

September 12, 2023

Board of Supervisors Hearing

**Board of Supervisors Agenda Item # 68:
Non-Coastal Zoning Ordinance Amendments to
Establish Setbacks from 14 Wildlife Crossing
Structures Located in the Northern Portion of
Unincorporated Ventura County (PL19-0088)**



**Resource Management Agency, Planning Division
Abigail Convery, Case Planner
Area Plans and Resources Section**



Presentation Outline

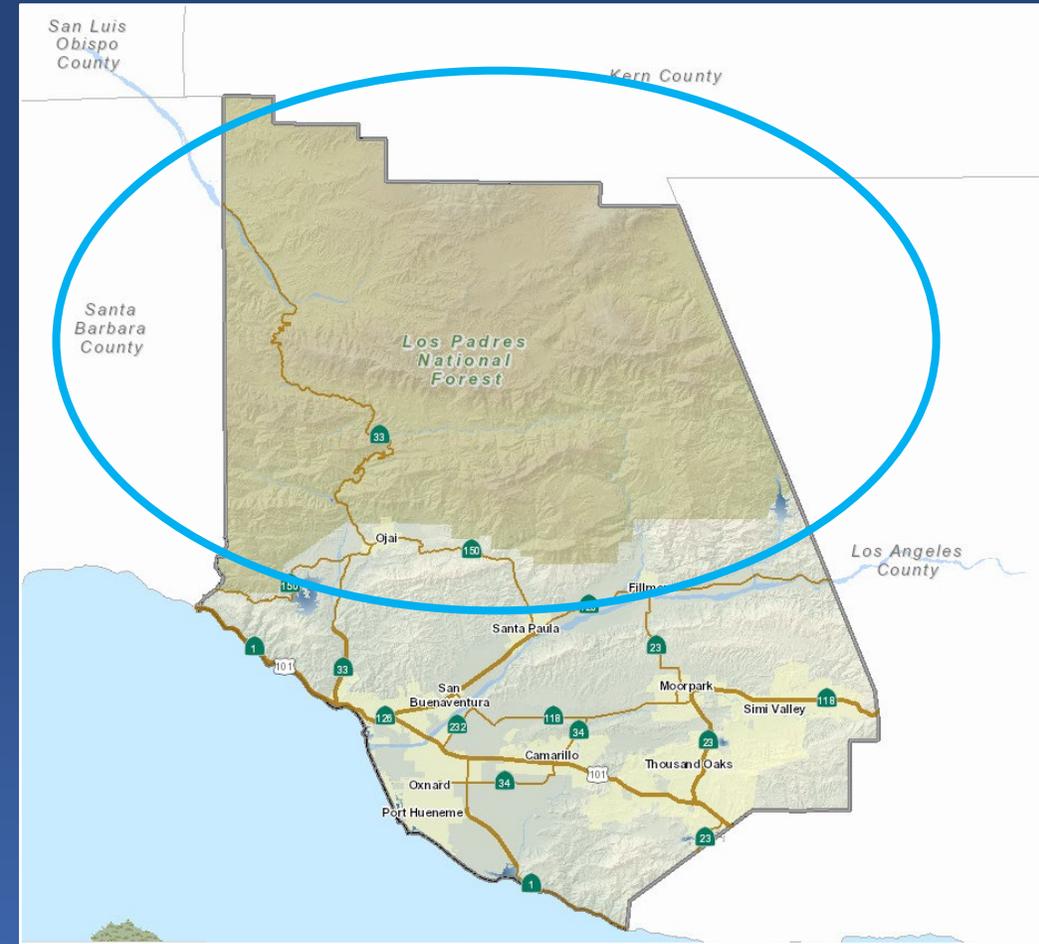
- Project Purpose
- Summary of Proposed Amendments
- Planning Commission Recommendations
- Public Outreach and Comments
- Recommended Actions



Project Background

Board of Supervisors March 2019 Directive to Planning Division

Regulate Development
Near Wildlife Crossings
on Private Property
Within the
Unincorporated Area of
Northern Ventura County



Existing Setting

- Predominately Undeveloped
- Creek/Streams
- Large Lots
- Orchards/Crop Land (4)
- Structures (3)
- Surface Mine (2)



Road Barriers and Wildlife



Roads have Dramatic Effects on Humans and Wildlife



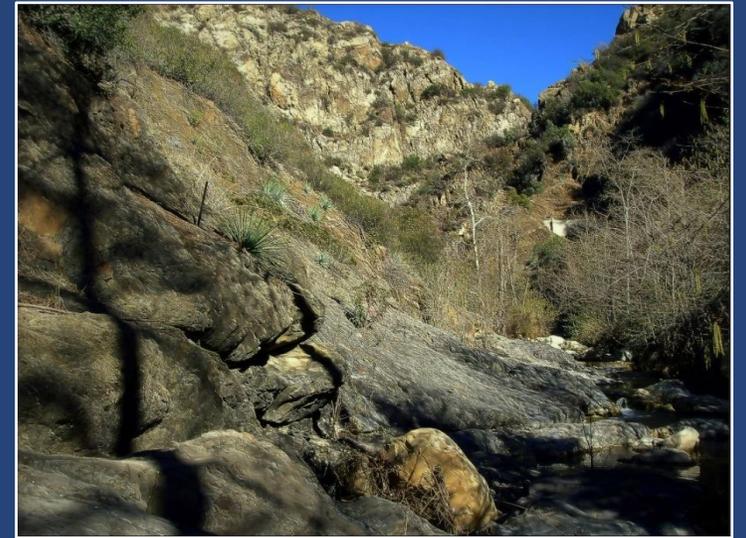
A 2021 study by UC Davis shows wildlife-vehicle collisions cost California ~\$2 billion over last 5-years (including State Farm Insurance data)

- Involved over 400 species including mammals, birds, amphibians, and reptiles
- Most wildlife-vehicle collisions are not reported
- Wildlife crossing structures with the help of fencing have been shown that it can alleviate this problem

