are persons and families of a Moderate Income Household; and (b) the units are offered at an Affordable Housing Cost. (Gov. Code § 65915(c)(2).)

#### **Sec. 8116-9.1.3 - Density Bonus Granted for Qualified Housing Development based upon Minimum Affordable Housing Component and Child Care Facility**

If an additional Density Bonus or Incentive is granted because a Child Care Facility is included in the Qualified Housing Development, the affordable housing agreement shall also include the Affordable Housing Developer's obligations pursuant to Section 8116-2.3.1(c) for maintaining a Child Care Facility, if not otherwise addressed through conditions of approval.

### **Sec. 8116-9.2 - Equity Sharing Agreement for Moderate Income Affordable Units**

In addition to the affordable housing agreement pursuant to Section 8116-9.1.2, the Affordable Housing Developer of Qualified Housing Development based upon a Moderate Income Minimum Affordable Component shall enter into an equity sharing agreement for a Common Interest Development with the County. (Gov. Code §

65915(c)(2).) The County shall enforce the equity sharing agreement unless it is in conflict with the requirements of another public funding source or law. (Gov. Code § 65915(c)(2).) The equity sharing agreement shall include at a minimum the following provisions:

- a. Upon resale, the seller of the unit shall retain the value of improvements, the down payment, and the seller's proportionate share of appreciation. The County shall recapture any initial subsidy, as defined in subparagraph b., and its proportionate share of appreciation, as defined in subparagraph c., which amount shall be used within five years for any of the purposes described in Health and Safety Code Section 33334.2 (e) that promote home ownership. (Gov. Code § 65915(c)(2)(A).)
- b. The County's initial subsidy shall be equal to the fair market value of the unit at the time of initial sale minus the initial sale price to the Moderate-Income Household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value. (Gov. Code § 65915(c)(2)(B).)
- c. The County's proportionate share of appreciation shall be equal to the ratio of the County's initial subsidy to the fair market value of the unit at the time of initial sale. (Gov. Code § 65915(c)(2)(C).)

## **Sec. 8116-10 – Density Bonus or Incentive for Condominium Conversion Projects**

### **Sec. 8116-10.1 – Requirements for Density Bonus or Incentive for Condominium Conversion Projects**

When an *applicant* to convert apartments to a condominium project agrees to provide at least thirty-three percent (33%) of the Total Units of the proposed condominium project to persons and families of Moderate Income Households or fifteen percent (15%) of the Total Units of the proposed condominium project to Low Income Households, and agrees to pay for the reasonably necessary administrative costs incurred by the County pursuant to this section, the County shall either: (1) grant a Density Bonus or (2) provide Other Incentives of Equivalent Financial Value. (Gov. Code § 65915.5(a).)

### **Sec. 8116-10.2 – Definition of Density Bonus for Condominium Conversion Projects**

If the requirements of Section 8116-10.1 are met, then the Condominium Conversion Project will be entitled to an increase in units of 25 percent over the number of apartments, to be provided within the existing structure or structures proposed for conversion from apartments to condominiums. (Gov. Code § 65915.5(b).)

### **Sec. 8116-10.3 – Pre-Submittal Preliminary Proposals for Density Bonus or Incentive for Condominium Conversion Projects**

Prior to the submittal of a formal request for subdivision map approval or other application for necessary *discretionary* approvals, an *applicant* to convert apartments to a condominium project may submit to the *Planning Director* a preliminary proposal for Density Bonus or Other Incentives of Equivalent Financial Value. The *Planning Director* shall, within 90 days of receipt of a written proposal, notify the *applicant* of the *Planning Director's* preliminary response and schedule a meeting with the *applicant* to discuss the proposal and the *Planning Director's* preliminary response. (Gov. Code § 65915.5(d).)

### **Sec. 8116-10.4 – Application for Density Bonus or Incentives for Condominium Conversion Projects**

An *applicant* must submit a completed application provided by the County for a Density Bonus or for Other Incentives of Equivalent Financial Value. The application must be submitted concurrently with the application for the Condominium Conversion Project. The application must include the following:

- a. All information and documentation necessary to establish that the requirements of Section 8116-10.1 are met;
- b. The proposal for a Density Bonus or the proposal for Other Incentives of Equivalent Financial Value;
- c. Site plans demonstrating the location of the units to be converted, the Affordable Units, the Market-rate Units, and the Density Bonus units within the Condominium Conversion Project; and
- d. Any other information and documentation requested by the County to determine if the requirements of Section 8116-10 are met.

Both the application for a Density Bonus or Other Incentives of Equivalent Financial Value and the application for the condominium conversion must be complete before the application for a Density Bonus or Other Incentives of Equivalent Financial Value will be considered.

### **Sec. 8116-10.5 – Granting Density Bonus or Incentive for Condominium Conversion Projects**

#### **Sec. 8116-10.5.1 – Approval Authority**

If the requirements of Section 8116-10.1 are met, the decision-making body for the Condominium Conversion Project application is authorized to grant an application for a Density Bonus or Other Incentives of Equivalent Financial Value, subject to Section 8116-10.5.2. Reasonable conditions may be placed on the granting of a Density Bonus or Other Incentives of Equivalent Financial Value that are found appropriate, including, but not limited to, entering into an affordable housing agreement pursuant to Section 8116-9 which assures continued affordability of units to subsequent purchasers who are persons and families of Moderate Income Households or Low Income Households. (Gov. Code § 65915.5(a).)

#### **Sec. 8116-10.5.2 – Ineligibility**

An *applicant* shall be ineligible for a Density Bonus or Other Incentives of Equivalent Financial Value if the apartments proposed for conversion constitute a Qualified Housing Development for which a Density Bonus as defined in Section 8116-1 or other Incentives were provided. (Gov. Code § 65915.5(f).)

### **Sec. 8116-10.6 – Decision on Condominium Conversion Project**

Nothing in this section shall be construed to require the County to approve a proposal to convert apartments to condominiums. (Gov. Code § 65915.5(e).)

## **Sec. 8116-11- Enforcement Provisions**

- a. Compliance with Affordable Unit Occupancy Requirements. Throughout the restricted time periods set forth in section 8116-9, the eligibility of a household to occupy an Affordable Unit must be met at initial occupancy and at any change in ownership or tenancy, including subletting, of the Affordable Unit. Upon request, compliance with this Article and the terms of the Affordable Housing Agreement must be demonstrated.



Upon 30-day written notice, the County may perform an audit to determine compliance with this Article and the terms of any agreement or restriction.

- b. Enforcement. The County or its designee has the authority to enforce the provisions of this Article, the terms of Affordable Housing Agreements and Equity Sharing Agreements, deed restrictions, covenants, resale restrictions, promissory notes, deed of trust, conditions of approval, permit conditions, and any other requirements placed on the Affordable Units or the approval of the Qualified Housing Development. In addition to the enforcement powers granted in this Chapter, including recording of Notices of Non Compliance, the County may, at its discretion, take any other enforcement action permitted by law, including those authorized by County ordinances. Such enforcement actions may include, but are not limited to, a civil action for specific performance of the restrictions and agreement(s), damages for breach of contract, restitution and injunctive relief. The remedies provided for herein shall be cumulative and not exclusive and shall not preclude the County from seeking any other remedy or relief to which it otherwise would be entitled under law or equity.

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# **ARTICLE 17:**

## **MOBILEHOME PARK CLOSURE PERMIT REQUIREMENT**

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(ADD. ORD. 3873-10/4/88)

### **Sec. 8117-0 - Purpose**

Mobilehome parks offer affordable ownership housing to the citizens of Ventura County, especially to residents over the ages of 62, many of which are on fixed or limited incomes. Mobilehome parks are a relatively low intensity land use, and in growing urban areas, older parks are coming under economic pressure to redevelop to more profitable uses. In these urban areas and throughout the County, vacant mobilehome park spaces are usually rare. Park residents evicted because of change of use of the park may be unable to find space in other parks to move their home to, or cannot afford the move even if a space were available. For these reasons, it is deemed necessary to protect the owners of mobilehomes from unreasonable evictions and undue financial hardship from a mobilehome park closure, while at the same time recognizing the rights of park owners to pursue changes in land use.

### **Sec. 8117-1 - Definitions**

Unless the provision or context otherwise requires, the definitions of words and terms as follows shall govern the construction of this Article.

Mitigation or Measures to Mitigate - as used in this ordinance are measures to alleviate adverse impacts of the conversion, closure, or cessation of a mobilehome park, including but not limited to: relocation of mobilehomes to another park; payment of security deposits; reimbursement of utility connection fees; moving expenses; purchase of mobilehomes which can't be moved or other related moving assistance for residents of a park.

Mobilehome - A structure with dimensions larger than eight (8) feet by forty (40) feet or a size larger than three hundred twenty (320) square feet designed for human habitation, transported over streets and highways to a permanent occupancy site, and installed on the site either with or without a permanent foundation. A recreational vehicle shall be treated as a mobilehome under this Article, provided it has been used as a principal residence for nine consecutive months.

Mobile Home Park Closure, Conversion or Change of Use - Mobile Home Park Closure, Conversion or Change of Use means changing the use of a mobile home park such that it no longer contains occupied mobile or manufactured homes, as described in and regulated by Government Code Section 66427.4. Such conversions are governed by this Article 17. (ADD. ORD. 4382 – 3/18/08)

Mobile Home Park Conversion to Resident Ownership - Mobile Home Park Conversion to Resident Ownership means the conversion of a mobile home park composed of rental spaces to a condominium or common interest development, as described in and/or regulated by Government Code Section 66427.5 and/or Section 66428.1. Unless otherwise provided therein, such conversions are governed by Article 13 of Division 8, Chapter 2 of the Ventura County Ordinance Code. (ADD. ORD. 4382 – 3/18/08)

Mobilehome Park, Trailer Park or Park - An area of land where two or more spaces are rented or leased for mobilehomes used as residences. Mobilehome park does not include County park campgrounds and County parking meter zones.

Mobilehome Park Owner or Owner - The owner, lessor, operator, or manager of a mobilehome park in the unincorporated area of Ventura County.

Mobilehome Tenant or Resident - Any person entitled to occupy a mobilehome or recreational vehicle which is located within a mobilehome or trailer park in the unincorporated area of Ventura County.

Recreational Vehicle - A vehicle for human habitation, which is self-propelled or towed by a light-duty vehicle, in which the plumbing, heating, and electrical system contained therein may be operated without connection to outside utilities.

Space Rent - The consideration, including any security deposits, bonuses, benefits, or gratuities demanded or received in connection with the use and occupancy of a space in a mobilehome or trailer park, or for housing services provided, but exclusive of any amount paid for the use of a mobile dwelling unit, or utility charges or trash charges which are billed to units separately whether or not the units are individually metered. "Space rent" does not include reasonable user fees for services actually rendered to some, but not all, of the residents of a park.

## **Sec. 8117-2 - Exemptions**

The following mobilehome parks or portions thereof are exempt from the provisions of this Article.

- a. Mobilehome or trailer parks managed or operated by the United States Government, the State of California, or the County of Ventura.
- b. Mobilehome or trailer parks used for farm labor housing.
- c. Those sections of existing parks utilized for recreational vehicles which have an approved permit identifying a separate area with reduced size spaces specifically designated for Recreational Vehicles, provided the permit was approved prior to the effective date of this Ordinance.
- d. Mobilehome park spaces rented for non-residential uses.
- e. Recreational vehicle parks specifically designed for recreational vehicles.
- f. Closure or cessation of use of a mobilehome park resulting from an adjudication of bankruptcy.

## **Sec. 8117-3 - Mobilehome Park Closure Permit**

Except as otherwise provided by law, prior to the conversion of a mobilehome park to another use, or prior to the closure of a mobilehome park or the cessation of the use of land as a mobilehome park, in whole or in part, a Mobilehome Park Closure Permit must be obtained pursuant to provisions of this Article.

## **Sec. 8117-4 - Notice to Residents**

Prior to filing of an application for a mobilehome park closure permit, the park owner shall provide at least 60 days of written notice to all residents and mobilehome owners that the park is being proposed for closure. A copy of the required notice shall be obtained from the Planning Division. No other notice shall be used unless prior approval by the Planning Manager is given. The park owner shall continue to give said notice to all new and potential residents throughout the closure permit process.

## **Sec. 8117-5 - Mobilehome Park Closure Permit Application Procedures**

A person or entity seeking to convert a mobilehome park to another use, or to close a mobilehome park or to cease a use of land as a mobilehome park, in whole or in part, shall

apply for a Mobilehome Park Closure Permit on forms provided by the Resource Management Agency's Planning Division. The application shall be accompanied by the appropriate fee listed in the Land development processing fee schedule to cover costs of processing the request in accordance with Section 8111-3 of the Ventura County Ordinance Code.

## **Sec. 8117-6 - Application Filing Requirements**

The application shall be accompanied by the following:

- a. Concept Plan - A plan indicating the proposed use the park site is intended to accommodate, including the approximate number of proposed residential units, if any; approximate square footage and use of any buildings proposed; and the probable impacts/benefits to the community created by the proposed project.
- b. Site Plan - A site plan of the existing mobilehome park showing the existing layout, with all existing mobilehome spaces identified by number and indicating whether the space is currently occupied, and other site features.
- c. Residents List - A list of the names and addresses of all current residents of the mobilehome park.
- d. Housing and Financial Impact Report - A report on the housing and financial impacts of the removal of the mobilehomes upon all displaced residents including:
  - (1) Rental rate history for each space for the previous five years;
  - (2) Monthly vacancy rate for each month during the preceding two years;
  - (3) Makeup of existing resident households, including family size, length of residence, age of residents, estimated household income, and whether they are receiving federal or State rent subsidies;
  - (4) The date of manufacture, size and condition of each mobilehome in the park.
  - (5) An analysis of moving existing mobilehomes which shall include, but not be limited to, the availability of other sites; the total costs of relocating mobilehomes to a new location; and the feasibility of existing mobilehomes being accepted at other locations.
- e. Relocation Assistance Plan - A plan which clearly states all measures proposed by the *applicant* to mitigate any identifiable adverse impacts of the proposed closure or conversion of use on the residents of the mobilehome park who would be displaced thereby. Displaced residents must be provided with relocation benefits that bear a relationship to the cost of displaced residents' finding alternative housing. Relocation benefits shall be determined on a case by case basis. With regard to mobilehomes which cannot be moved to another mobilehome park, consideration shall be given to the purchase of such mobilehomes by the *applicant* at their appraised fair market value as determined by an independent appraiser utilizing principles applicable in relocation matters. The foregoing applies when the mobilehome owner resides in the unit. However, a nonresident mobilehome owner shall not be eligible for any other relocation benefits except those associated with the relocation or purchase of a qualifying mobilehome.

Persons who own mobilehomes or who are tenants in the mobilehome park at the time notice of closure is given will be eligible for relocation assistance as determined in the finally approved Relocation Assistance Plan. Persons who become mobilehome owners or tenants after the time notice is provided pursuant to Sec. 8117-4 may be only eligible for partial relocation assistance as determined in the Relocation Assistance Plan as finally approved.
- f. Proof of Service of Notice - The *applicant* shall provide evidence, by proof of service or by other means, that he/she has given the notice required by Sec. 8117-4 to all

applicable residents and mobilehome owners, and continues to give such notice to all new potential residents.

- g. List of Surrounding Property Owners - A list of all real property owners within a radius of 300 feet of the exterior boundaries of the Assessor Parcel(s) which is subject of the application. Names and addresses shall be obtained from the latest equalized assessment roll.
- h. Other Information - The *applicant* shall provide any other information which the *Planning Director* reasonably believes is necessary for the purposes of properly evaluating the Mobilehome Park Closure Permit request. (AM. ORD. 4054 - 2/1/94)

### **Sec. 8117-7 - Completeness of Application**

Not later than 45 calendar days after an application has been filed, the *applicant* shall be notified in writing as to whether the application is complete or incomplete for application purposes. If the submittal is determined to be incomplete, the *applicant* shall be notified in writing of the reasons for such determination and of the information needed to make the application complete.

### **Sec. 8117-8 - Review of Supplemental Information**

If an application is deemed incomplete and the *applicant* subsequently submits all the required information, the application is then treated as if it were a new filing, and the 45-day review period begins on the day that the supplemental information is submitted.

### **Sec. 8117-9 - Termination of Incomplete Application**

Upon written notification to the *applicant*, processing of an incomplete application may be terminated if no reasonable effort has been made by the *applicant* to complete the application for a period of six months from the date of notification of incompleteness. All unused fees shall be refunded to the *applicant*.

### **Sec. 8117-10 - Service of Housing and Financial Impact Report and Relocation Assistance Plan**

The Planning Division shall provide a notice of the hearing date and location, along with a copy of the Housing and Financial Impact Report and Relocation Assistance Plan to each resident of the mobilehome park 30 days prior to the Board of Supervisors hearing on the Mobilehome Park Closure Permit application. All costs for duplication of said Impact Report and Relocation Assistance Plan shall be borne by the *applicant*.

### **Sec. 8117-11 - Hearing on the Mobilehome Park Closure Permit**

Hearings shall be held on the Mobilehome Park Closure Permit application before the Ventura County Planning Commission and the Board of Supervisors. The Planning Commission shall make recommendations to the Board, and the action by the Board shall be final. The Board shall only approve the Mobilehome Park Closure Permit if it finds that:

- a. The conversion, closure, or cessation of use of the land as a mobilehome park will not be substantially detrimental to the housing needs and public interest of the affected neighborhood and of the County as a whole; and
- b. The measures to reasonably and adequately mitigate any adverse impact of the proposed conversion, closure, or cessation of use on the mobilehome park residents who will be displaced are incorporated as conditions of permit approval.

## **Sec. 8117-12 - Denial for Incompleteness**

If either the Housing and Financial Impact Report or Relocation Assistance Plan are found to be inadequate, insufficient, or incomplete, the Mobilehome Park Closure Permit may be denied without prejudice. If the *applicant* thereafter cures the deficiencies, the *applicant* may re-apply and provide any necessary fee deposits.

## **Sec. 8117-13 - Application of Permit Conditions**

Reasonable conditions may be imposed by the Board to mitigate adverse impacts on mobilehome park residents who will be displaced by these measures include but are not limited to relocation assistance requirements, phasing of the conversion, closure or cessation of use, bonding requirements, and any other reasonable requirements in the facts and circumstances of the particular permit request. In no case shall the measures required to be taken to mitigate any impacts exceed the reasonable costs of relocation to another mobilehome park.

## **Sec. 8117-14 - Notice of Approval of Mobilehome Park Closure Permit**

Written notices will be mailed to all residents residing in the mobilehome park by County staff within 10 days after the approval of a Mobilehome Park Closure Permit. Such notice will either include all of the conditions of approval of the Mobilehome Park Closure Permit, or a statement where the conditions of approval can be publicly viewed and/or purchased.

## **Sec. 8117-15 - Denial of Permit for Coercion**

A permit may be denied where there is substantial evidence that mobilehome park residents have been coerced to publicly support or approve closure, proposed conversion of a mobilehome park to another use, or cessation of the use of land as a mobilehome park, or to refrain from publicly opposing the same, or to forego any assistance to which they might be entitled.

## **Sec. 8117-16 - Duration of Permit**

The Mobilehome Park Closure Permit granted pursuant to this Ordinance shall be valid for a period of two years. Any and all rights to close a park pursuant to such a permit shall lapse at the expiration of the permit.

## **Sec. 8117-17 - Decision of the Board**

The decision of the Board of Supervisors is final.

## **Sec. 8117-18 - Termination of Tenancy**

Upon the approval of the Mobilehome Park Closure Permit, the mobilehome park owner shall serve a Notice of Termination of Tenancy, in accordance with the provisions of Section 798.56 of the California Civil Code, to each park resident informing them that they will be given two years from the date of the Board of Supervisors approval of the Mobilehome Park Closure Permit to terminate their tenancy in the park. The two year termination period may be reduced to no less than 180 days upon the written agreement of the park owner and two-thirds of all mobilehome park residents over age 18.

## **Sec. 8117-19 - Effect on Existing Permits**

The requirements of this Ordinance shall apply to all existing mobilehome parks within the County not herein exempt, regardless of any time limitation conditions that may exist in any previously issued permit for any mobilehome park. The use of any property covered by such a permit may lawfully continue and the permit shall be deemed to remain in full force and effect while the approved Mobilehome Park Closure Permit for conversion, closure, or cessation of use is being implemented.

## **Sec. 8117-20 - Affidavit of Compliance**

Prior to the commencement of any construction on the property vacated as a result of the approval of a Mobilehome Park Closure Permit, the owner or developer of the property shall provide the County, or City if annexed, with an affidavit stating that the conditions imposed on the approval for the Mobilehome Park Closure Permit have been satisfied, and that all tenancies on the property have been terminated pursuant to the conditions of approval of the permit.

