



MEMORANDUM

DATE: April 21, 2023

TO: Phil Raba, Administrative Officer, Public Works Agency

FROM: Dave Ward, AICP, Planning Director
Jerilyn Hollis, Case Planner

SUBJECT: Capital Projects General Plan Conformity Review

Pursuant to Section 65401 of the California Government Code, Planning Division staff reviewed the County Executive Office and Public Works Agency (Transportation Department, Water and Sanitation Department and Watershed Protection District) Capital Improvement Projects Program for Fiscal Year 2023-24 and prepared a General Plan Conformity analysis, the results of which are contained in Attachment 1. As you examine the table, please keep in mind that projects were only reviewed when:

- The project site was partially or completely located within unincorporated Ventura County; and,
- The project was judged to have applicable General Plan or Area Plan policies; and,
- The project was identified as a capital project with funding requested for the 2023-2024 fiscal year.

If a project was previously found to be in conformance with the General Plan, that was noted in the attached table. Where appropriate, Planning Division staff indicated that a more detailed General Plan conformance review should be conducted prior to the development of construction documents or during the environmental review process, as more detailed information would be available at that time. Planning staff has indicated possible General Plan Policies that may need to be utilized for a more detailed General Plan Conformance review to be conducted.

Additionally, projects located on sites that are 50 years or older may be subject to additional review by the County Cultural Heritage Review Board. Attachment 2 includes a copy of the County's adopted Cultural Heritage Ordinance and an outline of their review process.

If you have any questions concerning our review, please contact Jerilyn Hollis at Jerilyn.hollis@ventura.org or (805) 648-9247.

Attachments:

- Attachment 1 - FY 2023-2024 Capital Projects General Plan Conformity Review
- Attachment 2 - Cultural Heritage Ordinance Memo

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
COUNTY EXECUTIVE OFFICE			
Saticoy Regional Golf Course Clubhouse	New Clubhouse which will include catering kitchen, updated area for a pro-shop, outdoor seating, office space and improved cart barn. Replacement is required to comply with code requirements, operational efficiencies, and desired amenities to meet the requirements of public use. <u>Location:</u> Saticoy	General Plan; Saticoy Area Plan	Based on the project description made available for this review, the proposed project appears to be consistent with the Public Facilities, Services and Infrastructure Element of the General Plan for Parks and Recreation Facilities (Section 5.10, Policies PFS-10.3, PFS-10.7) which addresses the range and maintenance of amenities at the County’s park facilities so that they meet the active and passive recreational needs of residents and visitors. This project also falls within the Saticoy Area Plan boundary and is consistent with policy LU – 5.4 which states that community facilities should whenever feasible provide outdoor seating and other amenities that allow for small social and civic gatherings. The project location is outside of the Old Town Saticoy Development Code and will not be subject to additional design requirements. However, this project may involve exterior alterations to potentially historic cultural resources and therefore may require additional review in conformance with the Ventura County Cultural Heritage Ordinance No. 4604. This project will likely fall under a CEQA categorical exemption as it is bringing existing structures into compliance with current Building Code Requirements.

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Adult Crisis Stabilization / Urgent Care Unit	East County Crisis Stabilization Unit (CSU) and Psychiatric Hospital Facility (PHF) – A dual use 23-hour Crisis Stabilization Unit and a longer-term Psychiatric Hospital Facility. This licensed health facility will provide acute short-term treatment in a non-hospital setting. This allows for an individual who has passed the 23-hour period in a CSU to continue treatment/ stabilization if needed. <u>Location:</u> Final location TBD; Unincorporated East Ventura County.	General Plan	Based on the project description made available for this review, the proposed project located in East County appears to be consistent with the Public Facilities, Services and Infrastructure Element of the General Plan, (Section 5.1, Policy PFS- 1.1) which ensures that facilities and services that are essential for public health and safety shall be equitably provided for all residents. Additionally, this project is consistent with the Housing Element Goal, HE-3 focused on increasing special needs housing opportunities and supportive services for lower income households, seniors, persons with disabilities, mental illness, or large families with children and those who may be experiencing homelessness. Policy HE-3.9 (Section 3.3, Encourage Affordable Housing to Meet the Special Needs of County Residents) states that the County shall support efforts to increase the availability of supportive housing facilities that provide housing and supportive services for individuals with qualifying disabilities. The project description did not state what type of environmental document would be prepared, or if the facilities were already purchased. Depending on the acquisition location and the scope of work involved in refurbishing, permits and further review may be required. This project description does not reference the preparation of an environmental document. If preliminary review does find that this project is exempt from CEQA, then the appropriate agency will be responsible for preparing an Initial Study and applicable environmental document.
Fire- Fire Station 28 Apparatus Bay Remodel (Non-General Fund)	Complete removal and replacement of the apparatus bay, adding a 400 square foot fitness building and remodeling a workshop. <u>Location:</u> Piru	General Plan; Piru Area Plan	Previous review of the provided project description found that the proposed project appears to be consistent with the Public Facilities, Services and Infrastructure Element of the General Plan, Section 5.11 (Law Enforcement and Emergency Services, Chapter 5) by maintaining adequate staffing, facilities, and equipment to provide timely and effective responses to emergencies. The project description indicates that a CUP modification will be initiated in FY 2022-23 in which an environmental document determination will be made, and further review of project specifics will be conducted. This project will likely fall under a CEQA Categorical Exemption.

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Fire- Fire Station 33 New Construction (Non-General Fund)	Replace existing fire station with a new 8,500 square foot structure. <u>Location:</u> Lake Sherwood	General Plan; Lake Sherwood/ Hidden Valley Area Plan	Previous review of the provided project description found that the proposed project appears to be consistent with the Public Facilities, Services and Infrastructure Element of the General Plan, Section 5.11 (Law Enforcement and Emergency Services, Chapter 5) by maintaining adequate staffing, facilities, and equipment to provide timely and effective responses to emergencies. The Land Use and Community Character Element of the Lake Sherwood/ Hidden Valley Area Plan, requires architectural design compatibility (Policy LS-9.3, Chapter 9) between all buildings and the surrounding environment and/or community character. Depending on the scope of work involved in replacing the building, more extensive CEQA review may be needed. However, rehabilitation work conducted on an existing public facility is likely to fall under a CEQA Categorical Exemption.
GSA-Parks- Jose Flores Community Center Passive Park	Create a passive use park with space for outdoor area for use during rentals and provide a walking path connection to the Jose Flores Community Center. <u>Location:</u> Saticoy	General Plan; Saticoy Area Plan	Previous review of the provided project description found that the proposed project appears to be consistent with the Public Facilities, Services and Infrastructure Element of the General Plan for Parks and Recreation Facilities (Section 5.10, Policies PFS-10.2, PFS-10.3, PFS-10.7), and specifically, the Saticoy Area Plan Land Use Policy 5.4. By including a passive use park and pedestrian path to the Jose Flores Community Center, the area will be able to add a community facility with an outdoor area that allows for small social and civic gatherings. This project will likely fall under a CEQA categorical exemption.
GSA Maintenance- Lewis Road Water Tank	The water tank is no longer needed to supply water to the Lewis Road facilities and needs repair and remediation. Removal is the most cost-effective option. <u>Location:</u> Lewis Rd, near Camarillo	General Plan	Previous review of the provided project description found that the proposed project appears to be consistent with the Public Facilities, Services, and Infrastructure Element of the General Plan. Specifically, this project conforms with Policy PFS- 1.6 (Section 5.1, Public Facilities and Services) by prioritizing the replacement and upgrade of an aging facility/ structure that exceeded its planned lifecycle. Additionally, this project conforms with Policy PFS 1.10 which states that the County will operate and maintain County facilities in an efficient manner that meets community needs while conserving financial and natural resources (Section 5.1). This project description does not reference the preparation of an environmental document. If preliminary review does find that this project is exempt from CEQA, then the appropriate agency will be responsible for preparing an Initial Study and applicable environmental document.

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Behavioral Health - Board and Care Facility	Board and care facility to provide housing and support for adults with serious and persistent mental illness. Purchasing and refurbishing of two twenty-unit facilities.	General Plan	<p>Previous review of the provided project description found that this project conforms with the Housing Element of the General Plan. This project is consistent with the Housing Element Goal, HE-3 which is to increase special needs housing opportunities and supportive services for lower income households, seniors, persons with disabilities, mental illness, or large families with children and those who may be experiencing homelessness. Policy HE-3.9 (Section 3.3, Encourage Affordable Housing to Meet the Special Needs of County Residents) states that the County shall support efforts to increase the availability of supportive housing facilities that provide housing and supportive services for individuals with qualifying disabilities. The project description did not state what type of environmental document would be prepared, or if the facilities were already purchased. Depending on the acquisition location and the scope of work involved in refurbishing, permits and further review may be required. This project description does not reference the preparation of an environmental document. If preliminary review does find that this project is exempt from CEQA, then the appropriate agency will be responsible for preparing an Initial Study and applicable environmental document.</p>
WATERSHED PROTECTION DISTRICT			
Zone 1: Ventura River Drainage			

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Matilija Dam Ecosystem Restoration Project	Removal of the Matilija Dam to provide passage for the endangered steelhead trout, restore sediment transport to the Venture River estuary and nearshore waters, and enhance habitat quality in the Matilija Creek. Scope of the project includes general design, dam removal, Camino Cielo bridge replacement, Santa Ana bridge replacement, Casitas Springs and Live Oak Acres levee design, Robles Diversion improvements, general flood protection, CEQA compliance, FEMA certification compliance and water supply. <u>Location:</u> Meiners Oaks/Oak View/ Casitas Springs/ Live Oak Acres	General Plan; Ojai Valley Area Plan	Previous review determined that the project is consistent with the Ojai Valley Area Plan and General Plan. Relevant sections cited include Section 6.1 (Biological Resources) of the Conservation and Open Space Element of the General Plan (formerly Section 1.5 of the Resources Element). Additional review is recommended based on the updated project description, particularly for analysis for consistency with the General Plan and Ojai Valley Area Plan. An EIR for this project was completed in 2004, but an addendum or supplemental EIR may be needed if there are substantial changes to the project description, project design and for updated biological surveys.
Ventura River Levee (VR-1) Evaluation and Rehabilitation	Complete evaluation and all improvements required to enable certification of the existing Ventura River Levee (VR-1). The objective is to provide 100-year level flood protection and certify the levee for FEMA accreditation. <u>Location:</u> Ventura River and Canada de San Joaquin tributary	General Plan; North Ventura Avenue Area Plan	A previous General Plan conformance review found the project to be consistent with the North Ventura Avenue Area Plan and General Plan. Relevant sections cited were Section 7.2 (Flood Hazards) of the Hazards and Safety Element (formerly Section 2.10 of the Hazards Element) and Section 5.6 (Flood Control and Drainage Facilities) of the Public Facilities, Services and Infrastructure Element (formerly Section 4.6 of the Public Facilities and Services Element). Additional review is recommended as the project proceeds, particularly for sensitive biological resources. An Environmental Impact Report is currently being prepared for this project. Note: City of Ventura General Plan and Local Coastal Plan may be applicable for the portion of the project area within city limits.