Wildlife Movement in Landscapes



Landscape Features
that Facilitate Wildlife
Movement



Wildlife Crossing Structures

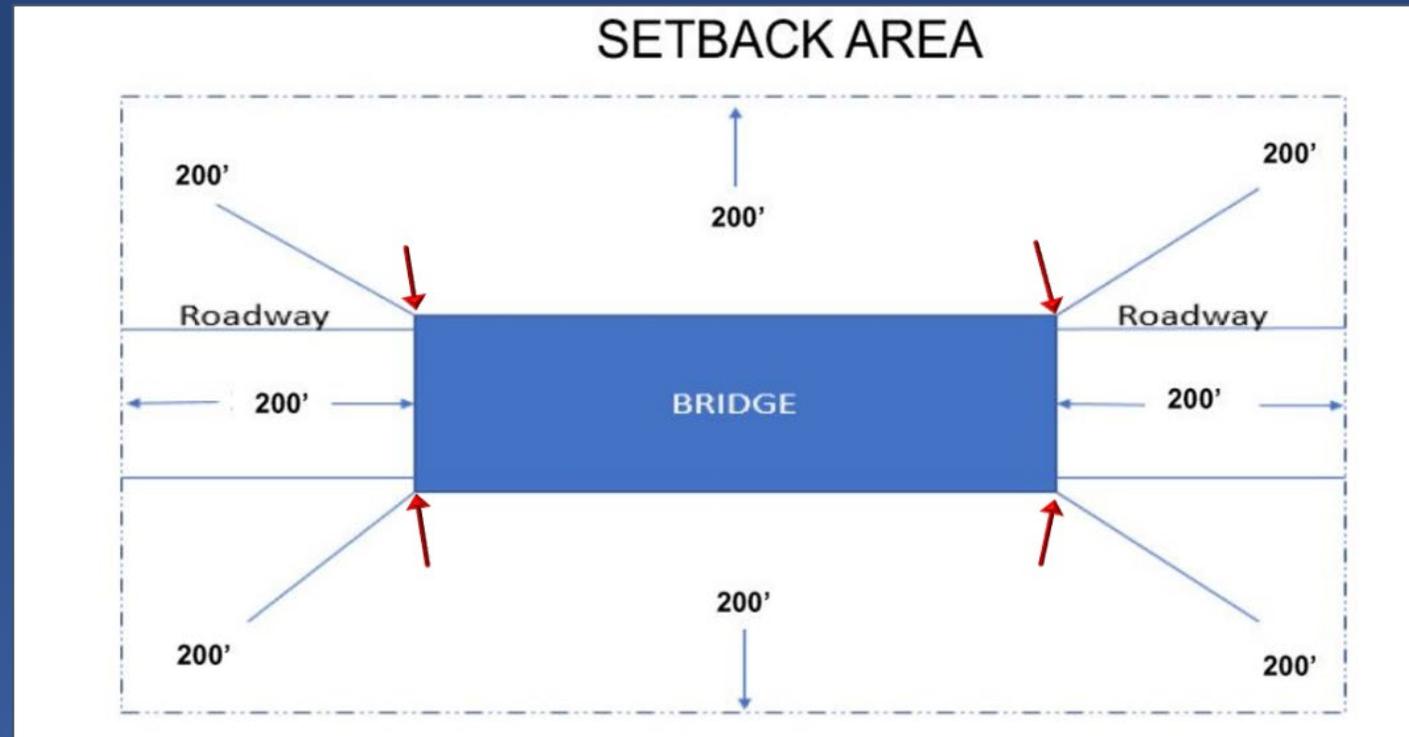
A Structure Used By
Wildlife To Safely
Cross Human-Made
Barriers



Crossing Structure Setback Areas



Bridges or Culverts greater than 10 feet in diameter



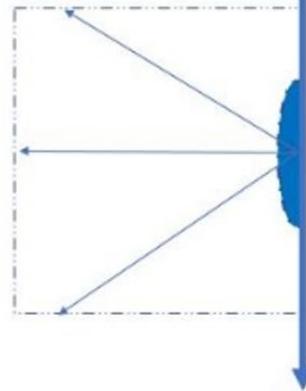
Crossing Structure Setback Areas

(Culverts less than 10 ft in diameter)