## **Sec. 8117-21 - Public Policy**

It shall be against public policy to subvert any provisions of this Ordinance by coercing the waiver of any rights or privileges created or protected thereby. Any provision of a lease or agreement which purports directly or indirectly to waive or require waiver of a resident's rights under said sections or which requires prior consent to the conversion, closure, or cessation of use of land as a mobilehome park shall be null, void and unenforceable.

## **Sec. 8117-22 - Penalties**

Any person, firm, or corporation violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of the provisions of this Ordinance is committed, continued, or permitted, and upon conviction of any such violation, such person shall be punishable by a fine of not more than \$1,000.00 (one thousand dollars), or by imprisonment for not more than six (6) months, or both such fine and imprisonment.

## **Sec. 8117-23 - Notice to New and Prospective Tenants**

Prior to or at the time of agreeing to rent space to a new tenant in a park subject to closure, the owner shall provide each new tenant or prospective tenant with a copy of this Ordinance, as currently in force, a copy of the Notice of Closure, a copy of the approved Housing and Financial Impact Report and the Relocation Assistance Plan.



# ARTICLE 18: OFFICIAL ZONING DATA

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(AM. ORD. 4377 - 1/29/08)

## **Sec. 8118-0 - Consolidation of Zoning Data**

The adoption and the progressive amendment of zoning data on *lots* represented in the Official Zoning Data from time to time has been associated with various Articles of this Chapter. All such past actions are incorporated in the Official Zoning Data and made a part of this Article. (ADD. ORD. 4092 - 6/27/95; AM. ORD. 4123 - 9/17/96 - grammar)

### **Sec. 8118-0.1 - Zone Change Ordinance Numbers**

The establishment and amendment of the Official Zoning Data constitute sequential additions to this section. Said numbers are assigned in numerical order to each successive zoning data amendment. (ADD. ORD. 4092 - 6/27/95)

*Sec. 8118 et seq. consists of Ventura County Official Zoning Data, accessible in the GIS Department, Resource Management Agency.*

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# **ARTICLE 19:**

## **SPECIFIC STANDARDS FOR AREA PLANS**

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(ADD. ORD. 3995 - 3/24/92; REP. AND REEN. ORD. 4455 - 10/22/13, see Article 16;  
ADD. ORD. 4479 - 9/22/15)

### **Sec. 8119-0 – Purpose**

This Article establishes applicability of regulations, not found in this Chapter, that are specific to land uses and development of structures within the boundary of an Area Plan that has been adopted by the Ventura County Board of Supervisors as part of the General Plan.

### **Sec. 8119-1 – Old Town Saticoy Development Code**

The Old Town Saticoy Development Code applies to all development, subdivisions and land uses within Old Town Saticoy as established and delineated in the Saticoy Area Plan. [The provisions of the Old Town Saticoy Development Code are set forth in Appendix B of the Saticoy Area Plan.](#) The Old Town Saticoy Development Code is part of this Chapter; it is not a substantive part of the Saticoy Area Plan. As such, all provisions of this Chapter apply in Old Town Saticoy where not in conflict with the provisions of the Old Town Saticoy Development Code.

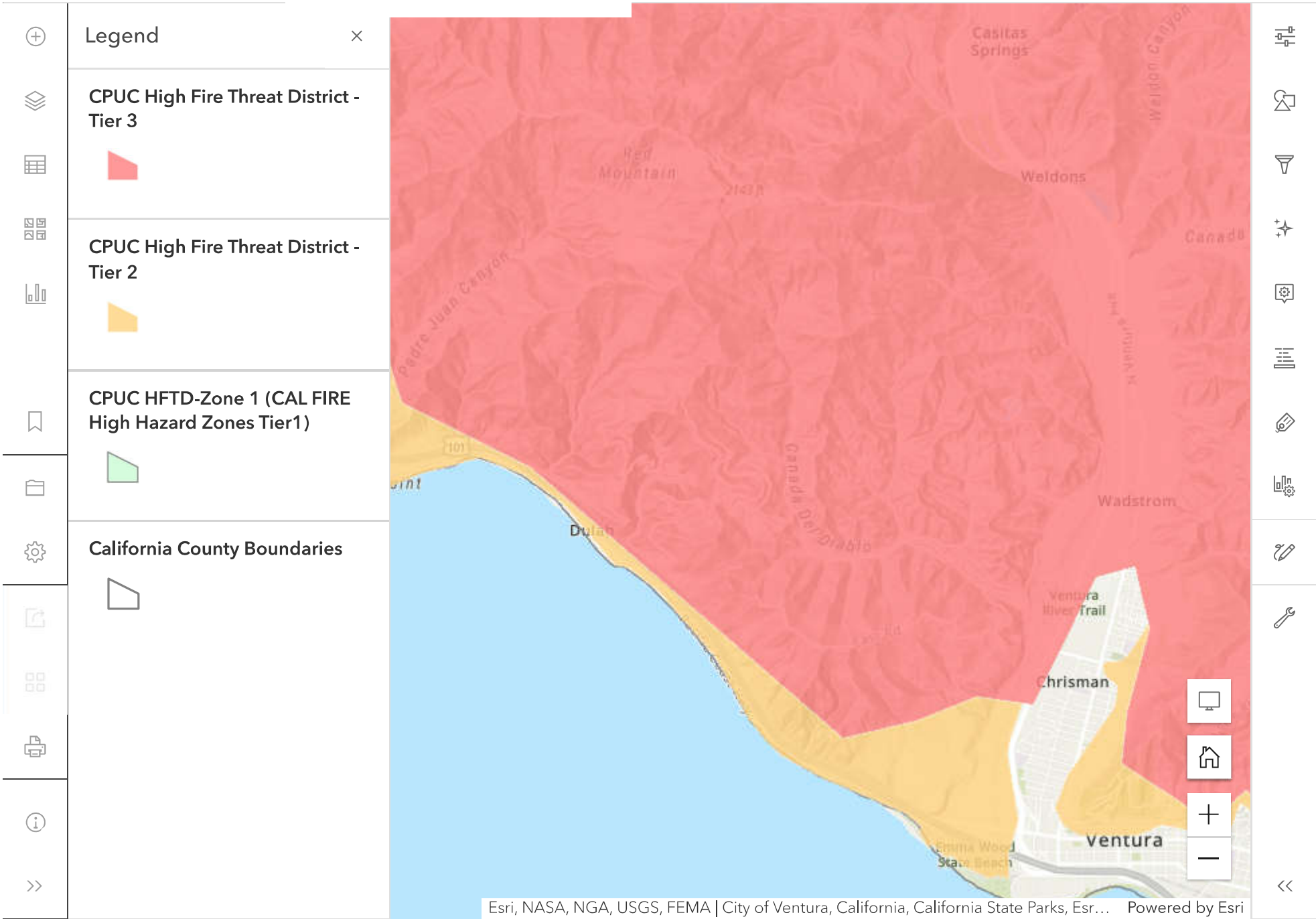
(ADD. ORD. 4479 – 9/22/15)

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# CPUC High Fire Threat District (HFTD)



# Oil and Gas Field Administrative Boundaries

Authoritative

Private Member  
California Department of Conservation

## Summary

Administrative boundaries for oil and gas fields in California.

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## Details

Dataset  
Feature Layer

November 30, 2018  
Info Updated

As Needed  
Data Updated: May 14, 2019 at 4:14 PM

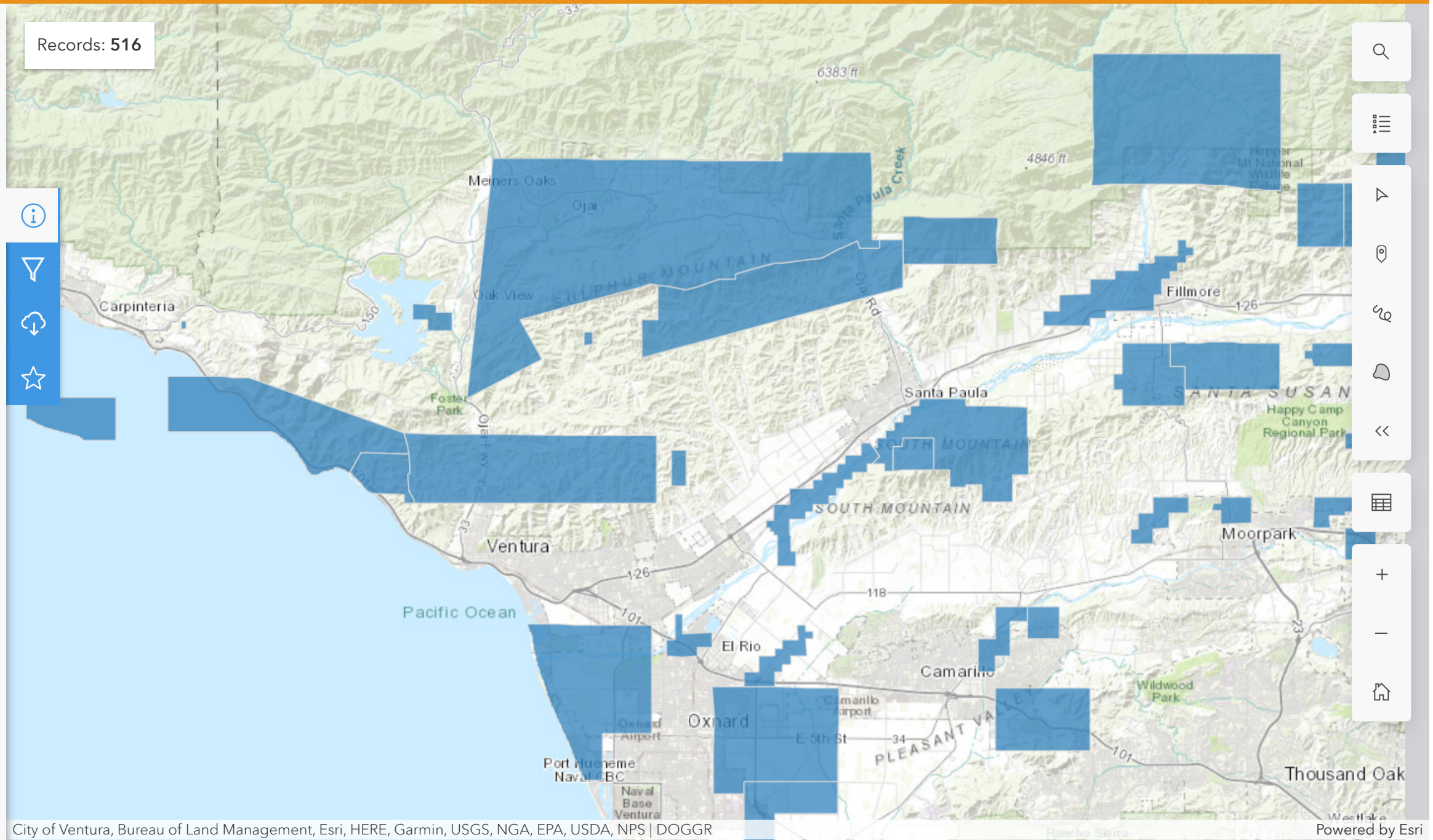
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# Farmland Mapping & Monitoring Program



## Documenting Changes in Agricultural Land Use Since 1984

The Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

### [SEARCH FOR MAPS, REPORTS, AND STATISTICS](#)

**New!** 2020 Important Farmland data is now available in Amador, Butte, Kings, Mariposa, Nevada, Tehama, and Tuolumne Counties.

2018 Important Farmland data is available in Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Imperial, Kern, Kings, Lake, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Monterey, Napa, Nevada, Orange, Placer, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra Valley, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Tulare, Tuolumne, Ventura, Yolo, and Yuba Counties.

### [CALIFORNIA IMPORTANT FARMLAND FINDER](#)

An interactive version of the Important Farmland map data. Locate your area of interest, calculate acreage, and other useful features, using this online tool. [Information](#) on usage is available.

### [IMPORTANT FARMLAND TIME SERIES](#)

An online tool to view the Important Farmland map data as a time series, from 1984 to the present.

### [MAP AND FEATURE SERVICES](#)

An online tool to view and download Important Farmland data directly in ArcGIS systems. [Information](#) on access is available.

### [GIS GEODATABASES and SHAPEFILES](#)

Downloadable Important Farmland GIS data in the form of ESRI Geodatabases and Shapefiles, zipped by update year, from 1984 to the 2020 update currently in progress. [Information](#) on access is available.

### CALIFORNIA FARMLAND CONVERSION REPORTS

The [2012-2014](#) and [2014-2016](#) Farmland Conversion Reports are now available. 2016-2018 Farmland Conversion Report is coming soon.

### [FARMLAND REAL ESTATE DISCLOSURE LEGISLATION](#)

Important Farmland status must be disclosed on certain real estate transactions--read about it here.

Some files on this site are in Adobe Acrobat (PDF) or compressed (ZIP) format. Utilities to read both are freely available on the Internet. Spreadsheet information is formatted in Excel 2016 for Windows.

**FARMLAND MAPPING AND MONITORING PROGRAM MENU**

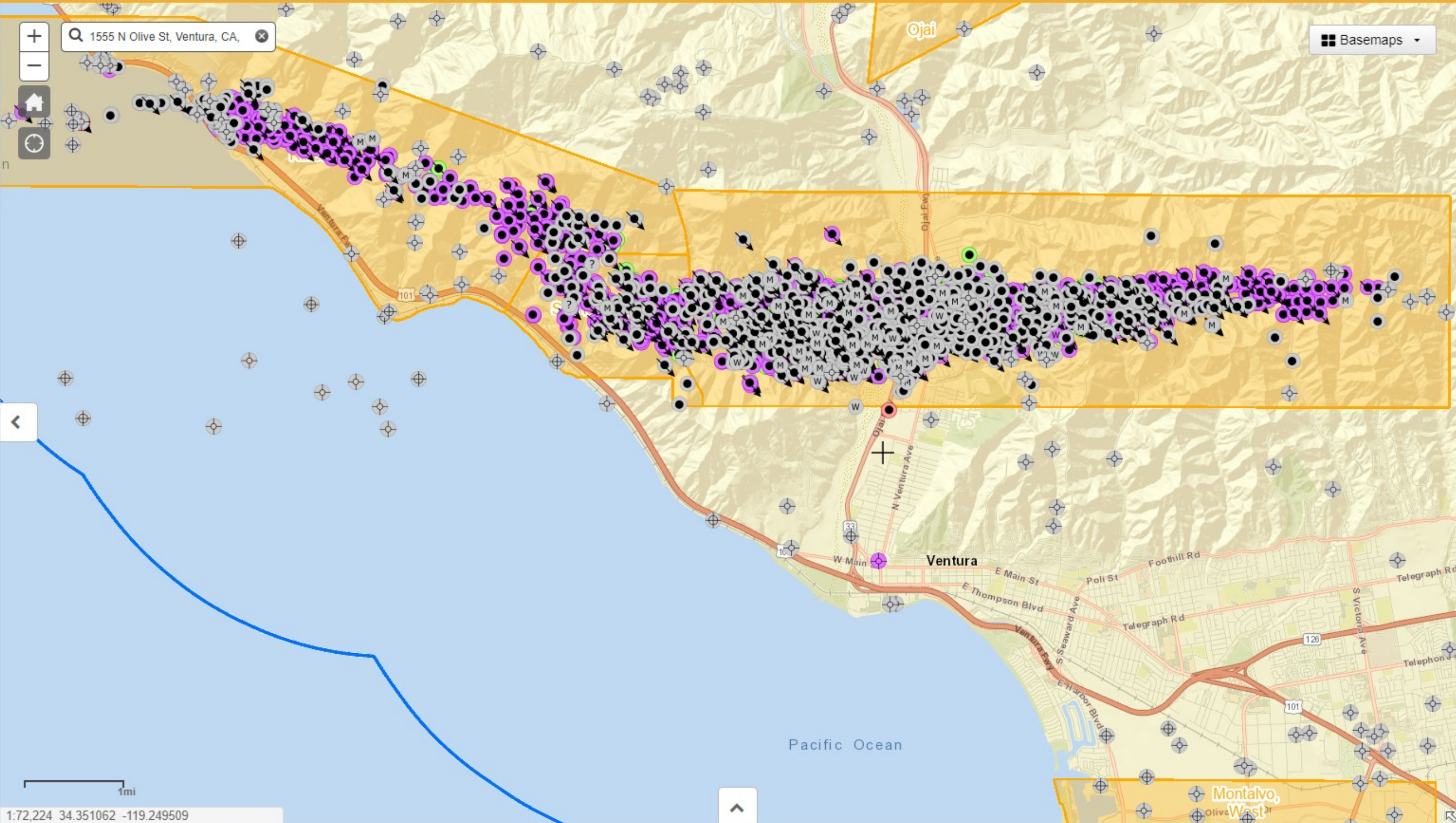




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## Workspace

Your workspace is your dashboard for accessing and managing your content, bookmarks, and groups, as well as viewing messages and seeing your recently viewed content.

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# Wildland-Urban Interface (2010), Southern California (reclassified)

Jun 11, 2021

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#### Description:

The wildland-urban interface (WUI) is the area where houses meet or intermingle with undeveloped wildland vegetation. This makes the WUI a focal area for human-environment conflicts such as wildland fires, habitat fragmentation, invasive species, and biodiversity decline. Using geographic information systems (GIS), we integrated U.S. Census and USGS National Land Cover Data, to map the Federal Register definition of WUI (Federal Register 66:751, 2001) for the conterminous United States from 1990-2010. These data are useful within a GIS for mapping and analysis at national, state, and local levels. Data are available as a geodatabase and include information such as housing and population densities for 1990, 2000, and 2010; wildland vegetation percentages for 1992, 2001, and 2011; as well as WUI classes in 1990, 2000, and 2010.

- Details
- Data Layers (1)
- Attachments (1)

#### Data Provided By:

Alexandre, Patricia M., Butsic, Van, Martinuzzi, Sebastián, Forest Service Research Data Archive, Helmers, David P., Hawbaker, Todd J., Bar Massada, Avi, Kramer, H. Anu, Syphard, Alexandra D., Radeloff, Volker C., Mockrin, Miranda H., Stewart, Susan I.

