



July 23, 2024

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: Public Hearing to Consider Adoption of County-Initiated Proposed Amendments to the Ventura County General Plan Land Use and Community Character Element and the Ventura County General Plan Background Report to Include Additional Designated Disadvantaged Communities; Find that Adoption of the Proposed Amendments is Not a Project Under the California Environmental Quality Act (CEQA) and is Further Exempt from CEQA Pursuant to CEQA Guidelines Section 15061(b)(3); Supervisorial Districts 1, 3, and 5 (Case No. PL23-0033).

RECOMMENDED ACTIONS:

1. **ADOPT** the Resolution attached as Exhibit 1:
 - A. **CERTIFYING** that your Board has reviewed and considered this Board Letter and all exhibits hereto and has considered all other materials and public comments received during the public comment and hearing processes;
 - B. **FINDING**, on the basis of the entire record and as set forth in Section B of the Planning Commission Staff Report (Exhibit 6), that adoption of the proposed amendments to the General Plan and General Plan Background Report (Exhibits 2 and 4) is not a project under CEQA and, even if it were, the adoption of the proposed amendments is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed amendments will have a significant effect on the environment;
 - C. **FINDING** that the proposed amendments to the General Plan and General Plan Background Report are consistent with the goals, policies and implementation programs of the General Plan and good planning practices and are in the interest of public health, safety and general welfare;

- D. **APPROVING** the proposed amendments to the General Plan and General Plan Background Report; and

- E. **SPECIFYING** that the Clerk of the Board of Supervisors is the custodian, and 800 South Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which these decisions are based.

FISCAL IMPACTS/MANDATES

Mandated: No
 Source of Funding: General Fund
 Funding Match Required: None
 Impact on Other Departments: No

FY 2024-2025 Budget Projection for Planning – Division 2910				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings/(Deficit)
Appropriations	\$ 10,249,870	\$ 10,249,870	\$ 10,249,870	\$ 0
Revenue	\$ 4,466,653	\$ 4,466,653	\$ 4,466,653	\$ 0
Net Cost	\$ 5,783,217	\$ 5,783,217	\$ 5,783,217	\$ 0

The proposed amendments to the General Plan and General Plan Background Report (Background Report), as further described below, can be completed with existing Planning Division staff and within the existing Planning Division budget allocation. Staff time will also be used to complete post-adoption tasks such as incorporation of the approved amendments into the General Plan and Background Report, staff training, and the Planning Division webpage.

STRATEGIC PLAN

The proposed amendments align with the County’s Strategic Plan Priority of “Healthy, Safe, and Resilient Communities” Goal (3), which is to “promote community resilience and strengthen our ability to withstand and recover from disaster or adversity.” The designation of additional disadvantaged communities will help County agencies prioritize public service and infrastructure improvements, as well as protect those within such designated disadvantaged communities (DDCs) from further environmental pollution, through the implementation of the County’s General Plan DDC policies and programs. Together, these actions can help increase community resiliency against disaster and adversity.

INTRODUCTION / EXECUTIVE SUMMARY

The General Plan identifies the areas of Saticoy, El Rio/Del Norte (including Nyeland Acres), and Piru as DDCs.¹ The General Plan also includes Implementation Program LU-Q (in compliance with Senate Bill (SB) 1000,² as codified in Government Code Section 65302(h)) which requires that the County research the unincorporated areas of Oxnard and North Ventura Avenue to identify potential disadvantaged communities. Pursuant to Program LU-Q, Planning staff prepared the *Study of Additional Potential Disadvantaged Community Designations* (Study), which includes a detailed evaluation of options explored by staff to identify additional disadvantaged communities. Staff's research concluded that the unincorporated area near the City of Santa Paula scored high in several environmental pollution indicator categories and contains low-income households. Thus, the unincorporated Santa Paula area was included in the Study. Planning staff conducted public outreach to communities regarding staff's research and the Study in March 2023.