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Zone 2: Santa Clara River Drainage			
Santa Clara River Levee Improvements	Upgrade existing levees to protect adjacent properties from 100-year floods; correct severe bank erosion issues; CEQA mitigation and monitoring. <u>Location:</u> South bank of the Santa Clara River from upstream of Highway 118 to the former Bailard Landfill; Brown Barranca-Santa Clara River to Telephone Road; Bailard Landfill to the UPRR crossing.	General Plan	Previous review determined that the proposed project is consistent with Section 7.2 (Flood Hazards) of the Hazards and Safety Element (formerly Section 2.10 of the Hazards Element). An EIR was completed in 2016 for the portion of the project from the Union Pacific Railroad crossing to the Bailard Landfill. Note: City of Ventura and City of Oxnard General Plans may be applicable for the portion of the project area within city limits.
Zone 3: Calleguas Creek Drainage			
Fox Canyon Debris Basin Safety Retrofits	Retrofitting or replacement of the existing emergency spillway to meet District dam freeboard requirements. <u>Location:</u> Somis		Based on the project description made available, this project is consistent with General Plan Chapter 7, Hazard and Safety Element policies associated with mitigating damages that result from flooding, dam failure, seismic-induced flooding, post-fire debris flow, tsunamis or other inundation hazards (Section 7.2, Flood Hazards). The project also appears to be consistent with Chapter 5, Public Facilities, Services, and Infrastructure, Section 6 (Flood Control and Drainage Facilities). The project description states that the planned retrofit work is expected to fit within the scope of routine Operations and Maintenance Program regulatory permit authorization requirements and no environmental document was prepared for this project as it will be categorically exempt.
TRANSPORTATION DEPARTMENT			

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Bridge Road Bridge Rehabilitation (Bridge No. 442)	Perform rehabilitation including: bank slope protection, modification of lane geometry, upgrade to crash barriers and railings, and superstructure repairs. <u>Location:</u> North of Santa Paula	General Plan	Previous review determined that the proposed project is consistent with the General Plan and Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element). A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
El Rio Pedestrian Improvements	Design and construction of pedestrian facilities and intersection improvements for Safe Route to School. <u>Location:</u> Stroube Street from Vineyard Avenue to Rose Avenue; Walnut Street from Vineyard Avenue to Rose Avenue; Cortez Street from Stroube Street to Rio Plaza Elementary School	General Plan; El Rio/Del Norte Area Plan	Previous review determined that the proposed project appears to be consistent with the General Plan and Section 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element, specifically Policy CTM-2.10, by identifying and expanding safe routes to school, where feasible. This project also appears consistent with the Circulation, Transportation, and Mobility Section of the El Rio/Del Norte Area Plan, by planning for safe pedestrian pathways throughout the El Rio/Del Norte area. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Hueneme Road Widening	Phase I- Includes Environmental analysis and preliminary engineering to widen road to four lanes and add bike lanes. <u>Location:</u> Oxnard City limits to Rice Avenue	General Plan	Previous review determined that the proposed project appears to be consistent with the Circulation, Transportation and Mobility Element of the General Plan. Section 4.2 (Regional Multimodal System) by providing safe operating conditions for all appropriate modes and uses of County roadways and supporting the development of a bicycle network across the County. An EIR/EIS will be prepared for this project as part of Phase I and the decision-making body will need to make findings to ensure there are no significant impacts before the project can be carried out.

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Santa Rosa Road Bike Lane Improvements	Design and construction of bike lanes and sidewalks along Santa Rosa Road. Relocation and removal of guardrails and rumble strips. <u>Location:</u> Yucca Drive to Moorpark Road	General Plan	Previous review of the project description made available determined that the proposed project appears to be consistent with the General Plan and Section 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element, by providing safe operating conditions for all appropriate modes and uses of County roadways and supporting the development of a bicycle network across the County. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Ventura Avenue Pedestrian and Bike Lane Improvements	Pedestrian and bike lane improvements on Ventura Avenue. <u>Location:</u> Crooked Palm Road to Los Cabos Lane.	General Plan; North Ventura Area Plan	Previous review determined that the proposed project appears to be consistent with the Circulation, Transportation and Mobility Elements of the General Plan and the North Ventura Area Plan in prioritizing complete streets, focusing on pedestrian safety and developing an interconnected bicycle network (Policies CTM-4.1 through CTM-4.3). Policy NV-1.8 (Collector Streets) of the North Ventura Area Plan identifies this segment of road to be a major collector street and suggests that the alignment should be improved for consistency with the City of Ventura standards when future development warrants it. Additionally, Policy NV-1.11 (Bikeways) states that a Class II Bikeway along Ventura Avenue should be established. The project description indicates that it may be categorically exempt from CEQA review. The decision-making body will need to make certain findings and if the project is not categorically exempt, file the applicable environmental document before the project can be carried out.
Drainage Improvements	Replacement and repair of various culverts and drains, and a study to evaluate areas with drainage deficiencies and identify improvements. <u>Location:</u> North of Fillmore	General Plan	A previous review determined that the project is consistent with the General Plan and Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element). This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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Lewis Road Slope Protection	<p>Armoring of the slope on the East side of Lewis Road; removal of existing down drains and the appurtenant work.</p> <p><u>Location:</u> Lewis Rd; Camarillo City limits to Creek Rd intersection</p>	General Plan	<p>Previous review determined that the proposed project appears to be consistent with the Circulation, Transportation and Mobility Element of the General Plan. Section 4.1 (Roadways) states that the County will prioritize the design, construction, and maintenance of roads for safety and efficiency. The project description indicates that it may be categorically exempt from CEQA review. The decision-making body will need to make certain findings and if the project is not categorically exempt, file the applicable environmental document before the project can be carried out.</p>
Non-motorized Transportation Improvements	<p>Countywide study to evaluate the multi-modal needs of the County; Countywide improvements to bike and pedestrian lanes depending on study results; Piru and Saticoy pedestrian improvements; constructions of regional bike routes; bus stop improvements.</p> <p><u>Location:</u> Various locations throughout the County</p>	General Plan; Saticoy Area Plan; Piru Area Plan	<p>Previous review determined that the project is consistent with the General Plan. Relevant sections cited were: Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element). Additionally, the project is consistent with Policies MOB-3.4, MOB-3.7, MOB-3.8 and is in alignment with Programs MOB-P1, MOB-P3, MOB-P9, MOB-P11 in the Mobility Element of the Saticoy Area Plan. The Piru Area Plan's Circulation, Transportation and Mobility Element also has certain goals and policies that may apply depending on study results. Relevant sections of the Piru Area Plan include Sections 21.1-21.2 (Roadways), Section 23.1-23.2 (Regional Multimodal System) and Goal P-24. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.</p>
Santa Clara Avenue Widening	<p>Widen road to four lanes.</p> <p><u>Location:</u> Oxnard City limits to Highway 118</p>	General Plan; El Rio/ Del Norte Area Plan	<p>Previous review determined that the proposed project appears to be consistent with the Circulation, Transportation and Mobility Element of the El Rio/ Del Norte Area Plan. Policy ED-18 (Roadways) ensures the inclusion of an adequate circulation and transportation system to serve the needs of the existing and future residents of the area. Policy ED-19 (Regional Multimodal System) requires planning for safe pedestrian and bicycle pathways in the El Rio/ Del Norte Area. Additionally, this project appears to be in conformance with the Circulation, Transportation and Mobility Element of the General Plan (Section 4.1-4.2, Roadways and Regional Multimodal System). The decision-making body for this project is required to find that if none of the Categorical Exemptions apply, the appropriate environmental document is filed before the project can be carried out.</p>

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Pavement Resurfacing Program	Resurface various roads throughout the County in various thicknesses and treatments in order to strengthen, reclaim, modernize and extend the life of deteriorating County roads. <u>Location:</u> Various locations throughout the County.	General Plan	Previous review determined that the project is consistent with the General Plan. The relevant section cited was: Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element), as this project would only make repairs to existing infrastructure. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Santa Ana Road Slope Stabilization	Slope stabilization projects to mitigate for future failures due to fire or rainstorm. <u>Location:</u> Santa Ana Road, Southwest of Ojai	General Plan	Previous review determined that the proposed project appears to be consistent with Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element), by facilitating the safe and efficient movement of persons through repairs to existing infrastructure. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Santa Ana Boulevard Bridge Replacement	Replacement of Santa Ana Boulevard Bridge over the Ventura River as part of the Matilija Dam Ecosystem Restoration Project. <u>Location:</u> Santa Ana Boulevard, Southwest of Ojai	General Plan, Ojai Valley Area Plan	Based on the project description made available for this review, the proposed project appears to be consistent with Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element), by facilitating the safe and efficient movement of persons through repairs to existing infrastructure. An EIR was completed for this project by the Ventura County Flood Control District in 2004, and a NOD was approved in 2019 for minor changes to the design.

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Bridge Program	Rehabilitate bridges throughout the County by various means, including replacements, repainting, minor structural improvements and scour protection to extend their life and improve traffic safety. <u>Location:</u> Various locations throughout the County	General Plan	A previous General Plan conformance review found the project to be consistent with the General Plan and Section 7.6 (Transportation Related Hazards) of the Hazards and Safety Element (formerly Section 2.14 of the Hazards Element). A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
Rose Avenue Bike Lanes	Construction of Class II bike lanes. <u>Location:</u> Rose Avenue between Collins Street and Simon Way	General Plan; El Rio/ Del Norte Area Plan	Previous review determined that the proposed project is consistent with the Circulation, Transportation and Mobility Elements of the General Plan (Sections 4.1-4.3) and the El Rio/Del Norte Area Plan. Policy ED-19 (Regional Multimodal System) of the El Rio/ Del Norte Area Plan requires the County to plan for safe pedestrian and bicycle pathways throughout the El Rio/ Del Norte Area. The project description has indicated that a negative declaration will be filed, in which the decision-making body must make specific findings before this project can be approved or carried out.
Traffic Safety Improvement Program	Install or update traffic signals, intersection lane modifications and other safety improvements. <u>Location:</u> Various locations throughout the County.	General Plan	Previous review determined that project is consistent with the General Plan. Relevant sections cited are Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element (formerly Section 4.2 of the Public Facilities and Services Element). This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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Guardrail Upgrades	Upgrade guardrails at various locations throughout unincorporated Ventura County. <u>Location:</u> Various locations throughout unincorporated Ventura County	General Plan	Based on review of the project description provided, the proposed project is determined to be consistent with the General Plan. Relevant sections cited are Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element as they promote safe and efficient travel throughout the County's Roadways. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Feasibility Studies	Feasibility studies to prepare and apply for Federal/State grants. FY 2023 includes a feasibility study for a bike path from Channel Islands University to Metrolink Station. <u>Location:</u> Unincorporated County - Southeast of Camarillo; Cal State Channel Islands to the Metrolink Station	General Plan	Based on review of the project description provided, the proposed project is determined to be consistent with the General Plan. Relevant sections cited are Sections 4.1 (Roadways) and 4.2 (Regional Multimodal System) of the Circulation, Transportation, and Mobility Element. Additionally, the projects evaluated in potential feasibility studies are consistent with Section 4.6 (Emerging Technologies and Sustainable Practices) as the objective seeks to limit single use passenger vehicles and increase the routine usage of alternative transportation options. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

