

EXHIBIT 4

Summary of Proposed
Non-Coastal Zoning Ordinance (NCZO)
Phase II Amendments
(Case No. PL24-0023)

A. Planning Director Interpretations and Equivalency Determinations

The following is a list of Planning Director Interpretations and Equivalency Determinations that are proposed to be incorporated into the NCZO as part of the Phase II Amendments:

1. **Hoop Houses**: The Planning Director has established an interpretation that distinguishes agricultural "Hoop Houses" from "Agricultural Shade/Mist Structures". This interpretation recognizes that hoop houses serve a different purpose and should not be subject to the same requirements as "Agricultural Shade/Mist Structures."

To implement this determination, the following amendments are proposed:

1. The definition of "Agricultural Shade/Mist Structures" will be revised to exclude hoop houses and a new definition for "Hoop Houses" will be added to Article 2. See Exhibit 5, pages 17 and 23.
2. New regulations specifically governing hoop houses will be added to Article 7, Section 8107-20.4. See Exhibit 5, page 152.
3. A new land use subcategory for "Hoop Houses" will be added to the broader land use category of "Agriculture and Agricultural Operations, Accessory Uses To" in Section 8105-4 (Permitted Uses in the Open Space, Agricultural, Residential and Special Purpose Zones). See Exhibit 5, page 48.
4. Hoop houses will be allowed in the Open Space-Recreation (OS-REC), Open Space (OS), Agricultural Exclusive (AE), Rural Agricultural (RA), Rural Exclusive (RE), and Timberland Preserve (TP) Zones with a permit exemption provided the structures are in compliance with the proposed provisions of Section 8107-20.4. See Exhibit 5, page 48.

This change aims to provide clarity and flexibility for agricultural operators who utilize hoop houses as part of their farming operations. As a result, it has been determined that hoop houses require separate regulatory guidelines. By exempting hoop houses from land use permits, this amendment seeks to promote efficient and sustainable agricultural practices while ensuring that these structures are constructed and maintained in a manner consistent with the accepted use of these structures.

2. **Agricultural Wind Generation Machines**: The use matrix in Section 8105-4 does not include a specific land use category for "Agricultural Wind Generation Machines," which are specialized agricultural structures that utilize engine-driven fans to pull warm air down and mitigate frost conditions during strong temperature inversions. These machines are distinct from small wind energy systems, which generate energy from the wind. The Planning Director has determined that agricultural wind generation machines are an essential tool for crop production and protection and are therefore considered accessory to agriculture and agricultural

operations.

To reflect this determination, the following amendments are proposed:

1. A new definition for "Agricultural Wind Generation Machines" will be added to Article 2. See Exhibit 5, page 18.
2. A new use subcategory for "Agricultural Wind Generation Machines" will be added to the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" in Section 8105-4. See Exhibit 5, page 49.
3. Agricultural wind generation machines will be permitted in the OS-REC, OS, AE, RA, and TP Zones, subject to a Zoning Clearance and compliance with proposed provisions in Section 8106-6.4. See Exhibit 5, pages 49 and 98.

This change aims to support sustainable agricultural practices by allowing farmers to generate renewable energy on their properties. By providing a clear regulatory framework for agricultural wind generation machines, this amendment seeks to provide clarity and flexibility for agricultural operators who would use agricultural wind generations as part of their farming operations while ensuring that these installations are safe and compatible with neighboring properties.

3. **Seasonal Sales of Christmas Trees and Pumpkins:** The land use category for "Seasonal Sales of Christmas Trees" is currently permitted in the Neighborhood Commercial (C1), the Commercial Planned Development (CPD), the Town Center (TC), and the Light Industrial (IND) Zones, subject to a Zoning Clearance and compliance with specific use standards outlined in Section 8107-13. Following a determination by the Planning Director, it has been established that seasonal sales of Christmas trees and pumpkins can be considered an accessory use to agriculture and will also be allowed in the OS-REC, OS, AE, RA, and TP Zones, provided they are accessory to on-site agricultural operations and meet the specific use standards of Section 8107-13.

To reflect this determination, the following amendments are proposed:

1. A new use subcategory for "Seasonal Sales of Christmas Trees and Pumpkins" will be added to the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" in Section 8105-4. See Exhibit 5, page 46.
2. This new use subcategory will be allowed in the zones listed above, subject to Zoning Clearance and compliance with specific use standards outlined in Section 8107-13. The existing standards of Section 8107-13 will be revised to include additional nuisance prevention regulations, specified hours of operation, and prohibitions on amplified music and inflatable structures. See Exhibit 5, pages 139-140.

3. The existing use subcategory for “Christmas Tree Sales” under the broader category of “Retail Trade” listed in Sections 8105-5 and 8119-1.2 will be revised to state, “Seasonal Sales of Christmas Trees and Pumpkins” to reflect the proposed changes. Exhibit 5, page 86 and Exhibit 6, page 5.

This change aims to provide greater flexibility for agricultural operators who wish to diversify their income streams by selling seasonal products, such as Christmas trees and pumpkins, while also ensuring that these operations are conducted in a manner consistent with the surrounding area and do not negatively impact the community.

4. **Agricultural Fumigation Services:** Currently, "Fumigation Services" are permitted as a type of "disinfecting and exterminating service" under the broad use category of "Service Establishments" in the CPD, M1, Limited Industrial (M2), and General Industrial (M3) Zones, as outlined in Section 8105-5 (Permitted Uses in Commercial and Industrial Zones). Agricultural-related fumigation services have been limited to these four zones because there is no equivalent use category in the agricultural and open space zones listed in Section 8105-4. Following an equivalency determination by the Planning Director, it has been established that “Agricultural Fumigation Services” are a form of "Agricultural Contractor Service and Storage Yards and Buildings" listed in Section 8105-4. Agricultural contractor service and storage yards are permitted in the OS, AE, and RA Zones, subject to approval of a Conditional Use Permit (CUP) by the Planning Director.

To reflect this determination, the following amendments are proposed:

1. A new use subcategory for "Agricultural Fumigation Services" will be added to the broader category of "Agricultural Contractor Service and Storage Yards and Buildings" in Section 8105-4. See Exhibit 5, page 43.
2. This new use subcategory will be permitted in the same zones, and with the same permit type as “Agricultural Contractor Service and Storage Yards and Buildings” in Section 8105-4, except that they will not be allowed in the RA Zone due to their potential proximity to residential zones and uses.

This change aims to support agricultural-related businesses on agricultural lands and allows these types of businesses to be located within close proximity to the agricultural community, which improves economic viability of agriculture, while also ensuring that these operations are conducted in a manner consistent with the surrounding area and do not negatively impact the community.

5. **Recyclables Collection and Processing Facilities:** The use subcategory of “Recyclables Collection and Processing Facilities,” which is under the broader category of “Waste Handling, Waste Disposal and Recycling Facilities,” is permitted in the OS and M1 Zones, subject to approval of a CUP by the Planning Commission, and in the M2 and M3 Zones, subject to approval of a CUP by the Planning Director pursuant to Sections 8105-4 and 8105-5. Following an

equivalency determination by the Planning Director, it has been established that "Concrete/Asphalt Recycling Plants" are a form of "Recyclables Collection and Processing Facilities" listed in Sections 8105-4 and 8105-5.

To reflect this determination, the following amendments are proposed:

1. The definition of "Recyclables Collection and Processing Facility" will be revised in Article 2 to include concrete/asphalt recycling plants. See Exhibit 5, pages 27-28.
 2. Concrete/asphalt recycling plants will be permitted in the same zones, with the same type of permit, and with decisions made by the same decision-making authority as currently applies to "Recyclables Collection and Processing Facilities" listed in Sections 8105-4 and 8105-5.
6. **Transportation Services**: The definition of "Transportation Services" in Article 2 includes establishments primarily engaged in undertaking the transportation of goods and people for compensation, and which in turn make use of other transportation establishments in effecting delivery. This definition also includes parking areas for overnight truck storage, and such establishments as commercial distribution services, freight forwarding services and freight agencies. "Transportation Services" is an allowed use in the M1 and IND Zones, subject to approval of a CUP by the Planning Director, and in the M2 and M3 Zones, subject to approval of a Planned Development (PD) Permit by the Planning Director. Following a determination by the Planning Director, it has been established that commercial truck fueling stations should be included in the definition of "Transportation Services."

To reflect this determination, the following amendments are proposed:

1. The definition of "Transportation Services" will be revised in Article 2 to include commercial truck fueling stations. See Exhibit 5, page 30.
2. Commercial truck fueling stations will be permitted in the same zones, with the same permit type, and with the same decision-making authority as "Transportation Services" listed in Sections 8105-5 and 8119-1.2. See Exhibit 5, page 88 and Exhibit 6, page 6.

This change aims to provide necessary support services to the industrial sector by expanding the industrial uses allowed in the industrial zones.

7. **Insectaries**: The use subcategory of "Insectaries for Pest Control" is listed under the broader category of "Animal Husbandry" in Section 8105-4. Insectaries are permitted in the OS-REC, OS, AE, RA and RE Zones, subject to various permit types and decision-making authorities depending on the size of the structures associated with the insectaries. However, insectaries are currently not listed as a permitted use in the commercial or industrial zones. Following an equivalency determination by the Planning Director, it has been established that insectaries are

also equivalent to vermicomposting which is a listed use under the broader category of "Organics Processing Operations" listed in Sections 8105-4 and 8105-5. In addition to being allowed in the open space and agricultural zones, "Organics Processing Operations" are permitted in the M2 and M3 Zones, subject to the approval of a CUP by the Planning Director. The proposed change aims to provide a clear regulatory framework for insectaries, which are currently not explicitly permitted in the industrial zones.

To reflect this determination, the following amendments are proposed:

1. A new use category for "Insectary for Pest Control" will be added to the list of uses in Section 8105-5. See Exhibit 5, page 81.
2. Insectaries will be permitted in the M2 and M3 Zones, subject to approval of a CUP by the Planning Director.

The requirement for a Planning Director-approved CUP ensures that these operations are subject to appropriate review and oversight, while also acknowledging their potential benefits in supporting sustainable pest management practices.

- 8. Concrete/Asphalt Ready-Mix and Batch Plants:** The Planning Director made an equivalency determination to identify existing land use categories in Sections 8105-4 and 8105-5 that would encompass concrete ready-mix plants, asphalt plants, and concrete/asphalt batch plants. Based on this determination, the Planning Director found that "Concrete Ready-mix Plants" are equivalent to the use category of "Cement, Concrete, Gypsum and Plaster, and Products Fabricated Therefrom" (a subcategory of "Stone, Clay, and Glass Products" under "Manufacturing Industries") listed in Section 8105-5. The use category of "Cement, Concrete, Gypsum and Plaster, and Products Fabricated Therefrom" is permitted in the M2 Zone, subject to approval of a CUP by the Planning Commission, and in M3 Zone, subject to approval of a CUP by the Planning Director. Additionally, the Planning Director determined that "Asphalt Plants," which have historically been permitted as an accessory use to mining operations, are equivalent to "Concrete Ready-mix Plants" and will be treated in the same manner as concrete batch plants.

To reflect this determination, the following amendments are proposed:

1. "Concrete/Asphalt Ready-Mix and Batch Plants" will be added to the broader category of "Cement, Concrete, Gypsum and Plaster and Products Fabricated Therefrom" in Section 8105-5. See Exhibit 5, page 83.
2. This new use subcategory will be permitted in the same zones, with the same permit type and with the same decision-making authority, of "Cement, Concrete, Gypsum and Plaster, and Products Fabricated Therefrom."

By adding this new subcategory, the amendment aims to provide clarity and

consistency in the regulation of concrete/asphalt ready-mix and batch plants, while also recognizing their equivalence to existing manufacturing uses.

9. **Accessory Uses:** The Planning Director made an interpretation that would allow uses in zones that would not be allowed as a principal use, if the uses are accessory to the principal use and clearly customarily incidental, appropriate, and subordinate to the principal use. This determination would be verified through objective evidence. Based on this decision, Section 8105-1.5 is proposed to be revised to reflect this interpretation.

For example, a distillery (principal use) permitted in an industrial zone may have a public tasting room and public tours (accessory uses) on site. Even though a public tasting room is not explicitly allowed as a principal use in an industrial zone, it could be considered an acceptable accessory use under this interpretation if it is clearly incidental and subordinate to the alcohol manufacturing facility, and its presence can be verified through objective evidence (such as being limited in size and scope). In this scenario, it must be demonstrated that the use of a tasting room and public tours are a customary and appropriate accessory use for a distillery in an industrial zone, and that it does not detract from the primary industrial purpose of the site.

This change aims to provide clarity and consistency in the regulation of accessory uses and will allow for more adaptable and efficient land uses.

The proposed changes are presented in legislative format in Exhibit 5, pages 39-40.