Staff presented the Study to the Planning Commission on October 5, 2023³ as well as three potential options to designate additional disadvantaged communities based upon data collected in the Study. The Planning Commission voted 3-1 to recommend that your Board identify additional disadvantaged communities based upon Option 3, including the farmworker housing located at Limoneira company headquarters on Cummings Road, and to further evaluate buffer areas as a potential future tool to implement General Plan goals, policies, and programs applicable to DDCs.⁴

Shortly after the Planning Commission hearing, the District 1 Office received correspondence from a resident living in the Ortonville neighborhood located along North Ventura Avenue advocating for the inclusion of Ortonville within the designation boundary in the Ventura Study Area.

On December 5, 2023, Planning staff presented the Study, the Planning Commission's recommendations, and an Amended Option 3 (which included the farmworker housing located at Limoneira company headquarters and the homes in Ortonville within the

¹ The Ventura County General Plan defines designated disadvantaged communities as areas within census tracts that score 75 percent or greater as identified in CalEnviroScreen, or areas with median household incomes at or below 80 percent of the statewide median income or with household incomes at or below the threshold designated as low income by the Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093.

² SB 1000 requires that counties and cities adopt an environmental justice element, or related goals, policies, and objectives integrated into other elements, that identifies disadvantaged communities within the area covered by the general plan of the county or city, if the county or city has a disadvantaged community.

³ Materials prepared for the meeting are available at the following link:
<https://ventura.primegov.com/portal/item?id=260752>

⁴ Staff intends to evaluate buffers and other potential tools to implement General Plan DDC goals, policies, and programs as part of General Plan Program LU-R, which requires the County to review CalEnviroScreen data as well as applicable local data and amend, as necessary, maps and lists of disadvantaged communities in the General Plan every five years.

proposed designation boundaries) to your Board.⁵ Based upon this information and additional public comment, your Board directed Planning staff to process a General Plan amendment as follows:

- Update the maps and low income and disadvantaged communities in the General Plan to include the disadvantaged communities identified in Amended Option 3;
- Remove the Valley Vista neighborhood in the Ventura Study Area from the boundary of the proposed Ventura Avenue DDC; and
- Limit the designations of farmworker housing in the Santa Paula and Oxnard Study Areas to only include farmworker dwelling structures and not the entire lot on which the farmworker housing is located.

Planning staff reviewed the Land Use and Community Character Element in the General Plan and Chapter 4 (*Health and Well-Being*) of the Background Report to determine appropriate amendments to implement the Board's December 5, 2023 direction. Planning staff also conducted public engagement to collect community input on the proposed amendments, which are summarized in greater detail below. The proposed amendments were presented to the Planning Commission on May 2, 2024. The Planning Commission voted unanimously to recommend that your Board adopt the proposed amendments. Figure 1 in the Planning Commission Staff Report and Exhibit 2 depict the discrete locations of the additional DDCs to be added to the General Plan and Background Report by way of the proposed amendments.

GENERAL PLAN LAND USE AND COMMUNITY CHARACTER ELEMENT

Within the General Plan Land Use and Community Character Element, Section 2.5 (*Environmental Justice*) includes a description of state regulations that govern the identification of disadvantaged communities by local governments, including SB 1000 and SB 244, as well as goals and policies that specifically address environmental justice issues. This section includes a figure that depicts DDCs identified during the General Plan Update project in 2020 pursuant to SB 1000. In addition, Section 2.5 includes a reference to Section 3.11 (*Environmental Justice and Disadvantaged Communities*) of the Background Report, which includes detailed discussions on disadvantaged unincorporated communities identified pursuant to SB 244. Note that although Section 2.5 contains eight policies that specifically apply to DDCs, several other goals, policies, and programs throughout the General Plan also address environmental pollution and socioeconomic burdens, specifically in DDCs. The proposed amendments to the General Plan are summarized as follows (see Exhibit 3):

- Revise Section 2.5 to clarify and include a reference to Background Report Section 4.4 (*Active and Healthy Living*), which also contains detailed discussions on DDCs in addition to those in Section 3.11 of the Background Report.