#### Content date:

1990-01-01 - 2010-01-01

#### Citation:

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Tags:

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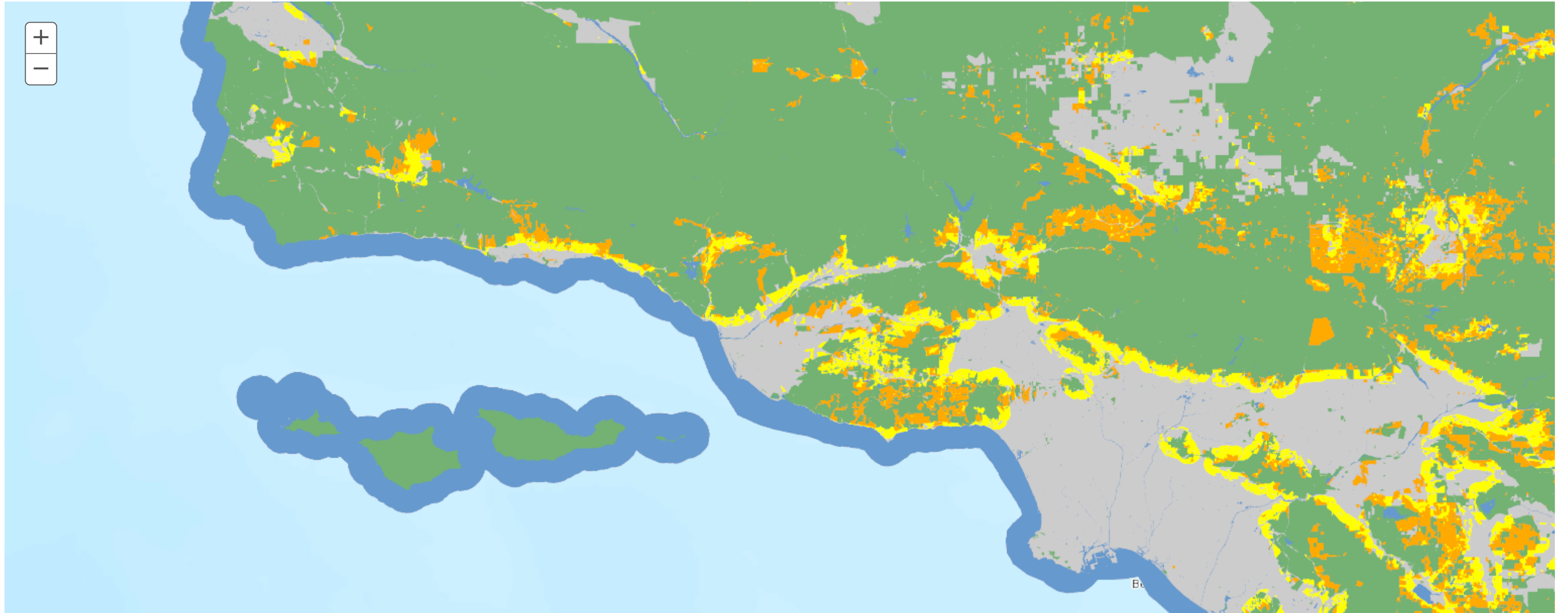


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# GEOLOGIC MAP OF THE VENTURA 7.5' QUADRANGLE VENTURA COUNTY, CALIFORNIA: A DIGITAL DATABASE

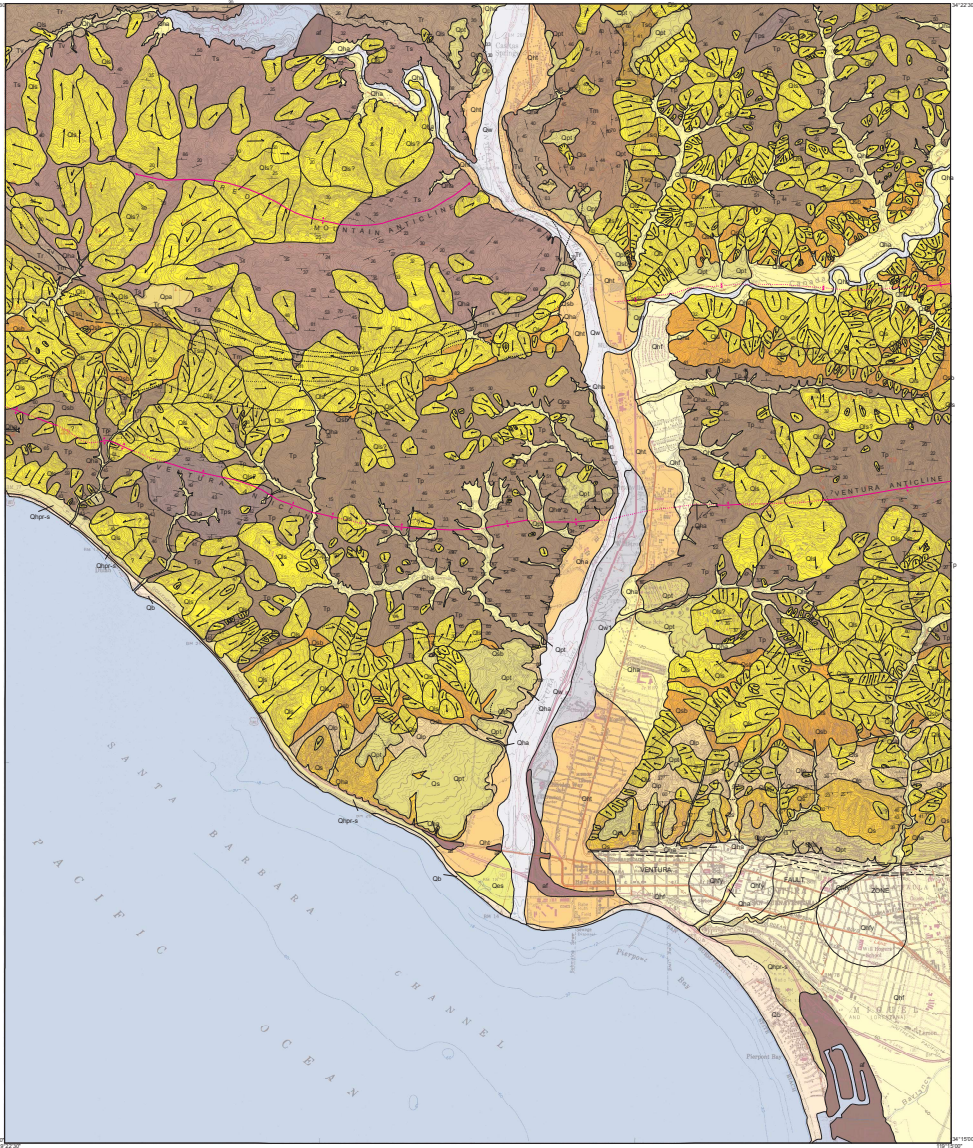
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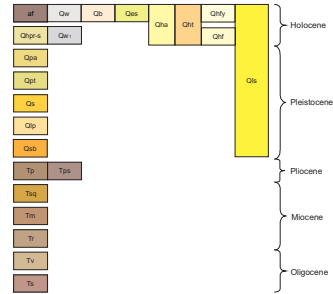
Siang S. Tan<sup>1</sup>, Terry A. Jones<sup>1</sup> and Kevin B. Clahan<sup>2</sup>

Digital Database by:  
 Kelly Cornea<sup>3</sup>  
 2003

1. California Geological Survey, Los Angeles, CA  
 2. California Geological Survey, San Francisco, CA  
 3. U.S. Geological Survey, Riverside, CA



### CORRELATION OF MAP UNITS



### EXPLANATION OF MAP UNITS

- af** Artificial fill material; may be engineered and/or non-engineered.
- Qw** Active wash deposits within major river channels; composed of unconsolidated sand, gravel and silt.
- Qb** Active beach deposits; consist mainly of loose sand, fine to coarse-grained.
- Qec** Active coastal estuarine deposits; composed of saturated silty clay with some fine sand.
- Qhys** Latest Holocene alluvial fan deposits; deposited by streams emanating from mountain canyons onto alluvial valley floors; deposits originate as debris flows, hyperconcentrated mudflows, or braided stream flows; composed of moderately to poorly sorted, and moderately to poorly bedded sandy clay with some gravel.
- Qh1** Historically active wash deposits adjacent to active channel; composed of unconsolidated sand, silt and gravel.
- Qha** Undivided Holocene alluvial and colluvial deposits on the floors of valleys; includes active stream deposits in hill slope areas; composed of unconsolidated sandy clay with some gravel.
- Qh2** Holocene stream terrace deposits; deposited in point bar and overbank settings; composed of unconsolidated clayey sand and sandy clay with gravel.
- Qh3** Holocene alluvial fan deposits; deposited by streams emanating from mountain canyons onto alluvial valley floors; deposits originate as debris flows, hyperconcentrated mudflows, or braided stream flows; composed of moderately to poorly sorted, and moderately to poorly bedded, sandy clay with some gravel.
- Qk** Holocene to Pleistocene landslide deposits; include numerous active landslides; composed of weathered broken up rocks; extremely susceptible to renewed landsliding.
- Qhps** Holocenelastic deposits of the San Cliff marine terrace 1800 to 5000 years old (Lajoie, and others, 1982); composed of semi-consolidated sandy clay with some gravel.

- Qpt** Undivided Pleistocene stream terrace deposits; consists of consolidated clay sand, gravel, cobble and some boulder size material.
- Qpa** Pleistocene undivided alluvial deposits; consist of consolidated silt, sand, clay, and gravel.
- Qs** Pleistocene Saugus Formation; weakly consolidated alluvial deposits composed of sandstone and siliceous shale gravel and cobbles in sandy matrix; highly susceptible to landsliding.
- Qlp** Pleistocene Las Posas Sandstone; weakly indurated sand, with some gravelly sand units; highly susceptible to landsliding.
- Qsb** Pleistocene Santa Barbara claystone; locally contains Monterey Formation shale fragments; highly susceptible to landsliding.
- Qp** Pliocene undivided Pico Formation; composed of claystone, siltstone, sandstone, locally pebbly; generally susceptible to landsliding.
- Qpk** Pliocene Pico Formation portion containing sandstone; generally resistant to landsliding.
- Qts** Pliocene-Miocene Siquem Shale; silty shale and claystone; generally susceptible to landsliding.
- Qm** Miocene Monterey Formation; consists of siliceous and diatomaceous shale and some sandstone and ironstone; generally susceptible to landsliding.
- Qr** Miocene Rincon Shale composed of shale and siltstone; generally susceptible to landsliding.
- Qv** Early Miocene Vaqueros Sandstone; consists of sandstone, locally calcareous.
- Qs** Oligocene Siquem Formation; composed of sandstone; locally pebbly, with some siltstone and claystone.

### MAP SYMBOLS

- Contact between map units; generally approximately located or inferred; colored where concealed.
- - - - - Fault; approximately located or inferred; queried where location is uncertain; dotted where concealed.
- (with arrow) Landslide; arrow indicates principal direction of movement; queried where evidence is questionable (some geologic features are drawn with questionable landlines); hatched where headscarp is negligible.
- ⊥ Strike and dip of bedding.
- Axis of anticline; dotted where concealed; arrow indicates direction of plunge.
- Axis of syncline; dotted where concealed.

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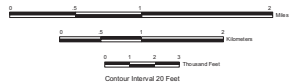
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Topographic base from the U.S. Geological Survey, Polyconic Projection.



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# *Ventura County Fire Protection District*



## UNIT STRATEGIC FIRE PLAN AMENDMENTS

Date	Section Updated	Page Numbers Updated	Description of Update	Updated By
11/15/16	Unit overview	5	Fire update	Moomey
11/25/16	Dispatch	14	Addition of Oxnard fire	Moomey
11/25/16	Tech/websites	36,37	Pulse Point	Moomey
04/01/17	Volunteerism	69	Entire section	Moomey
04/02/2018	Unit description	4,5	Population/ Fire activity	Moomey
04/09/2018	Fuel beds	6,7,8,12	Fire activity/ Fuels	Moomey
05/02/2018	Collaboration	21,22	Contact update	Moomey
05/03/2018	Accomplishments	56-59,61,62	Accomplishments	Moomey
05/03/2018	Project activities	PDF Report attachment	Report	Moomey
05/04/2018	Cover page		New photo	Moomey
05/14/2018	Fire Hazard Reduction	41	Fee Rate	Moomey
04/04/2019	Executive summary	2,3,4	Strategic plan	Moomey
04/05/2019	Unit Description	6,7	Fires over 300 acres	Moomey
04/15/2019	Unit Preparedness	16	Santa Paula	Moomey
04/15/2019	Fuel Beds	9,10,11	Fire update	Moomey
04/16/2019	Unit Preparedness	21,22	Station Directory	Moomey
04/16/2019	Unit Preparedness	22	Map Update	Moomey
04/17/2019	Pre-Fire	36,37,38,39	Defensible Space	Moomey
04/20/2019	Pre-Fire	41,42	Vegetation Management	Moomey
04/22/2019	Pre-Fire	43	Fire Hazard Reduction	Moomey
04/23/2019	Pre-Fire Tactics	47	Vegetation Management	Moomey
04/25/2019	Pre-Fire	50	Pre-Fire Projects	Moomey
04/29/2019	Annual Reporting	60-65,68&69	Accomplishments	Moomey
05/01/2019	Table of Contents		Update page numbers	Moomey
03/18/2020	Air Unit		Helicopter capabilities	Lovo
04/15/2020	Unit Overview	7,10,13	Fire season 2019 update	Moomey
04/17/2020	Unit Preparedness	16,17,18,20,22,23	Battalions, Dispatch, plans	Moomey
04/28/2020	Collaboration	24,25,26	New Partners	Moomey
04/29/2020	Appendix A and D	50,51,56,57	Pre-Fire Projects, Map	Moomey
04/29/2020	Accomplishments	61,62,63,64-71	Annual	Moomey
04/01/21	Unit Preparedness	13,14,16	Capabilities, new photo	Matheson
04/05/21	Collaboration	20,21	update	Matheson
05/05/21	Wildland Fire Ignitions	28,29	new	Moomey/ Elwood
04/07/2021	FHRP	43	update	Williams
05/07/2021	Fire Safe Councils	55	update	Moomey
04/05/2021	Accomplishments	60-67	update	Staff

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## SIGNATURE PAGE

### Unit Strategic Fire Plan developed for Ventura County Fire Protection District (VCFPD)

This Plan:

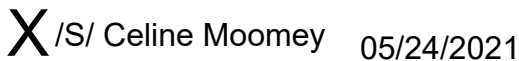
- Was collaboratively developed. Interested parties, as well as federal, state, city, and county agencies within the Unit have been consulted and are listed in the plan.
- Identifies and prioritizes pre-fire and post-fire management strategies and tactics designed to reduce the loss of values at risk within the Unit.
- Is intended for use as a planning and assessment tool only. It is the responsibility of those implementing the projects to ensure that all environmental compliance requirements are met and permitting processes are followed.

 Mark Lorenzen  
Mark Lorenzen (May 25, 2021 12:57 PDT)

May 25, 2021

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Mark Lorenzen  
Fire Chief

 /S/ Celine Moomey 05/24/2021

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Celine Moomey  
Pre-Fire Specialist

## **EXECUTIVE SUMMARY**

Ventura County is one of six counties that maintains a contractual relationship with CAL FIRE. A Unit Plan that is part of the California Strategic Fire Plan is used within the Ventura County Fire Department.

The State of California's Strategic 2018 Fire Plan (State Plan) creates a statewide framework for collaboratively reducing and preventing the impacts of fire through suppression and prevention efforts. The State Plan's vision is for a natural environment that is more fire resilient, buildings and infrastructure that are more fire-resistant, and a society that is more aware of and responsive to the benefits and threats of wildland fire; all achieved through local, state, federal, tribal, and private partnerships.

The State Plan anticipates the trends in wildland fires will continue. The effects of climate change, prolonged drought, tree mortality, and development into the wildland urban interface will continue to increase the number and severity of wildland fires.

The focus is on (1) fire prevention and suppression activities and (2) natural resources management, and the continued inclusive collaboration among local, state, federal, tribal, and private partners.

The Ventura County Fire Department seeks to achieve these same goals locally with a Unit Fire Plan that works with stakeholders and cooperators to create programs, policies, and procedures that will make the residents of Ventura County safer. Another significant element of this plan is to identify and evaluate wildland fire hazards to minimize the negative effects of wildland fire on the natural and human-made environments.

The Healthy Forest Restoration Act (HFRA) enacted by the U.S. Congress on January 7, 2003, established a protocol for the creation of a document – a Community Wildfire Protection Plan (CWPP) – that articulates a wildfire safety plan for communities at risk from wildland fires. This document was created by following that protocol.

This Unit Fire Plan is designed to be a living document in order to adapt to changes in the environment and the needs of the various stakeholders whom it affects. The information provided in this Unit Fire Plan has been updated to reflect project plans, implementations, and accomplishments.

With a commitment to fire prevention through a collaborative approach to hazard reduction, public education, and vegetation management programs, the Ventura County Fire Department is working to empower communities to become more fire resilient. By carefully managing native vegetation, creating defensible space, hardening homes, and raising wildfire awareness, the Unit believes it is preventing fires from occurring and mitigating the ones that do occur. These efforts result in reduced fire suppression costs and property loss and keep both citizens and firefighters safer.

The goals that are critical to achieving the State Plan's vision revolve around fire prevention, natural resource management, and fire suppression efforts, as broadly construed. Major components are:

- Improve the availability and use of consistent, shared information on hazard and risk assessment.
- Promote the role of local planning processes, including general plans, new development, and existing developments, and recognize individual landowner/homeowner responsibilities.
- Foster a shared vision among communities and the multiple fire protection jurisdictions, including county-based plans and community-based plans such as Community Wildfire Protection Plans (CWPP).
- Increase awareness and actions to improve fire resistance of man-made assets at risk and fire resilience of wildland environments through natural resource management.
- Integrate implementation of fire and vegetative fuels management practices consistent with the priorities of landowners or managers.
- Determine and seek the needed level of resources for fire prevention, natural resource management, fire suppression, and related services.
- Implement needed assessments and actions for post-fire protection and recovery.

To support the State's Strategic Fire Plan, the Ventura County Fire Department's Unit Fire Plan will continue in their efforts to:

- Analyze fuel beds, topography, and fire history to identify both at-risk communities and the projects necessary to help protect them.
- Collaborate with local Fire Safe Councils and other community groups to seek sources of funding to support ongoing vegetation management and fire prevention projects as well as implementing new ones.
- Utilize CAL FIRE personnel and resources, in conjunction with other efforts, to assist with projects.
- Educate the public on wildfire preparedness, defensible space, fire hazard reduction, fire-resistant construction and landscaping, and situational awareness.
- Continue to implement current efforts, and where necessary, establish new programs and projects to meet the State's Plan goals and objectives.

With skilled firefighters, fuel modification projects, and engaged communities, the Ventura County Fire Department is well-positioned to protect the residents of Ventura County and their environment against catastrophic fire conditions.

## **SECTION I: UNIT OVERVIEW**

### **UNIT DESCRIPTION**

The County of Ventura is located on California's Pacific coast and is bordered by Los Angeles County to the east, Santa Barbara County to the west, and Kern County to the north. Ventura County has 42 miles of coastline and its elevation ranges from sea level to 8,831 feet at Mount Pinos in the Los Padres National Forest.

Ventura County was formed from a piece of Santa Barbara County on January 1, 1873, following state legislation that approved the split on March 22, 1872. The county seat is the city of Ventura (San Buenaventura) and the county has a population of 850,536. The Ventura County Fire Department is an all-risk department providing emergency services to the unincorporated areas of the county and seven of its ten incorporated cities.

Ventura County encompasses 1,198,720 acres (1,873 square miles) of which 353,370 acres (552 square miles) are State Responsibility Area (SRA).



The Santa Monica Mountains National Recreation Area, parts of the Los Padres National Forest, and the Channel Islands National Park located in Ventura County. The county is also home to Naval Base Ventura County at Point Mugu and Port Hueneme, as well as the deep-water Port of Hueneme. Ventura County has a Mediterranean climate. Average high temperatures are 65 - 75 degrees Fahrenheit year-round; average low temperatures are 45 - 60°F. Freezing temperatures are possible during the winter and highs of over 100°F may occur during the summer and early fall. Strong east winds (Santa Anas) are most prevalent during the late summer and early fall but can occur at any time during the year, thereby elevating fire danger. The relatively short rainy season is typically between December and April.

Major industries within the county include oil exploration and production, manufacturing, health care, agriculture (greenhouse and row crops, citrus and avocado groves) ranching, tourism, television/film production, and technology.



Traditional fire season in Ventura County starts in May or June. Coastal areas are frequently cooler during these months due to a marine influence and coastal fog, but conditions inland can be much warmer and drier. As the summer progresses into early fall, the fuel beds have typically reached critical moisture levels, and the advent of east winds can produce catastrophic fire weather and seasonal drought.

Major Ventura County wildfires have been documented as far back as 1898. Some of these fires remain among the largest to ever occur in the state of California. The Matilija Fire in 1932 burned more than 220,000 acres. The Wheeler Fire in 1985 consumed over 118,000 acres and the Day Fire in 2006 destroyed almost 163,000 acres. The Thomas Fire started on December 4, 2017, north of Santa Paula and south of Saint Thomas Aquinas College. A second fire was ignited nearly 30 minutes later, approximately four miles to the north in Upper Ojai at the top of Koenigstein Road. The fires soon merged and grew rapidly. In all, the fire consumed 281,893 acres within Ventura and Santa Barbara Counties, and 1,156 structures were damaged or destroyed.

The Thomas Fire's rates of spread (up to one acre per second) are attributed to hurricane-force Santa Ana winds combined with record heat, relative humidity in the single digits; fuel moistures well below the critical level with a large dead-to-live component due to an extended drought cycle. Most of the chaparral burned in the fire is considered to have been stand-replacing; possibly taking decades to return to pre-fire conditions.

The 96,949-acre Woolsey Fire response had an added complexity due to a mass shooting that occurred in Thousand Oaks the day before the fire began. On November 7, 2018, the mass shooting took the lives of 13 people, including the perpetrator and a police officer.

While the community was reeling from this tragic incident, the Hill Fire started. The fire was reported at 2:03 p.m. on November 8; twenty-one minutes later, at 2:24 p.m., the Woolsey Fire was reported. The Hill Fire began in the Camarillo area at Hill Canyon, about one mile west of Thousand Oaks, and burned 4,531 acres. The Woolsey Fire started in Woolsey Canyon on the Santa Suzanna Field Lab property, burned 96,949 acres in Ventura and Los Angeles Counties, destroyed 1,643 structures, killed three people, and caused the evacuation of more than 295,000 people. Some of those evacuees having been directly affected by the mass shooting.

Strong Santa Ana winds, resulting in rapid rates of fire spread, pushed the fire in a southerly direction. The Ventura Freeway, between the San Fernando Valley and the Conejo Valley, was closed as the fire crossed it and burned into the rugged Santa Monica Mountains, into Los Angeles County and the City of Malibu. The fire crossed the Pacific Coast Highway, burning structures and vehicles on both sides. Due to access and egress issues, many people took refuge on the beach near the ocean. Due to extended drought conditions and strong winds, the fire consumed most of the native vegetation, which could take decades to return to pre-fire conditions.

In 2019, Ventura County experienced two large fires igniting within a day of each other and under the same Santa Ana wind event. The 1,806-acre Easy Fire began October 30, 2019, at approximately 6:00 a.m.; the point of ignition was near Easy Street and Madera Road at the



westerly end of Simi Valley. As the fire was pushed towards Moorpark, on October 30, over 1,000 homes were threatened, and 26,000 Ventura County residents were evacuated due to the fire. The Ronald Reagan Presidential Library was almost surrounded by the fire. Ventura County Fire Department's vegetation management goat grazing project was credited with changing the fire's intensity, enabling firefighters to safely defend the library. While the Easy Fire was actively burning, the 9412-acre Maria Fire started at the top of South Mountain, south of the city of Santa Paula on October 31; reported at 6:13 p.m. Influenced by 20 - 30 mph winds, the fire worked its way north towards Santa Paula in the Santa Clara River Valley, and south towards Somis. Evacuations were ordered for over 1,800 homes surrounding the fire area, affecting over 7,500 residents.