10. **Driveway Entrance Features:** The Planning Director has reevaluated the treatment of certain driveway entrance features that are used to identify vehicle entrances in rural areas of the County in the Open Space and Agricultural Exclusive Zones. Currently, these structures are considered "fences" and are subject to the development standards in Section 8106-8.1.1, which limits their height to 8 feet. Due to public requests for these driveway entrance features on working ranches and farms and the need for a minimum vertical distance of 13 feet 6 inches to accommodate commercial agricultural trucks/trailers and for fire apparatus vehicles, the Planning Director has determined that these driveway entrance features should be treated as "accessory structures" for height and setbacks purposes.

To address the unique needs of agricultural properties, the Planning Director proposes the following amendments:

1. "Driveway entrance features" will be added to the existing use category of "Fences, Gates, and Retaining Walls" in Section 8105-4. See Exhibit 5, pages 62-63.
2. Driveway entrance features will be permitted in the OS and AE Zones with a Zoning Clearance, provided they meet the proposed development

standards of Section 8106-8.1.1(c). See Exhibit 5, pages 63 and 100-101.

3. Specific development standards for driveway entrance features will be added to Section 8106-8.1.1 that establishes a minimum clearance of 13 feet 6 inches and maximum height of 17 feet for horizontal beams and archways over driveway entrances. This increased height allowance will enable the safe passage of larger vehicles, such as trucks delivering hay, while also facilitating the transportation of local agricultural products. By allowing for taller entrance features, the revised regulations aim to strike a balance between aesthetic considerations and functional requirements. See Exhibit 5, pages 100-101.

This change aims to implement a request from the agricultural community to safely facilitate the transportation of local agricultural.

11. **Golf Courses:** The zoning regulations currently allow various accessory structures at golf courses, including maintenance buildings, pro shops, restrooms, and eating facilities as currently detailed in Section 8107-19 (proposed to be relocated to Section 8107-8). The zoning regulations do not explicitly address overnight accommodation associated with golf courses, and hotels and motels are not allowed in the same zones as golf courses.

After review, the Planning Director has determined that short-term overnight accommodation can be an accessory and complementary use to a golf course. To ensure consistency with existing development standards of the zones where golf courses are allowed (OS, RA, RE, RO, R1, R2, RPD Zones), any proposed overnight accommodation at a golf course will be required to meet the same standards as a single-family dwelling and accessory dwelling unit as required in the zoning ordinance as well as obtain and maintain a valid County transient occupancy tax registration certificate.

This approach aims to balance the needs of golf courses to provide convenient amenities for patrons with the need to maintain consistency with existing zoning regulations and ensure that overnight accommodation at golf courses remains an accessory use in compliance with the proposed revisions of Section 8105-1.5 (see Section A.9 above). To reflect this determination, the regulations for golf courses will be revised and incorporated into new Section 8107-8.

The proposed changes are presented in legislative format in Exhibit 5, pages 134-135.

- B. **Summary of Proposed Amendments By Article and Section:** The following summary outlines the key proposed amendments to the NCZO, organized by Article and Section number. For a comprehensive review of all proposed changes, including clerical and clarifying edits, please refer to Exhibits 5 and 6, which present the revisions in the legislative format.

1. Article 1 – Authority, Purpose, and Application of Chapter

Article 1 outlines the purpose and scope of the zoning regulations for unincorporated Ventura County, including general prohibitions and guidelines for interpreting the ordinance. Currently, NCZO Section 8101-2.1.2 (Preemption) establishes the applicability of the NCZO, specifically about regulations that are preempted by federal or state law.

This proposed amendment would add an exemption to Section 8101-2.1.2 to include County projects, Public Works Agency capital improvement projects, and projects on County-owned property. For purpose of this proposed exemption, the term “County” includes any district or public entity with a governing body composed of the members of the Board of Supervisors, meaning that capital projects undertaken by the Ventura County Fire Protection District, Ventura County Watershed Protection District, the County’s Waterworks Districts and other special districts governed by the members of the Board would also be exempt from the NCZO. These types of projects are currently subject to the regulations and permit processes outlined in the NCZO.

Instead, the individual County agency that is undertaking or managing a project would be responsible for preparing and processing General Plan and Area Plan consistency reviews, environmental reviews in accordance with the California Environmental Quality Act (CEQA) and other potentially applicable environmental and land use laws. They would also conduct public outreach meetings depending on the nature of the project, complete any require public review for CEQA compliance, and coordinate with County Clerk for preparation of required hearing notices, and present the project to the Board of Supervisors or other appropriate decision-maker.

Exempting city or county projects from zoning regulations is a common practice in other city and county jurisdictions. To reflect this change, several sections of the NCZO will be revised to remove references to requirements for County government buildings and facilities, projects on County-owned land, and Public Works Agency capital improvement projects. The legislative changes are shown in Exhibit 5, pages 16-17, 20, 64, 68, 80, 167-168, and 188.

2. Article 2 – Definitions

Article 2, section 8102-0 sets forth defined terms used in the main body of the NCZO. Amendments in Article 2 include adding, revising, and deleting several terms, as follows:

- **Entirely New Definitions:** Agricultural Wind Generation Machine; Animal, Service; Animal Shade Structure, Portable; and Hoop House.
- **Updated Definitions to Make Consistent with State Law or Other County Ordinances:** Clear Sight Triangle; Kitchen; and Mobilehome Park.
- **Revised Definitions for Clarity and Consistency:** Agricultural Promotional

Uses; Agricultural Sales Facility; Agricultural Shade/Mist Structures; Animal, Security; Bed-and-Breakfast Inn; Beekeeping, Backyard; Biosolids Composting Facility or Operation; Botanic Gardens and Arboreta; Camp; Commercial Organics Processing Operation; Community Wastewater Treatment Facility; Composting Operation; Disposal Facility, Hazardous Waste; Dwelling, Multifamily; Emergency Shelter; Family; Fence; Garage and Yard Sales; Hazardous Waste Collection Facility, Household/CESQG; Hazardous Waste Collection Facility, Recyclable Household/CESQG; Hazardous Waste Collection, Treatment and Storage Facility; Home Exchange; Home Occupation; Household Hazardous Waste; kitchen, Outdoor; Low Barrier Navigation Center (LBNC); Motocross/OHV (Off-Highway Vehicle) Park; Open Storage; Overlay Zone; Principal Use; Recreational Vehicle Park; Recyclables Collection Center; Recyclables Collection and Processing Facility; Residential Care Facility; Rooster; Senior Mobilehome Park; Stand-Alone Batch Plant; Stockpiling of Construction Related Debris and/or Fill Material for Non-Agricultural Operations; Supportive Housing; Transitional Housing; Transportation Services; Inoperative Motor Vehicle; Waste Collection and Processing Activities to Mitigate an Emergency; Waste Handling, Waste Disposal and Recycling Facilities; Waste Hauling Yard; Wet Bar; and Wholesale Nurseries for Propagation.

- **Existing Terms in Ordinance Moved to Article 2 :** Agriculture, Commercial; Agricultural Operations, Necessary; Alter; Dead Wooding; Dripline; Farm Plan; Fell; Forest Resource Management (FRM) Plan; Heritage Tree; Historical Tree; Girth; Introduced Protected Trees; Multiple Trunk Tree; Native Trees; Offsets; Protected Trees; Protected Zone; Pruning; Qualified Tree Consultant; Qualified Tree Trimmer; Remove; Root Crown; Root System; Timber Growing and Harvesting; Tree Certification; Tree Emergency; Tree Row; Violation; and Violator.
- **Terms to Be Removed:** Boardinghouse; Correctional Institution; Nonmotorized Wheeled Conveyances; Outdoor Kitchen; Protected Tree; Site; and Traffic Safety Sight Area.

See Exhibit 5, pages 17 - 32, to review the proposed changes in legislative format.

3. **Article 3 – Establishment of Zones, Boundaries and Maps**

This article outlines the establishment of zoning designations, minimum lot sizes for each zone, and alternatives and exceptions to these minimum requirements. Specifically, Section 8103-2 provides an exemption from minimum lot area requirements for certain public safety facilities and minor public facilities.

To ensure clarity and consistency, Section 8103-2 will be revised to better reflect the intended purpose of this exemption. Furthermore, as part of this update, the Residential Planned Development (RPD) Zone is being reinstated to the list of base zones under Section 8103-0, after having been inadvertently removed during the Phase I NCZO Amendments. See Exhibit 5, page 34, to review the proposed

changes in legislative format.

4. Article 4 – Purposes of Zones

This article outlines the purpose of each zoning designation in the unincorporated area of Ventura County. The proposed amendments to Article 4 aim to ensure consistency between the zoning designations and the land use designations outlined in the General Plan.

Specifically, the purposes of the following zoning designations will be revised:

1. Agricultural Exclusive (AE) Zone
2. Rural Residential Zones
3. Urban Residential Zones
4. Residential Planned Development (RPD) Zones
5. Commercial Planned Development (CPD) Zones
6. Industrial Zones

These revisions will align the purposes of these zoning designations with the corresponding land use designations in the General Plan, promoting consistency and clarity in the County's land use policy implemented in the zoning regulations. See Exhibit 5, pages 35-38, to review the proposed changes in legislative format.

5. Article 5, Uses and Structures by Zone

Article 5 provides a list in matrix form of the land uses and structures that are allowed in each zone and indicates the type of land use entitlement required to establish a particular use in that zone. Several stylistic, clerical, and clarifying edits to this Article are proposed as well as adding and removing land use categories in Sections 8105-4 and/or 8105-5.

a. New or Revised Land Use Categories: The following land uses will be revised or added to the use matrices of Sections 8105-4 and 8105-5 as specified below:

i. Agricultural Fumigation Service:

A new land use subcategory for "Agricultural Fumigation Service and Storage Yards and Buildings" will be added under the broader category of "Agricultural Contractor's Service and Storage Yards and Buildings" listed in Section 8105-4. This new use subcategory will be permitted in the OS and AE Zones, subject to approval of a CUP by the Planning Director. See further explanation for this change in Section A.4 above.

ii. On-Site Composting Activities, Accessory to Agricultural Operations:

A new land use subcategory of "On-site Composting Activities, Accessory to Agricultural Operations" will be added under the broader category of

"Agriculture and Agricultural Operations, Accessory Uses and Structures To" listed in Section 8105-4. This change aims to clarify the regulatory framework for on-site composting activities that are directly related to agricultural operations where the material produced is used on the same property.

Currently, on-site composting operations related to agriculture are not explicitly included in the definition of "On-site Composting Operations" in Article 2. Instead, they are listed under "Organics Processing Operations" in the use matrix, which requires a Zoning Clearance or CUP depending on the size of the operation.

This amendment rectifies this inconsistency by exempting on-site composting activities that are accessory to agricultural operations from land use entitlement requirements, if they are conducted within the following zones: OS-REC, OS, AE, RA, RE, and TP. This means that agricultural operators will no longer need to obtain a Zoning Clearance or CUP for on-site composting activities that are directly related to their agricultural operations where the material produced is used on the same property, providing greater clarity and certainty for these types of operations.

See Exhibit 5, page 46, to review the proposed changes in legislative format.

- iii. **Seasonal Sales of Christmas Trees and Pumpkins:** A new land use subcategory for "Seasonal Sales of Christmas Trees and Pumpkins" will be added under the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" listed in Section 8105-4. In addition to being already allowed in the C1 and CPD Zones, this use category will now be allowed in the OS-REC, OS, AE, RA, RE, and TP Zones, subject to approval of a Zoning Clearance, provided they are conducted in conjunction with an existing agricultural operation and meet the proposed specific use standards of Section 8107-13. See further explanation for this change in Section A.3 above.
- iv. **Hoop Houses:** A new land use subcategory for "Hoop Houses" will be added under the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" listed in Section 8105-4. As a result, hoop houses that are accessory to agriculture and agricultural operations will be allowed without a land use permit in the OS-REC, OS, AE, RA, RE, and TP Zones. See further explanation of changes in Section A.1 above.
- v. **Agricultural Wind Generation Machines:** A new land use subcategory of "Agricultural Wind Generation Machines" will be added under the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures to" listed in Section 8105-4. As a result, agricultural wind

generation machines will be permitted in the OS-REC, OS, AE, RA, and TP Zones as an accessory use to agriculture and agricultural operations. See further explanation of changes in Section A.2 above.

vi. Patios, Paving and Decks Not Exceeding 30 in. Above Finished Grade:

Currently, the use subcategory of "Patios, Paving, and Decks not Exceeding 30 inches Above Finished Grade" is permitted in all zones under the broader categories of "Dwellings, Accessory Structures To" and "Uses and Structures, Accessory (Other than to Agriculture, Animals, or Dwellings)" listed in Section 8105-4, and under "Uses and Structures, Accessory, Other than Listed Above" listed in 8105-5. This use category is not explicitly listed under accessory uses related to agricultural and agricultural operations.

A new land use subcategory of "Patios, Paving, and Decks not Exceeding 30 inches Above Finished Grade" will be added under the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" listed in Section 8105-4. This will allow patios, paving, and decks to be constructed in the OS-REC, OS, AE, RA, RE, RO, and TP Zones as an accessory use to agriculture and agricultural operations, without requiring a land use permit. See Exhibit 5, page 51.

