

EXHIBIT BH-4

Proposed Non-Coastal Zoning Ordinance Amendments,
Legislative Version with Staff Explanations

County-Initiated Amendment to the Ventura
County General Plan – Public Facilities, Services
and Infrastructure Element, and Proposed
Ordinance Amending Articles 3, 4, 5, 6, and 9 of
the Ventura County Non-Coastal Zoning Ordinance
to create a new Open Space- Parks and Recreation
Zone

Case No. PL22-0057

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Staff Explanation

This document contains draft revisions to the Non-Coastal Zoning Ordinance (NCZO) for a new Open Space – Parks and Recreation Zone (OS-REC). These amendments will implement policies and programs in the 2040 General Plan through the addition of uses, zones, standards, and permitting requirements. The proposed revisions are contained within Chapter 1 of Division 8 of the Ventura County Ordinance Code, Non-Coastal Zoning Ordinance. Please note that throughout the document formatting corrections are proposed for consistency and not mentioned specifically in the staff explanations.

Legislative Format:

All draft text is shown in “legislative format” as follows:

- *Approved NCZO text that will be retained is shown as* plain black text (not underlined).
- *Text that is being proposed is shown as* black underlined text.
- *Existing, approved text that is being deleted is shown as* “~~strike through~~” *across the word/sentence.*
- *Text shown in* **black italics** *is a defined term. Defined terms are in Article 2 – Definitions of the Non-Coastal Zoning Ordinance.]*

ORDINANCE NO. _____

**AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA
AMENDING DIVISION 8, CHAPTER 1, ARTICLES 3, 4, 5, 6 AND 9 OF THE
VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE TO
ESTABLISH AN OPEN SPACE – PARKS AND RECREATION ZONE**

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

ARTICLE 3:

ESTABLISHMENT OF ZONES, BOUNDARIES AND MAPS

Article 3, Sec. 8103-0 – Purpose and Establishment of Zones and Minimum Lot Area of the Ventura County Ordinance Code is hereby amended to read as follows:

**Sec. 8103-0 - Purpose and Establishment of Zones and
Minimum Lot Areas**

In order to classify, regulate, restrict, and segregate uses of land and buildings; to regulate the height and size of buildings; to regulate the area of yards and other open spaces around buildings; and to regulate the density of population, the following classes of use zones are established along with their abbreviations and *minimum lot areas*. Alternative *minimum lot areas* may be established pursuant to Section 8103-1 et seq. *Minimum lot area* requirements are expressed in "gross" area for land uses and structures. The *minimum lot area* for subdivision purposes is expressed in "*net*" area for parcels of less than 10 acres, and "*gross*" area for parcels of 10 acres or more.

Zoning District Base Zones	Abbreviation	Minimum Lot Area*
Open Space – Parks and Recreation	OS-REC	10 Acres
Open Space	OS	10 Acres
Agricultural Exclusive	AE	40 Acres
Rural Agricultural	RA	1 Acre
Rural Exclusive	RE	10,000 sq.ft.
Single-Family Estate	RO	20,000 sq.ft.
Single-Family Residential	R1	6,000 sq.ft.
Two-Family Residential	R2	7,000 sq.ft.
Residential Planned Development	RPD	As Specified by Permit
Residential High Density	RHD	0.80 acre (1)
Commercial Office	CO	No Requirement
Neighborhood Commercial	C1	No Requirement
Commercial Planned Development	CPD	No Requirement
Industrial Park	M1	10,000 sq.ft.
Limited Industrial	M2	10,000 sq.ft.
General Industrial	M3	10,000 sq.ft.
Timberland Preserve	TP	160 Acres
Specific Plan	SP	Established by Plan
Residential	RES	OTSDC (2)

Residential Mixed Use	R/MU.....	OTSDC (2)
Town Center	TC.....	OTSDC (2)
Industrial	IND	OTSDC (2)

Overlay Zones

Refer to Article 9 (Standards for Specific Zones and Zone Types) for development standards applicable in Overlay Zones

Scenic Resource Protection	/SRP	Not Applicable
Mineral Resource Protection.....	/MRP	Not Applicable
Community Business District	/CBD	Not Applicable
Temporary Rental Unit Regulation	/TRU	Not Applicable
Dark Sky	/DKS	Not Applicable
Habitat Connectivity and Wildlife Corridors/HCWC		Not Applicable
Critical Wildlife Passage Areas.....	/CWPA.....	Not Applicable
Mobilehome Park.....	/MHP.....	Not Applicable
Senior Mobilehome Park.....	/SMHP.....	Not Applicable

**See Sections 8103-1.1, 8103-1.2, and 8103-2 for exceptions.*

(1) (ADD. ORD. 4436 – 6/28/11)

(2) As specified in Article 19, Old Town Satcoy Development Code (OTSDC). (ADD. ORD. 4479 – 9/22/15)

[Staff Explanation: The new Open Space – Parks and Recreation (OS-REC) zone is proposed to be added to Sec. 8103-0 as a distinct and separate base zone from the Open Space (OS) zone. Since the General Plan allows one unit per 10 acres in OS, the proposed amendment would retain the same minimum lot area for this new zone. The OS-REC zone is intended to enhance the protection of park land and potentially increase the amount of publicly accessible lands for parks and recreation-related uses.]