SETBACK AREA

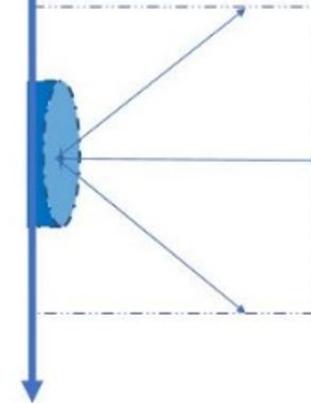
200' SETBACK AREA MEASURED
FROM CENTER OF CULVERT
ENTRY/EXIT



ROADWAY

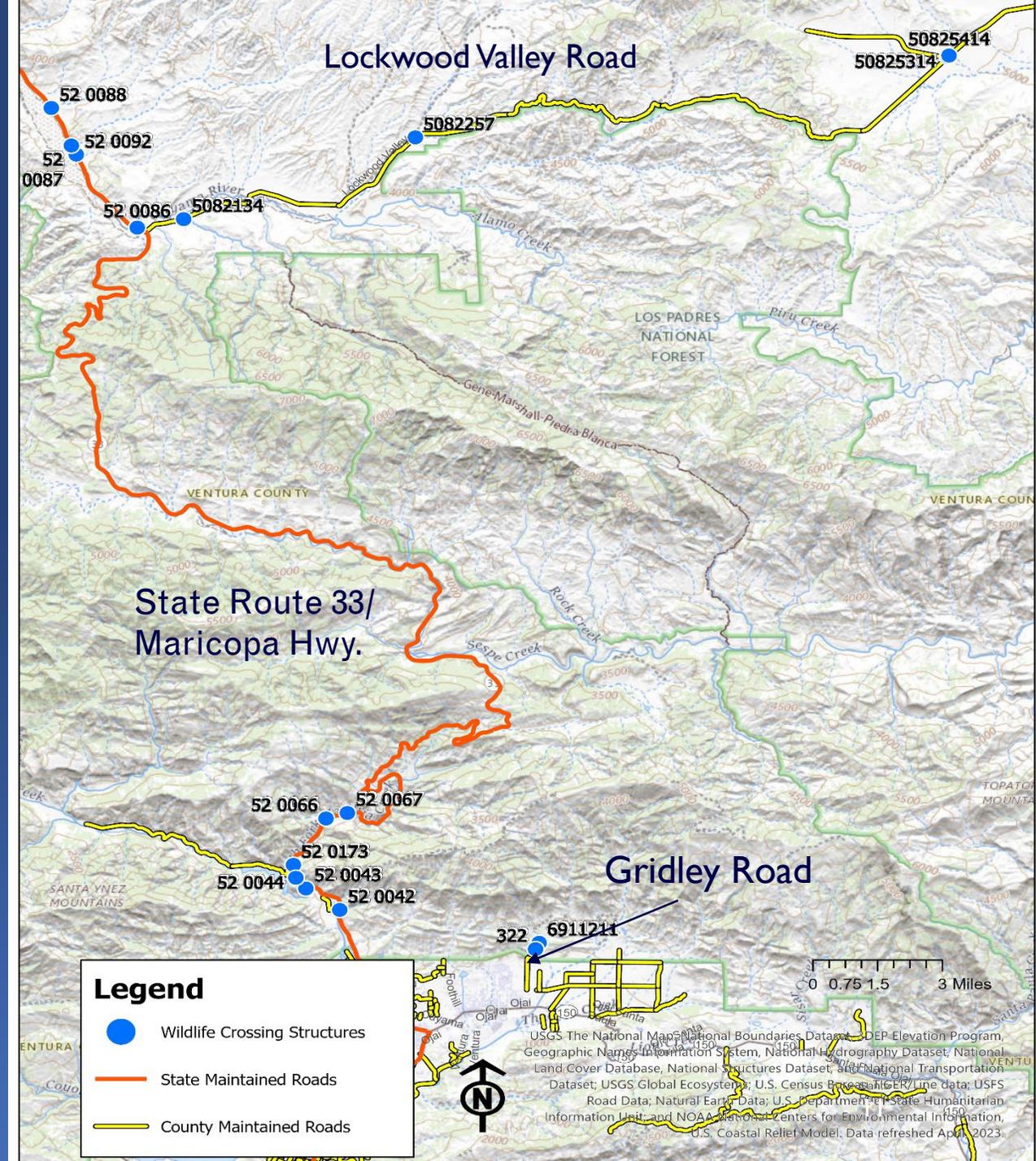


200' SETBACK AREA MEASURED
FROM CENTER OF CULVERT
ENTRY/EXIT



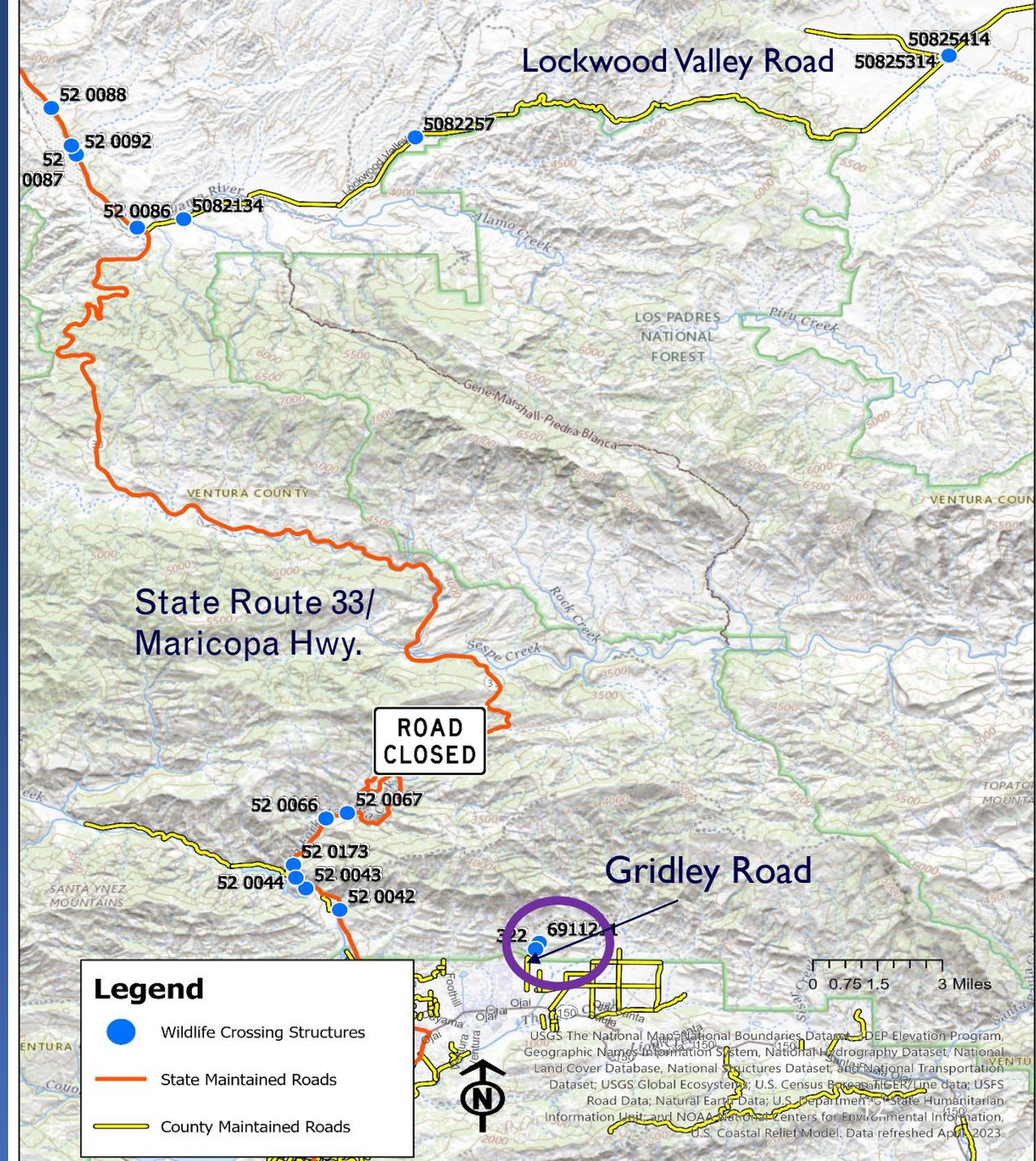
Proposed Amendment Changes Since Planning Commission Hearing

- Postponed December BOS Hearing Due to Traffic Data
- All County Traffic Data and WCS Site Conditions Were Recollected in 2023



Gridley Road Traffic Counts

- Surveyed a Five-Day Period
- April 12-16, 2023
- Wednesday-Sunday
 - 542 average vehicle trips per day
 - 699 vehicle trips on Saturday