The addition of this subcategory will provide farmers and agricultural operators with greater flexibility to improve their properties and enhance their operations. By allowing patios, paving, and decks in these zones without a land use permit, the amendment aims to support the viability and sustainability of agricultural activities in the region.

vii. Freestanding Light Fixtures: The current regulatory framework allows for "Freestanding Light Fixtures" under the broader categories of "Dwellings, Accessory Structures To" and "Uses and Structures, Accessory (Other than to Agriculture, Animals, or Dwellings)" listed in Section 8105-4. The current required permit indicated in the use matrix for "Freestanding Light Fixtures" is a PD Permit approved by the Planning Director in all of the open space, agricultural, and residential zones, except they are not permitted in the Residential High Development (RHD) Zone. However, this is misleading since the permitting requirements for these fixtures vary between a Zoning Clearance, a PD Permit, or a modification to an existing land use entitlement depending on their location and height pursuant to Section 8106-8.6.

To clarify and streamline the freestanding light fixture regulations of Section 8106-8.6, this amendment proposes to create two separate subcategories of "Freestanding Light Fixtures" to clarify the different permit types based on the height of the fixtures (see Exhibit 5, pages 58 and 69):

1. Freestanding Light Fixtures, 2 ft. to 20 ft. tall: This subcategory is permitted with a Zoning Clearance as indicated in Section 8106-8.6 and will now be added to the use matrix of Sections 8105-4 and

8105-5.

2. Freestanding Light Fixtures, over 20 ft. to 35 ft. tall: This subcategory is permitted subject to approval of a PD Permit by the Planning Director as indicated in Section 8106-8.6 and will now be clarified in the use matrix of Sections 8105-4 and 8105-5.

This change aims to make the regulations more consistent and reflective of the freestanding light fixtures standards outlined in Section 8106-8.6.

- viii. **New Single-Family Dwellings in the Residential Planned Development (RPD) Zone**: The use matrix of Section 8105-4 under the use category of "Dwellings" allows single-family dwellings in the RPD Zone with an approved PD Permit by the Planning Commission. However, the current regulatory framework is unclear because it does not clearly distinguish between single-family dwellings proposed as part of a subdivision and those proposed on vacant lots within existing and previously established subdivisions.

To address this issue, this amendment proposes to create the following two subcategories under the broader category of "Dwellings" listed in Section 8105-4 to clarify the different permit types for new single-family dwellings in the RPD Zone (see Exhibit 5, page 56):

1. New single-family dwellings proposed as part of a subdivision: This would include developments that are part of a subdivision (i.e., Parcel Map or Tract Map), where multiple lots are being created and developed simultaneously. In these cases, a Planning Commission-approved PD Permit would be required.
2. New single-family dwellings proposed on existing vacant RPD-Zoned lots: This would apply to situations where a new single-family dwelling is proposed on an existing vacant lot zoned RPD within an existing and established subdivision. For these developments, a Zoning Clearance would be required.

This change aims to provide clarity and consistency with the RPD Zone standards outlined in Section 8109-1.2. The RPD Zone standards are also proposed to be revised (see Section B(9)(a) below). By establishing clear permitting requirements for each scenario, the amendment seeks to ensure that new single-family dwellings are built in accordance with the relevant zoning regulations.

- ix. **Temporary Housing During Construction or Prior to Reconstruction**: The land use subcategory of "Temporary Housing During Construction/Prior to Reconstruction" under the broader category of "Dwellings, Accessory Structures and Buildings To, Buildings for Human Habitation" listed in

Section 8105-4 will be separated into the following two distinct subcategories (see Exhibit 5, page 57):

1. Temporary Housing During Construction: This subcategory applies to situations where temporary housing is needed during the construction of a new dwelling or structure where a valid building permit has been issued.
2. Temporary Housing Prior to Reconstruction: This subcategory applies to situations where temporary housing is needed before the reconstruction of an existing dwelling or structure that was involuntarily damaged or destroyed by natural disaster.

This proposed amendment aims to provide clarity and specificity by separating these two related but distinct scenarios into separate subcategories in the use matrix of Section 8105-4. The allowable zones and required permit type for both subcategories would remain unchanged, ensuring consistency with the existing regulatory framework.

The proposed change is consistent with the regulatory standards outlined in Sections 8107-14.2 and 8107-14.3, which govern temporary housing in these contexts. By making this distinction, the amendment seeks to provide clearer guidance for property owners, developers, and regulatory authorities.

- x. **Student Film Projects**: The zoning regulations do not specifically address the regulation of noncommercial student film projects, leading to ambiguity and potential inconsistencies in the permitting process. While the NCZO exempts filming for non-commercial personal use, which has been interpreted to include student films, there are no clear guidelines on what types of student film activities are exempt from regulations versus those that may require waivers or a film permit.

To address this issue and provide clarity on the regulation of student film projects, the Planning Director recommends modifying the NCZO to align with the Coastal Zoning Ordinance (CZO) use matrices, where it specifically exempts “non-commercial student projects” under the broad category of “Film Production, Temporary” listed in CZO section 8174-5 (Permitted Uses by Zone). A new land use subcategory of “Filming Activities, Occasional, Solely for Noncommercial Student Projects Where Neighborhood Waivers Are Not Required” will be added under the broad category of “Filming activities” listed in Sections 8105-4, 8105-5, and 8119-1.2 (Permitted Uses, Old Town Saticoy Development Code). See Exhibit 5, pages 63 and 79, and Exhibit 6, page 3, to review the proposed changes in legislative format.

This new subcategory would document what is currently allowed: student film projects to be conducted in all zones without requiring a land use permit, providing a clear and consistent framework for regulating these types of

activities. The amendment aims to balance the needs of students and filmmakers with the potential impacts on residents, ensuring that student film projects can be carried out in a way that minimizes disruptions and respects neighborhood concerns.

- xi. Maintenance and Repairs to Cultural Heritage Sites:** The land use category of "Maintenance, Routine/Minor Repairs to Buildings, No Structural Alterations" listed in Sections 8105-4 and 8119-1.2 and in Section 8105-5 under the broader category of "Uses and Structures, Accessory, Other Than Listed Above" allows for minor maintenance and repair work to be done in all zones without requiring a land use permit. However, this category does not consider designated cultural heritage sites, where even minor repairs and maintenance may require review and approval by the Cultural Heritage Board or the Cultural Heritage Planner to ensure that the site's cultural significance is considered, consistent with the Ventura County Cultural Heritage Ordinance and the cultural and historical resource policies in the General Plan (GP Sec. 6.4, COS-4).

To address this issue, a new land use subcategory for "If designated cultural heritage site per section 8111-1.1.1(a)(4), (a)(5) and (b)(10)" will be added under the broad category of "Maintenance, Routine/Minor Repairs to Buildings, No Structural Alterations" listed in Sections 8105-4 and 8119-1.2 and in Section 8105-5 under the broader category of "Uses and Structures, Accessory, Other Than Listed Above." See Exhibit 5, pages 64 and 91, and Exhibit 6, page 4, to review the proposed revisions in legislative format.

The new subcategory will require a Zoning Clearance for maintenance and repair work on designated cultural heritage sites. This change would ensure that the Cultural Heritage Planner or the Cultural Heritage Board is able to review minor repairs and maintenance projects at these sites to determine if a Certificate of Review or Certificate of Appropriateness is required, as per the County's Cultural Heritage Ordinance.

This amendment aims to balance the need for routine maintenance and repairs with the importance of preserving cultural heritage sites. By adding this subcategory to the use matrices of the NCZO, it aligns with the existing regulatory framework for ministerial approvals of cultural heritage sites pursuant to Sections 8111-1.1.1(a) and (b) and the County can ensure that these sites are protected and maintained in a way that respects their historical and cultural significance.

- xii. Expansion of Radio Stations in the OS and AE Zones:** The zoning regulations allow radio stations with studios existing prior to January 1, 1994, to operate in the OS and AE Zones, as specified in Article 7, Section 8107-28. However, this provision is not ideally located, as it is embedded in the specific use standards of Article 7, rather than being included in the use matrix of Section 8105-4.

To improve the organization and clarity of the NCZO, the following amendments are proposed:

1. A new use category for “Radio Stations with Studios Existing Prior to January 1, 1994 (Expansion of)” will be added to the use matrix of Section 8105-4. See Exhibit 5, page 67.
2. This new use category is permitted in the OS and AE Zones. These permit requirements are relocated from Article 7 section 8107-28 to the use matrix in Section 8105-4. This change will provide a more logical and consistent location for the regulation of radio stations in these zones.

Additionally, the current zoning regulations do not specify the type of permit required for an expansion of an existing radio station in the AE and OS Zones. To address this omission, Planning staff recommends that a CUP approved by the Planning Director be required for such expansions. This would ensure that the expansion of the radio station is subject to conditions of approval that would ensure compatibility with the surrounding area and maintain the character and purpose of the zone.

xiii. Clarification of Exemptions for Soil and Geologic Testing: The use subcategory of "Soil and Geologic Testing for Water Wells, Foundations, Septic Systems and Similar Construction" listed in Sections 8105-4 under the broader category of “Uses and Structures, Accessory (Other Than to Agriculture, Animals or Dwellings)” and listed in Section 8105-5 under the broader category of “Uses and Structures, Accessory, Other Than Listed Above” is exempt from land use permits in all zones. This use subcategory is also listed in the use matrix of Section 8119-1.2 and is exempt from land use permits in all zones within Old Town Satcoy. However, there are specific exceptions to this exemption that are not explicitly stated in these use matrices.

To address this ambiguity, the following amendments are proposed:

1. A new subcategory of “Within an Overlay Zone with Native Vegetation Removal or Grading” will be added under the broader category of "Soil and Geologic Testing for Water Wells, Foundations, Septic Systems and Similar Construction" (a subcategory of “Uses and Structures, Accessory (Other Than to Agriculture, Animals or Dwellings)”) in Section 8105-4. See Exhibit 5, page 71.
2. This new subcategory will also be added to Section 8105-5 under the broader category of “Uses and Structures, Accessory, Other Than Listed Above.” See Exhibit 5, page 91.
3. No changes are proposed to the use matrix of Section 8119-1.2, which zones are not within any overlay zones.

The new subcategory serves as a cross-reference to Article 9 of the ordinance, which outlines the standards and regulations governing overlay zones.

By adding this new subcategory, the amendment aims to provide clarity on the exceptions to the permit exemption for soil and geologic testing and ensure that users of the ordinance are aware of the potential requirements for soil and geologic testing in certain situations. This change would help to prevent confusion and facilitate compliance with the relevant regulations.

- xiv. **Insectary for Pest Control:** A new use category of "Insectary for Pest Control" will be added to the list of permitted uses in Section 8105-5 in the M2 and M3 Zones, subject to approval of a CUP by the Planning Director. See further explanation for this change in Section A.7 above.
- xv. **Concrete and Asphalt Ready-Mix Plants and Batch Plants:** The use subcategory of "Concrete/Asphalt Ready-Mix and Batch Plants" will be added to the broader category of "Cement, Concrete, Gypsum and Plaster, and Products Fabricated Therefrom" (a subcategory of "Stone, Clay and Glass Products" under "Manufacturing Industries") and be subject to the same zones, the same permit type, and the same decision-making authority as such broader use category listed in Section 8105-5. See further explanation for this change in Section A.8 above.
- xvi. **Agricultural Water Tanks:** A new use subcategory for "Water Tank for Agricultural Purposes Only" will be added to the broader category of "Water Production, Storage, Transmission, and Distribution Facilities" listed in Sections 8105-4 and 8105-5. The existing subcategory of "[water tanks] for agricultural purposes (privately operated)" listed in these section will be removed and replaced with this new subcategory.

The revised subcategory will include a reference to Section 8107-20.6, which is a newly introduced section of the ordinance that outlines specific standards for the development of agricultural water tanks. These standards are consistent with those established by the Building and Safety Division for permit-exempt tanks.

Under this amendment, agricultural water tanks that meet the proposed standards outlined in Section 8107-20.6 would be allowed on properties in any zone that permits agriculture or agricultural operations, without requiring a Zoning Clearance. Water tanks that do not comply with these standards would be required to be permitted with a Zoning Clearance.

The key changes introduced by this amendment include:

1. Removal of the existing subcategory for privately operated agricultural water tanks in Sections 8105-4 and 8105-5.

2. Introduction of a new subcategory for "Water Tanks for Agricultural Purposes Only" under the broader category of "Water Production, Storage, Transmission, and Distribution Facilities" listed in Sections 8105-4 and 8105-5. See Exhibit 5, pages 74 and 93.
3. Reference to Section 8107-20.6, which outlines proposed specific standards for agricultural water tank development. See Exhibit 5, page 155.
4. Allowance for agricultural water tanks in any zone that permits agriculture or agricultural operations, subject to compliance with the proposed standards outlined in Section 8107-20.6
5. Requirement for a Zoning Clearance permit for agricultural water tanks that do not meet the proposed specified standards outlined in Section 8107-20.6.