## **VENTURA COUNTY FUEL BEDS**

There are ten identified fuel beds in Ventura County. Each is analyzed based on its topography, vegetation types, fire history, and assets at risk. The entire Casitas, Ojai, and Ventura Fuel Beds burned during the Thomas Fire. Most of the chaparral that burned in the Thomas Fire is considered to have been stand-replacing; possibly taking decades to return to pre-fire conditions.

### **CASITAS FUEL BED**

The Casitas Fuel Bed is bordered on the south by the Pacific Ocean, on the north by Camino Cielo, on the east by Highway 33, and on the west by the Ventura/Santa Barbara county line. The dominant vegetation in the fuel bed consists of oak woodland, chaparral, coastal sage scrub, and grass.

Assets at risk include structures, oil fields, 911 emergency communication infrastructure, agricultural orchards, and rangeland. Homes, ranches, and orchards along Highway 150 pose the most significant risk in the fuel bed and are also the most difficult to protect through fuel modification because of their sporadic placement. The Lake Casitas watershed is a low risk, high-value community resource that needs consideration in the planning process. Oil production facilities dominate the interior canyons of the fuel bed south of Lake Casitas, east of Highway 33 and north of Highway 101.

This fuel bed has sustained eight fires of over 300 acres. The most recent being the 281,893-acre Thomas Fire in December 2017. There are 20.53 miles of fire roads and 1.73 miles of utility roads maintained in this fuel bed.

## MALIBU FUEL BED

Potrero Road borders the Malibu Fuel Bed on the north. It is bordered on the south by the Pacific Coast Highway, on the east by the Ventura/Los Angeles county line, and on the west by Lewis Road. The Santa Monica Mountain Range is a feature of this fuel bed. The dominant vegetation in the fuel bed consists of oak woodland in the drainages and on the north slopes. Chaparral, coastal sage scrub, and grass are dominant throughout the fuel bed.

Assets at risk include structures located in narrow canyons with limited access. The fact that most of the structures at risk are scattered throughout the fuel bed makes large-scale vegetation management projects difficult. The 100-foot defensible space requirement ordered by the Department's Fire Hazard Reduction Program is a key component of structure protection.

This fuel bed has sustained 15 fires of over 300 acres. Most recently, this fuel bed was affected by the 2018 Woolsey Fire. There are 8.43 miles of ranch roads maintained in this fuel bed.

Wildland Pre-Fire Plans: Carlisle Canyon Pre-Fire Plan and Yerba Buena Pre-Fire Plan.

## OJAI FUEL BED

The Ojai Fuel Bed is bordered on the south by Santa Paula/Ojai Road (Highway 150), on the north by the Los Padres National Forest boundary, on the east by Santa Paula Creek, and on the west by Highway 33. The dominant vegetation in the fuel bed consists of oak woodland, light to medium brush, coastal sage scrub, and grass. Due to many years of drought, this fuel bed has recently experienced significant oak tree mortality.

Assets at risk include structures, oil fields, agricultural orchards, and rangeland. Many of the at-risk structures are located along the front country and others are in narrow canyons with limited access. The 100-foot defensible space requirement ordered by the Department's Fire Hazard Reduction Program is a key component to structure protection in these areas. Orchards are mixed in with this development creating additional assets that are threatened in a wildfire.

This fuel bed has sustained eight fires of over 300 acres. The most recent being the 281,893-acre Thomas Fire in December 2017.

There are 7.07 miles of fire roads and 4.22 miles of utility roads maintained in this fuel bed.

Wildland Pre-Fire Plans: Upper Ojai Pre-Fire Plan, Ojai Front Country Pre-Fire Plan, and Matilija Canyon Pre-Fire Plan.

## SIMI FUEL BED

The Simi Fuel Bed is bordered on the south by Highway 101, on the north by Simi Valley, on the east by the San Fernando Valley (Los Angeles County), and on the west by Highway 23 and Olsen Road. The dominant vegetation in the fuel bed consists of oak woodland, chaparral, coastal sage scrub, and grass. Recent fire activity has reduced the fuel load considerably in the Big Mountain Range north of the city of Simi Valley.

Assets at risk are primarily structures. Single and multi-family dwellings in the North Ranch and Oak Park areas are a specific concern due to their alignment with a Santa Ana (east) wind and heavy fuels. Most of the land management/ownership for the open space belongs to the Conejo Open Space Conservation Agency (COSCA), Rancho Simi Park and Recreation, and Mountains Recreation and Conservation Authority (MRCA).

This fuel bed has sustained 23 fires of over 300 acres, most recently the 2019 Easy Fire. There are 68 miles of fire roads and 30 miles of fuel breaks maintained in this fuel bed.

Wildland Pre-Fire Plans: Box Canyon/Lilac Lane Pre-Fire Plan, Kevington Pre-Fire Plan, Bell Canyon Pre-Fire Plan, and Townsite Pre-Fire Plan.

## THOUSAND OAKS FUEL BED

The Thousand Oaks Fuel Bed is bordered on the south by Potrero Road, on the north by Highway 118, on the east by the Highway 23, and on the west by the Oxnard Plains. The dominant vegetation in the fuel bed consists of oak woodland, chaparral, coastal sage scrub, and grass.

Assets at risk are primarily structures. Thousand Oaks is an urban area that has interface issues along its perimeter. Thousand Oaks has a great deal of open space which separates developed areas with hazardous fuels and, in some cases, steep terrain. This, coupled with diurnal west winds and seasonal Santa Ana (east) winds, makes the area very vulnerable to the effects of wildland fire. Most of the land management/ownership responsibility for the open spaces belongs to the Conejo Open Space Conservation Agency (COSCA) and the Mountains Recreation Conservation Authority (MRCA).

This fuel bed has sustained 12 fires of over 300 acres, recently, the 2018 Hill and Woolsey Fires. There are 3.09 miles of fire roads, 8.95 miles of utility roads, and one mile of ranch roads maintained in this fuel bed.

Wildland Pre-Fire Plans: Wildwood Pre-Fire Plan and Ventu Park Pre-Fire Plan

## FILLMORE FUEL BED

The Fillmore Fuel Bed is bordered on the south by Highway 126, on the north by the Los Padres National Forest, on the east by Hopper Canyon, and on the west by Santa Paula Canyon. The dominant vegetation in the fuel bed consists of grass intermixed with chaparral and coastal sage

scrub. Oak woodland can be found in the drainage bottoms and on the north-facing slopes. In addition, small stands of timber may be found at the upper elevations of the fuel bed in select drainages.

Assets at risk include structures, rangeland, agriculture, and oil production facilities. In addition, the Hopper Mountain Condor Refuge is in the northeast portion of the fuel bed. Condor nesting sites dot the landscape throughout the area each year. Close collaboration with the biologists there and training help to promote safe operations on the refuge. The city of Fillmore borders the interface to the south and is vulnerable to both northwest and northeast winds.

This fuel bed has sustained 14 fires of over 300 acres. There are 10.96 miles of ranch roads and 2.8 miles of utility roads maintained in this fuel bed.

## OAK RIDGE FUEL BED

The Oak Ridge Fuel Bed is bordered on the south by the Simi Fuel Bed, on the north by the Santa Clara River, on the east by the Ventura/Los Angeles county line, and on the west by Highway 23. The fuel bed is dominated by sparse oak woodland, chaparral, coastal sage scrub, and grass.

Assets at risk are primarily structures along the southern border, agriculture along the north and western borders, and rangeland within the fuel bed interior. Recent urban development in the Simi Valley and Moorpark areas has increased the WUI threat within the fuel bed. The area is very vulnerable to wildland fire, especially during Santa Ana wind conditions.

This fuel bed has sustained 23 fires of over 300 acres. There are 69.06 miles of fire roads, 20.76 miles of utility roads, and four miles of ranch roads maintained in this fuel bed.

## PIRU FUEL BED

The Piru Fuel Bed is bordered on the south by the Santa Clara River, on the north by Agua Blanca Creek, on the east by Del Valle and on the west by Hopper Canyon. The dominant vegetation in the fuel bed consists of grass intermixed with chaparral and coastal sage scrub. Oak woodland can be found in select drainage bottoms and on the north-facing slopes.

Assets at risk include structures, rangeland, agriculture, and oil production facilities. In addition, the Hopper Mountain Condor Refuge is in the northwest portion of the fuel bed. Condor nesting sites dot the landscape throughout the area each year. Close collaboration with the biologists there and training help to promote safe operations on the refuge.

This fuel bed has sustained 16 fires of over 300 acres. There are 32 miles of fire roads and 9 miles of ranch roads maintained in this fuel bed.

Wildland Pre-Fire Plans: Piru Pre-Fire Plan and 27 North Pre-Fire Plan

## SOUTH MOUNTAIN FUEL BED

The South Mountain Fuel Bed is bordered on the south by Highway 118, on the north by Highway 126, on the east by Highway 23, and on the west by Highway 118. The dominant vegetation in the fuel bed consists of grass and coastal sage scrub.

Assets at risk include structures, rangeland, communication facilities, agriculture, and oil production facilities. Oil production facilities are in the area of South Mountain and have been a source of many of the larger fires analyzed in the historical data. The arrangement of the facilities and the brush clearance around them normally reduces the risk posed in a wildfire.

This fuel bed has sustained 16 fires of over 300 acres, most recently the 2019 Maria Fire. There are 8.43 miles of ranch roads maintained in this fuel bed.

Wildland Pre-Fire Plans: 27 South Pre-Fire Plan

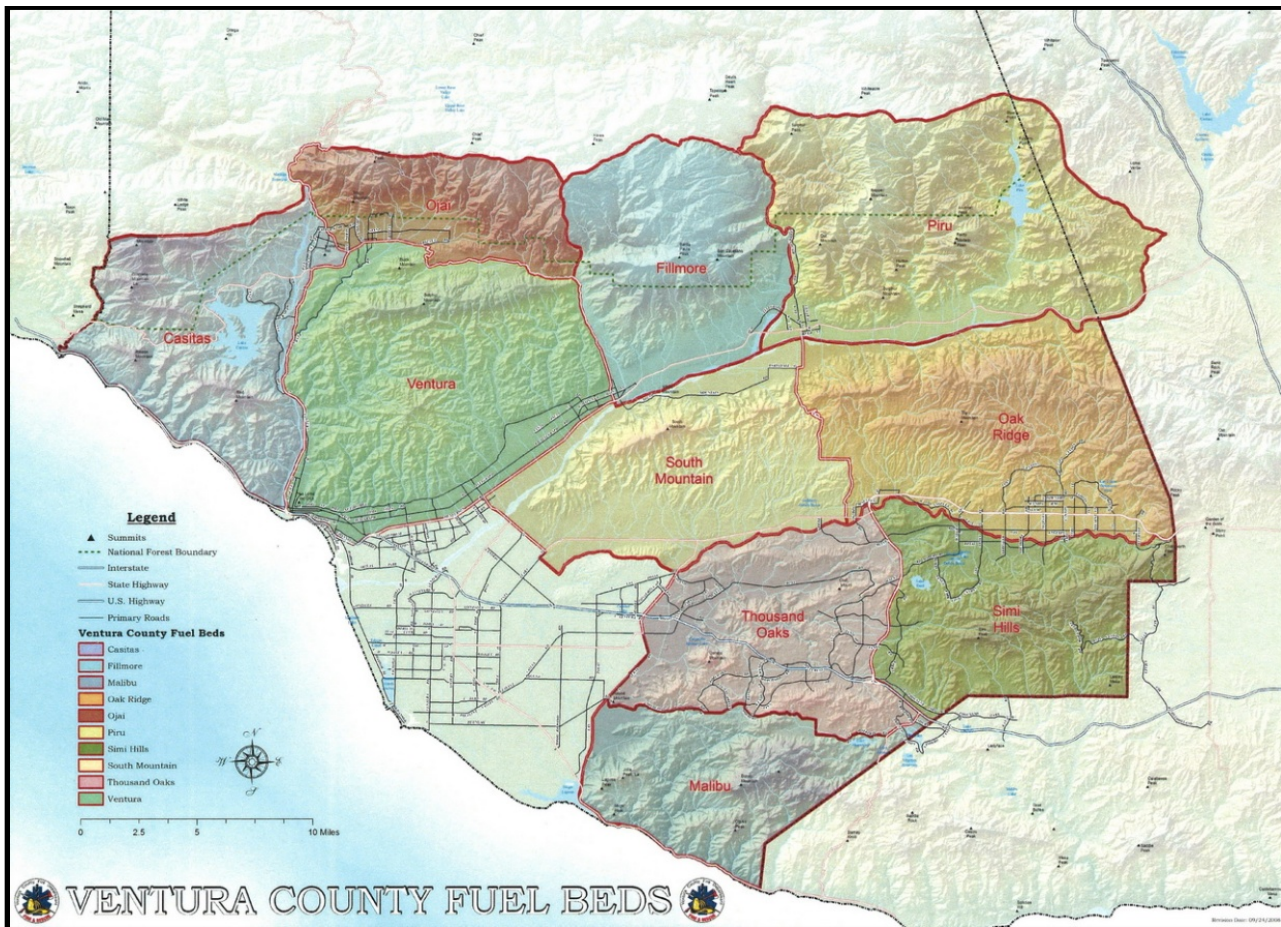
## VENTURA FUEL BED

The Ventura Fuel Bed is bordered on the south by the City of Ventura, on the north by the Ojai Valley, on the east by Highway 150, and on the west by Highway 33. The dominant vegetation in the fuel bed consists of oak woodland, chaparral, coastal sage scrub, and grass. Recently, due to many years of drought, this fuel bed has experienced significant oak tree mortality.

The greatest area of risk in the Ventura Fuel Bed is in the interface area that separates the City of Ventura from the Ventura County jurisdictional areas. Development in the areas between Harmon, Sexton, and Barlow canyons would be challenging to protect in a wildfire driven by winds from the northeast. Additional at-risk areas include East Sulphur Mountain Road, Creek Road, and the east side of Highway 33. Agricultural assets and oil production are very prominent throughout this fuel bed. This fuel bed has sustained 16 fires of over 300 acres, the most recent being the 281,893-acre Thomas Fire in December 2017. There are 29 miles of fire roads, 12 miles of utility roads, and 21 miles of ranch roads maintained in this fuel bed.

Wildland Pre-Fire Plans: Wheeler Canyon Pre-Fire Plan

# VENTURA COUNTY FUEL BEDS (MAP)



## UNIT PREPAREDNESS AND FIREFIGHTING CAPABILITIES



Ventura County Fire Department is an all-risk, full-service department, composed of 577 men and women. We proudly provide fire protection, medical aid, rescue, hazardous material response, and a variety of other services to the public. The Department's services are built around our mission of responding to the dynamic public safety needs of our diverse community.

The Department has 33 stations serving a population of more than 480,000 in seven cities – Thousand Oaks, Simi Valley, Moorpark, Camarillo, Port Hueneme, Santa Paula, Ojai, and the unincorporated areas of the County. The Department operates four Administration and Support facilities, 35 first-run fire engines, one first-run Quint, 16 reserve fire engines, 11 wildland fire engines, five ladder trucks (including two reserves), five water rescue and fireboat craft, three paramedic squads, 20 command vehicles, 12 pieces of heavy equipment (bulldozers, etc.) 3 type one helicopters, 3 type one hand crews, and 33 other emergency response vehicles. The Department responds to an average of 228 calls for service every day.

The Department is divided into five battalions and several specialized units.

Battalion 1 – Stations 50, 52, 54, 55, 56, and 57, primarily within the city of Camarillo and the surrounding area. Battalion 1 is home to the special operations units for Hazardous Materials, Crash/Rescue, Water Rescue, and Urban Search and Rescue.

Battalion 2 – Stations 20, 21, 22, 23, and 25 covering the city of Ojai, unincorporated areas in the northern part of the county and District areas near the cities of Santa Paula and Ventura.

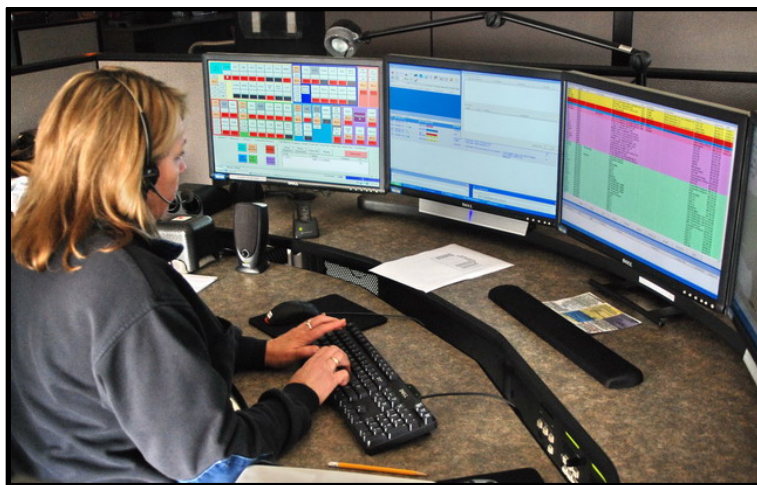


Battalion 3 – Stations 30, 31, 32, 33, 34, 35, 36, and 37 covering the city of Thousand Oaks and the greater Conejo Valley.

Battalion 4 – Stations 40, 41, 42, 43, 44, 45, 46, and 47, primarily within the cities of Moorpark and Simi Valley.

Battalion 5 – Stations 26, 27, 28, 29, 51, and 53, covering the city of Port Hueneme and District areas along the Santa Clara River valley and the Malibu coastline.

In addition to these on-duty stations, the Department has emergency response agreements with other fire agencies within Ventura County and immediately adjacent to it. This includes Los Angeles County Fire, Santa Barbara County Fire, Kern County Fire, CAL FIRE, the U.S. Forest Service, Federal Fire, and the cities of Los Angeles, Oxnard, Ventura, and Fillmore.



The Ventura County Regional Dispatch Center system handles fire and emergency medical calls for the five fire agencies in the County, including Ventura County, Oxnard, Ventura, Fillmore Fire Department, and the Federal Fire Department serving Naval Base Ventura County. Additionally, VCRD dispatches three ambulance providers, Gold Coast, Lifeline Medical Transport, and American Medical Response (AMR).

The Regional Training Center serves the training needs of not only the Ventura County Fire Department, but also much of Southern and Central California as well, offering numerous ICS courses, live-fire training, and other specialized instruction. All Ventura County Fire Department personnel are given initial training in accordance with all federal, state, and local laws and regulations for the position they hold. On-going training is provided to maintain all required certifications and to maintain appropriate proficiency in their position. The County highly encourages additional training and education to further enhance the capabilities of Fire Department personnel. This also includes wildland fire tactics and suppression classes. In addition, all County Disaster Service Workers (DSWs) are trained in accordance with the National Incident Management System (NIMS), the California Standardized Emergency Management System (SEMS), and the Incident Command System (ICS).



We partner with our community to identify risks and empower people with the tools to prepare and protect themselves. As part of that responsibility, we enforce codes and regulations, review more than 2,700 plans a year, inspect more than 6,800 homes and businesses a year, and issue roughly 110 fire code permits, and 360 film permits a year. We also work with more than 18,000 property owners each year to create defensible space through our Fire Hazard Reduction Program and conduct hundreds of public education events, including fire prevention and safety programs for children, adults, and seniors. In addition to the activities by the Fire Prevention Bureau, fire station personnel conduct over 350 fire safety inspections a year.

### **Specialized Units**

Also available for response are specialized units with unique capabilities for incidents involving special hazards or needs. These units are not normally staffed. Personnel with the specialized training and qualifications will move from their regularly assigned units at the fire station and respond with these specialized units as needed.

Often, these specialized units will respond and operate in conjunction with similar units from other fire departments to form a regional response to incidents that present unique challenges. The Department's specialized units are Crash/Rescue, Hazardous Materials, Urban Search and Rescue, and Water Rescue.



**Crash/Rescue** - Crash 50 is based at the Camarillo Airport (Battalion 1) and responds to incidents involving flammable liquids (primarily aircraft crashes), oil field facility fires, flammable liquid storage, and transportation emergencies. Crash 50 has the capability of extinguishing flammable liquid fires and securing spills.



**Hazardous Materials (HazMat)** - The HazMat Unit is also based at the Camarillo Airport and responds to incidents involving chemical, biological, radiological, etiological hazards, or any other unknown substances. The team is state certified as a Type 1 Hazmat Team and qualified for regional responses. The HazMat Team will isolate a hazardous area, make entry, and identify and mitigate the hazard. They also perform decontamination of victims and emergency personnel. The Department's HazMat team is certified at a regional level and a state-of-the-art response vehicle was placed into service in 2012.