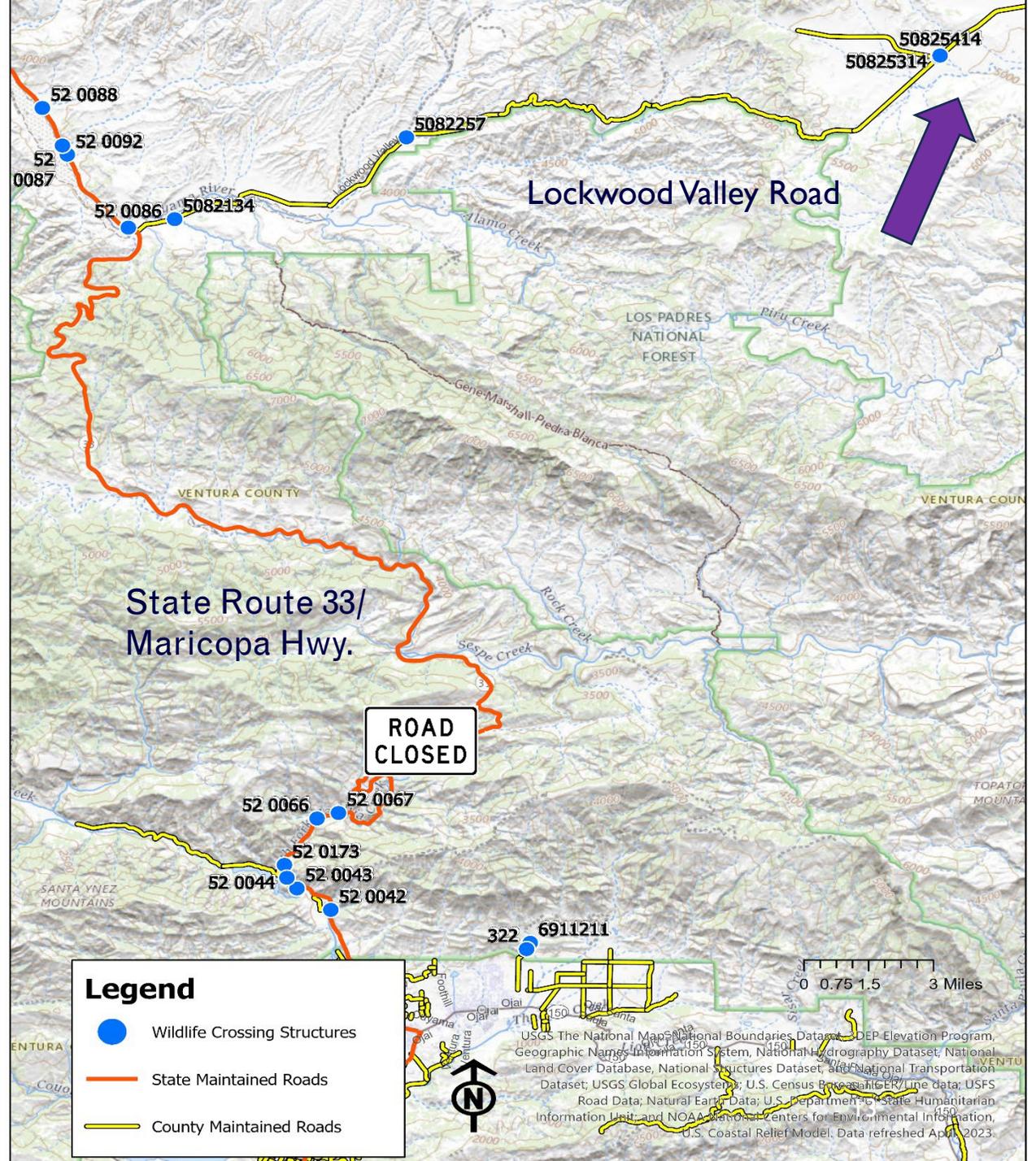


Lockwood Valley Rd Traffic Counts

- Surveyed a Five-Day Period
- June 21-25, 2023
- Wednesday-Sunday

Lockwood Valley Road Traffic Counts Kern County Line Side

- 830 Average Vehicle Trips per Day
- 892 Trips on Saturday

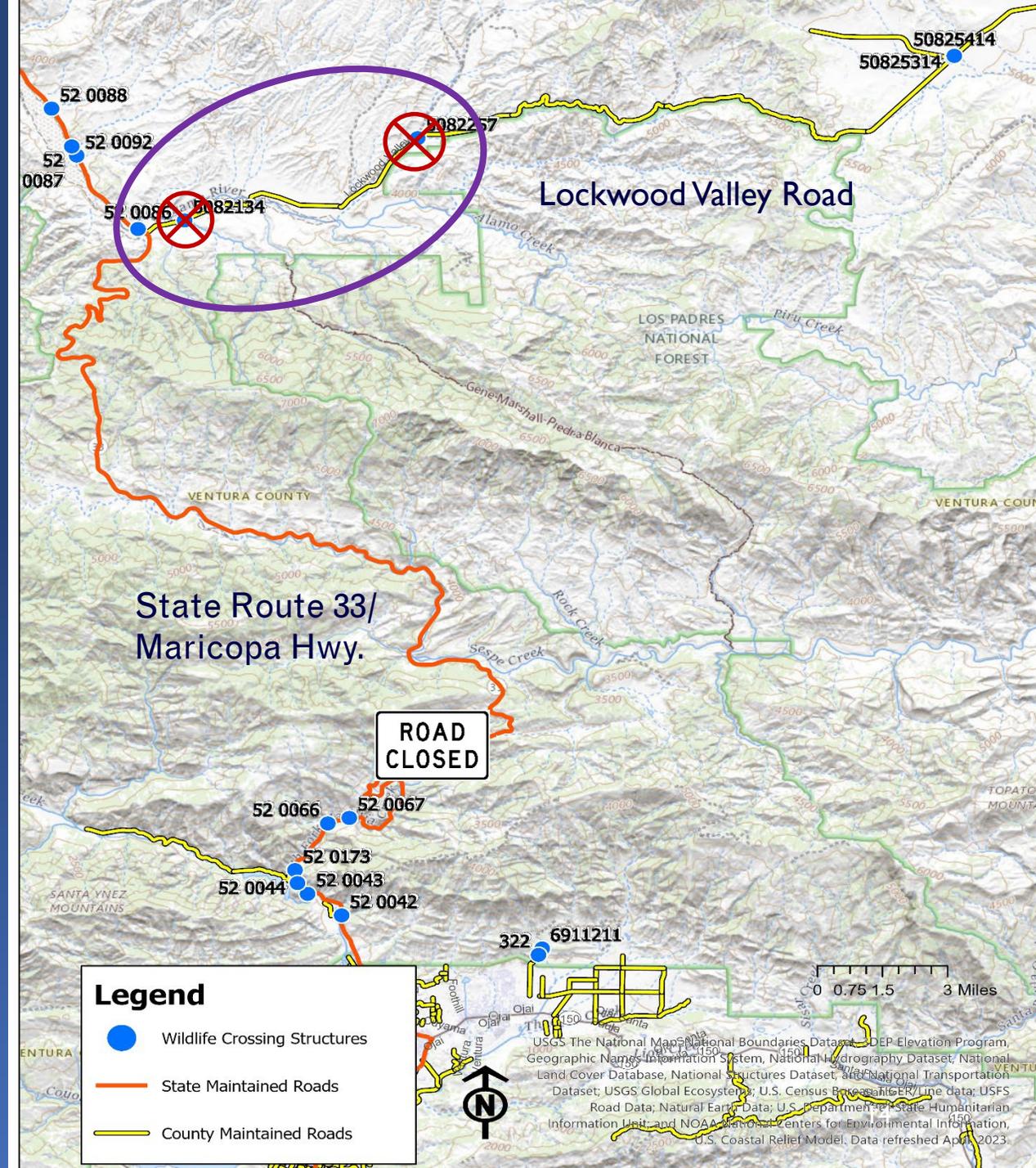


Lockwood Valley Rd Traffic Counts

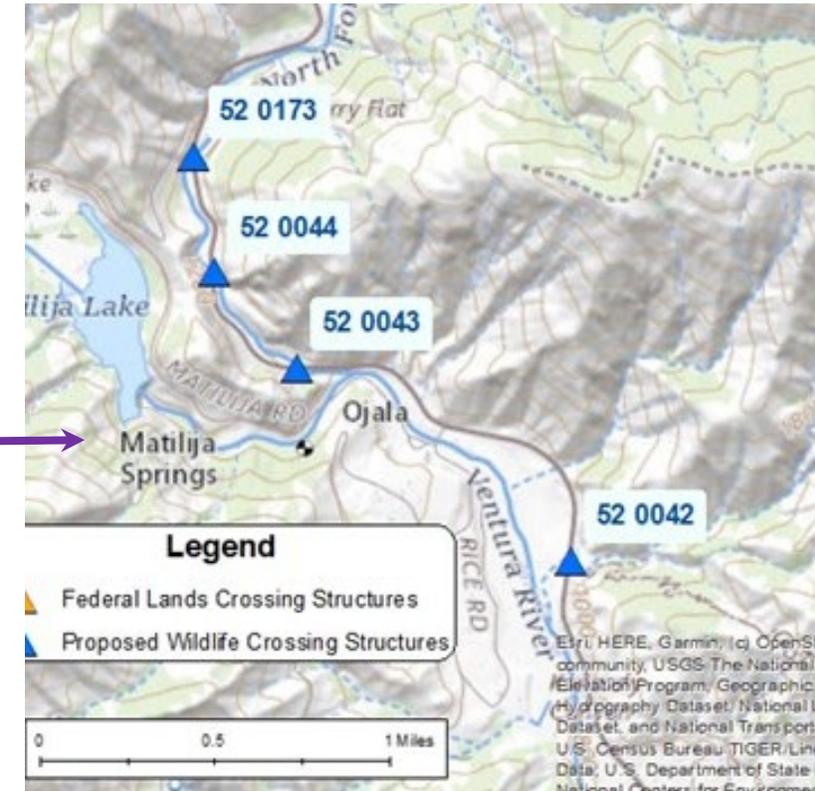