The purpose of this amendment is to provide clarity and consistency in the regulation for permit-exempt agricultural water tanks, while also ensuring that these structures are developed and operated in a manner that is consistent with the needs of agricultural operations and the surrounding community.

- xvii. **Driveway Entrance Features:** A new land use subcategory for "Driveway Entrance Features, With or Without a Vehicle Access Gate" will be added to the broader category of "Fences and Walls" listed in Section 8105-4. This use subcategory will be permitted in the OS and AE Zones with a Zoning Clearance provided the structure meets the proposed specific standards of Section 8106-8.1.1(c). See further explanation for this change in Section A.10 above.
- xviii. **Bicycle and Skate Parks, Outdoor:** The zoning regulations do not explicitly include recreational outdoor bicycle and skate parks in commercial and industrial zones in Section 8105-5. A new use category for "Bicycle and Skate Parks, Outdoor" will be added to the existing category of "Bicycle Racing Tracks," which is a subcategory of "Amusement and Recreational Facilities" listed in Section 8105-5 (see Exhibit 5, page 76). As a result, recreational outdoor bicycle and skate parks will be permitted in the M1 Zone, subject to approval of a CUP by the Planning Commission.
- xix. **Animal Shade Structures:** Permanent accessory animal keeping structures under the subcategory of "Accessory Structures Related to Agriculture and Animal Husbandry and Keeping" listed in Section 8105-4 is allowed in the RO Zone up to 2,000 square feet with a Zoning Clearance and over 2,000 square feet to 5,000 square feet with a CUP. However, the NCZO does not allow the subcategory of "portable" animal shade structures in the RO Zone.

At the request of the public, staff recommends the following amendments:

1. Allow up to 500 square feet of portable animal shade structures in the RO Zone with a Zoning Clearance in Section 8105-4. See Exhibit 5, page 50.
2. Allow over 500 square feet to 1,000 square feet of portable animal shade structures in the RO Zone subject to the approval of a CUP by the Planning Director. See Exhibit 5, page 50.
3. Revise the existing regulations pertaining to portable animal shade structures. These regulations are currently located in Article 7 section 8107-34 and will be relocated to Article 7 section 8107-2.2.1(b) (Animal Keeping Standards). Relocating the animal shade structures regulations to Section 8107-2 where other animal keeping standards are located provides a more logical and consistent location for them. See Exhibit 5, page 115.
4. Add a new definition of “Animal Shade Structures, Portable” in Article 2. See Exhibit 5, page 19.

These changes aim to provide clarity and consistency in the use matrix pertaining to permanent and portable animal shade structures and their permit requirements in the RO Zone as well as in other zones.

- xx. Cemeteries:** The land use category of “Cemeteries” is proposed to be revised to include “indoor and outdoor assembly” to clarify that these activities are considered an integral part of cemeteries. Cemeteries are allowed in the OS, RA, RE, RO, R1, R2, and RPD Zones, subject to the approval of a CUP by the Planning Commission in Section 8105-4, and in the M1 and M2 Zones, subject to approval of a CUP by the Planning Director, in Section 8105-5.

Staff recommends the following amendments to this use category:

1. Change the required permit type for “Cemeteries” in all allowable zones from a CUP to a PD Permit, with no change to the allowable zones or the required decision-making authority. See Exhibit 5, pages 53 and 77.
2. Add a subcategory of “Cemeteries Existing Prior to January 1, 1994 May Expand Subject to a Permit Modification or a Planning Commission-Approved Planned Development Permit” under the broader category of “Cemeteries” listed in Section 8105-4, subject to approval of a PD Permit by the Planning Director in the AE Zone only. See Exhibit 5, page 54.

This change aims to change the CUP permit type requirement to a PD

Permit for those land uses that once established pose no continuing land use conflicts and would remain compatible with the land uses in the surrounding area. These uses are considered long-term and continuous due to the type of service provided to the community, which involves burial remains. This amendment will allow cemeteries as a matter of right through a PD Permit. Accessory crematories would still be required to be permitted with a Planning Commission-approved CUP in order to address potential operational conflicts (e.g., noise, odor, aesthetics) with surrounding uses.

- xxi. Accessory Structures Exceeding Height Limits:** The land use subcategory of “Exceeding Height Limits of Main Structure” under the broader category of “Buildings Not for Human Habitation” (under “Dwellings, Accessory Structures and Buildings To”) listed in Section 8105-4, is allowed in the OS, AE, RA, RE, RO, R1, R2, and TP Zones, subject to approval of a CUP by the Planning Director, and allowed in the RPD and RHD Zones, subject to approval of a PD Permit by the Planning Commission. The land use subcategory of “Exceeding Height Limits” under the broader category of “Accessory Structures Related to Agriculture, Animal Husbandry and Animal Keeping” (under “Agriculture and Agricultural Operations, Accessory Uses and Structures To”) listed in Section 8105-4, is allowed in the OS, AE and RA Zones, subject to approval of a CUP by the Planning Director.

Staff recommends changing the required CUP permit type for both of those use categories to a PD Permit to align with the required PD Permit type in the RPD and RHD Zones and because these accessory structures would pose no continuing land use conflicts and would remain compatible with the land uses in the surrounding area (see Exhibit 5, page 57).

- xxii. Mobilehome Parks:** The land use category of “Mobilehome Parks” is allowed in the RA, RE, RO, R1, R2, and RPD Zones, subject to approval of a CUP by the Planning Director. Staff recommends changing the required CUP permit type to a PD Permit because once these parks are established, they would pose no continuing land use conflicts and would remain compatible with the land uses in the surrounding area (see Exhibit 5, page 65). Additionally, once a mobilehome park is established, the operation of and any modifications to the park are under the jurisdiction of the California Housing and Community Development (HCD) Department.

- xxiii. Packing, Preliminary Processing, or Storage of Crops; Without Structures:** The land use subcategory of “Packing, Preliminary Processing or Storage of Crops; Without Structures” under the broader category of “Crop Production” listed in Section 8105-5 is allowed in the M1, M2, and M3 Zones, subject to a Zoning Clearance. This amendment will combine the subcategory with the use category “Crop Production” to create a single line item and will change the Zoning Clearance requirement to permit-exempt (see Exhibit 5, page 75). Crop production, including “packing, preliminary

processing and storage of crops without structures” is a by-right use in all zones and does not require a land use permit. This change aligns with the permit exemption for this use category in the use matrix of Section 8105-4.

xxiv. Game Machines; Three or Fewer: The land use subcategory of “Game Machines; Three or Fewer” under the broader category of “Uses and Structures, Accessory, Other Than Listed Above” listed in Section 8105-5 is allowed as an accessory use in the C1 and CPD Zones, subject to a Zoning Clearance. This amendment will revise the subcategory to say, “Game Machines; Indoor; 3 or Fewer” to clarify that the game machines are only allowed indoors. Additionally, this amendment will change the Zoning Clearance permit requirement permit type to permit exempt. More than three game machines will require a modification to the underlying discretionary permit. See Exhibit 5, page 89.

xxv. Outdoor Events: The land use category of “Outdoor Events” listed in Section 8105-5 is an allowed use in the CPD Zone, subject to a permit-exemption if the event meets the requirements of Section 8107-46.3, and subject to approval of a CUP by the Planning Director if the event does not meet the requirements of Section 8107-46.3. This land use is not allowed in any other industrial or commercial zones. However, the use category of “Club Projects, Temporary Outdoor,” which such use is proposed to be removed and subsumed into the “Outdoor Events” use category, is allowed in CPD Zone as well as the C1 Zone. To account for the allowance of temporary outdoor events in the C1 Zone, the “Outdoor Events” use category will be revised to allow these events in the C1 Zone.

This change will allow outdoor events in the C1 Zone with a permit-exemption if the event meets the requirements of Section 8107-46.3 and with a Planning Director-approved CUP if the event does not meet the requirements of Section 8107-46.3. This change also simplifies the ordinance and removes duplicate uses listed in the use matrices. See Exhibit 5, pages 77 and 85.

b. Deleted Land Use Categories: The following land uses are proposed to be deleted from the use matrices of Sections 8105-4, 8105-5 or 8119-1.2, as specified below:

i. Boarding Houses: The land use category of “Boarding House” and its subcategory “on designated cultural heritage sites” will be deleted from all use matrices of Sections 8105-4, 8105-5, and 8119-1.2. The reason for this deletion is that boarding houses are considered a long-term residential use, and as such, they should be treated similarly to other single-family dwellings, consistent with state law requirements. Therefore, the permit requirement for boarding houses will be consistent with the permit requirements for single-family dwellings. See Exhibit 5, pages 19, 53, and 81 and Exhibit 6, page 2.

- ii. **Mobilehome, Continuing Nonconforming**: The land use subcategory for "Mobilehome, Continuing Nonconforming" will be deleted from the broader category of "Single-Family Dwellings" (a subcategory of "Dwellings") listed in Section 8105-4 (see Exhibit 5, page 55). Currently, this use subcategory requires approval of a CUP by the Planning Director in all zones, except OS-REC and RHD Zones.

For historical context, prior to 1964, mobilehomes were permitted in all zones with only a Zoning Clearance and a building permit for the placement of the home. However, on March 27, 1964, the County's zoning ordinance was amended to require a CUP for mobilehome dwellings. Later, in December 1970, County Ordinance No. 2406 introduced the requirement for mobilehome owners to obtain a Continuation Permit to maintain their nonconforming use.

Under current zoning regulations, mobilehomes permitted with a Continuation Permit are subject to nonconforming regulations (NCZO section 8113-2) and must obtain a new CUP if the permit expires, provided the mobilehomes meet specific criteria. However, Planning staff asserts that this subcategory is no longer necessary because the NCZO already permits mobilehomes as dwellings in all zones allowing single-family dwellings, if they were previously permitted by the Building and Safety Division.

To align with this change, Planning staff also proposes to remove all sections related to nonconforming mobile homes and Continuation Permits for mobilehomes from Article 13 (Nonconformities and Substandard Lots) of the NCZO (see Exhibit 5, pages 283 and 302), in addition to removing the "Mobilehome, Continuing Nonconforming" subcategory from Section 8105-4.

- iii. **County Buildings or Facilities**: The land use subcategories under the broader use category of "Government Buildings" will be deleted from the use matrices of Sections 8105-4, 8105-5 and 8119-1.2 (see Exhibit 5, pages 64 and 80, and Exhibit 6, page 3). The following land use subcategories will be deleted: "Correctional Institutions," "Fire Stations," "Law Enforcement Facilities," and "Public Works Projects Not Otherwise Listed As Uses In This Section Constructed By County or Its Contractors." At the request of the County Executive Office and the Resource Management Agency Director, the Planning Director recommends that County government buildings, Public Works Agency capital improvement projects or projects on County-owned land be exempt from the NCZO. For this reason, these types of projects and buildings will no longer be under the purview of the NCZO or processed by the Planning Division. The land use category of "Government Buildings" will be retained to apply to non-County public entities that are still subject to the regulations of the NCZO.

- iv. **Grading**: The land use category for "Grading" and its subcategory "Within

an Overlay Zone" will be deleted from all of the use matrices in Sections 8105-4, 8105-5, and 8119-1.2 (see Exhibit 5, pages 64 and 80, and Exhibit 6, page 4). The reason for this deletion is that grading is regulated by the Building and Safety Division and the Public Works Agency through Appendix J of the Ventura County Building Code. Additionally, the standards and requirements for grading within overlay zones are already addressed in Article 9 of the NCZO. As a result, it is deemed unnecessary to maintain "Grading" as a separate land use category in the use matrices, and its deletion would help to streamline and avoid duplication of regulatory information.

- v. **Recreation Projects, County-Initiated; Caretaker Recreational Vehicle, Accessory:** The land use subcategory for "Recreation Projects, County-Initiated" and its subcategory "Caretaker Recreational Vehicle, Accessory" under the broader category of "Recreation and Parks" will be deleted from the use matrix of Section 8105-4 (see Exhibit 5, page 68). The use subcategory will also be deleted from the broader category of "Recreation, Parks, and Amusements" in the use matrix of Section 8119-1.2 (see Exhibit 6, page 5).

The reason for this deletion is that County government buildings, Public Works Agency capital improvement projects, and projects on County-owned land are proposed to be exempt from the NCZO. As a result, County-initiated recreational projects, including accessory caretaker recreational vehicles, will no longer be subject to the NCZO or processed by the Planning Division. This change streamlines the regulatory process for County-led projects, removing the need for PD Permits and Zoning Clearances for these specific County projects.

- vi. **Underground Fuel Storage Permitted by Other County Agencies:** The land use subcategory for "Underground Fuel Storage Permitted by Other County Agencies" will be deleted from the broader category of "Agriculture and Agricultural Operations, Accessory Uses and Structures To" listed in Section 8105-4 and from Section 8105-5 under the broader category of "Crop Production, Uses and Structures, Accessory" (see Exhibit 5, pages 52 and 75). Currently, this subcategory is exempt from permits in the OS-REC, OS, AE, RA, RE, TP, M1, M2, and M3 Zones when related to crop production.