Article 3, Sec. 8103-7 – Limitations on Zoning of Parcels as Open Space – Parks and Recreation of the Ventura County Ordinance Code is hereby added to read as follows:

Sec. 8103-7 – Limitations on Zoning of Parcels as Open Space – Parks and Recreation

The following limitations shall apply to the establishment of parcels as Open Space – Parks and Recreation:

- a. This zone shall not apply within the Mineral Resource Protection Overlay Zone.
- b. This zone shall not apply within areas subject to an active permit authorizing oil and gas exploration and production as of [insert date of ordinance adoption].
- c. This zone shall not apply to parcels identified in the Housing Element Sites Inventory of the General Plan Background Report Appendix 5.A, as may be amended.
- d. This zone shall not apply to parcels within an “affected county”, as defined in Government Code section 66300, as may be amended, which states “‘Affected county’ means a census-designated place, (as may be amended) based on the 2013-2017 American Community Survey 5-year Estimates, that is wholly located within the boundaries of an urbanized area, as designated by the United States Census Bureau.”

[Staff Explanation: Staff created a set of special limitations for the OS-REC zone to ensure that it meets the intent of the General Plan to conserve open space and allow passive recreational uses. Areas within

the Mineral Resources Protection Overlay, and areas that have an active oil and gas permit would be ineligible for a rezone to the new OS-REC zone. While unlikely to occur, this zone is also being limited from being applied to any potential housing sites that are protected by the Housing Crisis Act of 2019 and any sites identified in the Housing Element's Regional Housing Needs Assessment parcel inventory, as may be updated, to avoid potential conflicts with state housing laws.]

Section 2
ARTICLE 4:
PURPOSES OF ZONES

Article 4, Sec. 8104-1.3 within Sec. 8104-1 – Open Space/Agricultural Zones, of the Ventura County Ordinance Code is hereby added to read as follows:

Sec. 8104-1.3 - Open Space – Parks and Recreation (OS-REC) Zone

- a. The purpose of this zone is to provide for, maintain and enhance the protection of lands for parks and recreation-related uses. This zone shall further the same purposes of the OS zone, as set forth in Section 8104-1.1, except for the purpose set forth in subdivision (b) of that section.

[Staff Explanation: The OS-REC zone is proposed to be added to Sec. 8104-1 as is its own distinct and separate zone from the OS zone. The purpose of this OS-REC zone is primarily the same as the OS zone with the added nuance that is the OS-REC zone focuses on open space preservation and the provision of recreational opportunities. The only purpose that the OS-REC zone does not carry over from the OS zone is purpose 'b' because no resource production is allowed within the zone. For reference, purpose 'b' of the OS zone states:

"The managed production of resources, including but not limited to: forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of groundwater basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and, areas containing major mineral deposits, including those in short supply."]

Section 3

ARTICLE 5: USES AND STRUCTURES BY ZONE

Article 5, Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8105-4 - Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
AGRICULTURE AND AGRICULTURAL OPERATIONS												
<i>Animal Husbandry</i>												
<i>Domestic Animals</i> Per Art. 7	<u>E</u>	E	E	E	E	E						
more <i>domestic animals</i> than are permitted by Art. 7 (excluding the keeping of <i>roosters</i> – see sec. 8107-2.3.7) (3, 19, 53)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP						
Reduced <i>Setbacks</i> for <i>Animals</i> (Excluding the Keeping of <i>Roosters</i>) Per Table 2, Sec. 8107-2.5.1 (16, 53)	<u>ZCW</u>	ZCW	ZCW	ZCW	ZCW	ZCW						
<i>Apiculture</i> (Other than <i>Backyard Beekeeping</i>) See Sec. 8107-2.6.1 (2, 15, 56)	<u>E</u>	E	E	E							E	
Aquaculture/Aquiculture (15)	<u>CUP</u>	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture											
Vermiculture * (16)												
up to 5,000 sq. ft. of open beds	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds		CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)		CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)		CUP	CUP									