WATER AND SANITATION DEPARTMENT

WATERWORKS DISTRICT NO. 1 (MOORPARK AREA) – WATER PROJECTS

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Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Moorpark Desalter Plant, Wells and Pipelines	Construct a well field, pipeline and wellhead treatment facility within the South Las Posas Basin to improve water quality and reduce dependence on imported water. <u>Location:</u> West of Moorpark	General Plan	Previous review determined that the proposed project is consistent with the General Plan. Relevant sections cited were: Sections 9.1 (Water Supply), 9.2 (Water Quality) and 9.4 (Groundwater) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
General Water System Improvements	General water system improvements, including pipe and appurtenance replacements to improve distribution efficiency. <u>Location:</u> Various locations in District 1	General Plan	Previous review determined that the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element) by supporting effective management and protection of the County's water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure. If there are biological impacts the project will have to be in compliance with Section 6.1 (Biological Resources) of the Conservation and Open Space Element. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Grimes Reservoir and 757 Zone Interconnections	Construct a storage reservoir and zone interconnections to meet water storage requirements and improve operational flexibility in the 757 Zone. <u>Location:</u> West of Moorpark	General Plan	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. By improving the storage capacity of a specific reservoir, the project may also be consistent with policies WR-1.3, WR-1.4 and WR 1.10 (Section 9.1) which relate to diversifying water sources, expanding capacity and implementing the Regional Water Management Plan. A Negative Declaration was filed in 2006 and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.

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(New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
New 1 MG Stockton Reservoir No. 2	Construct a new 1.0 MG reservoir to replace the existing, undersized Stockton Reservoir, and to improve storage capacity within the 994 Zone. <u>Location:</u> West of Moorpark	General Plan	Previous review determined that the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
Moorpark Desalter Stormwater Recharge Project	Construct stormwater intake structures and recovery ponds to harvest storm runoff from Arroyo Simi/Arroyo Las Posas. <u>Location:</u> West of Moorpark	General Plan	Previous review determined that the proposed project appears to be consistent with Sections 9.1 (Water Supply), 9.2 (Water Quality), 9.3 (Water Conservation and Reuse) and 9.5 (Watershed Management) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). If there are biological impacts the project will have to be in compliance with Section 6.1 (Biological Resources) of the Conservation and Open Space Element. A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
Well No. 95 & 98 Water Treatment Facility	Construction of water treatment facility to comply with Department of Health Services water quality requirements for Iron and Manganese. <u>Location:</u> Northwest of Moorpark	General Plan	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Specifically, Section 9.2 (Water Quality), Policy WR 2.1 states that the County shall cooperate with Federal, State and local agencies in identifying and eliminating or minimizing all sources of existing and potential point and non-point sources of pollution to ground and surface waters. Policy WR- 1.1 Sustainable Water Supply encourages water agencies to actively monitor the quantity and quality of the county's water resources to ensure a sustainable water supply to serve all existing and future county residents (Section 9.1, Water Supply). The project description states that a Negative Declaration will be filed for this project requiring that the decision-making body make findings that this project will not have significant adverse environmental impacts.

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
(New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
General Water System Improvements	<p>General water system improvements at various locations all throughout District 1. Pipe and appurtenances replacements. Improve the water distribution system efficiency and facilities' onsite improvements and upgrades.</p> <p><u>Location:</u> Various locations throughout District 1; Moorpark area</p>	General Plan	<p>Previous review determined that this project is consistent with the Water Resources Element of the General Plan. Section 9.2 (Water Quality) and Section 9.3 (Water Conservation and Reuse) have applicable policies which require the County to consider designs and practices that both improve water quality and promote water efficiency. The project description has indicated that a Categorical Exemption will be filed. If the project is not found to be Categorically Exempt, the decision-making body will be required to make certain findings and file the applicable environmental document.</p>
SCADA Improvements	<p>Supervisory control and data acquisition integration to the instrumentation and control of District 1 water system and facilities.</p> <p><u>Location:</u> Various locations throughout District 1; Moorpark area</p>	General Plan.	<p>Previous review of this project determined that this project is consistent with the Water Resources Element of the General Plan. Specifically, Section 9.1 (Water Supply) and Section 9.3 (Water Conservation and Reuse) have applicable policies that relate to technologies in water efficiency to promote sustainable management to ensure supply demands are met for present and future generations. The project description has indicated that a Categorical exemption will be filed. If the project is found to not qualify for a Categorical Exemption, the decision-making body will need to make certain findings and file the applicable environmental document before the project can be carried out.</p>
Reservoir repairs, relining and recoating- various locations throughout WWD 1.	<p>Reservoir repairs include the removal and disposal of all waste generated, spot repairs of defect paint areas, parts replacements. Replacement of the interior and exterior lining system. Corrosion problems corrects per SSPC, AWWA and The Society of Protective Coating requirements.</p> <p><u>Location:</u> Various locations throughout District 1; Moorpark area</p>	General Plan	<p>Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Specifically, Section 9.1 (Water Supply) and Section 9.3 (Water Conservation and Reuse) have applicable policies that relate to technologies in water efficiency to promote sustainable management to ensure supply demands are met for present and future generations. Additionally, Section 9.2 (Water Quality), Policy WR-2.1, relates to identifying and eliminating sources of water pollution that may contaminate the water supply. The project description has indicated that Categorical Exemption will be filed. If the project is found to not qualify for a Categorical Exemption, the decision-making body will need to make certain findings and file the applicable environmental document before the project can be carried out.</p>

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Sewer Replacement and Relining	Replacement and relining of ageing, sagging, leaking and clogged sewer pipelines <u>Location:</u> Various locations throughout District 1; Moorpark area	General Plan	Base on the project description provided, this project is consistent with the Public Facilities, Services, and Infrastructure Element of the General Plan. Section 5.1, Public Facilities seeks to provide residents with quality, cost-effective and accessible facilities and services. Policy PFS-1.4 requires that the County collaborate on infrastructure and public service deficiencies, and Policy-1.10 states that the County shall operate and maintain County facilities in an efficient manner that meets community needs while conserving financial and natural resources. The project description states that a Negative Declaration will be filed for this project requiring that the decision-making body make findings that this project will not have significant adverse environmental impacts.
Piru Wastewater Treatment Plant Upgrade	Construct additional desalter treatment train within the existing Piru Wastewater Treatment Plant to meet state discharge requirements. <u>Location:</u> West of Piru	General Plan; Piru Area Plan	Previous review determined that the project is consistent with the Piru Area Plan and Section 5.4 (Wastewater Treatment and Disposal) of the Public Facilities, Services and Infrastructure Element of the General Plan (formerly Section 4.4 of the Public Facilities and Services Element). A Negative Declaration was filed in 2004 and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.
WATERWORKS DISTRICT NO. 17 (BELL CANYON AREA)			
1.74 MG Reservoir within Zone 1924	Construction of a 1.74 MG reservoir within the 1924 Zone and approximately 5,000 LF of 12" DIP and 700 LF of 12" AC pipeline. <u>Location:</u> Bell Canyon	General Plan	Previous review determined that the project in conformance with the General Plan and consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Coating and Repair Bell Canyon Reservoir #1	Reservoir repairs shall include removal and disposal of all waste generated, spot repairs of all paint defect areas, nuts bolts, flanges, fasteners and gaskets replacements. Interior and exterior lining system. Corrosion problems correction per SSPC, AWWA and The Society of Protective Coating requirements. <u>Location:</u> Bell Canyon	General Plan	Based on the project description provided the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element) by supporting effective management and protection of the County's water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure. The project description does not state which type of environmental document will be filed for this project. The decision-making body will be required to make certain findings regarding environmental impacts before the project can be carried out or approved.
General Water System Improvements	General water system improvements, including pipe and appurtenance replacements to improve distribution efficiency. New Booster pump stations or zone configuration. Replacement of 2,400 L.F of 10" steel piping through Bell Canyon Creek, connecting the 1924 pressure zone to the 1677 pressure zone. <u>Location:</u> Various locations in District 17	General Plan	A previous review found that the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element) by supporting effective management and protection of the County's water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure. If there are biological impacts the project will have to be in compliance with Section 6.1 (Biological Resources) of the Conservation and Open Space Element. A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Reservoir No. 3	Construction of an approximately 1.74 MG reservoir within the 1677 Zone. <u>Location:</u> Bell Canyon	General Plan	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation and protection of water resources for present and future generations. By improving the storage capacity of a specific reservoir, the project may also be consistent with policies WR-1.3, WR-1.4 and WR 1.10 (Section 9.1) which relate to diversifying water sources, expanding capacity and implementing the Regional Water Management Plan. The project description has indicated that a Negative Declaration will be filed; the decision-making body must make certain findings regarding the environmental impacts before the project can be carried out.
WATERWORKS DISTRICT NO. 19 (LAS POSAS VALLEY AREA)			
Well No. 2 Iron and Manganese Treatment Facility	Provide wellhead treatment including water pump, motor, piping, manganese and iron filtration system, instrumentation and site improvements. <u>Location:</u> Northwest of Somis community	General Plan	A previous review found the project to be consistent with the General Plan and Sections 9.1 (Water Supply), 9.2 (Water Quality) and 9.4 (Groundwater) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). The project does not appear to include new development and the General Plan would therefore have minimal applicability. A Negative Declaration was filed in February 2012 and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.

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PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Pipeline Replacement at Caltrans ROW	<p>Four projects along State Highway 118 involving the upgrade or replacement of existing undersized or deteriorating water mains to improve the water system's efficiency and flexibility.</p> <p><u>Location:</u> North of Camarillo - HWY 118 from Groves Place, west to Aggen Road;</p> <p>HWY 118, from Bradley Road, west to Groves Place;</p> <p>HWY 118, from Bradley Road, east to the existing 10-inch main;</p> <p>HWY 118, Donlon Road, west to La Cumbre Road</p>	General Plan	<p>Previous review determined that the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). The project does not appear to include new development and the General Plan would therefore have minimal applicability. A Negative Declaration was filed in February 2012 and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.</p>
General water system improvements	<p>General water system improvements, including pipe and appurtenance replacements to improve distribution efficiency.</p> <p><u>Location:</u> Various locations in District 19</p>	General Plan	<p>A previous review found that the proposed project appears to be consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element) by supporting effective management and protection of the County's water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.</p>

2023 General Plan Conformance Review
PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Reservoir Repair, Relining, and Recoating	Reservoir repairs, including repairs of all paint defect areas and replacement of gaskets and interior and exterior lining. <u>Location:</u> Near Somis	General Plan	Previous review determined that the proposed project appears to be consistent Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element) by supporting effective management and protection of the County’s water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Zone 538 Reservoir/ Pump Station/ Generator and Transmission Line Replacement	Increase the storage capacity of the 538 Zone with the installation of an additional reservoir or the replacement of the existing reservoir by a larger unit. Replacement of the existing transmission line crossing under the river. <u>Location:</u> Northeast of Camarillo	General Plan	Based on the project description provided, the proposed project is consistent with the General Plan. The relevant sections cited were Sections 9.1 (Water Supply) and 9.2 (Water Quality) by supporting effective management and protection of the County’s water resources, ensuring the provision of water in sufficient quantities, and repairing existing infrastructure. Within the Public Facilities, Services and Infrastructure Element, consistent policies include PFS -1.2, 1.3 and 1.10 which support climate resilient, cost-effective and efficient services to be provided to residents. A Negative Declaration was filed and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.