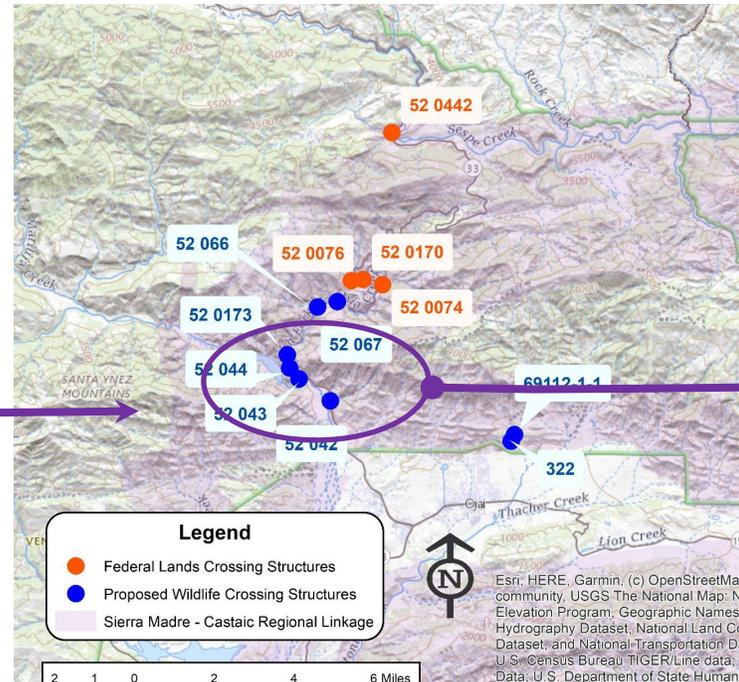
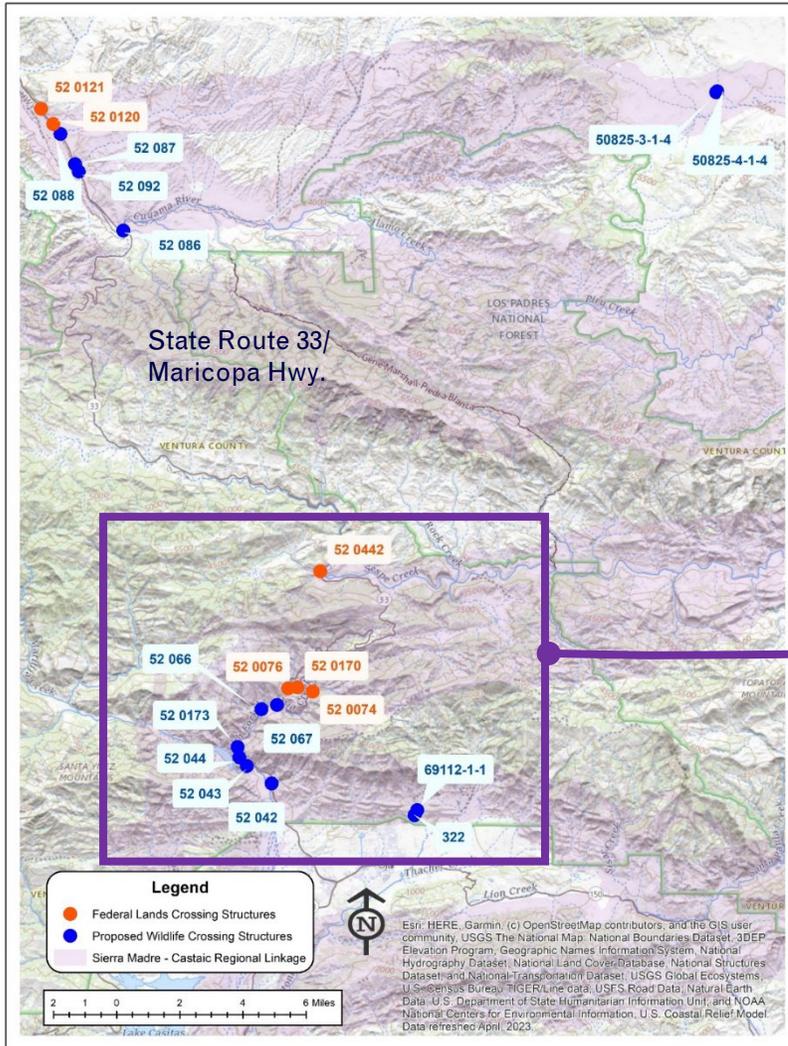
Route 33/Mariposa Hwy Side

- 151 Average Vehicle Trips per Day
- 204 Trips on Saturday

- WCS IDs 50821-3-4 and 50822-5-7 Were Removed Because Only Exceeded Threshold Criteria for One Out of Five Days.
- Trip counts may have been influenced by closure of State Route 33