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)		CUP	CUP	CUP								
Crop and Orchard Production (6, 12, 42, 54)	Exempt (See Sec. 9600 et seq. of the Ventura County Ordinance Code for regulations pertaining to industrial hemp cultivation.)											
Packing, Storage Or Preliminary Processing Involving No Structures	<u>E</u>	E	E	E	E						E	
Timber Growing And Harvesting, And Compatible Uses												
protected trees	Pursuant to Articles 7 and 9											
other trees	<u>E</u>	E	E	E	E						E	
Principal Structures Related To Agriculture (Greenhouses, Hot Houses, Structures for Prelim. Packing, Storage and Preservation of Produce & Similar Structures; Cumulative GFA Per Lot) Except Agricultural Shade/Mist Structures * (See Sec. 8106-6.4 & 8107-20) (15)												
Up to 1,000 sq. ft. (6)	<u>ZC</u>	ZC	ZC	ZC	ZC						ZC	
Over 1,000 sq. ft. to 20,000 sq. ft. (15)	<u>ZC</u>	ZC	ZC	CUP								
Over 20,000 sq. ft. to 100,000 sq. ft.	<u>CUP</u>	CUP	CUP	CUP								
Over 100,000 sq. ft. (6)	<u>CUP</u>	CUP	CUP									
Wineries (Including Processing, Bottling & Storage)(2, 15)												
Up to 2,000 sq. ft. structure	<u>ZC</u>	ZC	ZC	ZC								
Over 2,000 to 20,000 sq. ft. structure		CUP	CUP	CUP								
Over 20,000 sq. ft. structure		CUP	CUP	CUP								
With public tours or tasting rooms	<u>CUP</u>	CUP	CUP	CUP								
ACCESSORY USES AND STRUCTURES * (15)												
Accessory Structures Related to Agriculture and Animal Husbandry/Keeping * (e.g. Barns, Storage Buildings, Sheds; Cumulative GFA Per Lot) (15, 25)												
up to 2,000 sq. ft. (15, 25)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC		ZC		ZC	
over 2,000 sq. ft. to 5,000 sq. ft. (15, 25)	<u>ZC</u>	ZC	ZC	CUP	CUP	CUP	CUP		CUP		CUP	
over 5,000 sq. ft. to 20,000 sq. ft. (25)	<u>ZC</u>	ZC	ZC	CUP								

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
over 20,000 sq. ft. to 100,000 sq. ft. (25)		CUP	CUP									
over 100,000 sq. ft. (25)		CUP	CUP									
exceeding height limits (25)		CUP	CUP	CUP								
Offices * (7, 19, 25)	See Article 7											
Accessory bathrooms * (See Sec. 8107-1.9) (25)	<u>ZC</u>	ZC	ZC	ZC								
Agricultural Sales Facilities * (16, 19)												
Small facilities: up to 500 sq. ft., meeting standards established by Section 8107-6.2 (25)	<u>ZC</u>	ZC	ZC	ZC							ZC	
Meeting standards of Sections 8107-6.2.1, 8107-6.2.2, and 8107-6.3.4 (25)		CUP	CUP	CUP								
Large facilities: over 500 to 2,000 sq. ft. (25)		CUP	CUP	CUP								
Large facilities: over 2,000 to 5,000 sq. ft. (25)		CUP	CUP	CUP								
Wholesale nurseries for propagation: with sales facilities up to 500 sq. ft. (26, 34)	<u>ZC</u>	ZC	ZC	ZC								
with sales facilities of over 500 to 2,000 sq. ft. (26, 34)		CUP	CUP	CUP								
with sales facilities of over 2,000 to 5,000 sq. ft. (26, 34)		CUP	CUP	CUP								
with sales of non-agricultural items or materials not propagated on site. (26, 34)		CUP	CUP	CUP								
Agricultural Shade/Mist Structures * (16, 25, 34)												
up to 1,000 sq. ft. (25)	<u>ZC</u>	ZC	ZC	ZC	ZC						ZC	
over 1,000 sq. ft. to 20,000 sq. ft. (25)	<u>ZC</u>	ZC	ZC	ZC	CUP							
over 20,000 sq. ft. or 15% of lot area (whichever is greater) (25)	<u>ZC</u>	ZC	ZC	CUP								
over 15% of lot area (25)	<u>CUP</u>	CUP	CUP									
Agricultural Worker Housing (55)		See Sec. 8107-41										
Farmworker Dwelling Units* (15, 25, 55)												
Maximum of 4 dwelling units		ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2		PD	PD	PD							PD	