⁵ Materials prepared for the meeting are available at the following link:
<https://ventura.primegov.com/portal/item?id=262450>

- Amend Figure 2-6 to clearly identify the boundaries of existing DDCs identified during the General Plan Update project in 2020, remove census tract boundaries, and include the additional DDCs identified by your Board in December 2023. Removing census tract boundaries from Figure 2-6 clarifies the figure's intended purpose of depicting boundaries of the County's DDCs.
- Due to the limited geographic scale of the additional DDCs identified by your Board in December 2023, new figures denoted as Figures 2-6a, 2-6b, and 2-6c are proposed to be added to better depict the boundaries of those additional DDCs. References to these additional figures are also added to both the Table of Contents for the General Plan and, more specifically, the Land Use and Community Character Element.

GENERAL PLAN BACKGROUND REPORT

The Background Report provides context and supporting information for policy decisions in the General Plan. It covers a wide range of topics, such as demographic and economic conditions, land use, public facilities, and environmental resources. Chapter 4 of the Background Report (*Health and Well-Being*) discusses various factors that contribute to the health and well-being of a community, particularly related programs and data specific to Ventura County. Within Chapter 4, Section 4.4 (*Active and Healthy Living*) discusses environmental hazards and pollution experienced by disadvantaged communities in unincorporated areas of the County. The proposed amendments to the Background Report are summarized as follows (see Exhibit 5):

- Fix grammatical conventions for the use of acronyms and clarify information compiled during the General Plan Update project related to the identification of DDCs.
- Amend Figure 4-13 to depict the correct boundaries of existing DDCs identified during the General Plan Update project in 2020 and remove Planning Area boundaries. The intended purpose of Figure 4-13 is to depict DDCs identified during the General Plan Update project. However, the figure currently depicts incorrect boundaries of the existing DDCs⁶ and contains Planning Area boundaries, which are unrelated to the boundaries of the DDCs.
- Add a new subsection to Section 4.4 titled "Designation of Additional Disadvantaged Communities Through General Plan Program LU-Q" which provides context and supporting information specifically for the additional DDCs identified by your Board in December 2023. The new subsection will briefly summarize staff's research pursuant to Program LU-Q, your Board's direction to incorporate additional DDCs into the General Plan, and each of the additional DDCs that were identified. The subsection will also include a reference to the new Appendix 4.A, where the Study itself will be included.

⁶ Figure 4-13 currently depicts the boundaries of the existing DDCs using census tract boundaries. However, the boundaries of the existing DDCs are coterminous with the boundaries of the Saticoy, El Rio/Del Norte, and Piru Area Plans, not census tracts.

- Add new figures (Figures 4-14, 4-14A, 4-14B, and 4-14C) to the new subsection, “Designation of Additional Disadvantaged Communities Through General Plan Program LU-Q,” to depict the locations and boundaries of the additional DDCs that were identified by your Board in December 2023.
- Add Appendix 4.A, titled “Study of Additional Potential Disadvantaged Community Designations,” to the end of Chapter 4. This document provides detailed analyses of the areas staff researched to identify disadvantaged communities pursuant to Program LU-Q.

PUBLIC ENGAGEMENT

Virtual Public Meeting

Planning Division staff held a virtual public meeting on February 22, 2024, to update community stakeholders of your Board’s December 2023 direction and to collect community input on the proposed amendments. Meeting notices and materials were provided in English and Spanish, and live Spanish interpretation was available for the meeting. The Planning Commission Staff Report (Exhibit 6, pg. 6) summarizes how notices of the meeting were provided to stakeholders and interested parties. Overall, 20 public comments were shared during the meeting related to topics such as grant funding opportunities and grant application processes, collaboration opportunities with community-based organizations, examples of public services and infrastructure projects that could benefit DDCs, and Implementation Program LU-R⁷ (see PC Exhibit 7). No comments were received regarding the proposed locations of the additional DDCs.