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PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
(New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Reservoir Repair, Recoating, and Replacement of Reservoirs 860 No. 2 & 1030 No. 1 & 2	Reservoir repairs for Reservoirs 860 No. 2 and 1030 No. 1 & 2. Reservoir repairs shall include removal and disposal of all waste generated, spot repairs of all paint defect areas, nuts bolts, flanges, fasteners and gaskets replacements. Interior and exterior lining system. Corrosion problems correction per SSPC, AWWA and The Society of Protective Coating requirements. <u>Location:</u> District 19 Reservoirs – South of Los Angeles Avenue and East of Somis Road	General Plan	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. By improving the storage capacity of a specific reservoir, the project may also be consistent with policies WR-1.3, WR-1.4 and WR 1.10 (Section 9.1) which relate to diversifying water sources, expanding capacity and implementing the Regional Water Management Plan. Within the Public Facilities, Services and Infrastructure Element, consistent policies include PFS -1.2, 1.3 and 1.10 which support climate resilient, cost-effective and efficient services to be provided to residents. This project is being processed through a categorical exemption meaning that the decision-making body is required to have made findings that the project does not meet any of the exceptions to exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
Well No.4 Pump Replacement	Well No. 4 rehabilitation which includes pump replacement, motor replacement, and lowering of existing Well No. 4. <u>Location:</u> Somis	General Plan;	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. By improving the storage capacity of a specific reservoir, the project may also be consistent with policies WR-1.3, WR-1.4 and WR 1.10 (Section 9.1) which relate to diversifying water sources, expanding capacity and implementing the Regional Water Management Plan. Other applicable policies include, Policy WR-4.8 New Water Wells (Section 9.4, Groundwater) and WR- 1.13 Water Pumping which states that the County shall require that all County-owned water pumps use 100 percent renewable-sourced electricity for water pumping. This project is being processed through a categorical exemption meaning that the decision-making body is required to have made findings that the project does not meet any of the exceptions to exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Bradley Pump Station	Construction of new Bradley pump station including property acquisition, electrical facilities, and Pump station. <u>Location:</u> Somis	General Plan;	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. By improving the storage capacity of a specific reservoir, the project may also be consistent with policies WR-1.3, WR-1.4 and WR 1.10 (Section 9.1) which relate to diversifying water sources, expanding capacity and implementing the Regional Water Management Plan. Other applicable policies include, Policy WR-4.8 New Water Wells (Section 9.4, Groundwater) and WR- 1.13 Water Pumping which states that the County shall require that all County-owned water pumps use 100 percent renewable-sourced electricity for water pumping. This project is being processed through a categorical exemption meaning that the decision-making body is required to have made findings that the project does not meet any of the exceptions to exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
COUNTY SERVICE AREA NO. 29 (NORTH COAST)			
Sewer Force Main Replacement-Sewer System Modernization Project	Sewer system improvements and replacements throughout CSA No. 29 to comply with Federal and State requirements and improve efficiency and flexibility of the sewer system. <u>Location:</u> Throughout CSA No. 29 Includes replacement of approximately 1/2 mile per year.	General Plan; Local Coastal Plan	Based on the project description made available for this review, the proposed project appears to be consistent with the General Plan and Section 5.4 (Wastewater Treatment and Disposal) of the Public Facilities, Services, and Infrastructure Element, by ensuring adequate provision of wastewater collection and treatment. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Sewer System Modernization Project	Unidentified sewer system improvements and replacements throughout County Service Area No. 29 to comply with Federal and State requirements, and improve the efficiency and flexibility of the system. Includes replacement of approximately 1/2-mile per year. <u>Location:</u> North Coast Area	General Plan; Local Coastal Plan	Based on the project description provided, this project is consistent with Public Facilities, Services and Infrastructure Element of the General Plan. Applicable policies within Section 5.1 (Public Facilities and Services) include PFS- 1.4, PFS-1.2, PFS-1.6, and PFS-1.10 which serve the goal of providing residents with resilient, quality, cost-effective and accessible facilities and services to meet community needs. The project also appears to be consistent with the Local Coastal Plan (LCP) and the Coastal Act section pertaining to Public Works improvements on the North Coast. (Section 4.2.6 Public Works). However, due to the project location, applicable sections for the North Coast may include Section 4.2.2 Recreation and Access, Section 4.1.3 Environmentally Sensitive Habitat Areas (ESHA). Additionally, Section 4.2.6 Policy 1, states that sewer services are limited to the areas defined in the Coastal Commission permit (Regional Application 208-03), and any changes or extension of services will require a new permit. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
CSA No. 29 Master Plan	Master Plan to identify deficiencies and plan for future years. <u>Location:</u> North Coast Area	General Plan; Local Coastal Plan	Based on the project description provided, this project is consistent with Public Facilities, Services and Infrastructure Element of the General Plan. Applicable policies within Section 5.1 (Public Facilities and Services) include PFS- 1.4, PFS-1.2, PFS-1.6, and PFS-1.10 which serve the goal of providing residents with resilient, quality, cost-effective and accessible facilities and services to meet community needs. The project also appears to be consistent with the Local Coastal Plan (LCP) and the Coastal Act section pertaining to Public Works improvements on the North Coast. (Section 4.2.6 Public Works). However, due to the project location, applicable sections for the North Coast may include Section 4.2.2 Recreation and Access, Section 4.1.3 Environmentally Sensitive Habitat Areas (ESHA). Additionally, Section 4.2.6 Policy 1, states that sewer services are limited to the areas defined in the Coastal Commission permit (Regional Application 208-03), and any changes or extension of services will require a new permit. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Drywell Replacement and Generator	Drywell and generator at the County Service Area No. 29 needs to be evaluated for upgrade and replacement. <u>Location:</u> North Coast Area	General Plan; Local Coastal Plan	Based on the project description provided, this project is consistent with the Water Resources Element and Public Facilities, Services and Infrastructure Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. Policy WR-5.1 (Section 9.5, Watershed Management), requires that the County shall work to manage and enhance the shift towards an integrated management approach of water resources. Applicable policies within Section 5.1 (Public Facilities and Services) include PFS- 1.4, PFS-1.2, PFS-1.6, and PFS-1.10 which serve the goal of providing residents with resilient, quality, cost-effective and accessible facilities and services to meet community needs. The project also appears to be consistent with the Local Coastal Plan (LCP) and the Coastal Act section pertaining to Public Works improvements on the North Coast. (Section 4.2.6 Public Works). However, due to the project location, applicable sections for the North Coast may include Section 4.2.2 Recreation and Access, Section 4.1.3 Environmentally Sensitive Habitat Areas (ESHA). Additionally, Section 4.2.6 Policy 1, states that sewer services are limited to the areas defined in the Coastal Commission permit (Regional Application 208-03), and any changes or extension of services will require a new permit. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
WATERWORKS DISTRICT NO. 38 (LAKE SHERWOOD AREA)			
General Water System Improvements	Unidentified water system improvements throughout the Lake Sherwood Community Services District to comply with Federal and State requirements and to improve the efficiency and flexibility of the system. <u>Location:</u> Throughout Lake Sherwood	General Plan; Lake Sherwood/ Hidden Valley Area Plan	Previous review determined that the project is in conformance with the Lake Sherwood/Hidden Valley Area Plan and General Plan and consistent with Sections 9.1 (Water Supply) and 9.2 (Water Quality) of the Water Resources Element (formerly Section 1.3 of the Resources Element and Section 4.3 of the Public Facilities and Services Element). This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.

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PLANNED CAPITAL PROJECTS FOR FISCAL YEAR 2023-2024
 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
VCWWD No. 38 Master Plan Update	Update master plan with final buildout infrastructure. <u>Location:</u> Throughout Lake Sherwood	General Plan; Lake Sherwood/ Hidden Valley Area Plan	Based on the project description provided, this project is consistent with the Water Resources Element and Public Facilities, Services and Infrastructure Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. Policy WR-5.1 (Section 9.5, Watershed Management), requires that the County shall work to manage and enhance the shift towards an integrated management approach of water resources. Applicable policies within Section 5.1 (Public Facilities and Services) include PFS- 1.4, PFS-1.2, PFS-1.6, and PFS-1.10 which serve the goal of providing residents with resilient, quality, cost-effective and accessible facilities and services to meet community needs. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
WATERWORKS DISTRICT NO. 34 (NYELAND ACRES)			
Manhole Rehabilitation	Repair and rehabilitate failing manholes, including but not limited to, repairing of rings, and relining. <u>Location:</u> Nyeland Acres	General Plan	Base on the project description provided, this project is consistent with the Public Facilities, Services, and Infrastructure Element of the General Plan. Section 5.1, Public Facilities seeks to provide residents with quality, cost-effective and accessible facilities and services. Policy PFS-1.4 requires that the County collaborate on infrastructure and public service deficiencies, and Policy-1.10 states that the County shall operate and maintain County facilities in an efficient manner that meets community needs while conserving financial and natural resources. This project is being processed with a Categorical Exemption. The decision-making body for this project is required to find that none of the exceptions to Categorical Exemptions apply, including location relative to mapped resources or hazards, cumulative impacts, or a reasonable possibility of a significant effect on the environment due to unusual circumstances.
WATERWORKS DISTRICT NO. 16 (PIRU AREA)			

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 (New projects in highlighted cells)

Project	Location and Description	Applicable Evaluation Document(s)	General Plan Conformity Assessment
Monitoring Wells 3 and 4 Deepening	Waterworks District #16 (District) is proposing to deepen Monitoring Wells 3 and 4 to accurately track groundwater levels. <u>Location:</u> Piru Tertiary Treatment Plant	General Plan Piru Area Plan	Based on the project description provided, this project is consistent with the Water Resources Element of the General Plan. Policy WR-1.1 (Section 9.1, Water Supply) states that the county will adequately plan for development, conservation, and protection of water resources for present and future generations. By improving the County's ability to accurately monitor groundwater levels of a specific basin, the project may also be consistent with policies WR-4.1, WR-6.1 and WR-7.1 (Section 9.1) which relate to the implementation of Groundwater Sustainability Plans, and the long term monitoring of important water resources for County residents, agriculture, and the environment. This project is also consistent with the Water Resources Section of the Piru Area Plan Sections P-67 and P-68 which prioritize alleviating water supply issues within Piru to ensure adequate quantity and quality for all residents. Finally, the Public Services, Facilities and Infrastructure Element (Section 5.1, Public Services and Facilities) support the need to prioritize service upgrades to Designated Disadvantaged Communities. The project description did not state which type of environmental document, if any, would be applicable to this project. However, prior to project taking place, the decision-making body is required to make certain findings regarding the potential environmental impacts of the project.
Piru Wastewater Treatment Plant Upgrade	Construct additional desalter treatment train within the existing Piru Wastewater Treatment Plant to meet state discharge requirements. <u>Location:</u> West of Piru	General Plan; Piru Area Plan	Previous review determined that the project is consistent with the Piru Area Plan and Section 5.4 (Wastewater Treatment and Disposal) of the Public Facilities, Services and Infrastructure Element of the General Plan (formerly Section 4.4 of the Public Facilities and Services Element). A Negative Declaration was filed in 2004 and is required to be submitted to the decision-making body and all responsible agencies during evaluation and action on this project. The decision-making body must also make certain findings related to the Negative Declaration before the project can be approved or carried out.