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<i>Animal Caretaker Dwelling Units (26, 55)</i>												
Maximum of 4 dwelling units	<u>ZC</u>	ZC	ZC	ZC							ZC	
Not meeting standards established by Sec. 8107-41.3.2	<u>PD</u>	PD	PD	PD							PD	
Farmworker and Animal Caretaker Temporary Trailers (55)	<u>ZC</u>	ZC	ZC									
<i>Animal Shade Structures (26)</i>												
Up to 500 sq. ft. (26)	<u>ZC</u>	ZC	ZC	ZC	ZC						ZC	
Over 500 sq. ft. to 1,000 sq. ft. (26)	<u>ZC</u>	ZC	ZC	ZC	CUP						CUP	
Over 1,000 sq. ft. to 10,000 sq. ft. (26)	<u>ZC</u>	ZC	ZC	ZC	CUP							
Over 10,000 sq. ft. or up to 7.5% of lot area (whichever is greater) (26)	<u>ZC</u>	ZC	ZC	CUP	CUP							
Over 20,000 sq. ft. or up to 15% of lot area (whichever is greater), Permeable Structures only (26)		CUP	CUP	CUP								
Over 15% of lot area, Permeable Structures only (26)		CUP	CUP									
Over 7.5% of lot area, Impermeable Structures only (26)		CUP	CUP	CUP	CUP						CUP	
Open Storage Per Art. 7 (6, 15, 25)	<u>E</u>	E	E	E	E						E	
Fuel Storage (6, 25)	<u>ZC</u>	ZC	ZC	ZC							ZC	
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5) (57)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Underground Fuel Storage Permitted By Other County Agencies (25)	<u>E</u>	E	E	E	E						E	
Agricultural Promotional Uses (26)	<u>CUP</u>	CUP	CUP	CUP							CUP	
ANIMAL KEEPING, NON-HUSBANDRY * (6, 2, 15)												
<i>Domestic Animals</i> Per Art. 7	<u>E</u>	E	E	E	E	E	CUP		E		E	
More <i>Domestic Animals</i> Than Are Permitted By Art. 7 (Excluding the Keeping of <i>Roosters</i> - See Sec. 8107-2.3.7) (15, 53)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Horses And Other <i>Equines</i> Per Art. 7 (15)	<u>E</u>	E	E	E	E	E	CUP		E		E	
More Horses and Other <i>Equines</i> Than Are Permitted By Art. 7 (15, 53)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>Kennels/Catteries</i> (2, 15, 19)		CUP	CUP	CUP	CUP							
<i>Equestrian Centers</i> (16, 19)	<u>CUP</u>	CUP		CUP	CUP	CUP						
<i>Wild Animals</i> , Not Inherently Dangerous (15, 19)		CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
<i>Inherently Dangerous Animals</i> (16)		CUP	CUP	CUP								
Reduced <i>Setbacks</i> for <i>Animals</i> , (Excluding the Keeping of <i>Roosters</i>), Per Table 2, Sec. 8107-2.5.1(16, 53)	<u>ZCW</u>	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW		ZCW		ZCW	
Accessory Structures	See Accessory Structures Related to Agriculture and Animal Husbandry/Keeping; Animal Shade Structures; Animal Caretaker Dwelling Units (32)											
AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE		CUP	CUP	CUP	CUP							
ASSEMBLY USES (39)				CUP	CUP	CUP	CUP	CUP	CUP			
BOARDING HOUSES AND BED-AND-BREAKFAST INNS* (2) (35)		CUP	CUP	CUP	CUP		CUP	CUP	CUP			
On Designated Cultural Heritage Sites (29, 34)		CUP	CUP	CUP	CUP		CUP	CUP	CUP			
CARE FACILITIES (SEE ALSO H. & S. C. AND W. & I. C.)												
Day Care Centers (19)				CUP	CUP		CUP	CUP	CUP			
Family Day Care Home (28, 42)		E	E	E	E	E	E	E	E	E		
Intermediate: Care Of 7 Or More Persons (2, 42)				CUP	CUP		CUP	CUP	CUP	CUP		
Residential: Care Of 6 Or Fewer Persons (42)		ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD	PD		
Care Of 7 Or More Persons (7)				CUP	CUP		CUP	CUP	CUP			
CEMETERIES * (SEE SEC. 8107-27) (15)		CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Accessory Crematories, Columbaria And Mausoleums		CUP		CUP	CUP							
COMMERCIAL CANNABIS ACTIVITY AS DEFINED BY SECTION 2701 OF THE VENTURA COUNTY CODE OF ORDINANCES * (52)			ZC									

	OS- REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
COMMUNICATIONS FACILITIES * (15, 46)												
Non-Commercial Antenna, Ground-Mounted (45)	This use only applies if the facility is an accessory structure to a dwelling, as outlined in §8106-7.1 and §8107-1.1. For other types of Non-Commercial Antenna, see Wireless Communication Facility use below.											
Up to 40 ft. in height (16, 19, 42, 46) (see Section 8107-1.1)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Over 40 ft. to 75 ft. in height (6, 42, 46)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Wireless Communication Facility (45)												
Stealth Facilities (Building-Concealed, Flush-Mounted, etc.) 80 feet or less in height (see §8107-45.4) (45)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Non-Stealth Facilities, 50 feet or less in height (45)	CUP	CUP	CUP	CUP	CUP	CUP					CUP	
Non-Stealth Facilities, over 50 feet in height, or Stealth Facilities over 80 feet (See § 8107-45.4(f)) (45)	CUP	CUP	CUP	CUP	CUP	CUP					CUP	
CULTURAL/HISTORIC USES (29)												
Cultural Heritage Sites with Ordinance Deviations (29)	Pursuant to Article 7 and principal or accessory uses											
Historic Repository (29) (40)				CUP	CUP							
Interpretive Centers (29)	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP			
DWELLINGS (43)												
Dwellings, Single-Family * (Mobilehomes - See Sec. 8107-1.3)		ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
Mobilehome, Continuing Nonconforming (15)		CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
Dwellings, Two-Family, Or Two Single-Family Dwellings								ZC	PD			
Dwellings, Multi-Family (42)(43)(44)									PD	ZC		
Accessory Dwellings												
Accessory Dwelling Unit (ADU)* (2, 11, 15, 33, 47, 58)		Pursuant to Sec. 8107-1.7										
Junior Accessory Dwelling Unit (JADU)* (58)		Pursuant to Sec. 8107-1.7										
Employee Housing (55)	See Sec. 8107-26											
Agricultural Employee Housing												
Maximum of 4 dwelling units	ZC	ZC	ZC	ZC							ZC	
More than 4 dwelling units or not meeting standards established by Sec. 8107-26.3	PD	PD	PD	PD							PD	