**Urban Search & Rescue (USAR)** - The USAR Unit is based out of Stations 54 (Battalion 1) and 40 (Battalion 4) and responds to technical rescue incidents. This team is also a State asset that responds as Regional Task Force 7. USAR incidents involve victims who are trapped due to earthquakes, building collapse, cave-in, trench collapse, major transportation crash, or other incidents where the entrapment exceeds the capabilities of the regular crews. The USAR team will stabilize the scene and make access to and extricate the victim. The Department received a grant for equipment that allows the USAR team to conduct rescues in so-called super-confined spaces such as tunnels and storm drains that require long-duration breathing apparatus.

**Water Rescue** - The Water Rescue Unit responds to water rescue incidents that exceed the capabilities of land-based units. It operates as a State asset under the designation of OES Team 10. The team is capable of in-water rescue and/or watercraft rescue. The team is trained in swift water, ocean, and lake rescues.

**Wildland/Aviation** - The Wildland Unit provides hand crew and bulldozer resources in the construction of fire control lines during wildfire suppression activities. When not engaged with fighting fire, the unit constructs and maintains fire breaks and fire roads, performs fuel management projects, and carries out other mitigation and prevention tasks. The Department also operates with the Ventura County Aviation Unit, which is a combined unit with the Ventura County Fire Protection District and Ventura County Sheriff Office. The unit provides public safety aviation services for fire and rescue incidents, including paramedic crew members and assistance with marijuana eradication. Ventura County's Aviation Unit has 8 helicopters available for fire department missions. Three Type 1 helicopters are hoist rescue, FLIR, firefighting capable via tank or collapsible bucket, with a 10-person fly crew capability. The four Type 2 helicopters are hoist capable, 8-person Fly crew-carrying, tank capability, and one Type 3 helicopter is available for mapping and FLIR missions.



## Fire Suppression

The most effective time to control a wildfire is in the incipient stages when intensities are lower, and the perimeter is small. The combined resource attack is a coordinated suppression effort including ground assets (engines, crews, and dozers), aviation assets (fixed and rotary wing), passive fire protection measures, and command elements. Using in-place passive fire protection systems, incident commanders weave the various active fire suppression assets into an aggressive and coordinated firefighting effort.

Aggressive prevention and suppression policies can artificially age fuel beds to a point of uncontrollable volatility. Fuel beds are managed, where allowed, to reduce the age and expanses of volatile fuel and provide barriers between values at risk and large areas of hazardous fuel. Particular attention is given to those areas in fuel beds that are adjacent to the interface.

Assets susceptible to fire damage are identified in the Fire Plan as air quality, rangeland, agricultural land, recreational land, structures, water and watersheds, wildlife and habitat, and other resources (cultural, historic, and scenic). One of the methods which can be used in determining pre-fire projects is fire ignition data. Ignitions are plotted onto a map and the map is used to identify wildfire starts and potential areas of concern.



## VENTURA COUNTY FIRE DEPARTMENT – STATION DIRECTORY

### Location, Address and Phone Numbers

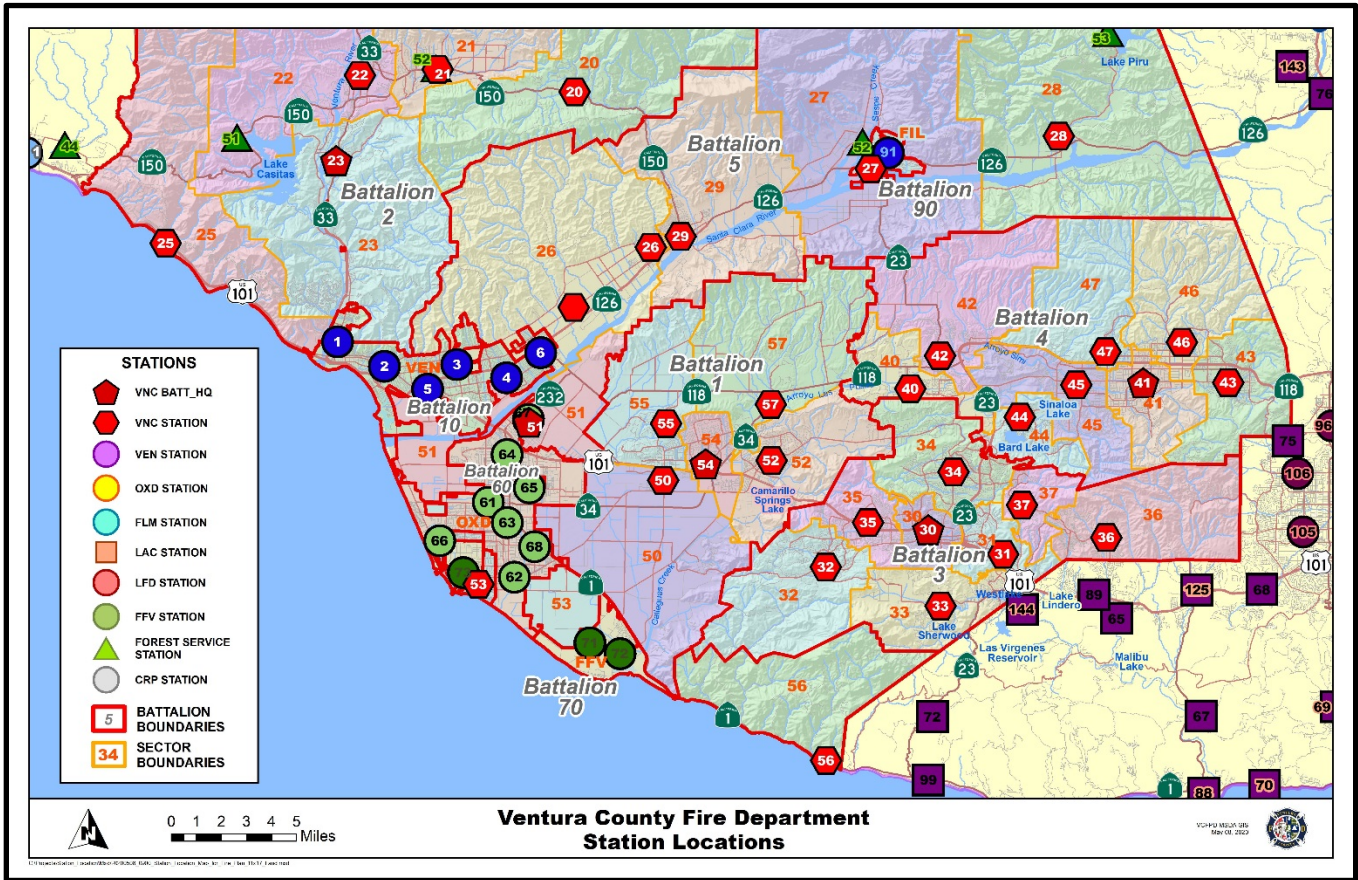
Communications.....	160 Durley Ave., Camarillo 93010, 805-388-4279
Community Education.....	102 Durley Ave., Camarillo 93010, 805-389-9748
Headquarters.....	165 Durley Ave., Camarillo 93010, 805-389-9710
Supply.....	2431 Latigo Ave., Oxnard 93030, 805-388-4536
Training.....	104 Durley Ave., Camarillo 93010, 805-389-9727
Vehicle Maintenance .....	2451 Latigo Ave., Oxnard 93030, 805-388-4500
Wildland Fire.....	2471 Latigo Ave., Oxnard 93030, 805-388-4584

### **Station Numbers, Station Names and Addresses:**

20 .....	Summit .....	12727 Santa Paula-Ojai Rd., Santa Paula 93060
21 .....	Ojai .....	1201 E Ojai Ave., Ojai 93023
22 .....	Meiners Oaks .....	466 S La Luna Ave., Ojai 93023
23 .....	Oak View .....	15 Kunkle St., Oak View 93022
25 .....	Rincon .....	5674 Pacific Coast Highway, Ventura 93001
26 .....	West Santa .....	Paula 563 W. Main Street, Santa Paula 93060
27 .....	Fillmore.....	133 C Street, Fillmore 93015
28 .....	Piru .....	513 N Church St. PO Box 317, Piru 93040
29 .....	Santa Paula.....	114 S. 10 <sup>th</sup> Street, Santa Paula 93063
30 .....	Civic Center .....	325 W Hillcrest Dr. Thousand Oaks 91360
31 .....	Westlake.....	151 Duesenberg Dr., Westlake Village 91362
32 .....	Potrero.....	830 S Reino Rd., Newbury Park 91320
33 .....	Lake Sherwood.....	33 Lake Sherwood Dr., Lake Sherwood 91361
34 .....	Arboles .....	555 E. Avenida de Los Arboles, Thousand Oaks 91360
35 .....	Newbury Park .....	751 Mitchell Rd, Newbury Park 91320
36 .....	Oak Park .....	855 Deerhill Rd., Oak Park 91377
37 .....	North Ranch .....	2010 Upper Ranch Rd., Westlake Village 91362
40 .....	Mountain Meadows .....	4185 Cedar Springs St., Moorpark 93021
41 .....	Church Street .....	1910 Church St., Simi Valley 93065
42 .....	Moorpark .....	295 E High St., Moorpark 93021
43 .....	Yosemite .....	5874 E Los Angeles Ave., Simi Valley 93063
44 .....	Wood Ranch.....	1050 Country Club Dr., Simi Valley 93065
45 .....	Pacific Street .....	790 Pacific Ave., Simi Valley 93065
46 .....	Tapo Street.....	3265 Tapo St., Simi Valley 93063
47 .....	Big Sky .....	2901 Erringer Rd., Simi Valley 93065
50 .....	Camarillo Airport.....	189 S Las Posas Rd., Camarillo 93010
51 .....	El Rio.....	3302 Turnout Park Cir., Oxnard 93036
52 .....	Mission Oaks .....	5353 Santa Rosa Rd., Camarillo 93012
53 .....	Port Hueneme .....	304 N 2 <sup>nd</sup> St., Port Hueneme 93041
54 .....	Camarillo .....	2160 Pickwick Dr., Camarillo 93010
55 .....	La Posas .....	403 Valley Vista Dr., Camarillo 93010
56 .....	Malibu.....	11855 Pacific Coast Hwy., Malibu 90265
57 .....	Somis .....	3356 Somis Rd., PO Box 347, Somis 93066
.....	Battalion 1 .....	160 Pickwick Dr., Camarillo 93010, 383-6412



- .....Battalion 2 ..... 215 Kunkle St., Oak View 93022, 649-6013
- .....Battalion 3 ..... 325 W Hillcrest Dr., Thousand Oaks 91360, 371-0469
- .....Battalion 4 ..... 910 Church St., Simi Valley 93065, 578-2053
- .....Battalion 5 ..... 3302 Turnout Park Cir., Oxnard 93036, 278-2731



## SECTION II: COLLABORATION

### COMMUNITY/AGENCIES/FIRE SAFE COUNCILS

Representatives involved in the development of the Unit Strategic Fire Plan are included in the following table. Their organization and title are indicated below:

<b>Organization</b>	<b>Title</b>
CAL FIRE, Southern Region	Region Chief Dave Fulcher
CAL FIRE, SLO	Unit Chief Eddy Moore
California Department of Fish and Wildlife	Regional Manager Ed Pert
California Highway Patrol	Amanda L. Ray
Southern California Edison	Kevin M Payne
Fillmore Fire Department	Keith Gurrola, Fire Chief
Local Arborist	Mike Inaba
City Manager Camarillo	Greg Ramirez
City Manager Fillmore	David Rowlands
City Manager Moorpark	Troy Brown
City Manager Ojai	James Vega
City Manager Oxnard	Alexander Nguyen
City Manager Port Hueneme	Brad Connors
City Manager Santa Paula	Dan Singer
Interim City Manager Simi Valley	Brian P. Gabler
City Manager Thousand Oaks	Andrew Powers
City Manager Ventura	Alex McIntyre
Local Ranchers	Rich Atmore
Ventura County RCD	Mark Mooring, President
National Park Service Santa Monica Mountains NRA	David Szymanski, Superintendent

Natural Resources Advisor, University of CA	Annemiek Schilder, Ventura County Director
Natural Resources Conservation Services	Terry Cosby
Public Information Officer, Thousand Oaks	Melissa Hurtado
Santa Monica Mountains NRA	Derrek Hartman, FMO
Ventura Land Trust	Mark Watkins
Ventura Resource Conservation District	Andy Spyrka
U.S. Fish & Wildlife Services, Southern California Fire Management Zone	Dale Shippelhouse, Zone FMO
USDA Forest Service, Ojai Ranger District	Conrad Schwarm, Division Chief
Ventura City Fire Department	David Endaya, Fire Chief
Ventura City Fire Department	Joe Morelli, Fire Marshall
Ventura County Agricultural Commissioner	Ed Williams
Ventura County Board of Supervisors	District 1 Supervisor, Matt Lavere
Ventura County Board of Supervisors	District 2 Supervisor, Linda Parks
Ventura County Board of Supervisors	District 3 Supervisor, Kelly Long
Ventura County Board of Supervisors	District 4 Supervisor, Bob Huber
Ventura County Board of Supervisors	District 5 Supervisor, Carmen Ramirez
Ventura County Farm Bureau	John Krist
Ventura County Fire Protection District	Kenneth VanWig, Captain, Vegetation Management Program Manager



Ventura County Fire Protection District	Mark Lorenzen, Fire Chief
Ventura County Fire Protection District	Massoud Araghi, Fire Marshall
Ventura County Fire Protection District	PR Director Scott Thomsen
Ventura County Sheriff	Bill Ayub
Ventura County Sheriff OES	Patrick Maynard
Ventura County Watershed Protection District	Glenn Shepard, Director
Central Ventura County Fire Safe Council	Mike La Plant, President
Ojai Valley Fire Safe Council	Will Castagna, President
Ventura River Watershed Council	Lynn Rodriguez
Ojai Valley Land Conservancy	Tom Maloney, Director
U.S. Fish & Wildlife Services, Southern California Fire	Tom Cline, BC

## SECTION III: VALUES

### VALUES

The California Strategic Fire Plan defines valued assets susceptible to fire damage as air quality, rangelands, recreation, agriculture, structures, timber, water and watersheds, wildlife and habitat, and other resources (cultural, historic, and scenic). All these concerns exist in Ventura County. As a result, the Department has prioritized valued assets to maximize mitigation and prevention efforts.

Within the Ventura County Unit, there are approximately 846,000 people, 286,000 housing units, and 13,700 businesses at risk. Many of the housing units and businesses are within the Wildland Urban Interface; almost all lie inside the Ember Zone. The Ember Zone is any area within one mile of natural vegetation. These structures are priority assets.



Also given priority is the county's agricultural resources. There are approximately 125,000 acres of farmland and nearly 200,000 acres of grazing land. The crops and livestock grown by the county's farmers, ranchers, and growers have an annual value of \$2.1 billion. The farms and ranches employ thousands of people and their supporting industries – packing houses, trucking companies, and others – employ thousands more. Protecting the county's agricultural assets is a key goal of the Ventura County Fire Department. Additionally, the Department provides protection to the economically important oil and gas production industry, and there are historic and cultural resources to protect, including the Sespe Condor Sanctuary.

Ventura County is divided into six separate watersheds – Ventura River, Santa Clara River, Calleguas Creek, Malibu Creek, Cuyama River, and Coastal Creeks. These critical watersheds and their surrounding valley areas are prime candidates and receive priority consideration for vegetation management and fuel break projects. These projects benefit the watersheds by reducing fire hazards, removing invasive species, improving water yield, and enhancing wildlife and fisheries habitats. In addition, rapid post-fire assessment with project implementation as necessary is conducted in order to restore and protect areas of recovery, minimize flooding, protect water quality, and maintain native species seed banks.

## COMMUNITIES

The northern half of the county lies within the Los Padres National Forest, concentrating the population mostly in the southern part of the county. The Los Padres National Forest accounts for 860 square miles of the northern portion of the county, comprising 46% of the county's land area. Clustered within the southern portion of the county are 14 communities at Risk.

- Camarillo (Battalion 1 – partially in the Thousand Oaks Fuel Bed)
- Casa Conejo (Battalion 3 – Thousand Oaks Fuel Bed)
- Fillmore (Battalion 5 – Fillmore Fuel Bed)
- Meiners Oaks (Battalion 2 – Casitas Fuel Bed)
- Mira Monte (Battalion 2 – Casitas Fuel Bed)
- Moorpark (Battalion 4 – Thousand Oaks Fuel Bed)
- Oak Park (Battalion 3 – Simi Fuel Bed)
- Oak View (Battalion 2 – Casitas Fuel Bed)
- Ojai (Battalion 2 – Ojai Fuel Bed)
- Piru (Battalion 5 – Piru Fuel Bed)
- Santa Paula (Battalion 5 – Ventura Fuel Bed)
- Simi Valley (Battalion 4 – Oak Ridge Fuel Bed)
- Thousand Oaks (Battalion 3 – Thousand Oaks Fuel Bed)
- Ventura (Battalions 2 and 5 – Casitas and Ventura Fuel Beds)

## INFRASTRUCTURE AND AGRICULTURE AT RISK



Ventura County offers some unique challenges when dealing with values at risk. The county is home to a booming agricultural industry, including many different types of orchards that require protection. These orchards are intermixed and often pose a challenge when protecting the various trees and nearby agricultural infrastructure. Ventura County Fire Protection District

takes an aggressive stance in protecting these valuable assets through pre-planning and direct involvement with the local ranchers.

The wellbeing of the agricultural community in Ventura County is considered a priority. To help protect orchards and crops from freezing, VCFD and the Ventura County Air Pollution District partnered to allow the interim use of small warming fires (consisting of orchard clippings/ materials) for the sole purpose of raising the temperature within the orchard or crop to prevent losses attributed to freezing and frost. The approval is subject to restrictions and limitations.



Critical infrastructure always poses a challenge to firefighters. Ventura County has numerous distribution systems that range from natural gas pipelines to major electrical transmission lines. Another challenge is the number of oil and natural gas production-distribution systems. These installations have a significant exposure to wildfire.

## **SECTION IV: PRE-FIRE MANAGEMENT STRATEGIES**

### **FIRE PREVENTION**

Fire plays an important role in the natural ecosystems within Ventura County. The goal of the Ventura County Fire Department Strategic Fire Plan is to prevent human-caused wildfires and to minimize the risk to lives, property, and infrastructure during the wildfire events that inevitably do occur.

The Ventura County Unit focuses on its fire prevention goal by addressing the risk factors which include:

Areas with limited or inadequate infrastructure to accommodate access for fire protection equipment or safe evacuation of residents during a wildfire event. In accordance with AB 2911

(2019), the Ventura County Fire Department will assist the California Board of Forestry and Fire Protection in surveying the County and preparing a list identifying all existing subdivisions over 30 dwellings located in a state responsibility area or a very high fire hazard severity zone, identified pursuant to Section 51178 of the Government Code, without a secondary egress route and that is at significant fire risk. The County will assist the California Board of Forestry and Fire Protection and with the California State Fire Marshall to develop recommendations to improve fire safety in the identified subdivisions.

Residential landscapes with dry and/or highly flammable vegetation located close to structures, and inadequate or non-existent defensible space.

Many older homes constructed with flammable building materials (particularly roofs) and inadequate vent coverings that will allow penetration of embers and flame.

Population with limited education and knowledge regarding fire-safe behaviors and practices.

Communities at risk that have expanded (homes, infrastructure, and assets) to the edges of large areas of old-growth chaparral.

This plan recommends the following strategies to mitigate these risks:

Continue existing vegetation management efforts and initiate new projects as appropriate to reduce risks in the WUI and ember-landing areas within and around the communities at risk.