MEMORANDUM

DATE: April 6, 2023

TO: Jerilyn Hollis, Case Planner

FROM: Dillan Murray, Cultural Heritage Program Planner

SUBJECT: **Ventura County Cultural Heritage Review Process
Capital Projects General Plan Conformity Review**

Cultural Heritage Board (CHB) Staff has reviewed the County Executive Office and Public Works Agency (Transportation Department, Water and Sanitation Department, and Watershed Protection District) Draft Capital Improvement Projects (CIP) Program for 2024-28 and offers the following advisory information.

Some of the proposed CIP projects may involve exterior alterations to potentially historic resources. Specifically, these include the following projects:

- Bridge Road Bridge Rehabilitation County Bridge No. 442
- Carne Road Bridge Replacement - Bridge #347
- Matilija Dam ERP - Matilija Dam Removal
- Santa Clara River Levee D/S of Hwy 101 (SCR-3)
- RAIN Infrastructure Projects (1732 S. Lewis Rd. Improvements)
- Aviation Unit Hangar Repairs
- Fire Station 29 Replacement - Santa Paula
- Saticoy Regional Golf Course Clubhouse

Conformance with the Ventura County Cultural Heritage Ordinance No. 4604 and the 2040 Ventura County General Plan policies related to historic preservation will require evaluation of known and potential historic resources, including any structures over 50 years old, prior to issuance of permits or commencement of work, as described in more detail below.

Currently, any impacts to known or potential historic resources are reviewed using the County's Initial Study Assessment Guidelines when the project is discretionary. A historic resource report may be requested and project conditions and mitigation pursuant to the California Environmental Quality Act (CEQA) are required and applied. In contrast, projects that involve a ministerial permit from the County of Ventura Resource Management Agency are evaluated through a different lens, because they are exempt from CEQA review. This includes projects as diverse as demolition of a structure, window replacement, re-roof permit requests, new fencing or accessory structures on

the site, new additions, or other alterations, where there is potential for the project to impact a designated or potential Cultural Heritage Site¹.

CHB staff first assesses whether the site is a designated Landmark or a Site of Merit. The Ventura County Cultural Heritage Ordinance (Enclosed) establishes criteria for the following types of Cultural Heritage Sites in Ventura County: Landmarks, Sites of Merit, Points of Interest, and Districts. If not, CHB staff evaluates whether there are any structures over 50 years old on the site that may be impacted in a potentially significant way. If the structure is not already designated, other sources are consulted as needed to determine whether the property appears potentially eligible as a Cultural Heritage Site, including whether a master builder or architect may have designed or constructed the structure in question. Sometimes a historic resource report or evaluation is requested from the applicant to provide further information. For projects at designated Cultural Heritage Sites or those determined eligible for designation, a Certificate of Appropriateness (COA) or Certificate of Review (COR) is required, depending on the type of property and the project scope of work. Ultimately, some of these projects will be approved by CHB staff administratively if it can be determined that the scope of work is consistent with the administrative approval or exemption authority granted by the CHB to staff. Pursuant to the Ordinance, others will rise to the level of needing review by the Ventura County Cultural Heritage Board.

For your reference, the General Plan Conservation and Open Space Element contains the following programs related to Discretionary Development and Tribal, Cultural, Historical, Paleontological, and Archaeological Resource Preservation:

1. General Plan Conservation and Open Space Element Program HH: Cultural Records Research

As part of a discretionary application process, project applicants (Ventura County for County projects) shall initiate a records search and Sacred Lands File search with the South Central Coastal Information Center.

2. General Plan Conservation and Open Space Element Program II: Cultural, Historical, Paleontological, and Archaeological Resource Assessment Procedures

For discretionary projects, the County shall require the following:

- Projects shall be designed to protect existing resources and shall avoid potential impacts to the maximum extent feasible.
- If determined necessary by the County, an archaeological or paleontological and/or Native American monitor shall be retained to monitor ground-disturbing activities during construction.
- If any materials or artifacts are discovered during ground disturbance and/or construction activities, construction shall halt until a qualified archaeologist, paleontologist, or Native American monitor can access the discovery. A report or memorandum shall be prepared by the qualified monitor documenting any findings and identifying recommendations for protection or avoidance of discovered

¹ Refer to Article 5 of Chapter 3 of Division 1 of the Ventura County Ordinance Code, beginning at Section 1360, for requirements addressing cultural heritage.

resources. Recommendations or mitigation identified by the qualified monitor shall be implemented prior to commencing

3. General Plan Conservation and Open Space Element Program JJ: Project-Level Historic Surveys and Protection of Historic Resources:

During project-specific environmental review of discretionary development, the County shall define the project's area of potential effect for historic buildings and structures. The County shall determine the potential for the project to result in historic resource impacts, based on the extent of ground disturbance and site modification anticipated for the project. The potential for adverse impacts to historic resources shall also be determined pursuant to the requirements and protocol set forth in the Ventura County ISAG and Cultural Heritage Board Ordinance.

Before altering or otherwise affecting a building or structure 50 years old or older, the project-applicant shall retain a qualified architectural historian according to the Secretary of the Interior Standards, to record it on a California Department of Parks and Recreation DPR 523 form or equivalent documentation, if the building has not previously been evaluated. Its significance shall be assessed by a qualified architectural historian, using the significance criteria set forth for historic resources under CEQA Guidelines Section 15064.5.

The evaluation process shall include the development of appropriate historical background research as context for the assessment of the significance of the structure in the county and the region. For buildings or structures that do not meet PRC 5024.1 or the CEQA criteria for historical resource, no further mitigation is required. For buildings or structures that do meet PRC 5024.1 or the CEQA criteria for historical resource, note the following:

1) If the building or structure can be preserved on site, but remodeling, renovation or other alterations are required, this work shall be conducted in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

2) If a significant historic building or structure is proposed for major alteration or renovation, or to be moved and/or demolished, the County shall ensure that a qualified architectural historian thoroughly documents the building and associated landscape and setting. Documentation shall include still and video photography and a written documentary record/history of the building to the standards of the Historic American Building Survey or Historic American Engineering Record, including accurate scaled mapping, architectural descriptions, and scaled architectural plans, if available. The record shall be prepared in consultation with State Historic Preservation Officer and filed with the Office of Historic Preservation. The record shall be accompanied by a report containing site-specific history and appropriate contextual information. This information shall be gathered through site specific and comparative archival research, and oral history collection as appropriate.

3) If preservation and reuse at the site are not feasible, the historical building shall be documented as described in item (2) and, when physically and financially feasible, be moved and preserved or reused.

4) If, in the opinion of the qualified architectural historian, the nature and significance of the building is such that its demolition or destruction cannot be fully mitigated through documentation, the County shall reconsider project plans in light of the high value of the resource, and implement more substantial modifications to the proposed project that would allow the structure to be preserved intact. These could include project redesign, relocation or abandonment. If no such measures are feasible,¹ the historical building shall be documented as described in item (2).

4. General Plan Conservation and Open Space Element Program KK: Implement Project-Level Security Measures

During project-level ground disturbance activities for discretionary development, in areas where paleontologically rich sites or tribal cultural resources are known to be present, project sites shall be secured during non-construction hours to ensure that the unauthorized access and the unlawful curation of fossil materials or tribal cultural resources does not occur. Such security measures may include construction fencing, unauthorized access signage, security lighting, and security cameras. For large-scale development, a security plan may be prepared prior to construction activities to detail security measures and protocol for the project site.

If you have any questions concerning the cultural heritage review process, please contact me at Dillan.Murray@ventura.org or (805) 654-5042.

Enclosure

Ventura County Cultural Heritage Ordinance No. 4604

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ORDINANCE NO. 4604

AN ORDINANCE OF THE VENTURA COUNTY BOARD OF SUPERVISORS REPEALING AND REENACTING ARTICLE 5 OF CHAPTER 3 OF DIVISION 1 OF THE VENTURA COUNTY ORDINANCE CODE, BEGINNING AT SECTION 1360, ADDRESSING CULTURAL HERITAGE

The Board of Supervisors of the County of Ventura ordains as follows:

Section 1. Article 5 of Chapter 3 of Division 1 of the Ventura County Ordinance Code, beginning at Section 1360, is hereby repealed and the subject matter therein is reenacted to read as follows:

Article 5 – Cultural Heritage

Sec. 1360. TITLE. This Article shall be known as and may be cited as the "Ventura County Cultural Heritage Ordinance".

Sec. 1361. PURPOSE AND FINDINGS. The purpose of this Article is to promote the economic and general welfare of the County of Ventura by preserving and protecting public and private historic, cultural and natural resources which are of special historical, archaeological, or aesthetic character or interest, or relocating or recreating such resources where necessary for their preservation and for their use, education, and view by the general public. This Article is intended to allow for the identification, inventory, *preservation*, and *protection* of cultural, historical, paleontological, and archaeological resources in Ventura County, including Native American resources, for their scientific, educational, and cultural value, consistent with the Ventura County General Plan. All such efforts are taken to make the citizens of this county, visitors, and tourists mindful of the rich historical, cultural, and natural heritage of the county.

The Board of Supervisors finds that Ventura County's *cultural heritage* is constantly being impacted by removal, *demolition*, earthquakes, and other *alterations* of sites and structures as documented in the 2000 Ventura County Historic Preservation Plan. To offset this adverse impact on our cultural environment, the Board of Supervisors finds that strengthening efforts to preserve and protect this heritage, combined with incentives for those willing to participate in this effort, are necessary. This strengthening will also benefit the economic and general welfare of Ventura County and, therefore, the Board of Supervisors finds that the changes as developed and recommended in the Ventura County Historic Preservation Plan are necessary.

Sec. 1362. APPLICABILITY OF ORDINANCE. The Cultural Heritage Ordinance shall have force and effect only in the unincorporated areas of Ventura County. However, any designated *Districts*, *Landmarks*, *Sites of Merit*, or *Points of Interest* (hereafter referred to as designated *Cultural Heritage Sites*) existing as of the effective date of this Article, regardless of their location in the county, shall retain their declared status. At any time in the future, if the territory upon which a designated *Cultural*

Heritage Site is annexed to any city, the site shall also retain its designated status.