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Other Employee Housing (6 or fewer employees)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
<i>Farmworker Housing Complex (55)</i>		PD	PD	PD								
Farmworker Group Quarters (55)		PD	PD	PD								
Dwellings, Accessory Structures To												
Buildings For Human Habitation: (3, 19)												
temporary housing during construction/prior to reconstruction* (19, 42, 50)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Buildings Not For Human Habitation Or Agricultural And Animal Husbandry/Keeping Purposes (E.G. Garage, Storage Building): (3, 15, 19, 27)												
up to 2,000 sq. ft. GFA per lot (3, 6, 19, 42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
over 2,000 sq. ft. GFA per lot (3, 6, 15, 19, 42)		PD	PD	PD	PD	PD	PD	PD	PD	ZC		
exceeding height limits of main structure (18, 42)		CUP	CUP	CUP	CUP	CUP	CUP	CUP	PD	PD	CUP	
accessory bathrooms *(18, 42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Other Structures (18)												
heating and cooling equipment, <i>emergency</i> backup generators, backup battery packs, and the like (see sec. 8106-5.5) (57)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
freestanding light fixtures <i>per sec. 8106-8.6*</i>	<u>PD</u>	PD	PD	PD	PD	PD	PD	PD	PD		PD	
nonmotorized wheeled conveyances, within standards * (19, 42)		ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
which exceed standards (42)		CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Non-Commercial Antennas, Ground-Mounted* (46)		See Communication Facilities										
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Play Structures, Outdoor Furniture, Mailboxes And Similar Structures Exempt From Setback Requirements Of Art. 6 (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Swimming, wading and ornamental pools less than 18" depth capacity (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Soil and geologic testing for water wells, foundations, septic systems and similar construction (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Dwellings, Accessory Uses To												
Keeping Of Animals; Nonhusbandry *												
apiculture (backyard beekeeping) see sec. 8107-2.6.2* (57)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
equines and other domestic animals per art. 7 (19)	<u>E</u>	E	E	E	E	E	CUP		E		E	
more animals than are permitted by art. 7 (excluding the keeping of roosters – see sec. 8107-2.3.7) (3, 15, 53)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
pet animals in accordance with standards of art. 7 (42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
more animals than are permitted by art. 7 (3, 15)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
wild animals as pets (sec. 8107-2.3.1) (15)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC		ZC		ZC	
more wild animals than are permitted (16)		CUP	CUP	CUP	CUP	CUP	CUP		CUP		CUP	
inherently dangerous animals	Not permitted											
youth projects, (excluding the keeping of roosters) * (16, 53)		ZCW	ZCW	ZCW	ZCW	ZCW	ZCW		ZCW		ZCW	
rooster youth projects and rooster hobbyists (see secs. 8107-2.3.7 and -2.5.5)* (53)		ZCW	ZCW	ZCW	ZCW	ZCW			ZCW		ZCW	
Commercial uses, minor, for project residents (See sec. 8109-1.2.5) (4)									PD			
Garage/yard sales (See definition)(42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Home occupations * (3, 42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Homeshare (48) (See Sec. 8109-4.6)		E	E	E	E	E	E	E	E	E	E	ZC
Open storage, per art. 7 * (19, 42) (See Section 8107-150029)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Short-Term Rental (48) (See Sec. 8109-4.6)		E	E	E	E	E	E	E	E	E	E	
EDUCATION AND TRAINING												

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Colleges and universities (40)				CUP								
Schools, elementary and secondary (boarding and nonboarding)				CUP	CUP	CUP	CUP	CUP	CUP			
ENERGY PRODUCTION FROM RENEWABLE SOURCES (3)		CUP	CUP	CUP								
FENCES AND WALLS 7' HIGH OR LESS PER ART. 6 (42, 56)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Wildlife Impermeable Fencing In Overlay Zone* (51)	Pursuant to Article 9											
Over 7' High Per Art. 6 (18, 42, 56)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
FILMING ACTIVITIES * (2, 15)												
Permanent	Not permitted											
Temporary	<u>CUP</u>	CUP	CUP	CUP	CUP							
Occasional For Current News Programs/ Noncommercial Personal Use (42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Occasional Per Sec. 8107-11.1 (42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Occasional With Waivers Per Sec. 8107-11.2	<u>ZCW</u>	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW					
Occasional, Not Meeting Standards (18)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP					
FIREWOOD OPERATIONS (3, 12)		CUP	CUP	CUP								
GOVERNMENT BUILDINGS (2) (40)			CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Correctional Institutions		CUP		CUP								
Fire Stations	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Law Enforcement Facilities		CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Public Works Projects Not Otherwise Listed As Uses In This Section Constructed By The County Or Its Contractors	<u>E</u>	E	E	E	E	E	E	E	E		E	
GRADING (A PWA GRADING PERMIT MAY STILL APPLY) (7, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Within An Overlay Zone	Pursuant to Article 9											
HOSPITALS									CUP			
LIBRARIES				CUP	CUP	CUP	CUP	CUP	CUP			