The reason for this removal is that underground fuel storage is already regulated by the Environmental Health Division, making it unnecessary to include it as a separate land use category in the use matrices. Instead, if a proposed project includes underground fuel storage, the entire project will be reviewed and processed concurrently, ensuring that all relevant regulations and permits are addressed in a comprehensive manner. This change simplifies the zoning ordinance by eliminating redundant or unnecessary categories, while still maintaining regulatory oversight through

other county agencies.

- vii. **Print Shops (Up to 1,500 Sq. Ft. of GFA):** The land use subcategory of “Print Shops (Up to 1,500 Sq. Ft. of GFA)” under the broader category of “Printing, Publishing and Related Industries” (under the main category of “Manufacturing Industries”) listed in Section 8105-5 is allowed in the CPD Zone, subject to approval of a PD Permit by the Planning Director. This amendment will remove this subcategory from the list of manufacturing uses since it more appropriately falls under the definition and use subcategory of “business services” under the broader category of “Service Establishments” listed in Section 8105-5 (see Exhibit 5, page 82). Print shops will continue to be allowed in the CPD Zone, and will also be allowed in the CO and M1 Zones, subject to approval of a PD Permit by the Planning Director.
- viii. **Club Projects, Temporary Outdoor:** The land use category of “Club Projects, Temporary Outdoor” will be deleted from the use matrix of Section 8105-5. These types of events are now covered under the use category of “Outdoor Events” and subject to the specific use standards of NCZO section 8107-46. See Exhibit 5, page 77, to review the proposed changes in legislative format.

6. Article 6, Lot Area and Coverage, Setbacks, Height, and Related Provisions

Article 6 sets forth specific development standards which are applicable to the zones specified and to delineate certain instances where exceptions to the requirements are allowed. The following key amendments are summarized below by section number:

- a. **Section 8106-1.2 (Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones):** NCZO section 8106-1.2 provides the applicable zoning designation, the minimum lot area, the maximum percentage of building lot coverage, and footnotes with several exceptions to these regulations in a table format. Planning staff proposes to revise Footnote 3 of the table to separate out the screening requirement from the setback requirements. The screening requirement is proposed to be relocated from this Section 8106-1.2 (Footnote 3) to a new Section 8109-3.1(d) where other screening requirements are located for specific zones. This amendment would allow the appropriate decision-making authority to grant a reduction to the 30-foot setback if an industrial use abuts an R-Zone provided the findings of Section 8111-1.2.1.1 can be met. See Exhibit 5, page 95, to review the proposed changes in legislative format.
- b. **Section 8106-6.1 (Distance Between Structures on the Same Lot):** NCZO section 8106-6.1 provides the minimum setback distances between structures on the same lot. This amendment includes revisions to this section to clarify that there is no setback requirement for above-grade water features and amenities, and shade structures that are built on, in, or near the water feature.

See Exhibit 5, page 97, to review the proposed changes in legislative format.

- c. **Section 8106-6.4 (Buildings and Structures for the Growing of Crops):** NCZO section 8106-6.4 has been revised to provide clearer guidance on setback distances for agricultural structures, including: greenhouses, hothouses, shade/mist structures, and other permitted buildings and structures used for growing crops (see Exhibit 5, page 98).

The changes include:

1. **Revised Section Heading:** The heading of this section has been updated to explicitly state that it applies to agricultural-related buildings and structures.
2. **Height Exclusions for Wind Generation Machines:** The amendment introduces a specific exception for agricultural wind generation machines, allowing them to exceed the standard height limitations of an accessory structure if they are located at least 20 feet away from all property lines. This change is based on a Planning Director interpretation. See further explanation in Section A.2 above.

These updates aim to provide more clarity and flexibility for agricultural operations while ensuring that structures are sited in a way that minimizes potential impacts on neighboring properties.

- d. **Revisions to Fences and Walls Regulations:** The proposed amendment aims to clarify and update the regulations for fences and walls in the NCZO, specifically in Sections 8106-8.1, 8106-8.1.3, and a new Section 8106-8.1.8.

- i. **Location and Height Regulations (Section 8106-8.1.1):** The current regulations for fences and walls will be revised to include:

1. Clarification that pedestrian gates and vehicle access gates are subject to the same location and height regulations as fences and walls. See Exhibit 5, page 99.
2. A new provision allowing driveway entrance features with horizontal beams or archways to exceed the 8-foot-tall maximum fence height, but only on lots in the OS and AE Zones with a Zoning Clearance. These features will be considered "accessory structures" rather than "fences." See Exhibit 5, pages 100-101.
3. Driveway entrance features with horizontal beams or archways will be allowed only on lots in the OS and AE Zones, provided they meet the regulations of Section 8106-8.1.1. See Exhibit 5, pages 62-63 and 100-101.

- ii. **Prohibited Fencing Materials (Section 8106-8.1.3):** The current

regulations prohibiting certain fencing materials in specific zones or adjacent to certain uses, in accordance with California Civil Code section 835, will be updated to:

Allow electrified security fencing in any zone, if the property is legally authorized for a commercial purpose that involves storing, parking, servicing, selling, or renting vehicles, vessels, equipment, materials, freight, or utility infrastructure within an outdoor lot or yard, provided that the secured area does not include residential or hospitality uses.

See Exhibit 5, pages 101-102, to review the proposed changes in legislative format.

- iii. **General Maintenance Provision (New Section 8106-8.1.8):** A new section will be added to provide general maintenance provision for all fencing, vehicle access gates, and driveway entrance features. This provision will ensure that these structures are properly maintained and do not become a nuisance or safety hazard.

See Exhibit 5, page 102, to review the proposed changes in legislative format.

Overall, the proposed amendments aim to provide clarity and consistency in the regulations for fences and walls, while also allowing for some flexibility and exceptions in certain zones and uses.

7. Article 7, Standards for Specific Uses

Article 7 includes development and regulatory standards for all development and for specific uses allowed in the unincorporated area of Ventura County. The following key amendments to Article 7 are provided below:

- a. **Revisions to Home Occupations Regulations:** The proposed amendment updates Section 8107-1.2 of the NCZO, which governs home occupations. The changes include:
 - 1. **Commercial Vehicle Size:** Increasing the maximum weight limit for commercial vehicles allowed to be parked at a property with a home occupation permit from 10,000 pounds to 14,000 pounds. This change will accommodate Federal Highway Administration classified Class 3 vehicles, such as vans and mid-size trucks, which are commonly found in residential neighborhoods.
 - 2. **Removal of Redundant or Unenforceable Standards:** Eliminating Sections 8107-1.2.12, 8107-1.2.13, and 8107-1.2.14, as they are either: unable to be effectively regulated, outside the Planning Division's jurisdiction, or redundant with other standards.

These revisions aim to update the home occupation regulations to reflect common practices and vehicles used in residential areas, while also streamlining the code by removing unnecessary or unenforceable provisions.

See Exhibit 5, pages 108-110, to review the proposed changes in legislative format.

- b. **Mobilehomes and Manufactured Homes (Section 8107-1.3)**: This section is proposed to be entirely deleted because these regulations are redundant to the regulations enforced by the Building and Safety Division and the California Housing and Community Development (HCD) Department. See Exhibit 5, pages 110-111, to review the proposed changes in legislative format.
- c. **Open Storage (Section 8107-1.6)**: This section is proposed to be repealed and replaced in its entirety to make it easier to read and make consistent with the style of the rest of the ordinance. Revisions to this section include clarifying that the open storage standards in this Section 8107-1.6 are only applicable to dwellings, and no other uses. A table is proposed to clearly show the amount of storage allowed depending on which zone the dwelling is located in and the lot size. All other open storage standards are located in Article 9 under requirements for specific zones. See Exhibit 5, pages 111-113, to review the proposed changes in legislative format.
- d. **Kitchens and Wet Bars (Section 8107-1.10)**: This is a new section in Article 7 pertaining to kitchens and wet bars accessory to dwellings. This section provides development standards for kitchens, outdoor kitchens and wet bars. Currently, each of these uses are defined in Article 2, where the development standards are embedded in the definition and are proposed to be removed and relocated to this new Section 8107-1.10. Section 8107-1.10 includes language that clarifies the requirements for outdoor kitchens to ensure that these types of kitchens are “open” and not enclosed habitable structures. These standards also clarify that one kitchen is allowed inside a dwelling. See Exhibit 5, pages 113-114, to review the proposed changes in legislative format.
- e. **Garage and Yard Sales (Section 8107-1.11)**: This is a new section in Article 7 pertaining to garages and yard sales accessory to dwellings. Currently, this use is defined in Article 2, where the development standards are embedded in the definition and are proposed to be removed and relocated to Section 8107-1.11. This section provides the number of times per calendar year and the number consecutive days a garage sale or yard sale may occur on a property with a residential use. See Exhibit 5, page 114, to review the proposed changes in legislative format.
- f. **Portable Animal Shade Structures (Section 8107-2.2.1)**: Portable animal shade structures are currently regulated by Section 8107-34 and are not in the ordinance where other standards relating to animals are located under Section 8107-2. This amendment includes relocating the portable animal shade

structure provisions under Section 8107-34 to Section 8107-2.2.1 (Containment) where it governs containment of animals. Staff recommends relocating these standards to Section 8107-2.2.1 to keep similar topics in the same location in the ordinance for the ease of the reader. In addition to relocating the standards to Section 8107-2.2.1, staff proposes to add language to clarify and tighten-up the criteria to qualify as a “portable animal shade structure”. This amendment addresses a request from the public to make the standards less ambiguous. See Exhibit 5, page 115, to review the proposed changes in legislative format.

- g. Service Animals (Section 8107-2.4.4):** The NCZO uses the term “utility” animal to describe animals that are “seeing-eye dogs” and similar animals under Section 8107-2.4.4. The term “utility” is proposed to be replaced with the more contemporary term “service animal,” as defined by federal law. This term includes “seeing-eye” dogs and other similar animals trained to do work or perform tasks for the benefit of an individual with a disability. See Exhibit 5, pages 118-119, to review the proposed changes in legislative format.
- h. Consolidation and Update of Mobilehome and Recreational Vehicle Park Regulations:** The proposed amendment aims to reorganize and update the regulations for mobilehome parks and recreational vehicle parks in Article 7.

The changes include:

1. Consolidation: Combining the regulations for mobilehome parks (currently in Section 8107-4) and recreational vehicle parks (currently in Section 8107-7) into a single section, Section 8107-7. This will keep similar topics together and improve the overall organization of the ordinance.
2. Update to State Law: Updating the standards for both mobilehome parks and recreational vehicle parks to comply with current state law under Chapter 2 of Title 25 of the California Code of Regulations. This will ensure that the local regulations are consistent with state requirements and provide a uniform framework for these types of developments.

By consolidating and updating these regulations, the amendment aims to create a more streamlined and up-to-date framework for mobilehome parks and recreational vehicle parks in the county.

See Exhibit 5, pages 130-134, to review the proposed changes in legislative format.

- i. Restaurants, Bars and Taverns (Section 8107-8):** Planning staff recommends removing these regulations because they are not relevant and they cannot be practically enforced or implemented. Removing these outdated regulations will help to modernize the ordinance and eliminate unnecessary provisions, making it more effective and efficient in regulating land use

activities. See Exhibit 5, page 134, to review the proposed changes in legislative format.

- j. **Golf Course (Section 8107-8):** The existing regulations for golf courses, currently found in Section 8107-19, are proposed to be relocated to Section 8107-8. The current regulations do not address overnight accommodation at golf courses.

This amendment aims to fill that gap by allowing accessory short-term overnight accommodation at a golf course, subject to certain conditions, including the requirement to obtain and maintain a valid County transient occupancy tax registration certificate. To be permitted, these accommodations must be designed and developed in a manner consistent with a single-family dwelling and must be authorized through either a CUP or a modification of an existing discretionary permit, as per a Planning Director interpretation. The overnight accommodation would be limited to specific individuals, including golf players on the day of play, members of the golf club, and their guests, and would only be available for stays of fewer than 30 consecutive days.

See further explanation in Section A.11 above and Exhibit 5, pages 134-135, to review the proposed changes in legislative format.

- k. **Consolidation of Veterinary Clinics and Temporary Animal Vaccination Clinics Regulations:** The proposed amendment aims to reorganize the regulations for veterinary clinics and temporary animal vaccination clinics in Article 7. The changes include:

1. **Consolidation:** Combining the regulations for veterinary clinics (currently under Section 8107-10) and temporary animal vaccination clinics (currently under Section 8107-21) into a single section, Section 8107-10. This will keep similar topics together and improve the overall organization of the ordinance.
2. **Clerical Edits:** Minor clerical changes to the temporary animal vaccination clinic regulations to ensure accuracy and clarity.

By consolidating and making minor clerical edits to these regulations, the amendment aims to create a more streamlined framework for veterinary clinics and temporary animal vaccination clinics in the county.

See Exhibit 5, pages 135-136, to review the proposed changes in legislative format.