Sec. 1363. DEFINITIONS. Application of Definitions: Unless the provision or context otherwise requires, the definitions of words and terms as follows shall govern the construction of this Chapter.

"Alteration": Any change affecting the exterior *character-defining features* of a potential or designated *Cultural Heritage Site*, including actions that affect the *integrity* of the resource. For a *Cultural Heritage Site* subject to a Mills Act contract, *alteration* shall include any change affecting the interior *character-defining features* thereof.

"Board of Supervisors": The County of Ventura *Board of Supervisors*.

"California Historical Building Code": The *California Historical Building Code* is a set of regulations contained in Part 8 of Title 24 (State Building Standards Code) of the California Code of Regulations (and authorized by statute under Health and Safety Code sections 18950 et seq.) that applies to all qualified historical structures, *Districts*, and sites designated under federal, state, or local authority. It provides alternatives to the Uniform Building Code for the *rehabilitation, preservation, restoration, or relocation* of qualified historic structures, *Districts*, and sites.

"Certificate of Appropriateness": An authorization issued by the *Cultural Heritage Board* or its designee which generally indicates that the proposed subdivision, rezoning, maintenance, acquisition, *stabilization, preservation, reconstruction, protection, alteration, restoration, rehabilitation*, remodeling, addition, change of use, *demolition, relocation*, change, remodeling or other project affecting a potential or designated *Cultural Heritage Site* will not reduce its *cultural heritage* values, or prevent the eligibility of a *Potential Cultural Heritage Site* to become a designated *Cultural Heritage Site*.

"Certificate of Review": An action by the *Cultural Heritage Board* or its designee documenting its consideration of, and recommendations, regarding the effects, including environmental effects to historic resources, of permit actions on a potential or designated *Cultural Heritage Site*, where a *Certificate of Appropriateness* is not required.

"Certified Local Government": The program authorized by the National Historic Preservation Act of 1966 (16 U.S.C. section 470 et seq.) and the subsequent participatory agreement between the County and the State of California Office of Historic Preservation.

"Character-Defining Features": The physical aspects of a site's design and form which identify it as belonging to a specific time and place. Design, materials, workmanship, form, and style of decorative and structural features and spaces, and spacial relationships both interior, exterior, and environmental. A building, for example, may have *character-defining features* that include, but are not limited to, the overall shape, massing and form of the building, its roof and roof structures, openings, projections, trim, materials, craftsmanship, decorative details, as well as the various aspects of its site, landscape, and environment.

"Cultural Heritage": Pertaining to the sum total of traditions and body of knowledge that are inherited as possessions, characteristics, or conditions expressing a traditional way of life subject to gradual but continuous modifications by succeeding generations.

"Cultural Heritage Board": The County of Ventura *Cultural Heritage Board* established by this Article.

"Cultural Heritage Site": An improvement, natural feature, site, or *District* that has completed the legally required procedures stipulated in this Article to have it designated by the *Cultural Heritage Board* or the *Board of Supervisors* as a *District*, *Landmark*, *Site of Merit*, or *Point of Interest*.

"Demolition": The complete destruction or removal of a structure, tree, landscaping, or natural feature identified as a *character-defining feature*; the cumulative removal of more than 50 percent of the perimeter walls, roof, or floor area of a structure; or the removal of a substantial portion of a street-facing façade visible from the public right-of-way.

"District": A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, landscapes, structures, or objects, united by past events or aesthetically by plan or physical developments. A district may also be composed of individual elements separated geographically but linked by association or history.

"District Contributor": A building, structure, site, feature, or object within a *District* that embodies the significant physical characteristics and features thereof, or adds to the historical associations, historic architectural qualities, or archaeological values identified for the *District*, and was present during the *period of significance*, relates to the documented significance of the property, and possesses historic *integrity* or is capable of yielding important information about the period.

"District Non-Contributor": A building, structure, site, feature, or object within a defined *District* that is not associated with the significance of the *District* or was not present during the *period of significance*, or has been altered to the extent that it no longer retains *integrity*. A *District Non-Contributor* shall not be precluded from being individually eligible as a *Site of Merit* or *Landmark* under different significance criteria.

"Downgrade": A reduction in the status of a designated *Cultural Heritage Site*, such as a re-designation of a *Landmark* to a *Site of Merit* or *Point of Interest*.

"Historic Context": A broad pattern of historical development in a community or its region, which may be represented by historic or prehistoric resources.

"Integrity": Ability of a property to convey its historical significance, or the authenticity of a property's historic identity, evidenced by the survival of physical

characteristics and materials that existed during the property's historic or pre-historic *period of significance*. A property would typically possess several (although not necessarily all) of the following seven aspects of *integrity*, as defined in National Register Bulletin 15, to convey its significance: Location, Design, Setting, Materials, Workmanship, Feeling, and Association.

"Landmark": An improvement, natural feature, or site of historical, prehistorical, architectural, community, or aesthetic merit which meets the criteria specified in this Article and has been so designated by the *Cultural Heritage Board* or the *Board of Supervisors* according to the provisions of this Article.

"Owner": Those individuals, partnerships, corporations, or public agencies holding fee simple title to a resource. The term does not include individuals, partnerships, corporations, or public agencies holding easements or less than fee simple interests, including leaseholds, in a resource property.

"Period of Significance": The span of time in which a property attained the significance for which it meets the designation criteria.

"Point of Interest": The location of, or site of, a former improvement or natural feature, or event possessing historical or cultural characteristics which satisfy the provisions of this Article.

"Potential Cultural Heritage Site": An improvement, natural feature, or site of historical, architectural, community, or aesthetic merit which may meet the criteria specified in this Article and has not yet been officially designated by the *Cultural Heritage Board* or the *Board of Supervisors* as a *District*, *Landmark*, *Site of Merit*, or *Point of Interest*. A *Potential Cultural Heritage Site* may consist of a property listed in the National Register of Historic Places or California Register of Historical Resources that has not completed the legally required procedures for designation as a *Cultural Heritage Site* stipulated in this Article.

"Preservation" (treatment): The act or process of applying measures necessary to sustain the existing form, *integrity*, and materials of a historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a *preservation* project.

"Protection" (treatment): The act or process of applying measures to affect the physical condition of a historical resource by guarding it from deterioration, loss, or attack by natural causes, or to cover or shield it from threat of danger or harm. In the case of buildings or structures, these measures are usually temporary; however, with regard to archaeological resources, protective measures may be temporary or permanent.

"Reconstruction" (treatment): The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

"Rehabilitation" (treatment): The act or process of making possible a compatible use for a property through repair, *alterations*, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

"Relocation": The removal of a potential or designated *Cultural Heritage Site* from its original location and placement at a new location.

"Restoration" (treatment): The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and *reconstruction* of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a *restoration* project.

"Secretary of the Interior's Professional Qualification Standards": The minimum education and experience required to perform identification, evaluation, registration, and treatment activities (36 Code of Federal Regulations Part 61, as may be amended).

"Secretary of the Interior's Standards": The United States *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (U.S. Dept. of Interior, National Park Service Technical Preservation Series, 2017 ed., as may be amended).

"Site of Merit": A site of historical, cultural, architectural, or aesthetic merit which has not been officially otherwise designated and has been surveyed according to Federal standards as required by the County of Ventura's *Certified Local Government* agreement. Said sites are listed in a *Board of Supervisors* approved survey with a National Register status code of 1 through 5 and have been designated by the *Cultural Heritage Board* or the *Board of Supervisors* according to the provisions of this Article.

"Stabilization" (treatment): The act or process of applying measures designed to establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated property, or one which has the potential to deteriorate or to become unsafe, while maintaining the essential form as it exists at present.

Sec. 1364. CULTURAL HERITAGE BOARD. The *Cultural Heritage Board* is hereby established, the membership and term of appointment of which shall be as follows:

Sec. 1364-1. Supervisory Appointees. One person who has demonstrated interest in and knowledge of historic preservation and the cultural resources of the County shall be selected by each of the five members of the *Board of*

Supervisors, and confirmed by a majority of the *Board of Supervisors* thus providing representation from each Supervisorial District.

Where feasible, Board members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology, or other historic preservation-related disciplines, such as urban planning, American studies, American civilization, cultural geography, or cultural anthropology, to the extent that such professionals are available in the community; or persons who have demonstrated special interest, competence, experience, or knowledge in historic preservation, American studies, cultural anthropology, cultural geography, or other historic preservation-related disciplines.

Sec. 1364-2. Cultural Heritage Board Appointment of Members At Large. Two additional Ventura County residents who have demonstrated special interest, competence, experience, or knowledge in historic preservation, American studies, cultural anthropology, cultural geography, or other historic preservation-related disciplines shall be selected and confirmed by a majority of the *Board of Supervisors*.

Sec. 1364-3. Term of Appointment. The term of appointment of the Supervisorial appointees shall be for four years corresponding to the established dates of regular Supervisorial terms of office.

If for any reason an incumbent Supervisor's term of office ends prematurely, the appointed *Cultural Heritage Board* member from that District shall remain in service on the *Cultural Heritage Board* until the new Supervisor from that Supervisorial District appoints a replacement member.

The term of appointment of *Cultural Heritage Board* at-large appointees shall be four years, commencing from the date of appointment.

Sec. 1365. FUNCTIONS AND POWERS. The functions and powers of the *Cultural Heritage Board* shall be:

Sec. 1365-1. Designation and Removal of Designation of Cultural Heritage Sites. Upon providing notice to the property *owner* and conducting a public hearing, the *Cultural Heritage Board* shall: (a) identify and designate *Cultural Heritage Sites*, and (b) when justified, remove such designations.

Sec. 1365-2. Forward Recommendations. The *Cultural Heritage Board* shall make recommendations to policy makers and related staff members on issues related to the preservation and enhancement of cultural, historic, and natural features in unincorporated Ventura County as well as its cities, pursuant to any adopted contract for cultural heritage services with the County.

Sec. 1365-3. Recommend Placement in the National Register of Historic Places or California Register of Historical Resources. The *Cultural Heritage Board* shall recommend to the *Board of Supervisors* that the County nominate to the

appropriate agency County designated *Cultural Heritage Sites* to be listed in the National Register of Historic Places or California Register of Historical Resources which have historical significance, which meet National or State Register criteria, and where the registration would assist in preservation.

Sec. 1365-4. Establish Markers. The *Cultural Heritage Board* shall determine which designated *Cultural Heritage Sites* shall be marked with uniform and distinctive markers, the text and design of which shall be approved by the *Cultural Heritage Board*.

Sec. 1365-5. Recommend Zoning. The *Cultural Heritage Board* shall recommend to the *Board of Supervisors* that a specific property or area be designated a historic or scenic zone, as set forth in the County's zoning ordinances.

Sec. 1365-6. Establish Bylaws. The *Cultural Heritage Board* shall adopt such Bylaws as are necessary to carry out the purpose and intent of this Article.