Identified Wildlife Crossing Structures on Federal Lands



Santa Ynez Mountain Range

Matilija Canyon

Rock Quarry

~ Start of Ventura River

Route 33

Cozy Dell Trail

Nordhoff Ridge

Nordhoff Ridge



52 0042

52 0044

52 0173

52 0043

52 0042

52 0043

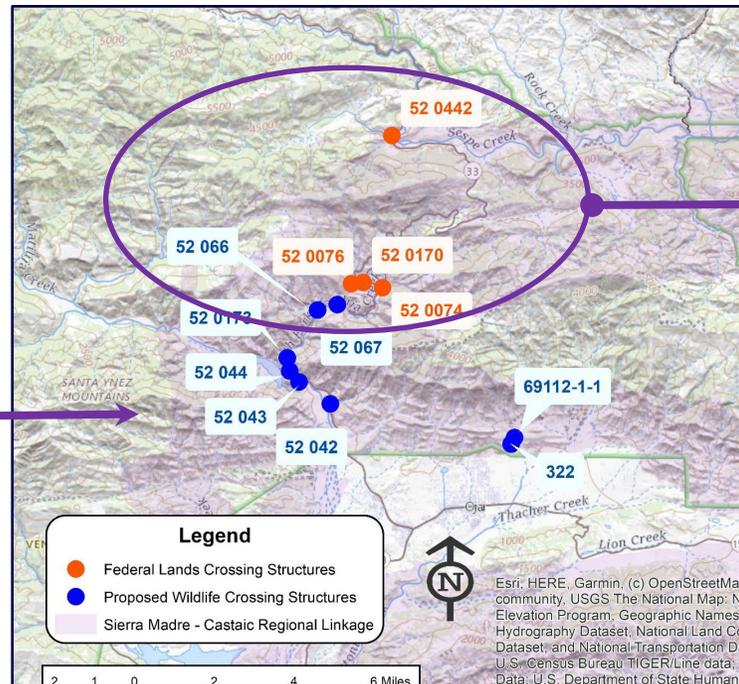
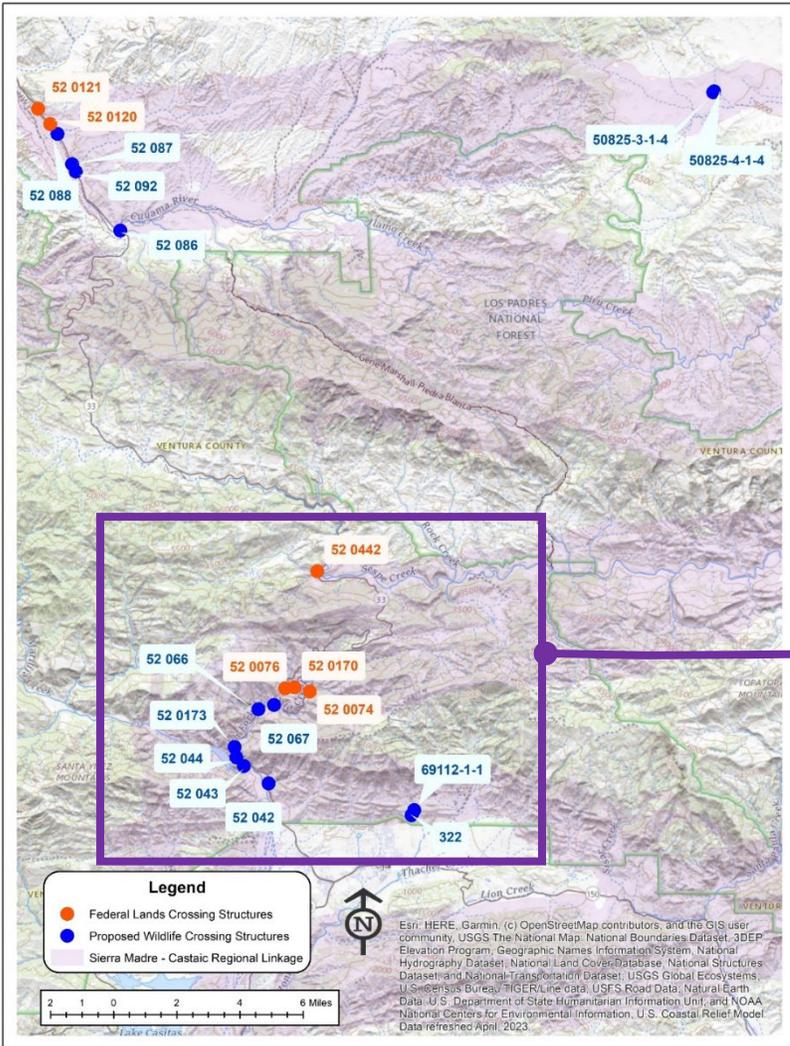
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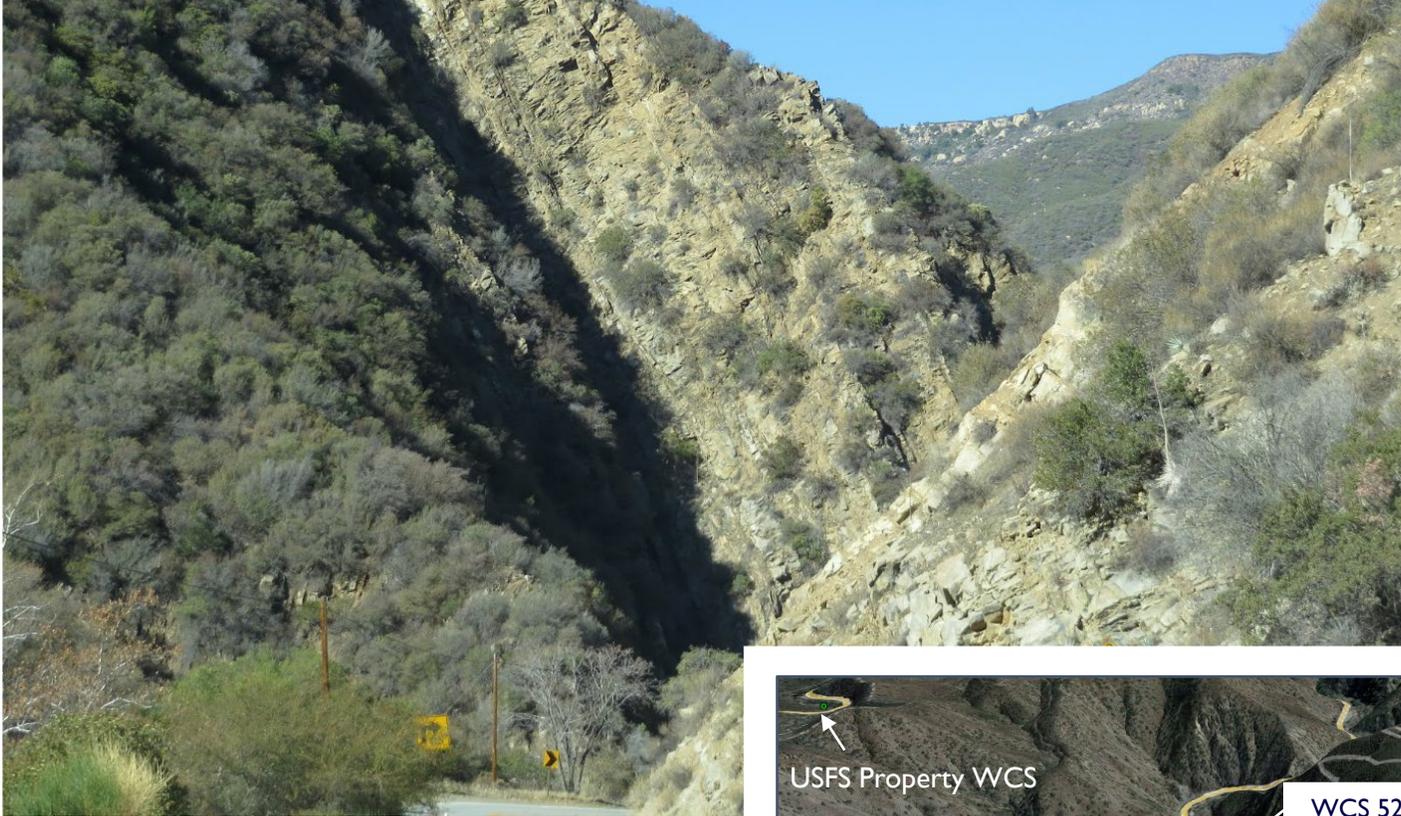
322