The Planning Division continues to maintain a project website at vcrma.org/ddcstudy, which includes up-to-date project information, including past meeting materials and recordings, much of which is available in both English and Spanish.

Tribal Consultation

Pursuant to Government Code Section 65352.3 (often referred to as “Senate Bill (SB) 18 tribal consultation”), prior to the adoption of, or amendment to, its general plan, a county or city is required to conduct consultations with California Native American tribes that are on a list maintained by the Native American Heritage Commission (NAHC). On January 4, 2024, Planning staff contacted the 14 tribes identified on the NAHC list inviting consultation on the proposed amendments. Out of the 14 tribes that staff contacted, two tribes did not respond, two other tribes provided comments, and the remaining 10 tribes declined to comment or deferred consultation to the tribes that provided comments. Communications between staff and the tribes that provided comments are provided in PC Exhibit 6 (redacted pursuant to Government Code Section 65352.3(b)).

⁷ Implementation Program LU-R requires the County to re-evaluate DDCs every five years. The first review is scheduled in 2025 and will include consideration of updated environmental pollution and income data, changes in state policies (if any) related to DDCs, buffer areas around DDCs, and whether DDCs in the General Plan or other unincorporated areas qualify, or continue to qualify, for DDC status.

PLANNING COMMISSION HEARING

The proposed amendments were presented to the Planning Commission on May 2, 2024. The Planning Commission Staff Report and associated exhibits from the hearing are included hereto as Exhibit 6. The Planning Commission voted unanimously to recommend that your Board take the actions outlined in Exhibit 1 to adopt the proposed amendments as described above.

ENVIRONMENTAL REVIEW

The proposed amendments do not constitute a project as defined in Public Resources Code Section 21065. The proposed amendments merely identify additional DDCs in the unincorporated areas of Ventura County by amending figures and text in the General Plan and its Background Report to depict the boundaries of such communities. No physical action is being taken upon the environment, either directly or indirectly, and no direct or indirect physical change will occur to the environment as a result of the proposed amendments. Accordingly, the amendments do not constitute a project under CEQA.

Moreover, even if the proposed amendments were considered a project (which they are not), the proposed amendments would be exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3), which states that a project is exempt from CEQA when “[t]he activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” As explained above, the proposed amendments simply define boundaries for where additional DDCs are located based upon research conducted by staff, and these proposed designations do not cause any change to the existing environment. Furthermore, the proposed designations are intended to protect the identified disadvantaged communities from further environmental pollution and harm. Thus, it can be seen with certainty that the proposed amendments will not have a significant effect on the environment.

CONSISTENCY WITH THE GENERAL PLAN, GOOD ZONING PRACTICE, AND PUBLIC HEALTH AND SAFETY

Pursuant to Government Code Section 65358, the local legislative body may amend all or part of an adopted general plan if it deems it to be in the public interest. In addition, Government Code Sections 65300.5 and 65359 require that proposed general plan amendments be internally consistent with the existing plan.

The proposed amendments have been analyzed and determined to be consistent with all applicable General Plan goals, policies, and implementation programs. As explained above, the proposed amendments were developed in response to the Study conducted pursuant to Program LU-Q, which requires that the County research the unincorporated Oxnard and North Ventura Avenue areas to potentially identify additional DDCs, and if

any DDCs are identified, consider updating the General Plan and Background Report to designate such DDCs.

The additional DDCs proposed by way of this Board item would benefit from several General Plan policies and programs that specifically focus on increasing governmental support and resources for DDCs in several ways. These policies and programs address a variety of topics such as siting and development of new discretionary projects, public engagement, public services and infrastructure, and policymaking and programming of County services. Such policies and programs (examples of which are provided below) are intended to protect DDCs from further environmental pollution burdens, and improve and enhance the quality of life within DDCs. Thus, the proposed amendments are consistent with good planning practices and are in the interest of public health, safety and general welfare.