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
MAINTENANCE, ROUTINE/MINOR REPAIRS TO BUILDINGS, NO STRUCTURAL ALTERATIONS (42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
MINERAL RESOURCE DEVELOPMENT * (1)		CUP	CUP	CUP								
Mining And Accessory Uses * (1)		CUP	CUP	CUP								
Less Than 1 Year In Duration (1, 22)		CUP	CUP	CUP	CUP							
Public Works Maintenance (1, 22, 36)		E	E	E	E	E	E	E	E		E	
Reclamation Plan (22)		Following a public hearing where a reclamation plan is required per SMARA in conjunction with a land use <i>entitlement</i>										
Mining, Agricultural Site * (22)		ZCW	ZCW									
Oil And Gas Exploration And Production (7)		CUP	CUP	CUP	CUP							
Drilling, Temporary Geologic (Testing Only)		CUP	CUP	CUP	CUP						CUP	
MOBILE FOOD FACILITIES * (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
MOBILEHOME PARKS *				CUP	CUP	CUP	CUP	CUP	CUP			
MODEL HOMES/LOT SALES: 2 YEARS * (42)				ZC	ZC	ZC	ZC	ZC	ZC	ZC		
More Than 2 Years (42)				CUP	CUP	CUP	CUP	CUP	CUP	CUP		
ORGANICS PROCESSING OPERATIONS (COMPOSTING, VERMICOMPOSTING, CHIPPING AND GRINDING) (24)												
Biosolids Composting Operations * (24)		CUP										
Commercial Organics Processing Operations * (24)												
Small-Scale (up to 200 cubic yards on-site) * (24)		ZC	CUP	ZC	CUP						ZC	
Medium-Scale (over 200 cubic yards to 1,000 cubic yards on-site) * (24)		CUP	CUP	CUP							CUP	
Large-Scale (over 1,000 cubic yards on-site) * (24)		CUP	CUP	CUP							CUP	
OUTDOOR EVENTS (49)												
If Event Meets Criteria And Requirements of Sec. 8107-46.3 (49)	<u>E</u>	E	E	E								
If Event Does Not Meet Criteria And Requirements of Sec. 8107-46.3 (49)	<u>CUP</u>	CUP	CUP	CUP								

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
PIPELINES/TRANSMISSION LINES, ABOVEGROUND * (42)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
PUBLIC SERVICE/UTILITY FACILITIES (27)												
Small Utility Structures (17)	<u>E</u>	E	E	E	E	E	E	E	E		E	
Excluding Office And Service Yards (28)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Public Service/Utility Offices And Service Yards, When Located On Lots Containing The Majority Of The Agency's Facilities (28)		CUP			CUP							
RECREATIONAL, SPORT AND ATHLETIC FACILITIES (40)												
Botanic Gardens and Arboreta* (35)	<u>CUP</u>	CUP										
Camps * (8) (35)	<u>CUP</u>	CUP		CUP	CUP							
Campgrounds * (8)	<u>CUP</u>	CUP		CUP	CUP							
Fields, athletic, without buildings, With Or Without Night Lighting (7, 19, 27)*					CUP	CUP	CUP	CUP	CUP			
Without Night Lighting (18, 27)	<u>CUP</u>	CUP										
Geothermal Spas with or without accessory commercial eating facilities (7)		CUP										
Golf Courses And/Or Driving Ranges, Except Miniature Golf (15)		CUP		CUP	CUP	CUP	CUP	CUP	CUP			
Motocross/Off-Highway Vehicle Parks *(17)		CUP										
Parks (6)	<u>ZC</u>	ZC	CUP	ZC	ZC	ZC	ZC	ZC	PD			
With Buildings	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Periodic Outdoor Sporting Events (7)	<u>CUP</u>	CUP										
Recreational Vehicle Parks *	<u>CUP</u>	CUP		CUP	CUP							
Recreation Projects, County-Initiated (5)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP			
Caretaker Recreational Vehicle, Accessory * (5)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Retreats, Without Sleeping Facilities * (8)	<u>CUP</u>	CUP		CUP	CUP							
With Sleeping Facilities (8)	<u>CUP</u>	CUP		CUP	CUP							