Data MBARI
Data LDEO-Columbia, NSF, NOAA
Data SIO, NOAA, U.S. Navy, NGA, GEBCO

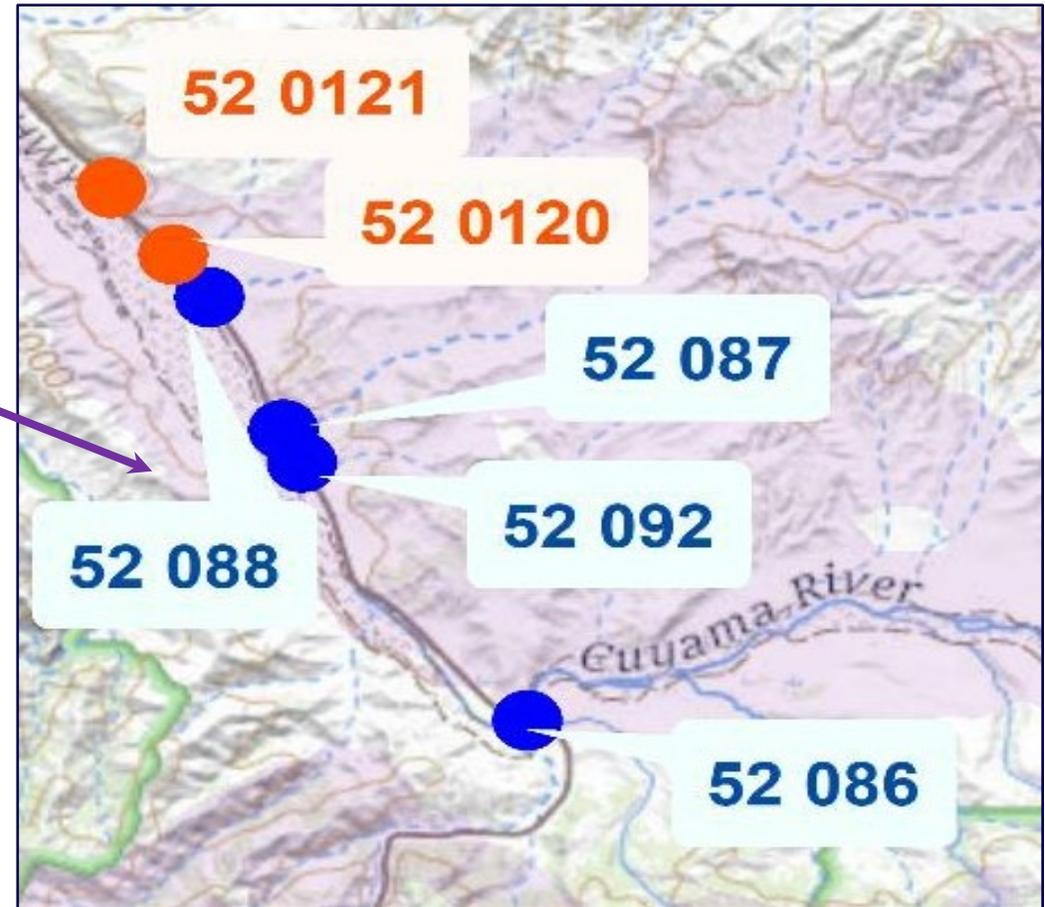
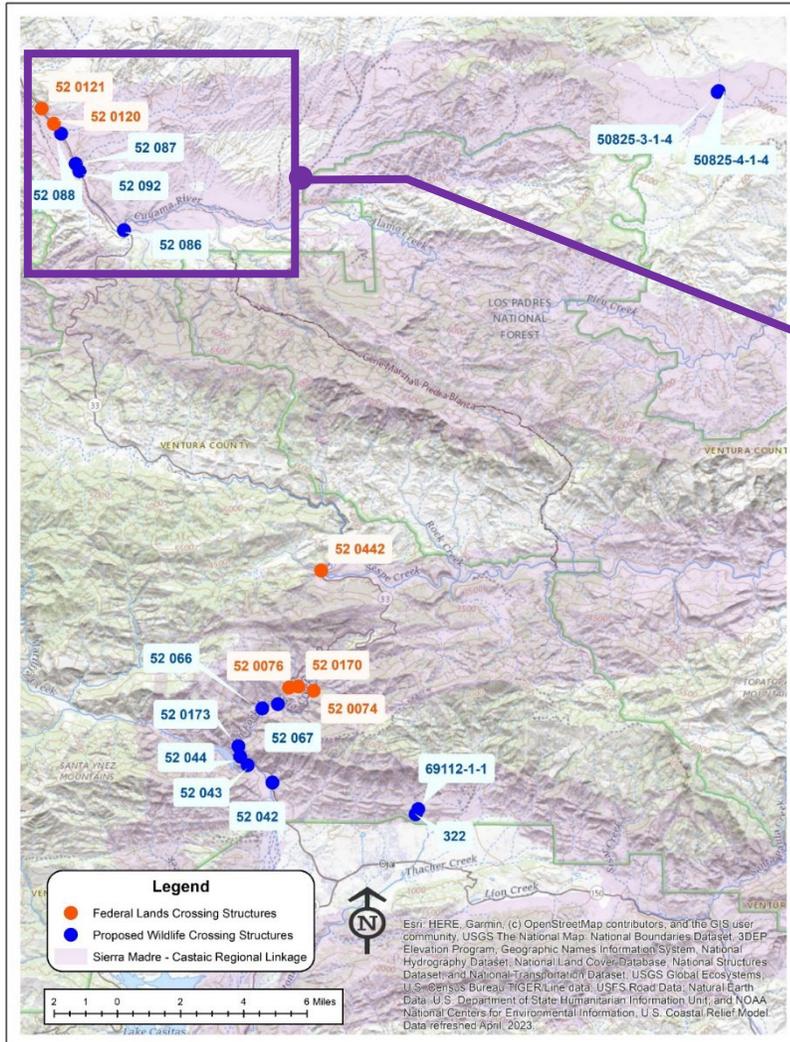
Identified Wildlife Crossing Structures on Federal Lands