Sec. 1365-7. Recommend Amendments. The *Cultural Heritage Board* may recommend to the *Board of Supervisors* amendments to this Article as needed.

Sec. 1365-8. Preservation of Cultural Heritage Sites. The *Cultural Heritage Board* may take steps necessary to preserve *Cultural Heritage Sites* when not in conflict with the public health, safety, and general welfare. Such steps may include the designation of *Cultural Heritage Sites*; the creation of civic and citizens' committees; the establishment of a private fund for the acquisition or *restoration* of such sites; recommendations that such sites be acquired by a governmental agency where private acquisition is not feasible; and recommendations regarding applications for, and administration of, historical property contracts (Mills Act contracts) pursuant to Government Code section 50280 et seq.

Sec. 1365-9. Conduct Surveys. The *Cultural Heritage Board* or its designee may establish criteria for and conduct or cause to be conducted comprehensive surveys in conformance with Federal and State survey standards and guidelines for cultural heritage resources within the boundaries of the County which the *Cultural Heritage Board*, on the basis of information available or presented to it, has reason to believe may be eligible for designation. Said surveys shall include notification to all affected property owners prior to acceptance of the surveys by the *Cultural Heritage Board*. The *Cultural Heritage Board* may publicize and periodically update the surveys' results. Said surveys will include all Federal and State designated cultural heritage sites.

Sec. 1365-10. Issue Certificates of Appropriateness. The *Cultural Heritage Board* or its designee shall issue *Certificates of Appropriateness* for proposals to construct, change, alter, modify, remodel, remove, or significantly affect any potential or designated *Cultural Heritage Site* which require a *Certificate of Appropriateness* as provided in this Article.

Sec. 1365-11. Conduct Reviews. The *Cultural Heritage Board* or its designee shall, by *Certificate of Review*, review applications for permits to construct, change, alter, modify, remodel, remove, or significantly affect any potential or designated *Cultural Heritage Site*. This section applies only to sites not requiring a *Certificate of Appropriateness* and shall not apply in the case of *demolition*.

Sec. 1365-12. Conduct Environmental Reviews. The *Cultural Heritage Board* or its designee shall review all applications for discretionary permits pursuant to the County's adopted Initial Study Assessment Guidelines.

Sec. 1366. DESIGNATION OF CULTURAL HERITAGE SITES.

Sec. 1366-1. The *Cultural Heritage Board* shall have the authority to designate *Cultural Heritage Sites* where the property owner has no objection to a site's designation.

Where the property owner objects to said designation prior to final action by the *Cultural Heritage Board*, the action of the *Cultural Heritage Board* shall become a recommendation to the *Board of Supervisors* which has the final authority for the designation.

A nomination for the designation of a *Cultural Heritage Site* may be filed by the property owner of the site or the County Resource Management Agency. A nomination for consideration of the designation of a *Cultural Heritage Site*, upon a presentation by staff at a future hearing, may also be initiated directly by a member of the *Cultural Heritage Board* if approved by a properly carried motion.

Sec. 1366-2. After a public hearing, preceded by a 15 day notice to the property owner(s), the *Cultural Heritage Board* may designate a site as the following: *District*, *Landmark*, *Site of Merit*, or *Point of Interest*, if the applicable criteria of Sections 1367 and 1367-1 are met.

Sec. 1366-3. The *Cultural Heritage Board* may designate a site on an interim basis for no more than 60 days after said decision while it conducts and assesses evaluations/surveys of the site to determine if it should receive a formal designation as a *Cultural Heritage Site*. Such designation shall be preceded by a 15 day notice to property owner(s).

Sec. 1367. CRITERIA FOR DESIGNATION OF CULTURAL HERITAGE SITES.

For purposes of this Article, a site may be designated a *Cultural Heritage Site* by the *Cultural Heritage Board* or *Board of Supervisors*, as provided in this Article, if it meets the applicable criteria below.

- a. Landmarks - Satisfy one or more of the below criteria of significance, in addition to retaining sufficient *integrity*. In evaluating *integrity*, the authenticity of the resource's physical identity shall be established by evidence of lack of deterioration and significant survival of the

characteristics that existed during its *period of significance*. This shall be evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association, consistent with applicable National Register of Historic Places Bulletins for evaluating historic properties.

- (1) It is associated with events that have made a significant contribution to the broad patterns of Ventura County history;
- (2) It is associated with the lives of significant persons in Ventura County's past;
- (3) It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction;
- (4) It has yielded, or may be likely to yield, information important in history or prehistory.

b. Sites of Merit - Satisfy all of the following criteria:

- (1) Sites of historical, architectural, community, or aesthetic merit which have not been designated as *Landmarks* or *Points of Interest*, but which are deserving of special recognition;
- (2) *Board of Supervisors* approved surveyed sites with a National Register status code of 1 through 5; and
- (3) Retain sufficient *integrity* as described in Sec. 1367(a).

c. Points of Interest - Satisfy one of the following criteria:

- (1) The site of a building, structure or object that no longer exists, but was associated with historic events, important persons, or embodied a distinctive character or architectural style; or
- (2) A site that has historical significance, but has been altered to the extent that the *integrity* of the original workmanship, materials, or style has been substantially compromised; or
- (3) The site of a historic event which has no distinguishable characteristics other than that a historic event occurred at that site, and the site is not of sufficient historical significance to justify the establishment of a *Landmark*.

d. Districts - Satisfy all of the following criteria:

- (1) Possesses a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically

by plan or physical development;

- (2) Has precisely mapped and defined boundaries based upon a shared relationship among the properties constituting the *District*;
- (3) Has at least one of the criteria for significance of Sec. 1367(a); and
- (4) Retains sufficient *integrity* as described in Sec. 1367(a).

Sec. 1367-1. Additional Designation Standards. In addition to meeting the criteria in Sec. 1367, all the standards below must be met before a site becomes a designated *Cultural Heritage Site*. This section shall not apply in the determination of whether a site is eligible for *Cultural Heritage Site* designation.

- a. It shall have historic, aesthetic or special character or interest for the general public, and not be limited in interest to a special group of persons;
- b. Its designation shall not require the expenditure by the County of Ventura of any amount of money not commensurate with the value of the object to be preserved; and
- c. Its designation shall not infringe upon the rights of a private *owner* thereof to make reasonable uses thereof which are not in conflict with the purposes of this Article.

Sec. 1368. REMOVAL OR DOWNGRADE OF DESIGNATIONS. An application for the removal or downgrade of the designation of a *Cultural Heritage Site* may be filed by its property *owner*, by the County Resource Management Agency, or directly by the *Cultural Heritage Board* or a member of the *Cultural Heritage Board* if approved by a properly carried motion. If a designated *Cultural Heritage Site* is defaced, demolished, added to, altered, or moved, or damaged by natural disaster, including but not limited to, earthquake, fire, or flood, and the *Cultural Heritage Board* determines that the site's *integrity* has been impacted, through no fault or neglect of the property *owner*, to the extent that it no longer meets the criteria for a *Cultural Heritage Site*, the *Cultural Heritage Board* shall remove or downgrade its designation. Removal or downgrade actions shall take place following a public hearing preceded by a 15-day notice to the property *owner*. Private property applicant requests for removal or downgrade of designations shall, as determined necessary by the Planning Director, provide a historic resource report prepared by a professional architectural historian meeting the *Secretary of the Interior's Professional Qualification Standards* demonstrating the loss of *integrity* to the *Cultural Heritage Site*, or, in the instance of a natural disaster, a report demonstrating the loss of *integrity* due to natural disaster.

Sec. 1369. CULTURAL HERITAGE PROGRAM REQUIREMENTS AND PROHIBITIONS.

Sec. 1369-1. List of Properties Potentially Eligible for Cultural Heritage Site Designation. The County Resource Management Agency shall maintain record of known *Potential Cultural Heritage Sites* within its applicable land use permitting system. Said list shall also include Ventura County sites listed in the National Register of Historic Places and California Register of Historical Resources.

Sec. 1369-2. Survey Results. Any list of *Cultural Heritage* resources which may be eligible for designation as *Cultural Heritage Sites* resulting from a historic survey shall contain a statement indicating, where appropriate, that sites are private and not open to the public.

Sec. 1369-3. Local Register of Historic Places. The County Resource Management Agency shall maintain a register of designated *Cultural Heritage Sites*.

Sec. 1369-4. Pending Designations. For *Cultural Heritage Sites* pending designation by the *Board of Supervisors*, from the time the *Cultural Heritage Board* adopts its recommendation until the time the *Board of Supervisors* either declares or determines not to declare the *Cultural Heritage Site*, the property *owner* is prohibited from defacing, demolishing, adding to, altering, or removing any feature of the *Cultural Heritage Site*. This time period is not to exceed 90 days. This section shall not apply to designation of *Points of Interest*.

Sec. 1369-5. Potential and Designated Cultural Heritage Sites. For those properties that are potentially eligible for *Cultural Heritage Site* designation and for those properties that have previously been designated *Cultural Heritage Sites*, the property *owner* is prohibited from defacing, demolishing, adding to, altering, or removing the potential or designated *Cultural Heritage Site* until a *Certificate of Review* or *Certificate of Appropriateness*, as required, has been processed pursuant to Sections 1371 or 1372, respectively.

Sec. 1369-6. Recordation of Cultural Heritage Site Designation. All designations of *Cultural Heritage Sites* by the *Cultural Heritage Board* or *Board of Supervisors* shall be submitted to the County Clerk and Recorder by means of a certified resolution establishing the designation, which shall be recorded by the County Clerk and Recorder. When the designation of a *Cultural Heritage Site* is modified, downgraded, or removed, a certified resolution establishing the modification, downgrade, or removal of the designation, shall be submitted to the County Clerk and Recorder, which shall be recorded by the County Clerk and Recorder.

Sec. 1369-7. Maintenance. The *owner*, lessee, or other person with actual possession, care, or control of a designated *Landmark* or *District Contributor* shall perform maintenance and repairs as needed to prevent the deterioration, decay, or degradation of the property in accordance with the International Property Maintenance Code, as adopted by the *Board of Supervisors* on November 5, 2019 and as may be amended. Additionally, it is the intent of this section to preserve from deliberate or inadvertent neglect the exterior features of a designated

Landmark or District Contributor and the interior portions thereof when such maintenance is necessary to prevent deterioration, decay, or degradation of the exterior.

Sec. 1370. INCENTIVES FOR PRESERVING HISTORIC RESOURCES. The following incentives are available where specified to encourage the *preservation*, maintenance, and appropriate *rehabilitation* of historic resources, to encourage investment in historic properties, and to aid property *owners* with potential financial burdens.