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Shooting Ranges And Outdoor Gun Clubs (4)		CUP										
SIGNS PER ARTICLE 10 UNLESS EXEMPT FROM ZONING CLEARANCE PER SEC. 8110-3 (7, 42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
SOIL AMENDMENT OPERATIONS (16)		CUP	CUP	CUP								
STORAGE OF BUILDING MATERIALS, TEMPORARY * (3, 42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
TREES AND NATIVE VEGETATION: REMOVAL, RELOCATION, PRUNING OR VEGETATION MODIFICATION (7, 12, 51)												
Protected Trees, Vegetation, And Vegetation Modification In Overlay Zone* (51)	Pursuant to Articles 7 and 9											
Other Trees And Vegetation Outside Overlay Zone (42, 51)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
USES AND STRUCTURES, ACCESSORY (OTHER THAN TO AGRICULTURE, ANIMALS OR DWELLINGS) (42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	CUP	
Heating and Cooling Equipment, <i>Emergency</i> Backup Generators, Backup Battery Packs, and the Like (See Sec. 8106-5.5) (57)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Freestanding Light Fixtures <i>Per</i> Sec. 8106-8.6*	<u>PD</u>	PD	PD	PD	PD	PD	PD	PD	PD		PD	
Organics Processing Operations *(24)												
On-Site Composting Operations (not related to normal farming activities) *(24)												
Small-scale (up to 10 cubic yards on-site) * (24, 42)		E	E	E	E	E	E	E	E	E	E	
Medium-scale (over 10 cubic yards to 200 cubic yards on-site) * (24)		ZC	ZC	ZC	ZC	ZC			CUP		ZC	
Large-scale (over 200 cubic yards on-site) * (24)		CUP	CUP	CUP	CUP				CUP			

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Waste Handling, Waste Disposal and Recycling Facilities (24)												
Household/CESQG Hazardous Waste Collection Facilities And Hazardous Waste Collection, Treatment and Storage Facilities * (24)		CUP										
Recyclable Household/CESQG Hazardous Waste Collection Facilities * (24)		E										
Not meeting standards established by Section 8107-36.3.7 * (24)		CUP										
Soil And Geologic Testing For Water Wells Foundations, Septic Systems And Similar Construction (19, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Stockpiling Of Construction Related Debris and/or Fill Material for Non-agricultural Operations (28)												
Less Than 1,000 Cu. Yds. (28)		ZC		ZC	ZC							
1,000 Cu. Yds Or More (28)		CUP		CUP	CUP							
Swimming, Wading, And Ornamental Pools Less Than 18" Depth Capacity (19, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Patios, Paving And Decks Not More Than 30" Above Finished Grade, Per Art. 6 (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Play Structures, Outdoor Furniture And Similar Structures Exempt From Setback Requirements Of Art. 6 (18, 42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Open Storage Per Art. 7 * (42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	
Parking/Storage of Large Vehicles (38)	Pursuant to Article 8 Sec. 8108-3.4											
To A Use Requiring A PD Permit Or CUP (2)	Pursuant to Article 11 Sec. 8111-6.1											
Dwelling, Caretaker												
VETERINARY HOSPITALS FOR LARGE ANIMALS *		CUP	CUP									
WASTE HANDLING, WASTE DISPOSAL AND RECYCLING FACILITIES (24)												
Disposal Facilities, Hazardous Waste * (24)		CUP										

	<u>OS- REC</u>	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Disposal Facilities, Oilfield Waste * (24)		CUP										
Disposal Facilities, Solid Waste * (24)		CUP										
Recyclables Collection And Processing Facilities * (24)		CUP										
Recyclables Collection Centers * (24)		ZC		ZC	ZC	ZC	ZC	ZC	ZC			
Temporary Collection Activities * (24, 42)		ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
Waste Collection And Processing Activities To Mitigate An Emergency * (24)	Pursuant to Sec. 8107-36.3.12											
Waste Processing Facilities And Transfer Stations * (24)		CUP										
WASTEWATER/SEWAGE TREATMENT FACILITIES												
Individual Sewage Disposal Systems (42)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
On-Site Wastewater Treatment Facilities (19, 42)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
Community Wastewater Treatment Facilities (19)		CUP	CUP	CUP	CUP				CUP			
WATER PRODUCTION, STORAGE, TRANSMISSION, & DISTRIBUTION FACILITIES: (6)												
4 Or Fewer Domestic Service Connections (Privately Operated)	<u>ZC</u>	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		ZC	
5 Or More Domestic Service Connections (Privately Operated)	<u>CUP</u>	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
For Agricultural Purposes (Privately Operated)	<u>ZC</u>	ZC	ZC	ZC								
Well Drilling For Use Only On Lot Of Well Location (42)	<u>E</u>	E	E	E	E	E	E	E	E	E	E	

[Staff Explanation: The table above shows an entirely new zone column dedicated to the Open Space – Parks and Recreation (OS-REC) zone, which is proposed to be added to the Permitted Uses in Open Space, Agricultural, Residential, and Special Purpose Zones matrix (use matrix) in Sec. 8105-4. The General Plan intends for this zone to focus on the conservation of open space and recreational areas and therefore the allowed uses are more limited than those that are allowed in the Open Space zone. In addition to a focus on passive recreation, the allowed uses in the proposed OS-REC column are characteristic of rural land in the county, provide for public safety and well-being, (e.g., fire stations), and are necessary for consistency with federal and state laws.]

The proposed amendments to the use matrix for the OS-REC zone would allow most Recreational, Sport and Athletic Facilities except for Geothermal Spas, Golf Courses, Motocross/Off Highway Vehicle Parks, and Outdoor Shooting Ranges because the historical context of this amendment was that it is intended to be used to conserve open space and parks in a passive setting. These uses typically include intensive development and/or loud uses that are not compatible with open space conservation.