Example of General Plan policies related to DDCs:

- **Policy LU-17.1: Providing Equitable Public Services.** Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to the equitable provision of public services and infrastructure such as parks, recreational facilities, community gardens, public safety facilities, and other beneficial uses that improve the overall quality of life.
- **Policy LU-17.2: Siting of Uses.** Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to potential health impacts associated with land use decisions to reduce the adverse health effects of hazardous materials, industrial activities, and other uses that may negatively impact health or quality of life for affected county residents.
- **Policy LU-18.2: Input on Proposed Planning Activities.** Within designated disadvantaged communities, the County shall facilitate opportunities for community members and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout the public review process.
- **HE-1.1: Ensure Housing Meets Basic Standards.** The County shall support its Code Compliance Division in responding to complaints and ensuring that existing housing meets public health, safety, fire and other applicable development codes and standards, with priority given to designated disadvantaged communities.
- **HAZ-5.2: Hazardous Materials and Waste Management Facilities.** The County shall require discretionary development involving facilities and operations which may potentially utilize, store, and/or generate hazardous materials and/or wastes be located in areas that would not expose the public to a significant risk of injury, loss of life, or property damage and would not disproportionately impact Designated Disadvantaged Communities.

PUBLIC NOTICE AND PUBLIC COMMENTS

The Planning Division provided public notice regarding this Board hearing by publishing a hearing notice in English in the *Ventura County Star* and in Spanish in *Vida* on July 11, 2024. Bilingual notices were also sent to properties within the unincorporated areas of Ventura, Santa Paula, and Oxnard near the additional DDCs on July 11, 2024. Notice was also provided via email on July 9, 2024 to interested parties who requested notification of General Plan updates, those who requested special notice during the public engagement process as part of the project, as well as a group of community connectors who were contacted during the public engagement process. Spanish and Mixteco interpretation are available for this Board hearing.

This letter was reviewed by the County Executive Office, the Auditor-Controller's Office, and the County Counsel's Office. If you have any questions regarding this item, please contact me at (805) 654-2481 or by email at Dave.Ward@ventura.org. You may also contact the case planner, Jessica Nguyen, at (805) 654-5037 or via email at JessicaT.Nguyen@ventura.org.



Dave Ward, AICP, Director
Ventura County Planning Division

EXHIBITS:

- Exhibit 1: Resolution of the Board of Supervisors
- Exhibit 2: Clean Version of Proposed Amendments to the General Plan, Land Use and Community Character Element
- Exhibit 3: Legislative Version of the Proposed Amendments to the General Plan, Land Use and Community Character Element
- Exhibit 4: Clean Version of Proposed Amendments to the Background Report for the General Plan
- Exhibit 5: Legislative Version of Proposed Amendments to the Background Report for the General Plan
- Exhibit 6: Planning Commission Staff Report dated May 2, 2024, including Exhibits 1 through 7 (Exhibits are shown with prefix "PC" below)
 - PC Exhibit 1 – Planning Commission Resolution to the Board of Supervisors
 - PC Exhibit 2 – Clean Version of Proposed Amendments to the General Plan, Land Use and Community Character Element

- PC Exhibit 3 – Legislative Version of the Proposed Amendments to the General Plan, Land Use and Community Character Element
- PC Exhibit 4 – Clean Version of Proposed Amendments to the Background Report for the General Plan
- PC Exhibit 5 – Legislative Version of Proposed Amendments to the Background Report for the General Plan
- PC Exhibit 6 – Comments Received Pursuant to SB 18 Tribal Consultation
- PC Exhibit 7 – Public Comments Received at Virtual Public Meeting on February 22, 2024