

June 4, 2024

Board of Supervisors Hearing

Proposed Amendments to the Non-Coastal Zoning Ordinance (NCZO) and General Plan Regarding the Processing of Locally Grown Food

Case No. PL24-0027



Resource Management Agency, Planning Division
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Presentation Overview

1. Project Background
2. Summary of Proposed NCZO and General Plan Amendments
3. Public Noticing & Public Outreach
4. Environmental Review
5. Findings & Supporting Evidence
6. Recommended Actions



Locally Grown Food Processing

Project Background

What is the reason for the proposed amendments?

1998 – Ventura County voters approved SOAR until 2020

2016 – SOAR was extended until 2050, including allowance of locally grown food processing on land on land designated as Agricultural, Open Space and Rural.



Project Description



SOAR language:

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, 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 of new sewer lines to the facility.*
- iv) The Board approved the action with at least four of the five Supervisors voting in the affirmative."*

Project Description



- Add a new use category to the Non-Coastal Zoning Ordinance (NCZO) for the “processing of locally grown food” in the Open Space (OS), Agricultural Exclusive (AE), and Rural Agricultural (RA) Zones to make consistent with the County’s SOAR Ordinance.
- Add specific use standards for the “processing locally grown food” to the NCZO to meet the conditions of SOAR and the General Plan policies pertaining to the preservation of agricultural and biological resources.
- Add new General Plan Policy to Economic Vitality Element to make consistent with SOAR Ordinance and the related NCZO amendments.

Existing NCZO Regulations



Preliminary “food” Processing

- Zones: OS, AE, RA, RE and TP
- Without structures – No Permits Required
- With Structures – Zoning Clearance or Conditional Use Permit

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
other trees	E	E	E	E	E						E	
➔ Principal Structures Related To Agriculture (Greenhouses, Hot Houses, <u>Structures for Prelim. Packing, Storage and Preservation of Produce & Similar Structures</u> ; 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	ZC	CUP		Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors		
Over 20,000 sq. ft. to 100,000 sq. ft.	CUP	CUP	CUP	CUP								
Over 100,000 sq. ft. (6)	CUP	CUP	CUP									

Existing NCZO Regulations



Food Processing

- Zones: M1, M2, M3, and IND (Industrial Zones)
- All facilities: discretionary permit required (Planned Development Permit or a Conditional Use Permit)

	TC	R/MU	RES	IND
MANUFACTURING INDUSTRIES				
Apparel And Related Products				PD
Dressmaking and Tailor Shops	PD	PD		PD
Custom/Artisan Goods	CUP			
Food And Related Products				CUP
Bakery Products				PD

← Old Town Saticoy Development Code

NCZO Section 8105-5 →

	CO	C1	CPD	M1	M2	M3
MANUFACTURING INDUSTRIES						
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

NCZO Amendments



Sec. 8105-4 Proposed Use – Processing of Locally Grown Food

	OS-REC	OS	AE	RA
<p style="text-align: center;">↓</p> <p><u>Processing of Locally Grown Food *</u></p>				
<u>Up to 20,000 sq. ft. in area</u>		<u>ZC</u>	<u>ZC</u>	<u>CUP</u>
<u>not meeting standards of section 8107-50.3.2(b)</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
<u>Over 20,000 sq. ft. to 3 acres in area</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
<u>Slaughterhouses, meatpacking and fish processing plants</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>
<u>Requiring a new package sewage treatment plant for wastewater</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>



NCZO Amendments



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<u>Over 20,000 sq. ft. to 3 acres in area</u>		CUP	CUP	CUP
<u>Slaughterhouses, meatpacking and fish processing plants</u>		CUP	CUP	CUP
<u>Requiring a new package sewage treatment plant for wastewater</u>		CUP	CUP	CUP



NCZO Amendments



Sec. 8107-50 – Standards for Processing of Locally Grown Food

Standards for ALL facilities:

- Agricultural products produced or grown on the subject lot or locally grown as verified by the Agricultural Commissioner
- No proposed above or below ground improvements shall result in the direct or indirect loss of soils classified as “Prime,” “Statewide Importance,” and/or “Unique.”
* Exception: already developed or not suitable for agricultural production
- No expansion or extension of new sewer lines.
- Compliance with Land Conservation Act (LCA) Contracts
- 12 cumulative net acres countywide limitation
- 3-acre limitation per legal lot

NCZO Amendments



EXAMPLE

Conversion of existing preliminary processing structures to food processing.