- l. **Amendment to NCZO Section 8107-13, Christmas Tree Sales:** Currently, the sale of Christmas trees is permitted under the broader use category of Retail Trade” (NCZO section 8105-5) in the following commercial and industrial zones: C1, CPD, TC, and IND Zones, with a Zoning Clearance, provided certain standards are met. This amendment proposes to:

1. Expand and revise the regulations in Section 8107-13 to include the sale of pumpkins, in addition to Christmas trees. To ensure these seasonal sales are conducted in a manner that minimizes potential impacts, the revised regulations include nuisance prevention measures, specific hours of operation, a prohibition on amplified music, and a prohibition on inflatable structures.
2. Expand the allowable zones for these seasonal sales to be broadened to include the OS, AE, RA, RE, and TP Zones in Section 8105-4, where they would be considered an accessory use to agriculture.

This change formalizes a Planning Director interpretation that allows for seasonal sales of pumpkins and Christmas trees as an accessory agricultural use. These revisions aim to strike a balance between allowing for seasonal agricultural-related sales and protecting the surrounding environment and community. See further explanation in Section B(5)(a)(iii) above and Exhibit 5, pages 139-140, to review the proposed changes in legislative format.

m. Consolidation and Revision of Bed-and-Breakfast Inn Regulations: The current regulations for bed-and-breakfast inns are scattered across Sections 8107-40, 8107-43, and the definition in Article 2. To improve organizational consistency and consolidate standards for this use, staff proposes to relocate all relevant regulations to Section 8107-15. This relocation would include removing the embedded standards from the definition of "bed-and-breakfast inn" and consolidating them into a single section under Section 8107-15.

As part of this revision, staff recommends:

1. Removing any references to boarding houses in the use categories of Sections 8105-4 and 8105-5, as they are a distinct by-right long-term residential use that is not subject to the same regulations as bed-and-breakfast inns, which cater to tourists.
2. Simplifying and clarifying the regulatory intent for bed-and-breakfast inns, including:
 - Establishing a clear maximum number of guest bedrooms allowed.
 - Defining the maximum number of guests permitted at the inn at any given time.
 - Specifying the owner-occupancy requirements.
 - Revising the maximum length of stay at a bed-and-breakfast inn from 7 days to no more than 30 consecutive nights. This change would align with the definition of "transient" in Division 11 of the County Code (Uniform Transient Occupancy Tax), ensuring

consistency and clarity in the regulation of short-term accommodation.

By consolidating and revising these regulations, the proposed changes aim to provide a more streamlined and easily understandable framework for bed-and-breakfast inns, while also ensuring that they operate in a manner consistent with the needs and expectations of the community.

See Exhibit 5, pages 140-141, to review the proposed changes in legislative format.

n. Reorganization and Revision of Campground Regulations: The proposed amendment updates Section 8107-16, which governs campgrounds, by:

1. Renumbering and Reformatting: Changing the subsections to a lettered list to maintain consistency with the rest of the ordinance.
2. Clerical Edits: Making minor revisions to improve clarity and accuracy.
3. Addition of Dwelling Unit Provision: Including a new regulation that allows for one dwelling unit on the campground, which may be occupied by the property owner or campground employee. This addition reconfirms the existing provision under Section 8107-16.9 (proposed subsection (h)), ensuring that campground owners and operators can maintain a residence on-site for management and maintenance purposes.

See Exhibit 5, pages 141-143, to review the proposed changes in legislative format.

o. Reorganization and Revision of Camp Regulations: The proposed amendment updates Section 8107-17, which governs camps, by:

1. Renumbering and Reformatting: Changing the subsections to a lettered list to maintain consistency with the rest of the ordinance.
2. Location Clarification: Providing clearer guidance on where camps can be located on a property to minimize the removal or destruction of existing native habitats.
3. Removal of Ambiguous Term: Deleting the term "guest ranches" from this section, as it is unclear and not used elsewhere in the ordinance or section.
4. Addition of Emergency Planning Requirement: Requiring applicants to submit an evacuation and emergency response plan as part of the discretionary entitlement application for a camp, to ensure public safety and preparedness.

These revisions aim to improve the clarity and effectiveness of the regulations governing camps, while also protecting native habitat and prioritizing public safety.

See Exhibit 5, pages 143-147, to review the proposed changes in legislative format.

p. Clarification of Agricultural Office Size Limitations: The proposed amendment updates Section 8107-20.3, which governs agricultural offices in the OS, AE, and RA Zones, by:

1. Clarifying Size Limitations: Specifying that agricultural offices up to 700 square feet are allowed with a Zoning Clearance, provided certain criteria are met.
2. Removal of Ambiguity: Clarifying that the size of an agricultural office can indeed exceed 700 square feet when processed under a CUP, resolving existing uncertainty.

These revisions aim to provide greater clarity and flexibility for agricultural operations, while ensuring that larger offices are subject to a more rigorous review process through the CUP.

See Exhibit 5, page 151, to review the proposed changes in legislative format.

q. New Regulations for Hoop Houses: The proposed amendment introduces a new Section 8107-20.4, specifically addressing hoop houses in Article 7, by:

1. Defining Hoop House Regulations: Establishing distinct regulations for hoop houses, differentiating them from agricultural shade/mist structures.
2. Use Standards: Introducing specific use standards for hoop houses that align with the Ventura County Building Code.
3. Exemption from Land Use Permit: Exempting hoop houses that meet the standards outlined in Section 8107-20.4 from requiring a land use permit.
4. Development Requirements for Non-Compliant Structures: Requiring hoop houses that do not meet the specified standards to comply with the development requirements for agricultural accessory structures.

This new section aims to provide clear guidance on the regulation of hoop houses, ensuring consistency with building codes and streamlining the permitting process for compliant structures. See further explanation in Section B(5)(a)(iv) above and Exhibit 5, page 152, to review the proposed changes in legislative format.

- r. **Relocation and Revision of Agricultural Sales Facility Regulations:** The proposed amendment relocates the agricultural sales facility regulations from Section 8107-6 to Section 8107-20.5, which is a more suitable location in the ordinance, as it will be grouped with similar agricultural topics.

The relocated Section 8107-20.5 is further divided into three subsections: 8107-20.5.1 (Small Facilities), 8107-20.5.2 (Large Facilities), and 8107-20.5.3 (Wholesale Nurseries for Propagation).

The regulations for small facilities have been updated to be consistent with the Ventura County Building Code, Section 105.1.2, which governs "small agricultural produce stands". The revisions include:

1. **Maximum Building Size:** Reduced from 500 square feet to 400 square feet.
2. **Combined Display and Sales Area:** A maximum of 500 square feet of combined outdoor or indoor display and sales area is allowed.
3. **Open Sides Requirement:** At least 65 percent of the longest side of the building must be left open during business hours.
4. **Setback Requirement:** A minimum setback of 30 feet from the small agricultural sales building to an adjoining property or other buildings on the same lot.
5. **Expansion of Allowed Products:** Currently, only raw or unprocessed products are allowed to be sold at a small agricultural sales facility, unless a CUP is granted. Considering the recently adopted regulations allowing locally grown food processing facilities in the AE and OS Zones, the amendment proposes to:
 - **Allow Sale and Sampling of Processed Products:** Agricultural products processed on a property with a permitted locally grown food processing facility can now be sold and sampled at a small agricultural sales facility, without requiring a CUP.

This change addresses a request from the agricultural industry to reconcile the regulations of locally grown food processing facilities with those of agricultural sales facilities, providing more flexibility for business owners.

See Exhibit 5, pages 152-155, to review the proposed changes in legislative format.

- s. **New Regulations for Water Tanks for Agricultural Purposes:** The proposed amendment introduces a new Section 8107-20.6 to Article 7, which specifically regulates water tanks used for agricultural purposes. The regulations for water

tanks for agricultural purposes are added to be consistent with the Ventura County Building Code

The key proposed amendments include the following:

1. Accessory Structures: All water tanks, regardless of purpose, are considered "accessory structures" and must comply with the development standards of the zone they are located in, including building lot coverage, height, and setbacks.
2. Exemption from Land Use Permits: Water tanks for agricultural purposes that meet specific criteria set forth in the Ventura County Building Code will be exempt from land use permits.
3. Consistency with Building Code: This amendment aligns the NCZO with the Ventura County Building Code, which already exempts water tanks meeting certain criteria.
4. Permitting Requirements: Water tanks that exceed the exemption criteria will still require a Zoning Clearance and a Building Permit.

This amendment addresses a public request to provide consistency in permitting between the Building and Safety Division and the Planning Division. By exempting qualifying water tanks from land use permits, the process for agricultural operators will be simplified and more efficient, providing a more streamlined process.

See further explanation in Section B(5)(a)(xvi) above and Exhibit 5, pages 155-156, to review the proposed changes in legislative format.

- t. **Motocross/OHV (Off-Highway Vehicles) Parks (Section 8107-22)**: This use is currently regulated by Section 8107-29. This amendment relocates the motocross/OHV Parks regulations from Section 8107-29 to Section 8107-22, as part of reorganizing Article 7. In addition to relocating the regulations for motocross/OHV Parks to this Section 8107-22, the proposed amendments are as follows:

1. Clerical Edits: Grammar and punctuation have been edited.
2. Clarifying Regulations: Revisions to existing provisions to clarify the regulatory intent, replace undefined terms with defined terms, add permit requirements in accordance with Section 8105-4, and update references to the most current General Plan policies and maps.

See Exhibit 5, pages 160-164, to review the proposed changes in legislative format.

- u. **Bicycle and Skate Structures (8107-23)**: This section is currently entitled,

“Nonmotorized Wheeled Conveyance Facilities,” which has been misunderstood and not a term commonly used by the public. Changes to this section include the following:

1. Revise Heading: Replace the heading of this section to “Bicycle and Skate Structures,” which is a more suitable term to describe the contents of the regulations. Makes this change throughout the body of this section.
2. Renumbering and Reformatting: Renumbered in some subsections to create a lettered list to make consistent with the style of the rest of the ordinance.

See Exhibit 5, pages 164-167, to review the proposed changes in legislative format.

- v. **Caretaker Recreational Vehicle, Accessory (Section 8107-24)**: The use “caretaker recreational vehicle, accessory” is regulated by Section 8107-24, and is a use that is accessory to a recreation area owned and operated by the County of Ventura. This amendment removes Section 8107-24 and replaces it with “for future reference” because County projects, Public Works Agency capital improvement projects, and projects on County property will be removed from the purview of the zoning ordinance and from the Planning Division. See further explanation in Sections B(5)(b)(vi) and B(17)(b)(v) of this document, and Exhibit 5, pages 167-168, to review the proposed changes in legislative format.
- w. **Cemeteries (8107-27)**: This amendment relocates the regulations in this section to the use matrix of Section 8105-4 under the existing land use category of “Cemeteries.” Section 8107-27 does not contain any specific use standards for cemeteries, but rather it explains the discretionary process and required permit type for cemeteries that are in the AE Zone. Relocating this information into a new subcategory of “Cemeteries Existing Prior to January 1, 1994 May Expand Subject to a Permit Modification or a Planning Commission-approved Planned Development Permit” subject to the approval of a PD is a more appropriate location in the zoning ordinance. The existing regulations for “Storage of Building Materials, Temporary” will be moved from Section 8107-15 to Section 8107-27 as part of reorganization of Article 7.

See further explanation in Section B(5)(a)(xx) above, and Exhibit 5, page 178, to review the proposed changes in legislative format.

- x. **Storage of Building Materials, Temporary (Section 8107-15)**: The regulations pertaining to “Storage of Building Materials, Temporary” are currently provided in Section 8107-15 and are proposed to be relocated to Section 8107-27, as indicated above. No other changes are proposed.

See Exhibit 5, page 178, to review the proposed changes in legislative format.

- y. **Radio Stations (Section 8107-28)**: The regulations for “Radio Stations” are proposed to be relocated to the use matrix of Section 8105-4 and replaced with regulations for “Stockpiling Construction Related Debris and/or Fill Material,” which was relocated from Section 8107-22.

See further explanation in Section B(5)(a)(xii) above, and Exhibit 5, page 178, to review the proposed changes in legislative format.

- z. **Stockpiling Construction Related Debris and/or Fill Material (Section 8107-22)**: The regulations pertaining to “Stockpiling Construction Related Debris and/or Fill Material” are currently provided in Section 8107-22 and are proposed to be relocated to Section 8107-28. Only minor clerical and clarifying changes are proposed to this section.

See Exhibit 5, pages 179-180, to review the proposed changes in legislative format.

- aa. **Correctional Institutions (Section 8107-32)**: This section is proposed to be removed and replaced with “reserved for future use” because correctional institutions are government-owned facilities that are proposed to be exempt from the provisions of the zoning ordinance pursuant to proposed revised Section 8101-2.1.2.

See Exhibit 5, page 188, to review the proposed changes in legislative format.