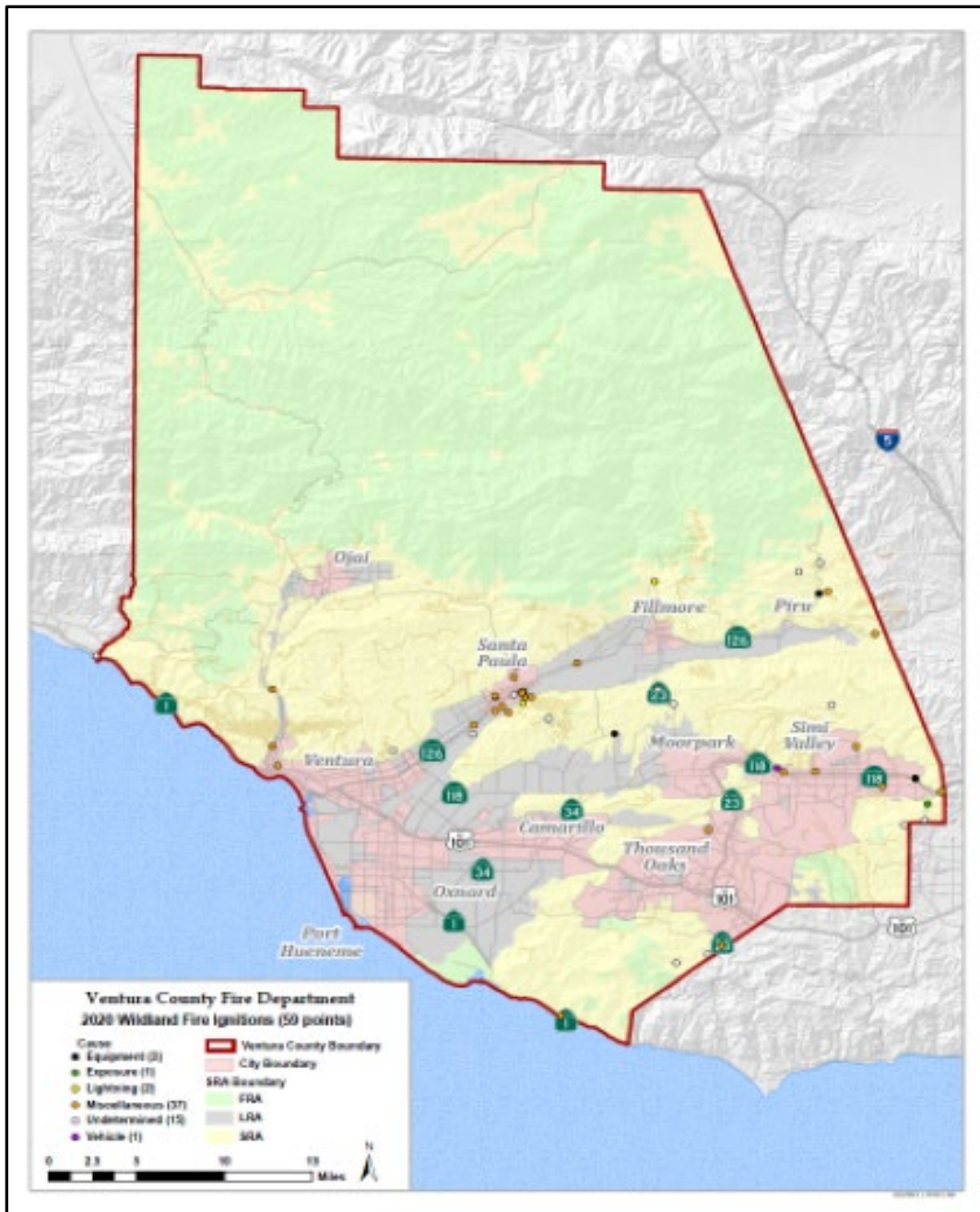
Promote fire-resistant landscaping and construction.

Conduct mechanical fuel treatments.

Develop and enforce building construction standards and local fire codes.

Compose pre-fire safety and escape plans.

Continue development and implementation of focused community meetings, programs, and wildfire safety education efforts directed at structure and property owners in the WUI areas.



## Wildland Fire Ignition

Understanding the root cause of wildland fires and the county's fire history is a critical first step in understanding what necessary policies and actions can help mitigate this threat. Wildland fires are linked by two elements: ignition source which starts the fire and the fuel that feeds the fire allowing the fire to propagate.

On the ignitions data map, the placement of most ignitions along the roadways indicates that roadside causes represent a large portion of reported fires. There is an active program in the county administered by Cal-Trans and the Ventura County Public Works to mow along major highways and roads in order to prevent escalation of the ignitions along these corridors. As result of these actions, most fires are extinguished prior to moving from a small smoldering fire to an actively burning fire. In 2018 Ventura County Fire Department collaborated with Cal-Trans to treat a section of HWY118 with an innovative gel-based fire retardant that resulted in decreased roadside ignitions.

## **ENGINEERING AND STRUCTURE IGNITABILITY**

### **Causes of Structural Ignition**

Structures in or near a wildfire event can ignite for several reasons, including direct exposure to flame, radiant heat, and impact from falling trees that are burning.



However, the most significant cause of structural ignition, by both direct and indirect effect, is embers. In the high winds that frequently accompany wildfires in Ventura County, embers can be carried for up to two miles in advance of the flame front. These embers can ignite grass, brush, landscaping, and firewood piles, and can accumulate on wooden decks or under eaves. Without proper screening, they can also penetrate the attic and ignite homes long after the firefight seems to be over. The Unit makes a significant public information effort specifically targeting the dangers of ember intrusion.



## Creating Ignition-Resistant Structures

A multi-faceted approach is recommended to effectively protect structures from ignition during a wildfire event. A combination of defensible space, fire-resistant materials, and fire-resistant structural design can greatly increase the odds of survival in a wildfire event.

### Recommendations to improve structure survivability in a wildfire are:

- **Roofing materials**

The roofing materials must be resistant to the heat from embers – a Class A-rated roof, self-extinguishing, if possible (this means that a burning ember will not burn through the roofing material and ignite the wooden roof deck below it.) This is a key element of structural defense, without which the structure’s risk increases dramatically.



- **Structural extensions and openings**

Awnings, decks and deck covers, patio covers, porches, eaves, and open exterior stairways can provide a place where embers accumulate and ignite the extended structure, which can then ignite the main structure. Also, improperly screened attic or crawlspace vents or soffits can allow embers to enter and ignite the structure. Chimneys, open windows, or single-pane windows that break easily when stressed by the heat of a wildfire can also allow embers to enter.





- **Defensible space around the structure**

Defensible space, when properly done, eliminates many of the causes of structural ignition. Essentially, it is the trimming and/or removal of potential sources of fuel for fire near the structure, including flammable landscaping, firewood, propane tanks, trees or overhanging limbs, wooden fences, and trellises or other easily ignitable wood structures or objects. It should be understood, that “bare ground” landscaping is not the objective here -- rather, the landscape is carefully addressed to trim or remove “ladder fuels” that can carry fire from one shrub or tree to the next, and trees or shrubs that present direct risks due to their proximity to structures are trimmed or removed (with appropriate permits, if required).



- **Firefighting equipment access to the structure**

Roads, bridges, and driveways leading to a structure must be adequate in width, overhead clearance, and structural strength to accommodate firefighting equipment. Education is an important aspect of creating ignition-resistant homes and structures within the communities at risk. An outreach program to homeowners is recommended, as well as educational and reference materials for contractors, builders, and architects.

## **INFORMATION AND EDUCATION**

Wildfires are now a year-round reality in Ventura County. This means that both fire management personnel and residents always must be prepared for the threat of brush fires. Firefighters train hard and make countless preparations to be ready for wildfire suppression. Fire managers work year-round to mitigate fire hazards. Residents need to do the same. Successfully preparing for a wildfire requires homeowners to take personal responsibility for protecting themselves, their families, and their property.

The Ventura County Fire Department takes every precaution to help protect homeowners and their property from a wildfire. But the reality is, during a major wildfire, there will simply not be enough fire engines or firefighters to defend every home, especially during the first hours of a major wildfire, so home and property owners must become part of the solution.

If a home borders or is located within a natural area - what firefighters call the Wildland Urban Interface or Intermix, then it is directly at risk from a wildfire. And, if the home is within one mile of a natural area, it is in the Ember Zone. Homes in the Ember Zone are at risk from wind-driven embers from a wildfire. Recent fires have resulted in entire neighborhoods being destroyed by fires started by embers, not the fire front itself.



Through the Ventura County Unit's **“Ready, Set, Go!”** program, a component of the Fire-Adapted Community concept, homeowners and other property owners learn about the Ember Zone and how to retrofit their homes or agricultural property with features that protect it from embers. The program demonstrates the importance of having defensible space around a home and the preparations homeowners need to make so they can leave early, evacuating before the fire arrives.



Since agriculture is a key component in the economy of Ventura County, the Unit has also designed a **“Ready Set Go!”** program for the community of ranchers and growers. The crops grown and livestock raised by the county's farmers and ranchers have an annual value of

almost \$2 billion. The farms and ranches employ thousands of people and the industries that support them – packing houses, trucking companies, and others – employ thousands more.

Protecting the county’s agricultural assets is a key goal of the Ventura County Fire Department.

Wildfire is a major threat to agriculture in Ventura County. Most of our agricultural properties are located either immediately adjacent to natural vegetation or within a mile of it, an area referred to as the Ember Zone. These properties are all at risk from the flaming front of an advancing wildfire or the embers it produces.

Fire is, and always has been, a natural part of the Ventura County ecosystem. Wildfires - fueled by a build-up of dry vegetation and driven by hot, dry winds - are extremely dangerous and very challenging to control. Many residents have built their homes and landscaped their properties without fully understanding the impact a fire could have on them. “Ready, Set, Go!” helps them prepare their homes so they can leave early, confident that they’ve done everything possible to protect their homes. In Ventura County, it’s not a question of if, but when, the next wildfire will occur. That’s why the most important person protecting Ventura County life and property is not a firefighter, but a homeowner. With advance planning and preparation, a homeowner can dramatically increase their safety and the survivability of their property. Over 1000 fire departments across the country have now adopted the “Ready, Set, Go!” program.

Defensible space is the required space between a structure and the wildland area that, under normal conditions, creates enough buffer to slow or halt the spread of wildfire to a structure. It provides space for firefighters to work between a home and an advancing fire, and it protects the home from igniting due to direct flame or radiant heat. Defensible space is essential for structure survivability during wildfire conditions.

**Defensible space can be broken down into 3 zones:**

**WILDLAND-URBAN INTERFACE (WUI) AREA.** That geographical area where structures and other human development meet or intermingle with wildland or vegetative fuels.

**VCFD Defensible Space/ FMZ zones defined:**

**Zone A:** This is a limited planting area within 30 feet of structures and slopes not greater than 20%, 50 feet when slopes are greater than 20%.

**Zone B:** This is the area from the outer edge of Zone A to 100 feet from structures.

**Zone C:** This is considered a thinning zone and is any FMZ greater than 100 feet from structures.

## REQUIREMENTS BY ZONE

### Zone A:

**0-5 feet from a structure** - Very low growing (3-inch high), high-water content ground cover, and few small shrubs (2-foot high). No landscape mulch or wood chips. Use clear soil, rocks, gravel, or concrete. No Trees. This is a recommended no planting zone.

**5-30/50 feet from structure** - Minimal plantings including ground cover and shrubs. Limited trees of a very fire-resistive type and additional spacing. Trees should be spaced to allow minimum 10-foot clearance to structure at full maturity. Also, see **VCFD FMZ Spacing Table 3**.

**Limitations.** Plants and trees identified as “Target” hazard shall not be planted within Zone A. See VCFD Plant Reference Guide.

**Zone B:** Follow **VCFD FMZ Spacing Table 3**.

**Zone C:** When provided, either by conditions of development, voluntary by the property owner, or required by the Fire Department, this zone is more of a progressive thinning zone to lessen the spread of fire as it approaches the primary FMZ adjacent to structures. The amount of fuel reduction and removal should take into consideration the type and density of fuels, aspect, topography, weather patterns, and fire history.

**VCFD FMZ Spacing Table 3**

Type of Vegetation	Max Height (H)	Max Area /diameter (W)	Slope % / Min Spacing (S)*
Ground Cover	6 inches	NA	NA
Mosaic Grouping of Ground Cover (GC)	18 inches	Mosaic groupings shall not exceed 500 sq ft without spacing (S) to next grouping	<20: 2 x GC height (H) 20-40: 4 x GC height (H) >40: 6 x GC height (H)
Single Shrub	6 feet	4 feet	<20: 2 x shrub height (H) 20-40: 4 x shrub height (H) >40: 6 x shrub height (H)
Grouping of shrubs	4 feet	Groupings shall not exceed 50 sq ft without spacing (S) to next grouping	<20: 20 feet 20-40 40 feet >40 Not Allowed
Single Tree	NA	NA	<20: 10 feet 20-40: 20 feet >40: 30 feet

**\* Spacing (S) Notes:**

- Spacing is measured canopy to canopy at maturity.
- Ground cover up to 3' high, when approved, may be installed within the required clear space (S) between groups. If natural or annual grasses are used, they shall be mowed to a maximum height of 3" stubble with clippings removed.
- Ground cover under tree canopies, when approved, shall have a clear distance above the ground cover a minimum three times the height of the ground cover (3H) to the lowest branch of the tree canopy and shall not be within 3 feet of the trunk of the tree.

**Additional Requirements.**

- Highly flammable trees are not allowed unless approved by the Fire Code Official.
- The horizontal distance between crowns of trees and crowns of adjacent trees, overhead electrical facilities, or unmodified fuel is not less than 15 feet.
- The vertical clearance distance above any roof is not less than 3 feet.
- The horizontal and vertical clearance to any chimney or heat-producing device is not less than 10 feet.
- Trees exceeding 6 feet in height shall be limbed up from the ground 5 feet or 1/3 the height of the tree, whichever is less.
- All plants and trees shall be maintained free of deadwood, leaves, and limbs that can increase the ability to ignite and or carry fire. This includes dried palm fronds.
- Tree litter shall not exceed 2" depth underneath tree canopies.
  
- Where tree canopies touch or extend past the 100' defensible space zone, there shall be a clear area from the edge of the tree canopy to the brush of not less than 15', which may require clearance outside the 100' zone.
- Roofs and gutters on buildings shall be maintained free of any leaves, needles, or other vegetative materials.
- Mulch and wood chips shall comply with VCFPD Standard 14.9.2. Not allowed within 5 feet of structures.
- Irrigation is not required for any defensible space or FMZ.



## Informational Websites and Documents

Ventura County Fire Department

<http://vcfd.org/>

[www.vcfhrp.org](http://www.vcfhrp.org)

[https://vcfd.org/images/FHRP/VCFD\\_Wildfire\\_Property\\_Assessment\\_Brochure\\_web-1.pdf](https://vcfd.org/images/FHRP/VCFD_Wildfire_Property_Assessment_Brochure_web-1.pdf)

<https://vcfd.org/images/FHRP/VCFD-WUI-Insert-04-2019-final.pdf>

Social Media:



<https://www.facebook.com/venturacountyfire/>

<https://www.facebook.com/Ventura-County-CERT-155332581160589/>



<https://twitter.com/VCFD>



<https://www.linkedin.com/company/vcfd>



<https://www.instagram.com/venturacountyfire/>



<https://www.youtube.com/channel/UCVsskUmN7TUq-IFsSnOAxcg>



<https://vimeo.com/venturacountyfire>



### *Pulse Point*

<http://vcfd.org/about-vcfd/pulsepoint-information>

### *Ready Set Go!*

<http://firenet/Ready%20Set%20Go%20Documents/Ready,%20Set,%20Go!%20-%20Wildfire%20Action%20Plan.pdf>

### *Firewise Communities*

<http://www.firewise.org/wildfire-preparedness.aspx>

### Agricultural Burn Permit Information

<http://www.vcapcd.org/AgrBurQA.htm>

### **New Web Applications**

Ventura County Fire and EMS agencies have joined together with Pulse Point to help increase survival rates of cardiac victims. Pulse Point is also an excellent way to receive alerts on brush fires within the county. The Pulse Point App is now available to Ventura County; the smartphone app is free and alerts everyday citizens when CPR is needed for patients in cardiac arrest. Get the app and help save a life. Download the Pulse Point app <http://vcfd.org/about-vcfd/pulsepoint-information> onto your Android or iPhone, and then follow “Ventura County Regional Dispatch” to receive real-time alerts.

## VEGETATION MANAGEMENT

The Ventura County Fire Department believes in a vegetation management process that starts at the house and works its way outward to the surrounding fuel beds.

It starts with the Fire Hazard Reduction Program - clearing weeds and brush 100 feet away from the structure as a standard and then moving to the natural vegetation beyond that point. It is not unreasonable, and in some instances, may be encouraged for property owners to clear up to 300 feet away from structures depending on topography and environmental conditions. When community fire breaks, vegetation removal or modification is necessary, it may be accomplished in several ways. Techniques include the use of hand crews, mechanized equipment, hand tools, grazing, forage crop propagation, herbicides, and prescribed burning. Vegetation management projects are often accomplished using a combination of these techniques.



Regardless of the techniques used, the nature of the vegetation in Ventura County assures that, unlike the forests in northern areas, the chaparral prevalent here will quickly grow back. As a result, in addition to the treatments themselves, successful vegetation management projects include planning, oversight, and an ongoing maintenance process.

Proper planning of vegetation management projects includes careful consideration of all environmental, cultural, habitat, and historical preservation aspects. Each of these areas needs to be addressed, therefore review, permission, approvals, as well as permits that may be required, are essential before any work is done on the ground. This process is evaluated on a project-by-project basis, taking into consideration the project's activities, geographic location, and seasonal timeline.

## Wildfire Safety Project Priorities



While any wildfire protection project is important, the realities of funding constraints require priorities to be established among types of projects. Given the information within this document that is specific to Ventura County, the types of projects that are determined to be of highest priority, in priority order, are:

1. Vegetation management projects where the potential for a wildfire threatens life, property, agricultural assets, critical infrastructure, evacuation routes, and/or emergency ingress/egress in and around the communities at risk and unincorporated areas of the county.
2. Vegetation management projects where the potential for a wildfire threatens watersheds, riparian areas, or other sensitive ecosystems; or high-traffic recreation areas.
3. Wildfire Safety Education Programs that provide homeowners, farmers, ranchers and other community members with information on defensible space, fire-resistant landscaping, emergency procedures, evacuation, temporary safety areas, home defense, and related topics; and planning or preparedness projects that improve citizen and/or firefighter safety in the event of a wildfire.

## **Fire Hazard Reduction Program**

The Fire Hazard Reduction Program is one of the most important fire defense programs offered by the Ventura County Fire Department. The program provides an opportunity to establish defensive barriers in the urban/wildland interface in preparation for the annual onslaught of wildfires in the county.

The objectives of the Fire Hazard Reduction Program are to:

- Reduce the negative impacts to life, property, and infrastructure from destructive fires in the Wildland Urban Interface areas.
- Provide fire suppression resources the opportunity to successfully protect structures and other valuable properties in the Wildland Urban Interface by establishing and maintaining a minimum 100-foot defensible perimeter around each structure.
- Work with property owners, local jurisdictions, and other District programs to create an acceptable defensive perimeter around urbanized areas of the Fire District.
- Protect the watershed fire areas from exposure to structure fires in the Wildland Urban Interface areas.
- Support the public's need for clear and accurate information regarding Defensible Space and the District's Wildland Fire Hazard Reduction Program requirements.
- Leverage technology to reduce expenses of the FHRP program, to provide ease of access to the public, and to document how FHRP program activities and resulting proper defensible space can be correlated with reduced loss of life and property due to wildland fires.

The response area for the Department includes seven incorporated cities, many rural communities, and vast areas of open agricultural or undeveloped land. Over time, as the population of Ventura County has grown and development expanded to accommodate that growth, the risk from wildfire has increased.

The County of Ventura had a County Ordinance in 1929 and 1930 that required a 30-foot brush clearance area around all structures. In 1950, the distance was increased to 60 feet. The more formal Fire Hazard Reduction Program began in 1965 when the Ventura County Fire Department adopted the Uniform Fire Code for the first time. The code was compiled and produced by the California Fire Chiefs Association.

Prior to 1965, the Department's fire code was only about 15 pages long, and the only code enforcement was a citation from the courts. Under the old fire code, 1,431 clean-up notices were issued in 1958. If needed, a second notice was issued called a "Fire Code Violation." After that, the Department seldom took any further action. All notices were done by hand.

Owners were located by asking neighbors if they knew who owned the land parcel in question. Parcel maps were not available at the fire station.

But with the adoption of the fire code in 1965 and the use of Electronic Data Processing as a means of notifying property owners of fire hazards existing on their property, the program began to be much more effective. This system provided the fire stations with the names and addresses of property owners and parcel maps were also available.

Under the provisions of the fire code, failure to comply with an abatement notice resulted in the Fire Department removing the hazard with the cost of the removal, plus an administrative charge, being assessed against the property.

Records show that in 1965, 5,000 notices were sent out and the program had a \$10.00 administrative charge for each parcel cleaned by the Department.



By about 1970, a tremendous amount of development in the Simi and Conejo Valleys resulted in the Department sending out over 11,000 notices and hiring contractors to clean more than 2,000 parcels each year, all with the additional administrative charge of \$10.00.

In 1971, the brush clearance phase of the weed abatement program was expanded, with a focus on improved properties in high-hazard areas, to emphasize a 100-foot area of defensible space. This was done in response to the significant losses that occurred in 1970 as a result of devastating brush fires in Ventura County. The formal clearance requirement from 60 feet to 100 feet did not change by ordinance until 1991.

By 1983, the administrative charge had been increased to \$41.00 per parcel. Fourteen thousand notices were sent out and 1,340 parcels had to be cleaned by the Department.

The program changed its name in about 1990, from Weed Abatement to the Fire Hazard Reduction Program and the urban/wildland interface conflagrations were termed “the fires of the future.”



During the 1990s, the administrative fee charged by the Department began to rise steadily. In 1991 it was increased to \$221, and by 1996, it had risen to \$690. For 2021, the charge is \$1,864 per parcel.