Areas NOT counted toward 3-acre maximum:

- Access roads
- Below-ground infrastructure
- Flatwork not used for loading/unloading or required parking
- Other uses

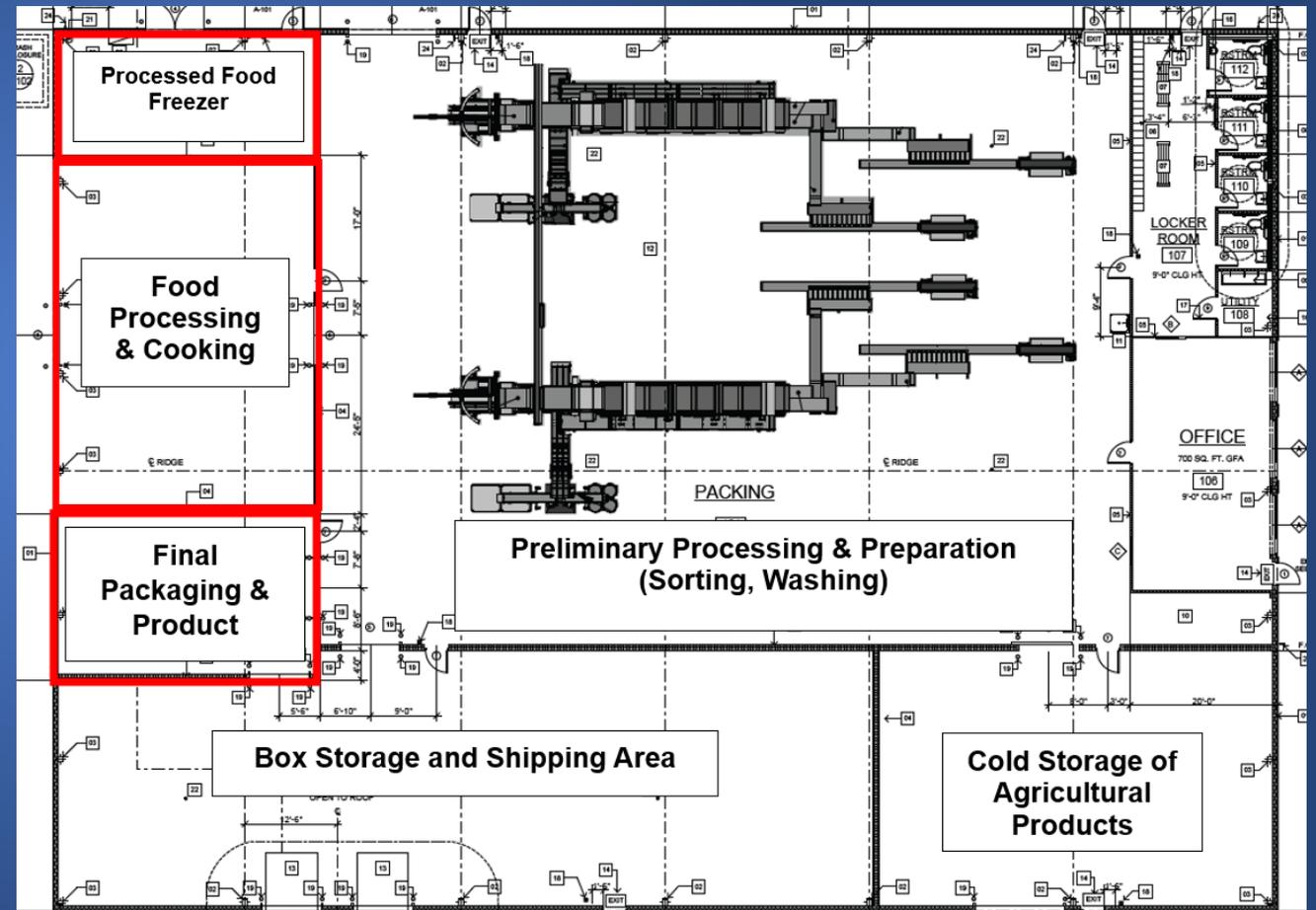


NCZO Amendments



EXAMPLE

Only those areas dedicated to food processing are counted towards maximum total allowed.



Existing 20,000 SF Preliminary Processing Building

NCZO Amendments



Standards for facilities allowed by a Zoning Clearance:

- All general standards apply.
- Shall not exceed 20,000 sq. ft. in area.
- No proposed above or below ground improvements shall result in the direct or indirect impacts on native vegetation. Removal of native vegetation to accommodate a new food processing facility is prohibited.

Standards for facilities allowed by a Conditional Use Permit:

- All general standards apply.
- Discretionary permit approval findings must be made.
- Environmental review will be conducted.

General Plan Amendment



Economic Vitality (EV) Element

Adds New General Plan Policy EV-2.3 to make consistent with SOAR and the NCZO amendments.

EV-2

To improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.