- bb. **Wireless Communication Facilities (Section 8107-45)**: The proposed amendments to this section are as follows:

1. **Renumbering and reformatting**: Several sections in Section 8107-45 will be renumbered to make consistent with the numbering system of the rest of the ordinance.
2. **Remove County Projects**: This amendment includes removing Section 8107-45.2.2 (Wireless Communication Facilities on Government Buildings) and replacing with “reserved for future use” because all County projects, Public Works Agency capital improvement projects, and projects on County-owned land are proposed to be exempt from the regulations of the zoning ordinance. These types of projects will no longer be under the purview of the Planning Division or the zoning ordinance.

See Exhibit 5, pages 199-210, to review the proposed changes in legislative format.

- cc. **Urban Parks (Section 8107-48)**: The proposed amendments to this section are as follows:

1. **Renumbering and reformatting**: This section is proposed to be

renumbered to make consistent with the numbering system of the rest of the ordinance.

2. Revise Timing of Acceptance of Dedication, Acquisition and Improvement Agreement: The timing of these requirements under Sections 8107-48.4.1 and 8107-48.4.2 will be revised from “after the issuance of the required land use permit” to “at the time of submittal of the application for a land use permit.” This change ensures that these requirements are done at the beginning of the application review process instead of after the public hearing and final decision.
3. Remove County projects: A new Section 8107-48.4.3 is added to clarify that if an urban park is dedicated to the County of Ventura, the regulations in the NCZO and the approved conditions of approval of the land use permit are no longer applicable.
4. Revisions to Requirements for Privately-Owned and Maintained Urban Parks: The proposed changes to Section 8107-48.5 include:
 - Delete Section 8107-48.5.3, which requires the permittee to maintain liability insurance.
 - Revise and expand the provisions for a maintenance plan to ensure the urban park is maintained in a neat and orderly manner pursuant to Section 8107-48.5.1.
5. Revises Requirements for Privately-Owned Urban Park Maintained by a Public Entity: This Section 8107-48.6 will be revised to clarify the requirements and timing of when an a privately-owned urban park is dedicated to a public entity other than the County of Ventura.

See Exhibit 5, pages 210-216, to review the proposed changes in legislative format.

8. Article 8, Parking and Loading Requirements

Article 8 outlines requirements for off-street parking and loading areas for motor vehicles and bicycles. The updates to this article aim to clarify and streamline the decision-making process.

The key amendments to this Article include:

1. Decision-Making Authority: The language has been revised to reflect that the authority to waive or modify relevant Article 8 requirements can be held by various entities, including the Planning Director, Planning Commission, or Board of Supervisors. Previously, only the Planning Director was granted this authority.
2. Flexibility in Parking Requirements: For businesses with sales or display

areas (e.g., feed stores, lumber yards), the decision-making authority now has more flexibility to adjust parking space requirements based on substantial evidence. This change allows for a more tailored approach to addressing parking needs.

3. Clerical edits have been made to correct grammar and punctuation and provide consistency.
4. Clarifying language has been added to Article 8 to ensure that all parties understand the decision-making process for parking and loading regulations.

See Exhibit 5, pages 219-251, to review the proposed changes in legislative format.

9. Article 9, Standards for Specific Zones and Zone Types

Article 9 provides development criteria for all zones and specific zones pertaining to, but not limited to, landscaping, noise, circulation, and open storage. This Article was reorganized so that specific zone standards, for example, the landscaping and open storage requirements, are relocated to Article 9 under their specific zones in order to keep all regulations for specific zones in the same location. The key amendments to this Article are provided below.

a. Revisions to Residential Planned Development (RPD) Zone Regulations:

The proposed amendment aims to clarify and revise the regulations for new single-family dwellings in the RPD Zone under Section 8109-1.2, addressing a long-standing misunderstanding.

The key amendments to Section 8109-1.2 include:

1. Clarification on Development of Single-Family Dwellings in RPD Zone:
The revisions add provisions to clarify which specific standards apply to:
 - New single-family dwellings on vacant lots in an RPD Zone that were not part of a previously approved Planned Development Permit.
 - All other development within the RPD Zone.
2. Clarification on Setback Requirements: The proposed revisions to this Section 8109-1.2.2 resolve a long-standing misunderstanding on which setback standards to use when developing a single-family dwelling on a vacant lot that is not part of an approved Planned Development Permit and projects involving dwellings as part of a subdivision.
3. Clarification on Open Space Requirements: The existing open space requirements are currently unclear. These regulations will be rewritten to clarify the intent and specific requirements for open space areas

within a development in the RPD Zone, including mixed developments involving both single-family dwellings and condominiums or townhouses.

These changes aim to provide clarity on which standards apply to new single-family dwellings and other development in the RPD Zone, reducing confusion and uncertainty. The replacement of Section 8109-1.2.1(a) with parking requirements ensures that projects in the RPD Zone comply with the relevant regulations outlined in Article 8.

See Exhibit 5, pages 254-259, to review the proposed changes in legislative format.

b. Summary of Proposed Changes to Commercial Zones Regulations: The proposed amendments to Section 8109-2 aim to update and clarify the regulations for commercial zones. The key amendments include:

1. Addition of Outdoor Display Regulations: New regulations will be added to specify location, area, and height restrictions for outdoor displays of merchandise, which were not previously provided.
2. Removal of Employee Limitation: The five-employee limitation for manufacturing activities in commercial zones will be removed, and the definition of "accessory" will be used to establish a maximum number of employees.
3. Removal of Performance Standards Requirement: The requirement for projects in commercial zones to comply with industrial performance standards will be removed, as these standards are already covered by other local, state, and federal codes.
4. Revision of CO Zone Regulations: The design criteria for accessory retail and personal service shops in office buildings will be removed, allowing for greater flexibility in the CO Zone.
5. Update to Use Matrix: The use matrix of Section 8105-5 will be revised to allow "personal services" as a principal use in CO Zones with a Planning Director-approved PD Permit. See Exhibit 5, page 87.

These changes aim to modernize and streamline the commercial zones regulations, removing outdated restrictions and clarifying standards. The removal of the employee limitation and performance standards requirement will provide businesses with more flexibility and reduce regulatory redundancy. The revision of CO Zone regulations will allow for greater flexibility in office building design and use.

See Exhibit 5, pages 260-264, to review the proposed changes in legislative format.

- c. **Summary of Proposed Changes to Industrial Zones Regulations:** The proposed amendments to Section 8109-3 aim to update and clarify the regulations for industrial zones. A new section, 8109-3.1(d), is proposed to require outdoor uses in an industrial zone to be screened and buffered by a solid masonry wall or other adequate non-transparent barrier or screening measure when the industrial use is adjacent to or across the street from an R-Zone (Residential Zone).

The current screening and buffering requirements are in Footnote No. 3 of Section 8106-1.2, which regulates development standards for uses and structures in commercial, industrial, and special purpose zones. It is proposed to be relocated to this new Section 8109-3.1(d) in Article 9, which specifically deals with industrial zones. This relocation is intended to make the requirement more easily accessible and relevant to industrial zone regulations.

See Exhibit 5, pages 264-268, to review the proposed changes in legislative format.

- d. **Summary of Proposed Changes to Scenic Resource Protection (SRP) Overlay Zone Regulations:** The proposed amendments to Section 8109-4.1 aim to update and clarify the regulations for development within the SRP Overlay Zone. The key amendments to this section include:

1. **Revision to Initial Study Biological Assessment (ISBA) Requirements:** Section 8109-4.1.2(d) is proposed to be revised to clarify that an ISBA may be required as part of the application submittal process to:
 - Report on the type and amount of vegetation to be removed as part of a project to determine whether the project is discretionary or ministerial.
 - Identify feasible mitigation measures, if applicable.
2. **Revision to General and Special Exemptions:** Section 8109-4.1.3 is proposed to be revised to clarify that projects involving the destruction or removal of 1,000 square feet or more of native vegetation are not eligible for any discretionary permit exemptions listed in this section.

These changes aim to enhance the protection of native vegetation and scenic resources within the SRP Overlay Zone, provide clearer guidance for developers and applicants on the requirements for development within the SRP Overlay Zone, and improve the overall integrity and effectiveness of the SRP Overlay Zone regulations.

See Exhibit 5, pages 269-272, to review the proposed changes in legislative format.

10. Article 10, Sign Requirements

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 the public rights-of-way. Only minor clerical edits and section number reference changes are proposed in this Article.

See Exhibit 5, pages 277-281, to review the proposed changes in legislative format.

11. Article 11, Entitlements – Process and Procedures

Article 11 establishes 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. The key amendments to this Article are provided below.

- a. **Summary of Proposed Change to CUP Process:** Planning staff recommends removing the requirement that privately-initiated projects, which are decided by the Board of Supervisors, must first be heard by the Planning Commission. This proposed change aims to simplify the CUP process and make it more efficient.

Current Requirement: Under Section 8111-1.2.1(b), a project must be heard by the Planning Commission before being considered by the Board of Supervisors.

Proposed Change: Planning staff recommends removing this requirement, allowing the Board of Supervisors to consider the project directly without a prior hearing by the Planning Commission.

This change will simplify the CUP process for Board-approved projects and reduce unnecessary steps, making the permit process more efficient. This revision does not affect the current process for proposed text amendments to the zoning ordinance, which still requires a hearing by the Planning Commission followed by a final decision by the Board of Supervisors, as per Article 15.

See Exhibit 5, page 282, to review the proposed changes in legislative format.

- b. **Design Permit (Section 8111-1.3.3):** This is a new Section 8111-1.3.3 proposed to be added to Article 11 to clarify the process for a Design Permit pursuant to Section 8109-4.5.2. Adding this new type of entitlement is consistent with how the zoning ordinance addresses other entitlements, such as Film Permits and Tree Permits.

See Exhibit 5, page 284, to review the proposed changes in legislative format.

- c. **Applicant Responsibilities (Section 8111-2.4):** Section 8111-2.4 requires the applicant to obtain the names of all persons entitled to a public notice for a

discretionary permit. This is an outdated process that is proposed to be removed from the zoning ordinance and replaced with the proposed amendments outlined below. Applicants currently pay the County as part of the discretionary permit application to prepare a list of all persons subject to notification for a hearing. The applicant is not involved in this process beyond paying for the service.

1. Application Status: This Section 8111-2.4 will be replaced with existing regulations pertaining to application completeness and incompleteness and the termination process of applications, which are currently in Section 8111-2.2.
2. Revised Heading: The heading of this section is proposed to be revised to say, "Application Processing and Completeness" to accurately reflect the content of the section.
3. Planning Director's Authority: Planning staff recommends adding a provision that allows the Planning Director the authority to administratively terminate a complete application if the applicant fails to actively pursue the processing of the application for a period of 12 months. Examples of this is when an applicant has an outstanding bill or advises the County to hold off on scheduling a hearing due to personal matters.

See Exhibit 5, pages 285-286, to review the proposed changes in legislative format.

- d. **Deferral of Decisions on Applications (Section 8111-4.1.1)**: This section provides the process for the Planning Director to defer action on any discretionary permit to the Planning Commission or the Board of Supervisors. Currently, the Planning Director may defer action on a discretionary permit to the Planning Commission or the Board of Supervisors at any time up to 30 days after the close of an administrative hearing under certain circumstances and criteria as provided in Section 8111-4.1.1. Staff recommends revising this section to eliminate the requirement to defer the action after an administrative hearing and to allow the Planning Director to defer action at any time during the processing of the application. No changes are proposed to the circumstances or criteria for deferral of any action.

See Exhibit 5, pages 287-288, to review the proposed changes in legislative format.

- e. **Add Ministerial Permit Process for Previously Approved Discretionary Permits**: The NCZO does not currently have a ministerial permit process for previously approved discretionary permits. All changes to a previously approved discretionary permit must fall into three modification categories pursuant to Section 8111-6: Permit Adjustment, Minor Modification or Major

Modification. All three of these modification processes are discretionary.

The amendments to this section include adding a ministerial process for previously approved discretionary permits in very limited circumstances when the change does not rise to the level of a Permit Adjustment. Section 8111-6.1.1 is proposed to be revised to reflect a new ministerial modification process for previously approved discretionary permits. This section includes certain criteria to qualify for a ministerial modification such as, but not limited to, the following:

- The footprint of the structure(s) remain in the same location.
- The use remains the same.
- Building lot coverage is reduced or remains the same.
- Internal remodeling that does not impact the number of required parking spaces; architectural changes or embellishments.

A similar ministerial modification process has already been adopted in the Coastal Zoning Ordinance.

See Exhibit 5, pages 290-291, to review the proposed changes in legislative format.

- f. **Hearing Body for Appeals (Section 8111-7.2)**: Section 8111-7.2 provides provisions on the appropriate decision-making authorities for appeals, including appeals related solely to requests under the zoning ordinance for waivers or modifications of policies of the Board of Supervisors (Section 8111-7.2(c)). Staff recommends removing subsection (c) of Section 8111-7.2 because there are no policies or procedures allowing applicants to directly petition the Board of Supervisors for waivers or modifications, outside of the normal processing of permit applications.

See Exhibit 5, page 293, to review the proposed changes in legislative format.