Over the years, the number of parcels the Department has had to abate has been greatly reduced by a concentrated effort from the fire inspectors assigned to the program and the increases to the administrative charge. In 2007, the Department abated only 18 parcels, down from a high of 2,000 in 1971. The current average is approximately 25 - 30 parcels abated per year.

The statistics over the past 25 years show two unmistakable trends; first, voluntary compliance by the property owners is extremely good thanks to the efforts of the fire inspectors and, secondly, the compliance continues to improve even with many more notices being sent on a yearly basis. In 1971, the Department abated about 18 percent of the noticed properties, compared with less than one percent in 2007, despite an increase of more than 75 percent in the number of notices sent over the same period.

The Fire Hazard Reduction Program is operated out of the Fire Prevention Bureau. It is led by a Fire Prevention Officer and staffed by a full-time Fire Inspector. Starting in May and extending until about August, a Fire Engineer and six - eight seasonal workers assist in inspections and compliance.

### **Landscape (Ornamental)**

- Remove continuous flammable vegetation and other combustible growth within 100 feet of any structure. Single trees or shrubs or cultivated ground covers may be permitted provided they are maintained so that they do not readily transmit fire from native vegetation to the structure.



- Special attention should be given to the use and maintenance of ornamental plants known or thought to be high-hazard combustible plants when used near structures.

Some of these known plants are, but not limited to, acacia, cedar, cypress, eucalyptus, juniper, pine, and pampas grass. Planting of ornamentals should be properly maintained and should not be planted in mass plantings and groups. They should not be planted in such a manner that they could transmit fire from the native brush to the structure.



### **Yard Maintenance**

- Stack wood at least 30 feet from structures; remove flammable vegetation within 10 feet of a woodpile.
- Remove all stacks of construction materials, pine needles, leaves, and debris.
- Locate fixed butane/propane tanks at least 10 feet from any structure and give them 10 feet of brush clearance.

### **Roof Maintenance**

- Remove branches overhanging the roof. A minimum 3-foot clearance above the roof is required.
- Provide a minimum 10-foot clearance from chimney and stovepipe outlets.
- Clean all dead leaves from the roof, roof valleys, and rain gutters.
- Cover chimney outlets with a spark arrestor consisting of a metal or non-flammable screen of ½ inch or smaller.

## SECTION V: PRE- FIRE MANAGEMENT TACTICS

### **VEGETATION MANAGEMENT AND FIRE BEHAVIOR MODIFICATION**

The Ventura County Fire Department's Vegetation Management Program focuses on vegetation that is beyond the scope of the Fire Hazard Reduction Program.

Fire behavior modification zones and community fire breaks are useful assets in and around the Wildland Urban Interface. These zones utilize the science of behavior modeling to predict the anticipated fire behavior in each area. Adding historical fire and weather data, the Department evaluates the areas to reduce the effects of fire to the assets at risk. Fire behavior modification zones provide areas with reduced fuel loading, altered fuel continuity, and modified fuel configuration that is intended to alter fire behavior.

Positive changes to fire behavior increase firefighter safety during wildland operations by reducing the energy released in the treated fuel bed. Similar projects can be used to construct designated safety zones or temporary refuge areas.

The Department works cooperatively and collaboratively with landowners, environmental organizations, and land management organizations to restore ecosystems and effectively manage the open-space areas within the county while providing fire protection to our communities at risk.

Fast-moving, high-intensity wildfires contribute to the destruction of habitat and prolong the restoration period associated with wildfires. Vegetation management reduces secondary fire effects by limiting fire intensity. In addition, the Department works with state and federal resource agencies, and the Ventura County Watershed District, to maintain and preserve valuable resources in the watershed areas.





## **DIVISION/BATTALION/PROGRAM PLANS**

The Five-Year Vegetation Management Plan of the Ventura County Fire Department (commonly referred to as the Five-Year Burn Plan) was developed as a planning tool to assist in the overall strategic objective of modifying hazardous fuels within the county. Because vegetation management planning is dynamic by nature, this plan is intended to be a living document subject to changes caused by many variables. These variables include, but are not limited to, a change in fuels due to natural fires, residential and commercial development into the interface areas, special governmental funding programs for hazardous fuels reduction, and continued participation by public and private landowners.

Six prescribed fire benefits, as defined by CAL FIRE's Vegetation Management Program, were evaluated to prioritize specific projects. These benefits are fire hazard reduction, water yield, wildlife habitat improvement, fisheries habitat improvement, air quality improvement, and range forage improvement.

Based on analysis of fire benefits, projects in each identified area are prioritized as high, medium, or low. Projects having benefits other than fire hazard reduction are rated as either a medium or low priority based on the value of the other derived benefits. All our projects have a maintenance component to keep the threat reduced.

Casitas, Ojai, Ventura, Fillmore, South Mountain, Thousand Oaks, Malibu, Oak Ridge, Simi Valley, and Piru are the ten fuel beds that are identified and serve as the geographical basis from which the plan was developed. These areas are found in four of the Unit's five battalions and represent most of the Department's at-risk areas. Fire history from the past 100 years, assets at risk, fuel types, and weather patterns were all considered in the development of this plan.

**APPENDIX A: PRE-FIRE PROJECTS**

Project Number	Project Name	Planning Area	Status	Activity Acres	Project Acres
3013-1975- PRE-029	FHRP Defensible Space Inspection	SRA, LRA	A	County wide	
3013-2013-FPL- 028	FHRP Road Clearance	SRA, LRA	A	50	50
3013-2014- PRE-027	Wildland Fire Mitigation & Education Outreach	SRA, LRA	A	County wide	N/A
3013-2014-FPL- 026	Neighborhood Chipper Program	SRA, LRA	C	County wide	100
3013-2011-FPL- 013	Ag ID Cards	SRA, LRA	A	County wide	N/A
3013-2013-FPL- 000	Helispots	SRA	M	0.25- 1.0	7
3013-2009- VMP-032	Hopper Mountain Condor Refuge	FRA	M	19	19
3013-2008-FPL- 025	Ojai Last Defense (CDZ)	SRA/LR A	M	40	40
3013-2008- VMP-030	KFA Project	SRA	M	5	73
3013-2011- VMP-001	Reagan Defensible Space	LRA	A	109	18
3013-2008- VMP-003	Upper Ojai Wildfire Protection Zone	SRA	A	25, 8	33
3013-2013- VMP-031	San Buenaventura Project  Barlow 2	SRA	M	78, 113, 100,17 6, 93, 128, 110,	2163

				179, 24, 132	
3013-2010-FPL-002	Matilija TRA	SRA	P	7	7
3013-2012-PRE-015	Central Ventura County Ready, Set, Go! Program	SRA, LRA	O	county wide	N/A
3013-1974-FPL-024	Fire Roads	SRA	M	county wide	
3013-2014-OTH-018	Ranch Plans	SRA, LRA	O	county wide	N/A
3013-2010-VMP-035	Sespe	SRA	M	2.7	2.7
3013-2019-FPL-002	One Step Ahead	SRA, LRA	P	County wide	
	Harmon Canyon	SRA	P	TBD	2,123
	Coast Live Oak Mortality	SRA, LRA	P		1000+
3013-2009-FPL-036	Grubb-Taylor Bridge	SRA	C	1.5	5
	Fire in the Classroom	LRA/SRA	P	N/A	N/A
3013-2017-VMP-002	San Buenaventura 2	SRA	C	528	528
0313-2017-FPL-003	Thermal Anomaly	SRA/ LRA	M	13	10
	Reducing Wildfire Risk in PIRU	SRA	P	TBD	
	Home Ignition Zone Training	SRA	A		

	Bell Canyon				
	VCFD Hazardous Fire Area Aerial Map Layer	SRA/LR A	A/P		
	Ember Zone Mapping and Outreach	SRA/ LRA	A/P		
0313-2019-FPL-007	Ventura River Arundo Removal	LRA	A	82	82
	Living with Fire: Building Resilience in Ventura County	LRA/SR A	P		
	Wildland Tactical Maps	LRA/SR A	A		
	Reyes Peak Forest Health and Fuels Reduction Project	LRA	P		
3013-2008-FPL-025	Ojai CDZ (Ojai Last Defense)	FRA/ SRA	A	80	40
3013-2021-FPL-003	Ventura River Watershed Arundo Removal Project	SRA/ LRA	P	TBD	TBD
3013-2019-FPL-003	Forest Service Fire Roads	FRA	A	63	63
3013-2019-FPL-004	Ojai Valley Hazardous Fuels Reduction	SRA/ LRA	A	43	43

*Project Number: Cal MAPPER ID Project Name: Project Name as in Cal MAPPER*

*Planning Area: SRA or LRA*

*Status: A = Active, P = Planning, C = Completed, M = Maintenance*

*Project Type: VMP, CFIP, FPL = Fire Plan, PREV = Prevention, and FI = Forest Improvement, Other = identify at the bottom of the table.*

## APPENDIX B: UNIT GOALS AND OBJECTIVES



**Goal:** The primary goal of the Ventura County Fire Department’s Strategic Fire Plan is to prevent the loss of life from wildfires, reduce the amount of property destroyed by them, and reduce the total cost of fighting wildfires. This is accomplished in Ventura County by protecting assets at risk through focused pre-fire management prescriptions and increased initial attack success. The Ventura County Fire Protection District supports the California Strategic Fire Plan and has modeled its Ventura County Unit Strategic Fire Plan as a complement to the State plan.

### **The Ventura County Unit Strategic Fire Plan has five strategic objectives:**

1. To create wildfire protection programs and policies that reduce the risk to communities and create safer conditions for firefighters.
2. To assess all areas of natural vegetation that threaten values at risk, to determine strategies for reducing that risk.
3. To emphasize intensive and effective training for firefighters to improve their skills and increase their safety.
4. To develop and maintain strong programs for vegetation management and fire hazard reduction while protecting the environment and preserving habitats.
5. To develop and maintain comprehensive public education programs to inform, instruct, and enlighten residents on the dangers of wildfires and what they can do to prevent and prepare for them.

## **APPENDIX C: ADDITIONAL UNIT SPECIFIC GOALS AND OBJECTIVES**

### **SUMMARY**

For the California Strategic Fire Plan, the Ventura County Fire Department is responsible for wildland fire protection within Ventura County under policies set forth by its Board of Directors and its contractual obligations to the State.

The Ventura County Fire Department fulfills this mission by using innovative strategies to create an atmosphere where careful planning, comprehensive education, and highly trained firefighters result in well-protected communities. For the Ventura County Fire Department, the elements of effective protection are:

- Comprehensive Planning
- Ongoing Community Education
- Vigorous Prevention Efforts

Aggressive Fire Suppression coupled with the proper mix of the elements above, the values at risk within Ventura County can be effectively and economically protected from the risks of wildfire.

Comprehensive Planning includes such pre-fire actions as the construction of community fire breaks, hazardous fuel reduction, construction of refuge areas, and the creation of defensible space. These actions not only reduce the risk to valued assets, but they also enhance firefighter safety.



Community Education is a key component in creating safe and Firewise communities. There is no doubt that, even during a major wildfire, there are not enough fire engines to have one in every driveway. As a result, the Ventura County Fire Department believes it must establish a partnership with residents to educate them on how they can harden their homes, provide defensible space, and safely evacuate. This is accomplished through the use of the “Ready, Set, Go!” wildfire preparedness program, and the message is delivered by other means. All Ventura County fire stations have printed materials available, and all the firefighters are trained in the key message points.

VCFD personnel make regular presentations to service clubs, school groups, homeowners associations, civic organizations, and twice a month, at the County Courts jury assembly room. Working with Fire Safe Councils and other interested collaborators, the Ventura County Fire Department reaches a wide range of affected property owners.

The Department also employs websites (<http://vcfd.org/> <http://vcreadyssetgo.org>), social media (Facebook and Twitter), mobile apps, and other available technology to help educate and inform the public.

Many of the Ventura County Fire Department’s fire prevention efforts have become models for other fire departments. In particular, the Fire Hazard Reduction Program (FHRP), with a 50-year record of success, has been widely adopted in other jurisdictions.

Under this program, abatement notices are sent to more than 18,000 property owners in the Wildland Urban Interface. The code requires these property owners to clear weeds and brush 100 feet from any structure. This removes dangerous fuels in proximity to structures and it provides defensible space for firefighters to use. The Department performs the work on parcels that do not complete the abatement by the deadline and the property owner is assessed the cost. But, due to the historical success of the program, there is a 99 percent voluntary compliance rate.

Despite concerted education and prevention efforts, the Ventura County Fire Department understands that wildfires will occur. It has a stated goal of keeping 95 percent of these fires at less than 10 acres. Its commitment to training and equipment has resulted in achieving this goal on a regular basis. The Ventura County Fire Department's firefighters are some of the best-trained firefighters in the world, and their expertise shows not only in the results in Ventura County but also through their contributions in other jurisdictions as well.

Because of this, the Ventura County Fire Department and its Strategic Fire Plan are a strong component of the California Strategic Fire Plan and the State's overall firefighting effort.



## APPENDIX D

### Fire Safe Councils / Contacts

In order to fulfill their common mission to preserve Ventura County's manmade and natural resources, Fire Safe Councils utilize the combined expertise, resources, and distribution channels of their members.

Ojai Fire Safe Council  
Yvonne Puth, Secretary  
1330 Foothill Rd. Ojai, CA 93023  
Office: (805) 646-7307  
[will@firesafeojai.org](mailto:will@firesafeojai.org)

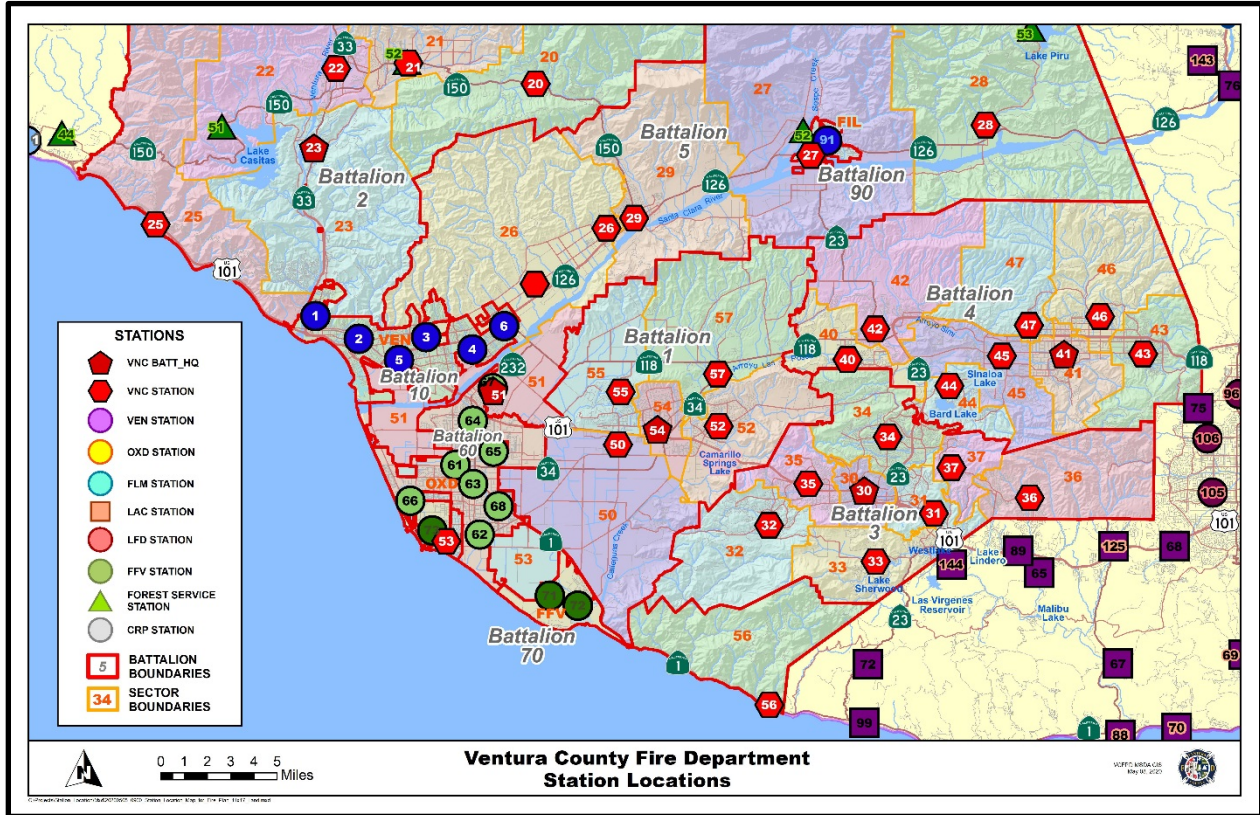
Ventura Regional, formerly Central Ventura County Fire Safe Council  
Elaine Himelfarb, Executive Director  
(805) 746-7365  
<http://cvcfiresafe.org/aboutus.html>

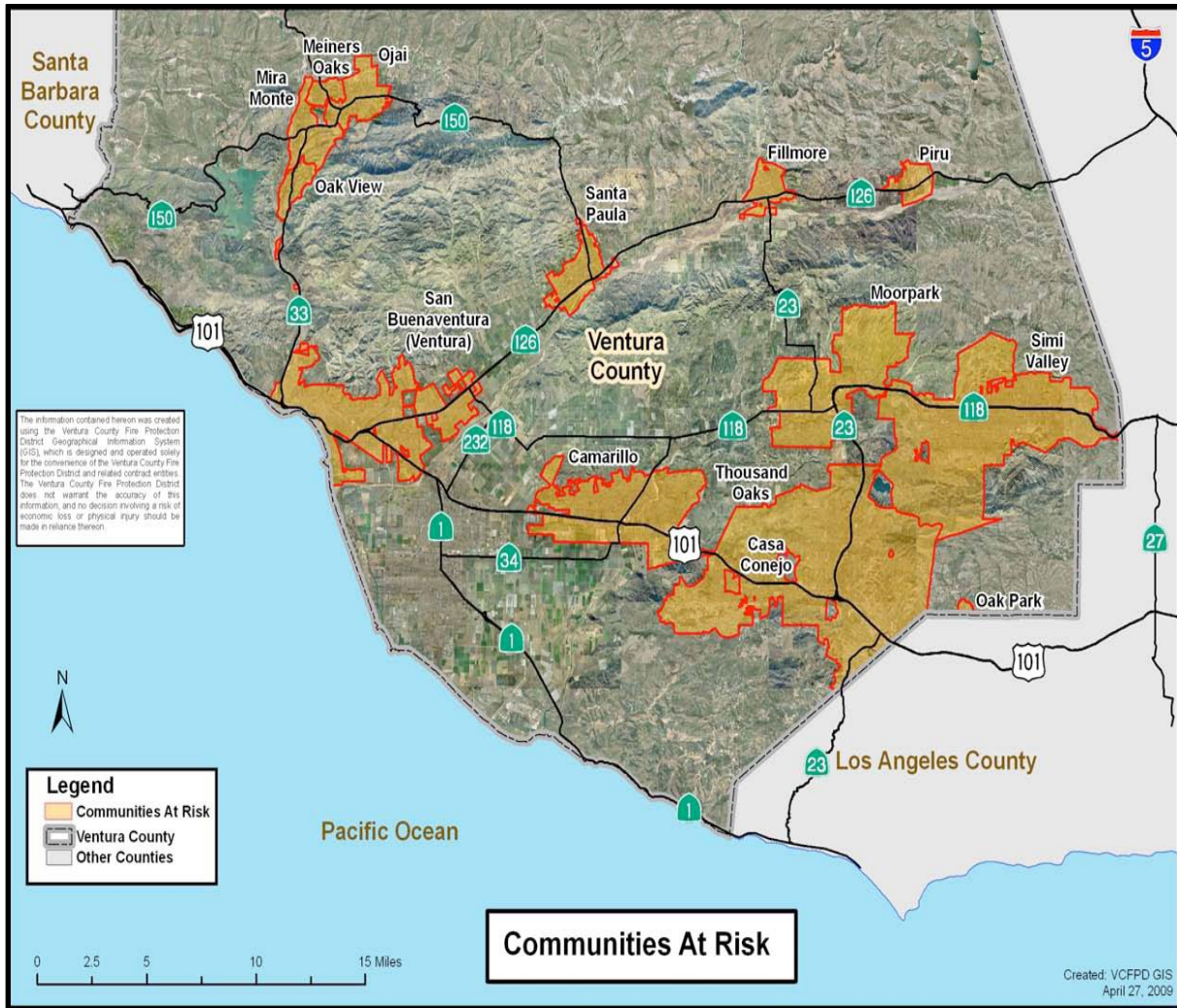
Newly formed in 2020-Bell Canyon Fire Safe Council  
Greg McHugh  
<https://www.bellcanyon.com/bcfsc>