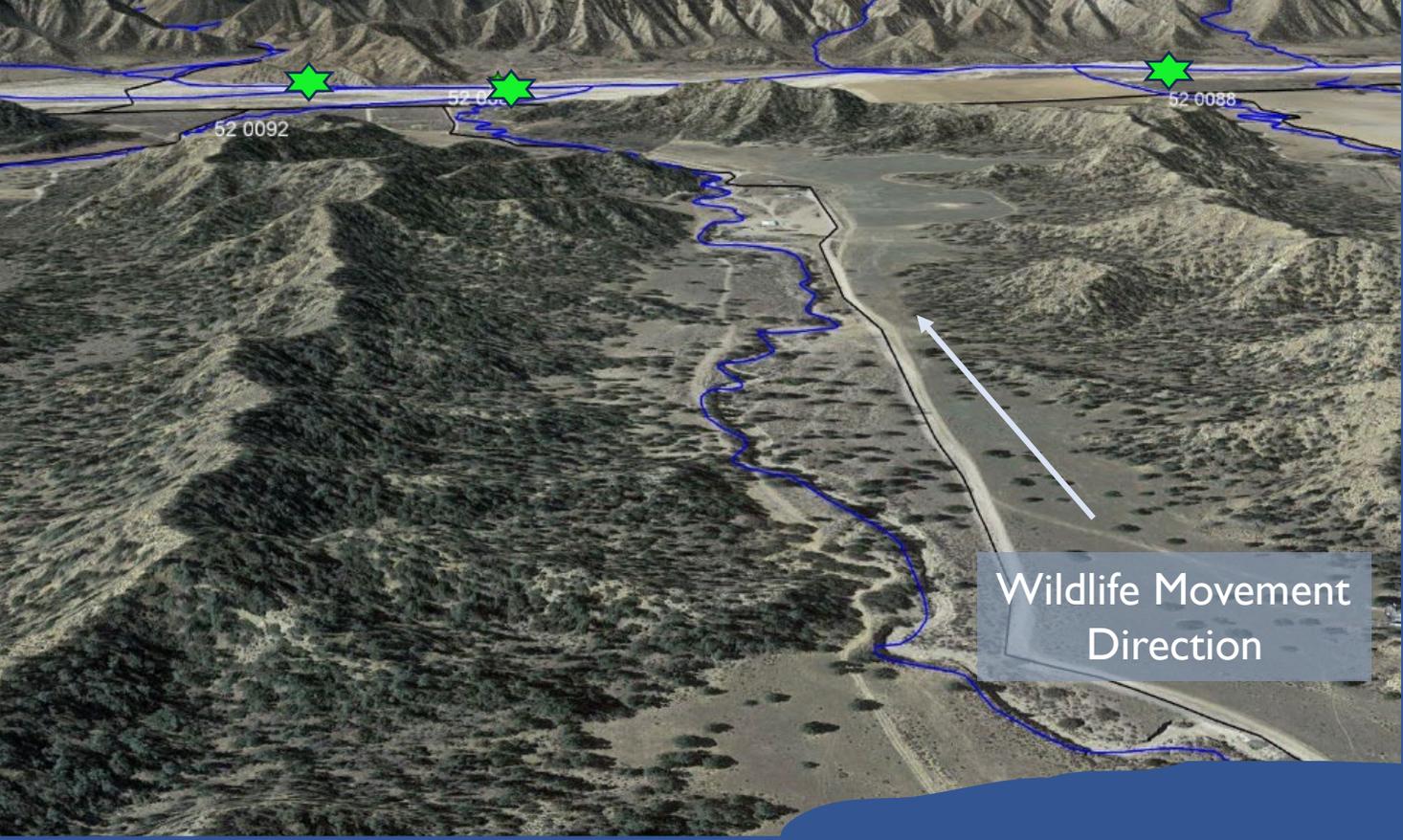


Wildlife Crossing Structures in Wheeler Gorge/Springs Area



Identified Wildlife Crossing Structures on Federal Lands





Northern Crossing Structures in the Cuyama River Basin



Proposed Amendments to the Non-Coastal Zoning Ordinance (Articles 2 and 6)

What Would the Proposed Setbacks Prohibit?

Unless exempt, the following types of **NEW** development, structures, land uses, and activities would be prohibited from occurring within the 200-foot setback area

- New structures or additions to structures that require a permit under Article 5 including any associated fuel modification zones
- Vegetation modification activities
- New or modified landscape areas
- New/replacement wildlife impermeable fencing installed within the bed or bank of a stream/river
- New or replacement outdoor lighting
- New indoor lighting for see-through greenhouses

Exemptions

Proposed a Total of 27 Exemptions in the Following Categories:

- Vegetation Modification
- Development, Land Uses, & Activities
- Outdoor Lighting



Exemptions to Setback Areas

Development and Land Uses

- Repair or maintenance of an existing, legally established structure or fence
- Previous improvements destroyed by a natural disaster
- Surface mining authorized by an approved CUP
- Livestock grazing, commercial harvesting/planting of crops, and apiculture
- Uses protected by vested right or to the minimum extent necessary to avoid a taking of property

Vegetation Modification

- Required by Fire District, federal or state law, conducted by public agency, or conservation organization, or in landscape area
- Allowed by an existing permit or a restoration/ enhancement plan
- To construct/maintain a driveway/road used for commercial crop production

Outdoor Lighting

- Temporary lighting for road maintenance, emergencies, agricultural and permitted uses
- Lighting required by federal or state law, permit, or order
- Lighting shielded & directed downward with an output of 60 lumens or less
- Replacement of safety and security lighting

Nonconforming Structures

The expansion of an existing structure may occur if either:

- Located completely outside the 200-foot setback area; OR
- Does not increase the footprint of the structure in the setback area and it meets the specified criteria





Public Outreach and Public Comments Received

Public Outreach/Information

- Three postcards mailed to all property owners within 300 feet of wildlife crossing structures and interested parties
- Three legal notices published in VC Star and *Mountain Enterprise*
- Informational webinar held for property owners and interested parties
- Virtual meetings, phone calls, and emails responding to property owners' questions



Public Comments

Comments Received as of September 5, 2023

- Dream Grove, LLC (Opposition)
- Mountains Recreational and Conservation Authority (Support)
- California Department of Transportation (Caltrans) (Support)
- US Fish and Wildlife (Support)
- Letter from Tom Warner (Opposition)
- Letter with 18 Organizations (Support)
- 739 Emails (Support)
- Total of 783 Comments

Total of 741 Individual Commenters on the Project



Recommended Actions

Recommended Actions

- a. **CERTIFY** that your Board has reviewed and considered this Board letter and all exhibits hereto, the Planning Commission staff report and all exhibits thereto, and has considered all other materials and public comments received during the public comment and hearing process;
- b. **FIND**, on the basis of the entire record and as set forth in Section B of the Planning Commission staff report (**Exhibit 1**), that the adoption of the Proposed Ordinance amending Articles 2 and 6 of the Non-Coastal Zoning Ordinance (NCZO) (**Exhibit 4**) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment; **FIND** that because the Proposed Ordinance consists of regulations for the benefit and protection of natural resources and the environment, it is also exempt from CEQA pursuant to CEQA Guidelines sections 15307 and 15308; and

Recommended Actions

- c. **FIND** that no substantial evidence exists precluding the use of the above categorical exemptions based on the presence of unusual circumstances or any other exception set forth in CEQA Guidelines section 15300.2;
- d. **FIND**, on the basis of the entire record and as set forth in Sections A, B, C and D of the Planning Commission staff report (**Exhibit 1**), that the Proposed Ordinance (**Exhibit 4**) is consistent with the Goals, Policies and Programs of the General Plan, and constitutes good planning practices and is in the interest of public health, safety and general welfare;
- e. **ADOPT** the Proposed Ordinance amending Articles 2 and 6 of the Non-Coastal Zoning Ordinance (**Exhibit 4**); and
- f. **SPECIFY** the Clerk of the Board of Supervisors at 800 S. Victoria Avenue, Ventura, CA 93009 as the custodian and location of the documents and materials that constitute the record of proceedings upon which these decisions are based.

September 12, 2023

Board of Supervisors Hearing

County Staff is Available for Questions:

- Planning Staff
- Transportation Staff
- County Counsel

Other Agency Staff Available on Zoom:

- California Department of Transportation
- California Department of Fish and Wildlife



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