EV-2.1

Agricultural Diversification

The County should encourage the growth and expansion of new, innovative agricultural-related business opportunities, including technological advancements in irrigation, crop production and pest control, new crop types, and agritourism, and “farm-to-table” programs and events. (RDR, PI)

EV-2.2

Value-Added Agriculture

The County shall encourage the expansion of value-added agricultural products (e.g., processing, packaging, product development) within Existing Communities, where zoning allows, and on agricultural land consistent with SOAR policies. (RDR, MPSP, JP)

EV-2.3

Processing of Locally Grown Food

In accordance with Section 2, subsection I(m) of the County’s 2050 Save Open-Space and Agricultural Resources (SOAR) Ordinance, facilities for the processing of locally grown food are authorized for approval on up to a cumulative total of 12 acres in the unincorporated area on land designated Agricultural Exclusive, Open Space, and Rural, provided that:

- a) the locally grown food processing facility is approved on or before January 1, 2030;
- b) no more than 3 acres per legal lot is devoted to the locally grown food processing facility use;
- c) the locally food processing facility does not require the expansion or extension of new sewer lines; and
- d) the locally grown food processing facility use will not result in a direct or indirect loss of soils on land classified as “Prime” or “Statewide Importance,” and/or “Unique” by the California Department of Conservation Important Farmland Inventory, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.

Planning Commission Recommendation



Voted to support staff's recommendation

- One modification to change the term “square feet” to “acreage” when describing the area of a proposed facility (Section 8107-50.2(c))

All existing and proposed *buildings, structures,* and equipment dedicated to processing of food, including but not limited to packaging, labeling, storing, required parking and loading of *processed commodities,* and related *buildings, structures,* and *parking areas* for employees, shall be counted toward the total ~~square footage~~ **acreage** of the locally grown food processing facility, which determines the permit type for such facility as set forth in Section 8105-4 of this Chapter. The following shall not be calculated as part of the total ~~square footage~~ **acreage** of the facility: private and *public roads and streets,* below ground infrastructure, flatwork not used for required parking and loading, areas of active crop production, containment areas for the keeping of *animals,* areas designated for *preliminary processing* of agricultural products, and areas dedicated to a *use or uses* other than food processing.

Public Outreach & Public Noticing



Agricultural Policy Advisory
Committee (APAC)

County Coalition of Labor,
Agriculture and Business (CoLAB)

Member of the Board of Directors
for SOAR

1/8-page public notice and summary
of proposed amendments advertised
in the *Ventura County Star*

Two public comment letters received
for Board hearing item in favor of the
proposed ordinance.

California Environmental Quality Act (CEQA)



Categorically exempt from CEQA environmental review:

CEQA Guidelines Sections:

- *15301 (Class 1)* – *it involves the potential use of developed facilities*
- *15303 (Class 3)* – *it involves the potential conversion and/or construction of small structures and facilities, installation of small new equipment and facilities in small structures*
- *15304 (Class 4)* – *it involves the potential minor alterations in the condition of land and/or vegetation.*

There are no unusual circumstances or other exception set forth in CEQA that precludes use of these categorical exemptions.

Findings and Supporting Evidence



NCZO Section 8115-0 (Purpose) requires that the following findings be made for amendments to the NCZO.

1. The proposed amendments would not be detrimental to the public health, safety or general welfare.
2. The proposed amendments represent good zoning practice.
3. The proposed amendments are consistent with the Ventura County General Plan.

All required findings can be made.

Recommended Actions



- 1. CERTIFY** that the Board of Supervisors has reviewed and considered the Board letter and all exhibits thereto, the April 4, 2024 Planning Commission staff report and all exhibits thereto, and all other materials and public comments received during the public comment and hearing processes;
- 2. FIND** on the basis of the entire record and as set forth in Section B of the April 4, 2024 Planning Commission staff report, that adoption of the proposed amendments to the General Plan (PC Exhibit 6) and Non-Coastal Zoning Ordinance (NCZO) (Exhibit 3) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections: (1) 15301 (Class 1, Existing Facilities) because it involves the potential use of developed facilities, (2) 15303 (Class 3, Small Structures) for new, small facilities or structures or the conversion of existing small structures from one use to another, (3) 15304 (Class 4, Minor Alterations to Land) because it involves the potential minor alterations in the condition of land and/or vegetation, and (4) that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions.
- 3. FIND,** on the basis of the entire record and as set forth in Sections A, B, and C of the April 4, 2024 Planning Commission staff report, that the proposed amendments to the General Plan (PC Exhibit 6) and the NCZO (Exhibit 3) are consistent with the goals, policies, and programs of the General Plan and good planning practices, and are in the interest of public health, safety and general welfare;
- 4. ADOPT** a resolution approving the proposed amendments to the General Plan (PC Exhibit 8) (4/5th vote required);
- 5. ADOPT** the proposed ordinance (Exhibit 3) amending Articles 5 and 7 of the Non-Coastal Zoning Ordinance (4/5ths vote required); and
- 6. SPECIFY** the Clerk of the Board of Supervisors is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which these decisions are based.

June 4, 2024

Board of Supervisors Hearing

QUESTIONS