Mt. Pinos Communities Fire Safe Council

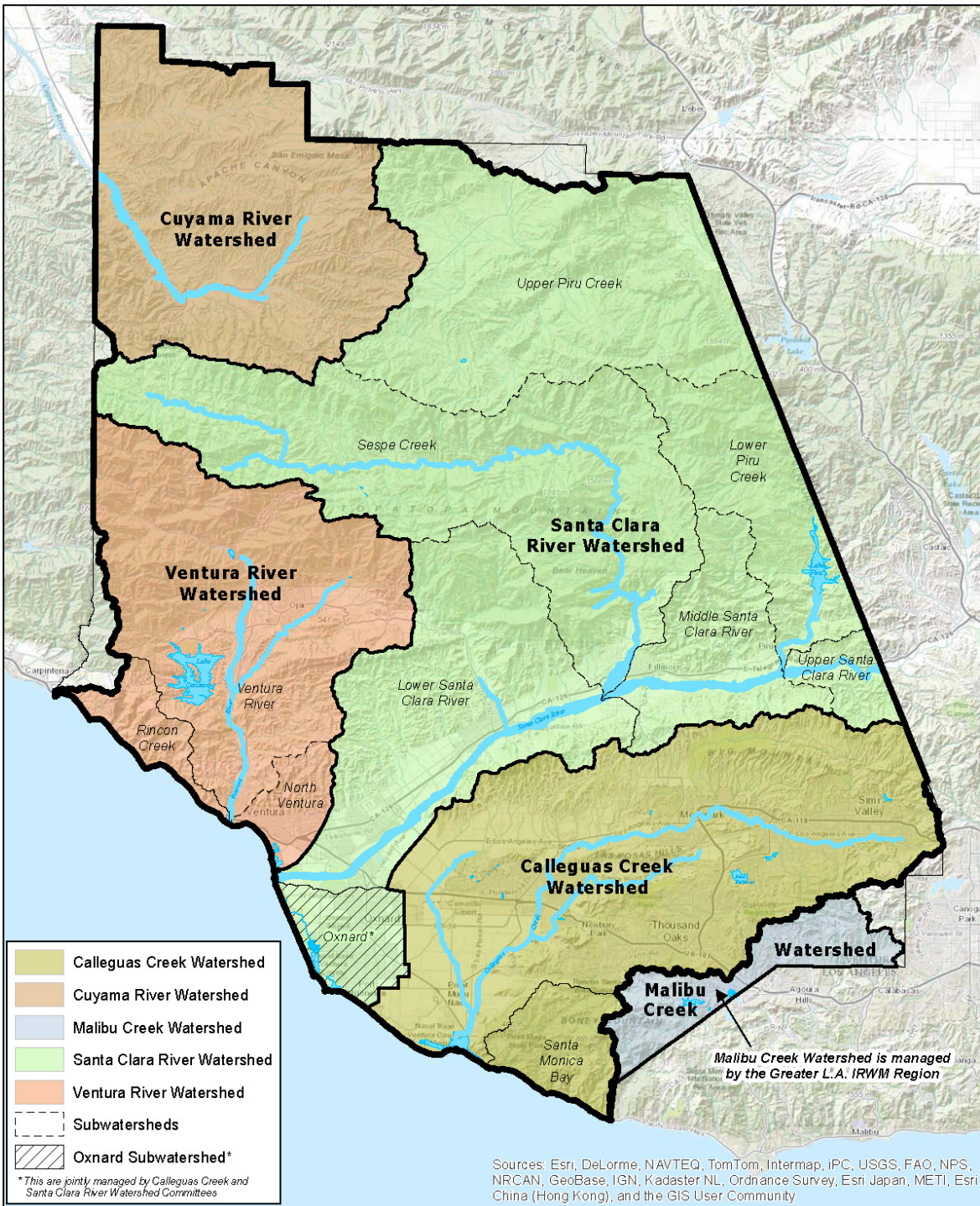
Disbanded in 2017.


# EXHIBITS: MAPS









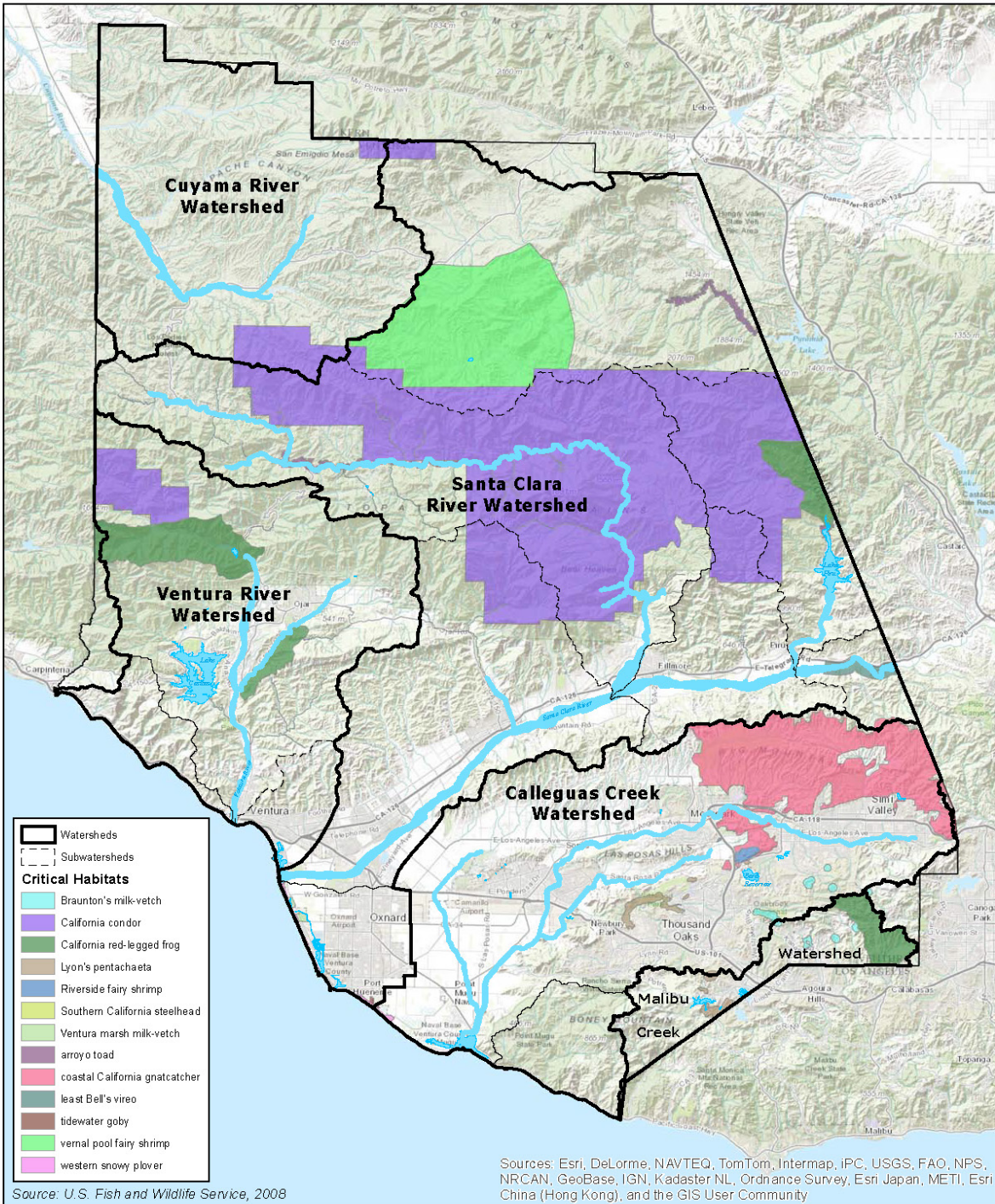

 Ventura County  
 Resource Management Agency  
 Information Systems Department  
 Map created on 08/20/2013



# Map 1 IRWM Boundaries

0 2 4 8 Miles  
 Disclaimer: this map was created by the Ventura County Resource Management Agency Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance therein.





Ventura County  
Resource Management Agency  
Information Systems Department  
Map created on 07/31/2013



## Map 9

0 2 4 8 Miles

Disclaimer: this map was created by the Ventura County Resource Management Agency Mapping Services - GIS, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance therein.



## ANNUAL ACCOMPLISHMENTS REPORTING (2020)

Like the rest of the world Covid-19 has had a large impact on the Ventura County Fire Department. To minimize the impact on VCFD personnel and the communities we serve, the department took quick and decisive action by standing up a COVID Unit in early December.

This COVID Unit was comprised of two full-time firefighter paramedics that were given the title of Covid Officers (CO) and assigned to assist the Administrative Services Bureau Chief, Human Resources Battalion Chief, and Human Resources Director under the direct supervision of the Emergency Medical Services Battalion Chief. Three additional COVID Officers (CO) were trained for relief and contingency purposes. The COs were issued laptops, iPads, iPhones, and Agency Vehicles. A landline phone number was established and made known to all department personnel, ensuring their COVID questions and concerns were addressed without delay. In addition to being managed directly by the Emergency Medical Services Battalion Chief BC and indirectly by the Administrative Services Assistant Chief, the COs also took direction from the Division Chiefs and the pre-established COVID Task Force.

Some of the CO's duties included: rapid testing, PCR testing, quarantine length and determining the COVID status of employee's and later family members and others whose COVID status would directly impact our employees.

Although the Ventura County Fire Department postponed all events and closed public access to all fire stations and buildings providing non-emergency services, Emergency response services did not change. All fire stations remained fully staffed and able to respond to any emergency.

VCFD will continue to monitor and support COVID-19 recommendations from Ventura County Public Health, the California Department of Public Health, and the Centers for Disease Control and Prevention (CDC). With Ventura County entering the Orange Tier, as of April 08, 2021, the Ventura County Fire Department has resumed in-person services at 165 Durley Avenue Headquarters in Camarillo. With reopening, some restrictions remain in place.

### **Fire Planning:**

- To provide adequate space for modern firefighting equipment a new Fire Station (Station 27) was completed in Fillmore. During normal operations, Station 27 is staffed by four fighters and two heavy equipment crewmembers. The facilities equipment includes an engine, rescue, water tender, utility truck along with a bulldozer. The old Station 27 is being utilized by the Los Padres National Forest Type 3 engine and firefighters.
- In 2019 the Department purchased a portable, above-ground, closed system for the remote storage of firefighting water. The Helopod™ is 20' long with a 7,000-gallon capacity, smooth-sided allowing for helicopters to extract water safely using a fixed tank with a snorkel or a collapsible bucket. This asset will be

strategically placed, allowing quicker turnaround times by placing the water where the helicopters can use it to help extinguish fires.

- Progress continued this year on a mobile Wildland Pre-Fire Plan application. The application is an integral part of the Ventura Situation Awareness Tool (VSAT), a web-based geospatial decision support mechanism intended to allow users to create and share information across an incident and with other organizations. The “VSAT Wildland Pre-Plan View state” is a version of the VSAT interface designed to browse and update pre-planning data before the incident. New templates were created for ground “truthing” and tactical information updating by field personnel. As fire stations submit local pre-fire plan data, the information is made available both internally and externally through VSAT and as printable PDF maps.
- The Department continued to work with the Ventura Regional Fire Safe Council (VRFSC), formerly the Central Ventura County Fire Safe Council (CVCFCSC) on updating ranch plans which provide quick accurate situational awareness to firefighters. Over two dozen ranch owners have now taken advantage of this valuable program. We will continue to work with VRFSC in 2021 on the database schema and on insuring consistent symbology in the geospatial data.
- VCFD personnel are active participants on the Invasive Weeds Task Force, this group seeks to remove *Arundo-donax* an invasive giant reed that takes over riparian habitats and greatly increases the severity and occurrences of wildfire in these areas.
- The Department continues to work with CVCFCSC on the Ag Pass Program which provides identification cards allowing essential personnel to gain passage through areas of disaster-restricted access. Public safety and other emergency workers allow discretionary access to workers in possession of the cards so that outbuildings, livestock, crops, and other assets can be protected.
- iPads were deployed to engine companies that contributed to efforts by our GIS cadre to create specialized map products for offline use and to provide inputs to other applications utilizing geospatial data. In 2021 an FHRP Mobile iPad App will be utilized, allowing for increased efficiency in conducting and recording FHRP inspections, including reporting to CALFIRE.
- Our partnership with Intterra (VSAT) continues with work on streamlining and simplifying the user interface and adding functionality.
- Ventura County Fire Department is an active partner with the University of California Cooperative Extension and the Agriculture Commission working to identify and mitigate threats from invasive species such as the Polyphagous Shot Hole Borer and Gold Spotted Oak Borer, which are a contributing cause to tree mortality.
- VCFD continuously seeks ways to increase fiscal and environmental responsibility. In support of this effort, the Department purchased two Pump-Pod trailer-mounted units designated Drafts Unit 1 and Drafts Unit 2. The Pump-Pods are a mobile platform used for recycling water during training evolutions. Although not as realistic as fire ground operations, the Pump-Pod drafts units do allow continuous water flow with very minimal waste for whatever length of time needed to perform the training evolutions.

- In an effort to increase wildland fire response capacity, VCFD has added a third wildland hand crew, Crew 13 will be housed at the old Santa Paula Station 26 until a permanent location is established.

### **Wildland Fire Prevention Engineering:**

- Fire roads and helispots in the county are maintained annually to ensure adequate access and egress for firefighting resources. By providing improved access, incident mitigation is accomplished quickly and safely.
- Ventura County's FHRP ensures compliance with CA PRC 4291 by conducting annual property inspections. In 2020, approximately 20,000 total inspections were conducted – 10,421 of those are in the SRA - which resulted in 1,551 detected violations. There were 23 non-compliant properties that required enforcement mitigation.
- In support of the FHRP, Ventura County Fire-dedicated GIS personnel maintained the Department's internal web page with layers for SRA and FHRP data. On a weekly basis, a process was conducted to coordinate the FHRP database with the county's Assessor Parcel database.
- Central Ventura County Fire Safe Council was awarded a Fire Safe Council grant and a CAL FIRE CCI grant for their "One Step Ahead-Planning for and Preventing Wildfire in Ventura County". Opportunities for chipping of defensible space debris and fire prevention education will be provided to several high-risk neighborhoods and communities within Ventura County in the spring and summer until the end of the grant cycle in 2022.
- CAL FIRE CCI grant has been awarded to the Ojai Valley Land Conservancy (a Ventura county non-profit organization) to complete fire hazard reduction on the conservancy's lands adjacent to the homeowner's properties.
- VCFD continuously seeks innovative ways to increase fiscal and environmental responsibility. In support of this effort, the Department purchased two Pump-Pod trailer-mounted units designated Drafts Unit 1 and Drafts Unit 2. The Pump-Pods are a mobile platform used for recycling water during training evolutions. Although not as realistic as fire ground operations, the Pump-Pod drafts units allow continuous water flow with very minimal waste for whatever length of time needed to perform the training evolutions.



## **Grant Awards 2020:**

- Bell Canyon Community Service District received a CALFIRE CCI GRANT and will be training Bell Canyon resident-volunteers on how to conduct a Home ignition Zone inspection. The Volunteers will be conducting inspections for residents in Bell Canyon, advising them on how to improve their defense against wildfire and harden their homes. The goal will be working towards a community whose homes have been hardened against the threat of wildfires.
- Ventura County Resource Conservation District received a CALFIRE CCI GRANT and through the development of a robust fire-wise, climate-smart education and outreach program will encourage landowner implementation. This program is to include financial and technical incentives for landowners to participate in, to help support the implementation of vegetation management and structure hardening retrofits/upgrades.

## **Education and Information:**

- The Department continues to support wildland fire education and succession planning for their employees as well as outside agencies by offering many ICS/NIMS courses. VCFD supports large incident management by allowing Incident Management Team participation by uniformed personnel. Numerous personnel within the Wildland Division became certified in various ICS positions.
- The Department typically conducts eleven 17-hour CERT classes, certifying between 350 and 400 people each year. There is an annual refresher typically scheduled in the Fall. These events were postponed due to COVID-19.
- VCFD is committed to creating a safe and educated community one citizen at a time. Despite the COVID-19 pandemic, in 2020 115 volunteers were still able to log 1,500 hours and more than 66,000 residents were informed and educated on fire safety as well as disaster preparedness.
- During the curtailment of live events and trainings because of the pandemic, VCFD partnered with nonprofits and connected with more than 550 community service engagements, including food delivery and the distribution of bilingual safety information and education to over 16,000 local community members a week during a three-month period.
- The Iverson Staff Ride was completed by Ventura County Fire Department personnel in the winter of 2019/2020. The final product consists of five Stands (points on the terrain with a tactical significance during a fire) that are marked by cast bronze plaques set on a three-foot stainless-steel post. First, the plaques help guide individuals that are not familiar with the incident through a chronological narrative that leads to the final Stand and Cory Iverson's fatality site. Secondly, the plaques mark points of the Staff Ride where students will be able to put themselves in the shoes of decision makers on the incident so they

may learn from the past. The Stands are connected by a beautiful trail that was constructed using purchased materials. Railroad ties line a significant stretch of the trail and were used in creating steps. A 20-foot walking bridge with handrails spans a difficult gulch and leads to Stand 4. A forty-foot retaining wall is set into the hillside at Stand 4, allowing a large flat spot, two benches, a steel cross, and a wide area of flagstone. The Iverson Staff Ride course material as well as the physical infrastructure were well-thought-out and planned for many years of educational possibilities.

- Three times per year, Wildland Unit crewmembers post 50+ signs throughout the county to remind residents of the FHRP deadline, Extreme Fire Danger, and the Ready, Set, Go! Program.
- The Ventura County Fire Department continued with its successful social media outreach which highlighted wildland fire-specific activities such as, live fuel moisture charts, red flag warnings, prevention, and training.
- 6 (Six) of our Fire Control Workers moved on to full-time, permanent firefighter positions with various agencies.

## Vegetation Management:

- Vegetation Management personnel routinely collected vegetation specimens to determine live fuel moisture percentages. This is one of many helpful tools used to identify the potential for significant fire activity in Ventura County.



- The Buenaventura I Vegetation Management Program - Prescribed Burn Plan had been in the planning phase for almost four years. The first VMP plan was approved by CAL FIRE in November 2013. The original 51,000-acre project area was redefined as the planning area and smaller project areas like the Buenaventura I VMP will be developed in the future. On December 6, 2013, the first burn was conducted. Due to long-term drought conditions, short-term fire weather conditions, and extended nesting seasons the prescribed burns were limited in acreage treated during 2016. Although the entire San Buenaventura 1 and 2 Vegetation Management Plans burned in the Thomas Fire, the plans will be kept open for maintenance.
- Ventura County Parks received a CAL FIRE, California Climate Initiative Grant to eradicate the invasive Arundo-donax from the Ventura River. This stretch of river experiences numerous vegetation fire responses due to a large unsheltered population. VCFD Heavy Equipment Operators and CAL FIRE fuels crews aided this project in 2019 through cutting and removal of Arundo.
- The Ojai Valley Fire Safe Council has created a road map for the Ojai Valley Wildfire Risk Mitigation Strategy. This project is innovative, communitywide, and comprehensive. The project aims to reduce hazardous fuels around the Ojai valley, educate the community on home hardening and the home ember zone, increase capacity and identify new evacuation centers, increase emergency water supply, and attain funding to support the project.

- The Central Ventura County Fire Safe Council received a grant to help educate the community on the home ignition zone and preparedness planning, complete hazardous fuel reduction projects, and host community chipping events.
- Grazing with goats maintains an existing fuel break, Upper Ojai Wildfire Protection Zone (UOWPZ). The UOWPZ is 26 acres of private land that extends around the exposed sides of a community in the WUI (Wildland Urban Interface) adjacent to the Los Padres National Forest. This fuel break was credited with the protection of many structures during the Ranch Fire of 1999 that burned 4,400 acres.



- Each year the Ventura County Fire Department conducts a 20-acre fuel reduction project around the Ronald Reagan Presidential Library. This project complements the existing defensible space and provides enhanced protection from Santa Ana wind-driven fires. This fuel reduction project is accomplished through grazing by goats. Due to the large number of visitors to the library, this project gets a great deal of exposure and provides a platform to promote defensible space.
- One of the unique challenges the Department faces is the Sespe underground fire. Since 2007 a fire has been burning underground in a remote area of the county. The fire is located within the Sespe Condor Refuge and poses a direct threat to the condors as well as the biologists observing in the field. Each year the Department constructs control lines utilizing a dozer and crew to isolate fires that are ignited. The last fire to occur was on August 13, 2015, and due to the mitigations, the incident was quickly and safely controlled.
- Wildfire training is a foundational component that promotes safety and increases efficiency in the fire service. As ongoing support to the local colleges and neighboring fire departments, we provided wildland fire training for Oxnard City Fire Department, Ventura City Fire Department, Oxnard College, and Rio Hondo College.

## **Volunteerism:**

- Due to COVID-19 restrictions the Wildland Division's two hand crews normal fundraising activities were put on hold except for the organization of the Banister Marathon, and the crews were still able to build over 80 bicycles for the Pediatric Diagnostic Center.

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