12. Summary of Proposed Change to Article 12: Limitations on Issuance of Building Permits in the Ojai Valley

Staff recommends deleting Article 12, which regulates the number of residential permits issued for new dwelling units in the Ojai Valley to protect air quality, due to its outdated and obsolete nature. Article 12 will be available for future NCZO regulations and the heading will be revised to say, "Reserved for Future Use."

Background: Article 12, also known as the Ojai Valley Clean Air Ordinance (CAO), was first adopted on July 6, 1982. It was based on forecasts from the Ventura County Air Quality Management Plan (AQMP) and limited the number of annually permitted units to protect air quality in the Ojai Valley.

The reasons for the deletion are:

1. Outdated Forecasts: The dwelling unit forecasts ended in 2010, making it impossible to maintain a waiting list for residential permits as outlined in Article 12.
2. Changes in Air Quality Standards: Extensive amendments have been made to the Air Pollution Control District's (APCD) ambient air quality standards since 1994, rendering Article 12 obsolete.
3. State Law Preemption: State law allows multiple dwellings (e.g., accessory dwelling units) on a parcel zoned for single-family dwellings, effectively trumping the limitations imposed by Article 12.

Although Article 12 is no longer being enforced, the Planning Division continues to report annual building permit applications in the Ojai Valley as part of the Annual Progress Report to the Board of Supervisors.

See Exhibit 5, pages 295-300, to review the proposed changes in legislative format.

13. Article 13, Nonconformities and Substandard Lots

Article 13 provides regulations for the continuation, alteration, conversion or termination of certain classes of lawful, nonconforming uses and structures under certain conditions, and provides regulations for substandard lots. The key amendments to this article include the following:

a. Continuation of Existing Nonconforming Mobilehomes (Section 8113-2):

This section provides the regulations for continuation of a nonconforming mobilehome used as a dwelling. This section is proposed to be deleted because a permit for a mobilehome is now a ministerial action (rather than a discretionary CUP) and once permitted by the County, the property owner may legally continue to reside in the mobilehome without further entitlements being granted. The current regulations are outdated and obsolete.

See Exhibit 5, page 302, to review the proposed changes in legislative format.

b. Destruction of Nonconforming Structures and Structures Containing Nonconforming Uses (Section 8113-6):

Section 8113-6 provides provisions that regulate the destruction of nonconforming structures and structures containing nonconforming uses in certain situations, including if the destruction was voluntary, involuntary or occurred by a local, state, or federal-declared disaster. Section 8113-6 is separated into two main subsections: regulations for those nonconforming structures that are subject to amortization and those that are not.

The key amendments to this section are:

1. Reorganization and Reformatting: Section 8113-6 is proposed to be reorganized into subsections and smaller subdivisions so that the regulations are presented in a linear format, which will make them easier to locate.
2. Zoning Clearance Requirement: Section 8113-6 provides the permit process for the reconstruction of destroyed or damaged nonconforming structures by requiring the submittal of a completed building permit application within a period of 12 months after the occurrence of the destruction. However, the NCZO does not explicitly require the issuance of a Zoning Clearance to authorize the reconstruction of the nonconforming structure. It is a longstanding practice to require a Zoning Clearance to authorize the reconstruction of such structures, similar to the ministerial permit process for the construction of other structures and buildings.

Since it is currently unclear in the zoning ordinance whether or not a Zoning Clearance is required for the reconstruction of a nonconforming structure, staff recommends adding the Zoning Clearance requirement to Sections 8113-6.1.1, 8113-6.1.2, 8113-6.1.3, 8113-6.2.1 and 8113-6.2.2. to reflect the permit requirements of the use matrix of Sections 8105-4 and 8105-5 where a Zoning Clearance is required for new construction or structural alterations.

The Zoning Clearance requirement also allows the Planning Division to review the reconstruction plans to verify they meet the standards for reconstruction (i.e., involuntary vs. voluntary, more than or less than 50 percent damage/destruction) before the project is submitted to the Building and Safety Division for a building permit.

This change aims to align the permit process for the reconstruction of nonconforming structures or buildings with the NCZO's standard ministerial permit process for any reconstruction or construction of nonconforming structures or buildings, which requires a Zoning Clearance prior to the submittal of a complete building permit application.

The proposed legislative changes are shown in Exhibit 5, pages 306-310.

3. Extended Time to Reconstruct Nonconforming Structures Destroyed in a Local, State, or Federal-Declared Disaster: The NCZO currently allows a property owner up to 12 months from the time of involuntary damage or destruction of a nonconforming structure or building to submit a complete building permit application to the Building and Safety Division for the reconstruction of such nonconforming structure or building in order to retain any nonconformities, such as reduced

setbacks on a property pursuant to Section 8113-6.1.1. In 2018, the Board of Supervisors extended the 12-month deadline to a maximum of five years specifically for victims of the Thomas Fire, the largest wildfire in Ventura County.

Due to the increasing number of local, state and federal-declared wildfires and other declared disasters, staff recommends the following amendment to Section 8113-6 pertaining to the destruction or damage of nonamortized nonconforming structures or buildings:

1. Remove the outdated reference to the Thomas Fire since it is no longer applicable and the January 1, 2023, deadline has passed.
2. Replace reference to the Thomas Fire with *any* and *all* federal, state, or local declared disaster to account for any future declared disasters.
3. Provide up to five years from the date of destruction or damage of a nonamortized nonconforming structure or building in a local, state, or federal-declared disaster to submit a complete building permit application. This change is a proactive measure to support future victims of a declared disaster and eliminates the need for County staff to revise the zoning ordinance every time a new declared disaster occurs.

This change aims to proactively support the Ventura County community if and when a declared disaster occurs and provides victims extra time to plan for temporary housing, the reconstruction of the damaged building or structures, or to sell the property.

No change to the 12-month deadline is proposed for nonconforming structures or buildings that were not damaged or destroyed in a federal, state, or local-declared disaster.

The proposed legislative changes are shown in Exhibit 5, page 309.

14. Article 14, Enforcement and Penalties

Article 14 establishes procedures for enforcement of the provisions of the NCZO. Changes to this article include removing the definitions of “violator” and “violation” embedded in Article 14 and relocating them to Article 2 where all defined terms are located and making clerical and clarifying edits.

See Exhibit 5, pages 313-325, to review the proposed changes in legislative format.

15. Article 15, Amendments to this Chapter

Article 15 establishes procedures for amending the zoning ordinance. The key

amendments to this Article include:

1. Clarifying Applicability and Purpose: Section 8115-0 will be revised to add provisions for when a proposed amendment to the ordinance is applicable. See Exhibit 5, page 325.
2. Decisions on Amendments: Sections 8115-3.1 through 8115-3.6 are proposed to be repealed and reenacted. The proposed reenacted provisions will be reorganized and renumbered to make them easier to read. Removes the requirement that the Board of Supervisors announce its decision by resolution within 30 days after the conclusion of a hearing since this requirement is outdated and the Board does not make a decision on ordinance amendments by resolution, but rather at the conclusion of the hearing.

See Exhibit 5, pages 324-328, to review the proposed changes in legislative format.

16. Article 17, Mobilehome Park Closure Permit Requirements

Article 17 establishes procedures for the closure of mobilehome parks. The only changes to this article are clerical and clarifying edits. See Exhibit 5, pages 329-335, to review the proposed changes in legislative format.

17. Article 19, Specific Standards for Area Plans

Article 19 establishes applicability of regulations, not found in the zoning ordinance, that are specific to land uses and development of structures within the boundary of an Area Plan that has been adopted by the Board of Supervisors as part of the General Plan. This amendment revises the Old Town Saticoy Development Code under Section 8119-1 et seq. so that it is consistent with the proposed changes to the NCZO and to correct typographical, grammatical, and clerical errors, and to make clarifying edits.

The key amendments to the Old Town Saticoy Development Code include the following changes to the use matrix in Section 8119-1.2:

- a. **New Land Use Categories**: The following land uses will be revised or added to the use matrices of 8119-1.2, as specified below:
 - i. **Fences and Walls**: This principal use category will be revised to change the height requirement for a Zoning Clearance from 6 feet tall to 7 feet tall or less. This change aligns with revisions made to the “fence and walls” use category in the use matrices of Sections 8105-4 and 8105-5 and conforms to the Ventura County Building Code.

See Exhibit 6, page 3, to review the proposed changes in legislative format.

- ii. **Student Film Projects**: A new use subcategory of “Filming Activities, Occasional, Solely for Noncommercial Student Projects Where

Neighborhood Waivers are not Required Per Sec. 8107-11.1” will be added to the broader principal use category of “Filming Activities.” This new subcategory will be allowed in all zones without a land use permit, subject to the requirements of Section 8107-11.1.

See further explanation in Section B(5)(a)(x) above, and Exhibit 6, page 3, to review the proposed changes in legislative format.

- iii. **Seasonal Sales of Christmas Trees and Pumpkins:** The use subcategory of “Christmas Tree Sales” under the broader principal use category of “Retail Trade” will be replaced with “Seasonal Sales of Christmas Trees and Pumpkins” to make consistent with the changes proposed in the use matrices of Sections 8105-4 and 8105-5 and governed by the revised standards under Section 8107-13. No changes are proposed to the permit type or allowable zones.

See further explanation in Section A.3 above, and Exhibit 6, page 5, to review the proposed changes in legislative format.

- iv. **Warehousing and Storage:** The heading of the principal land use category of “Warehousing and Storage, Indoor Only” will be moved to a subcategory and will be replaced with the heading “Warehousing and Storage.” Minor clerical revisions are proposed, but no changes to the permit type or allowable zones.

See Exhibit 6, page 6, to review the proposed changes in legislative format.

- v. **Maintenance and Repairs to Cultural Heritage Sites:** The accessory land use category for “Ordinary Maintenance/Minor Repairs to Buildings; No Structural Alterations” is exempt from a land use permit in all zones within the Old Town Saticoy area. However, there is an exception to this exemption for minor repairs done to cultural heritage sites. To clarify the exception, Staff recommends adding a subcategory of “If Designated Cultural Heritage Site When Sec. 8111-1.1.1(a)(4), (a)(5) and (b)(10) apply” and adding a Zoning Clearance requirement for this subcategory in all zones.

See further explanation in Section B(5)(a)(xi) above, and Exhibit 6, pages 4 and 7, to review the proposed changes in legislative format.

- b. **Deleted Land Use Categories:** The following land uses will be deleted from the use matrices of 8119-1.2, as specified below:

- i. **Boarding Houses:** The principal land use category of “Boarding Houses” is proposed to be removed from the list of uses in the use matrix because boarding houses are a long-term residential use and should be treated like a single-family dwelling in conformance with state law.

See further explanation in Section B(5)(b)(i) above, and Exhibit 6, page 2, to review the proposed changes in legislative format.

- ii. **Grading**: The principal land use category of “Grading (A Public Works Agency Grading Permit May Still Apply)” will be removed from the list of uses in the use matrix because this activity is already regulated by the Appendix J of the Ventura County Building Code under the purview of the Building and Safety Division and the Public Works Agency, Land Development Department.

See further explanation in Section B(5)(b)(v) above, and Exhibit 6, page 4, to review the proposed changes in legislative format.

- iii. **Farmworker Housing Complex**: The subcategory “Farmworker Housing Complex” under the broader principal use category of “Dwellings” is proposed to be removed from the list of uses in the use matrix because the use was inadvertently added when the Area Plan was updated in 2015. Farmworker housing complexes are only allowed in the AE, OS, and RA Zones in Section 8105-4. However, multifamily housing complexes are still allowed in the Old Town Saticoy Development Code which may include farmworkers along with any other occupants.

See Exhibit 6, page 2, to review the proposed changes in legislative format.

- iv. **County Buildings or Facilities**: The land use subcategories under the broader category of “Government Buildings” are proposed to be entirely removed from the use matrix. The following land use subcategories will be deleted: “Fire Stations,” “Law Enforcement Facilities (substations),” and “Public Works Projects Not Otherwise Listed as Uses in this Section Constructed by the County or its Contractors.” The reason for the deletion is because County projects, Public Works Agency capital improvement projects and projects on County-owned land are proposed to be exempt from NCZO.

This change is consistent with the proposed changes in the use matrices of Sections 8105-4 and 8105-5. The land use category of “Government Buildings” will be retained to apply to non-County public entities that are still subject to the regulations of the zoning ordinance.

See further explanation in Sections B(1) above, and Exhibit 6, page 3, to review the proposed changes in legislative format.

- v. **Recreational Projects, County-initiated; Caretaker Recreational Vehicle, Accessory**: The subcategory of “Recreational Projects, County-initiated” under the broader principal use category of “Recreation, Parks, and Amusements” and the accessory use category of “Caretaker Recreational Vehicle, Accessory” are proposed to be entirely removed from the use matrix because County projects, Public Works Agency capital

improvement projects and projects on County-owned land are proposed to be exempt from the NCZO. This change is consistent with the proposed changes in the use matrices of Sections 8105-4 and 8105-5. See further explanation in Sections B(1) above, and Exhibit 6, pages 5, to review the proposed changes in legislative format.