Please see the Staff Report for additional discussion about which uses were and were not proposed to be included in the use matrix OS-REC zone]

Section 4

ARTICLE 6: LOT AREA AND COVERAGE, SETBACKS, HEIGHT AND RELATED PROVISIONS

Article 6, Sec. 8106-1.1 – Development Standards for Uses and Structures in OS, AE, and R Zones within Sec. 8106-1 – Schedules of Specific Development Standards by Zone and Exceptions Thereto of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-1 - Schedules of Specific Development Standards by Zone and Exceptions Thereto

The following tables indicate the *lot* area, setback, height and building coverage standards which apply to individual *lots* in the zones specified.

Sec. 8106-1.1 - Development Standards for Uses and Structures in Open Space, Agricultural Exclusive, and Residential Zones

Zone	Minimum Lot Area ¹	Maximum Percentage of Building Coverage	Required Minimum Setbacks ²				Maximum Structure Height ³		
			Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure
				Interior and Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				
OS - REC	10 acres	See Section 8106-1.4. <i>Building lot coverage</i> depends on lot location.	20 ft	10 ft	20 ft	15 ft	25 ft	Height may be increased above 25 ft (to maximum 35 ft) if each side yard is at least 15ft or as specified by permit	15 ft, except as noted in Section 8106-7.4
OS	10 Acres								
AE	40 acres								
RA	1 acre			5 ft	10 ft				
RE	10,000 sq. ft								
RO	20,000 sq. ft								
R1	6,000 sq. ft.		20 ft ⁵						
R2	7,000 sq. ft. ⁴								
RHD	0.80 acre ⁶		From adjacent street	Interior Side Yard	Rear Lot Line	35 ft	35 ft		
			10 ft	5 ft	10 ft				
RPD	As specified by permit ⁷		See Section 8109-1.2.2				35 ft	As specified by permit	
RES	As specified in the Old Town Saticoy Development Code (Article 19)								
R/MU									

1. *Minimum lot area* shall be determined by *lot* area suffix pursuant to Section 8103-1, which in some cases may be greater than the *minimum lot area* specified in Section 8106-1.1. For additional *lot* area exceptions see Section 8103-2.

2. Exceptions to required minimum *setback* requirements can be found in Sections 8106-5, 8106-6, 8107-1.7 and 8107-20. For minimum *setbacks* for flag and irregularly shaped lots see Section 8106-4.3.
3. Exceptions to *height* limits see Sections 8106-5, 8106-8 and 8107-1.7.
4. *Minimum lot area per dwelling unit*: 3,500 square feet.
5. Exceptions for "swing driveways" see Section 8106-5.11.
6. Section 65583.2(h) of the California Planning and Zoning Laws prescribes a minimum 16 units per site.
7. Minimum density of one *dwelling unit* per acre; maximum density of 30 *dwelling units* per acre.

[Staff Explanation: The proposed OS-REC zone would be included in the table shown above to establish development standards for new construction. The standards are identical to the OS zone.]

Section 5
ARTICLE 9:
STANDARDS FOR SPECIFIC ZONES AND ZONE TYPES

Article 9, Sec. 8109-4.7.4 within Sec. 8109-4.7 – Dark Sky Overlay Zone (DKS) of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.7.4 – General Standards

- i. **Allowable Light Trespass:** *Outdoor lighting* shall conform to the quantitative *light trespass* limits shown in Table 1 below, measured from the property line illuminated by the light source. The more restrictive zone will apply. For example, when a commercial zone abuts a single-family residential zone, the *light trespass* limit shall be 0.1 foot-candles at the property line.

Table 1
Quantitative Light Trespass Limits, by Zone

Open Space, Agriculture and Special Purpose Zones (such as <u>OS-REC</u> , OS, AE, TP)	
Horizontal-plane limit	0.1 <i>foot-candles</i> at property lines
Vertical-plane limit	
Rural Residential and Single-family/Two-family Residential Zones (such as RA, RE, RO, R-1, R-2)	
<i>Horizontal-plane</i> limit	0.1 <i>foot-candles</i> at property lines
<i>Vertical-plane</i> limit	
Multi-family Residential Zones (such as RPD)	
Horizontal-plane limit	0.2 <i>foot-candles</i> at property lines
Vertical-plane limit	
Commercial and Industrial Zones (such as C-O, C-1, CPD, M-1, M-2, M-3)	
Horizontal-plane limit	0.25 <i>foot-candles</i> at property lines, unless otherwise approved by PD or CUP
Vertical-plane limit	

[Staff Explanation: Table 1 of Sec. 8109-4.7 relating to the Dark Sky overlay zone is amended to include the new OS-REC Zone as shown above.]

Section 6

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Ventura County Board of Supervisors hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 7

This ordinance shall become effective and operative 30 days after adoption.

PASSED AND ADOPTED this ___ day of _____, 2023, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

ABSENT: Supervisors _____

CHAIR, BOARD OF SUPERVISORS

ATTEST:

DR. SEVET JOHNSON

Clerk of the Board of Supervisors

County of Ventura, State of California

By _____

Deputy Clerk of the Board