Sec. 1370-1. Historical Property Contracts (Mills Act Contracts). The purpose of this section is to implement State of California law (Government Code sections 50280 et seq., or any successor statutes), allowing the approval of Historical Property Contracts by establishing a uniform procedure for the *owners* of qualified historic properties within unincorporated Ventura County to enter into contracts with the County for purposes of reducing property taxes. For the purposes of Sec. 1370-1, a qualified property shall be a *Landmark or District Contributor* designated pursuant to the legally required procedures stipulated in this Article. The required provisions of a Historical Property Contract shall be those required by State of California law, including the following specifications:

- a. The contract term shall be 10 years minimum, with automatic renewal yearly on the anniversary of the contract date;
- b. The contract agreement is to assist the *preservation* of the historic resource; therefore, *restoration*, and *rehabilitation* of the property shall conform to the rules and regulations of the State of California Office of Historic Preservation, the *Secretary of the Interior's Standards*, and the *California Historical Building Code*;
- c. The *owner* agrees to permit periodic examination of the interior and exterior of the premises by the County Assessor, the Department of Parks and Recreation, the State Board of Equalization, and the County, as may be necessary to verify the *owner's* compliance with the contract agreement, and to provide any information requested to ensure compliance with the contract agreement;
- d. The contract shall be binding on all successors-in-interest of the *owner* to the benefits and burdens of the contract; and
- e. The procedure for notice of non-renewal by the *owner* or the County, shall be as identified in State law (Government Code sections 50280 et seq., or any successor statutes).

In addition, the contract shall state that the County may cancel the contract if it determines that the *owner* has breached any of the conditions of the contract or has allowed the property to deteriorate to the point that it no longer meets the significance criteria under which it was designated. In addition, the contract shall

state that if the County cancels the contract for any of these reasons the *owner* shall pay a cancellation fee of twelve and one-half percent of the full value of the property at the time of cancellation, as determined by the County Assessor without regard to any restriction on the property imposed by the Historical Property Contract. The Planning Director, or designee, shall issue administrative guidelines for implementation of the Historical Property Contract process.

Sec. 1370-2. California Historical Building Code. The *California Historical Building Code* provides alternative building regulations for permitting repairs, *alterations*, and additions necessary for the *preservation, rehabilitation, relocation*, related construction, change of use, or continued use of a qualified historical building or structure, as defined by the Ventura County Building Code. Any qualified historical building or structure may, upon request of the applicant for a permit, be subject to the provisions of the *California Historical Building Code* if the work is required to comply with the *Secretary of the Interior's Standards*.

Sec. 1370-3. Cultural Heritage Sites Deviations. Section 8107-37 of the Ventura County Non-Coastal Zoning Ordinance establishes a mechanism whereby appropriate deviations from the regulations of that Chapter can be granted to promote the enhancement, *preservation, rehabilitation, restoration, reconstruction*, and maintenance of sites and structures of historical or *cultural heritage* value through the imposition of design and development standards specific to the site.

Sec. 1370-4. Boarding Houses and Bed-And-Breakfast Inns. A Boarding House and Bed-And-Breakfast Inn land use may be allowed in the Open Space and Agricultural Exclusive zoning districts if the proposed use will occur in an existing structure designated a *Cultural Heritage Site* and all other required findings can be met, as provided in Section 8107-40 of the Ventura County Non-Coastal Zoning Ordinance.

Sec. 1370-5. Interpretive Centers. An Interpretive Center land use may be allowed at designated *Cultural Heritage Sites* in certain zoning districts in compliance with Section 8107-38 of the Ventura County Non-Coastal Zoning Ordinance. The Interpretive Center land use allows for the display of materials with a direct connection to the site and is intended to give the public an opportunity to experience and understand Ventura County's past by exploring sites, structures, and improvements that have played an important role in the cultural and social history and prehistory of Ventura County.

Sec. 1370-6. Historic Repositories. A Historic Repository land use may be allowed at designated *Cultural Heritage Sites* in certain zoning districts in compliance with Section 8107-39 of the Ventura County Non-Coastal Zoning Ordinance. The Historic Repositories land use allows for the collection and display of structures, facilities, equipment, and the like which are associated with the historic or cultural development of Ventura County.

Sec. 1370-7. Conservation Subdivisions. Section 8211-0 of the Ventura County Subdivision Ordinance authorizes the creation of parcels for conservation purposes, including for the preservation of a historically important land area or a certified historic structure, as defined in Section 8202-0 of the Ventura County Subdivision Ordinance.

Sec. 1370-8. Federal Historic Preservation Tax Certification. The National Park Service (NPS) administers the Federal Historic Preservation Tax Incentives program with the Internal Revenue Service (IRS) and in partnership with State Historic Preservation Offices. The tax incentives promote the *rehabilitation* of income-producing historic structures of every period, size, style, and type.

Sec. 1370-9. State Historic Rehabilitation Tax Credit. The State of California Office of Historic Preservation and the California Tax Credit Allocation Committee administer the State Historic Rehabilitation Tax Credit. The tax credit provides an incentive for investment in local economies and the *rehabilitation* of historic buildings that reflect the character of communities.

Sec. 1371. PROCESS FOR CERTIFICATE OF APPROPRIATENESS.

Sec. 1371-1. *Certificates of Appropriateness* shall be required for the following categories of sites only: 1. *Landmarks*; 2. *Districts*; 3. *Demolition of Sites of Merit*; 4. *Demolition of Potential Cultural Heritage Sites*; and 5. *Designated Cultural Heritage Sites* where a Planned Development Permit is being sought for the property pursuant to Section 8107-37 (Cultural Heritage Sites Deviations) of the Ventura County Zoning Ordinance. A *Certificate of Appropriateness* is an authorization issued by the *Cultural Heritage Board* or its designee in accordance with criteria in Sec. 1371-4. A *Certificate of Appropriateness* may be approved for a project as proposed, or approved with applicant modifications, or denied by the *Cultural Heritage Board*. A *Certificate of Appropriateness* shall only be required for projects affecting the exterior of a structure, site, or object, except in the case of a *Cultural Heritage Site* subject to a Mills Act contract, in which case it shall be required for any change affecting the interior *character-defining features* thereof.

Sec. 1371-2. Prior to commencement or receipt of necessary permits for maintenance, *alteration*, *restoration*, *rehabilitation*, remodeling, addition, change of use, *demolition*, subdivision, or *relocation* of potential or designated *Cultural Heritage Sites*, as set forth in Sec. 1371-1, the property owner shall have:

- a. obtained a *Certificate of Appropriateness* from the *Cultural Heritage Board* or its designee, as the *Cultural Heritage Board* may delegate such authority, or
- b. filed for a *Certificate of Appropriateness* and waited the time specified in Sec. 1371-6 without any action being taken on the request for a *Certificate*

of Appropriateness; or

- c. filed for a *Certificate of Appropriateness* and the relevant time specified in Sec. 1371-8 has expired.

Sec. 1371-3. The County Resource Management Agency and other applicable County agencies shall report any application for a permit to work on a potential or designated *Cultural Heritage Site* to the *Cultural Heritage Board* and its staff as soon as the application has been received.

Sec. 1371-4. In evaluating a request for a *Certificate of Appropriateness*, the *Cultural Heritage Board* or its designee shall consider the existing architectural style, design, arrangement, texture, materials, and any other factors with regard to the site's *character-defining features*. The *Cultural Heritage Board* or its designee may consider modifications to the proposed scope of work as may be offered by the applicant during the evaluation. Using the *Secretary of the Interior's Standards* as a guide, the *Cultural Heritage Board* or its designee shall approve a *Certificate of Appropriateness* for any proposed work on the site if one of the following standards can be met:

- a. The proposed work will neither reduce the significant architectural features nor reduce the character of historical, architectural, or aesthetic interest or value of the site.
- b. In the case of construction of a new improvement, addition, building, or structure, or object upon the site, the use and exterior of such construction will not reduce the *integrity* of the site.
- c. If the request for a *Certificate of Appropriateness* involves a non-designated site and the proposed work would not prevent the potential future designation of the site.
- d. If the applicant presents facts and clear evidence, as described below, demonstrating that failure to approve the request for a *Certificate of Appropriateness* will cause a hardship because of conditions peculiar to the structure or other feature involved, or damage to the property *owner* is unreasonable in comparison to the benefit conferred to the community, the *Cultural Heritage Board* may approve the *Certificate of Appropriateness*. The *Cultural Heritage Board* is authorized to request that the applicant furnish additional information, documentation, and expert testimony, the cost of which shall be paid by the applicant, to be considered by the *Cultural Heritage Board* as it may require for its related findings. In determining whether a hardship exists, the *Cultural Heritage Board* shall consider evidence that demonstrates any of the following:
 - 1. Denial of the application will deprive the *owner* of the property of all reasonable use of or economic return on the property;
 - 2. Denial of the application will diminish the value of the subject

- property so as to leave substantially no value;
 3. Sale or rental of the property is impractical, when compared to the cost of holding such property for uses permitted in this zone;
 4. An adaptive reuse study has been conducted and found that utilization of the property for lawful purposes is prohibited or impractical;
 5. Denial of the application would damage the *owner* of the property unreasonably in comparison to the benefit conferred on the community; or
 6. All means involving County-sponsored incentives have been explored to relieve possible economic disincentives.
- e. In the event that issuance of a *Certificate of Appropriateness* is required by State or federal law.

Sec. 1371-5. A request for a *Certificate of Appropriateness* shall be signed by the property *owner* or their designated agent and filed with the County's Resource Management Agency for processing. The request shall include plans and specifications, and the relationship of the proposed work to the surrounding environment. The request shall be accompanied by all necessary information the *Cultural Heritage Board* needs to make an informed judgment of the proposed work according to the standards set forth in Sec. 1371-4.

Sec. 1371-6. If the *Cultural Heritage Board* or its designee, as applicable, fails to act on a request for a *Certificate of Appropriateness* within 90 days of submission of a complete *Certificate of Appropriateness* application, a *Certificate of Appropriateness* shall not be required. Upon such a failure to act, a proposed project on a potential or designated *Cultural Heritage Site* may proceed without an approved *Certificate of Appropriateness*, provided an action is not pending on the designation of the site, and all other necessary County permits have been obtained.

Sec. 1371-7. If no building, zoning, land use, or other permit is required to pursue work on a designated Ventura County *Landmark*, then whoever is responsible for the work, whether it is the tenant, resident, or property *owner*, shall apply to the *Cultural Heritage Board* staff directly for the appropriate authorization pursuant to Sec. 1371.

Sec. 1371-8. If the request for a *Certificate of Appropriateness* for a specific project proposal is denied by the *Cultural Heritage Board* or its designee, the property *owner* of a designated *Cultural Heritage Site* shall be prohibited from taking action for 180 days from the date of the disapproval. Notwithstanding the provisions of Sec. 1371-4 or any other provision of this Article, following the denial of a complete *Certificate of Appropriateness* application by the *Cultural Heritage Board* or its designee, or the *Board of Supervisors* on appeal, a *Certificate of Appropriateness* shall no longer be necessary for a permit application to proceed according to the following: (a) in the case of a designated *Cultural Heritage Site* or designated interim basis

Cultural Heritage Site, one hundred eighty (180) days beyond; and (b) in the case of an undesignated site, immediately following such denial.

Sec. 1371-9. Non-Action After Certificate of Appropriateness. If the property owner has not acted on the *Certificate of Appropriateness* within one year and 180 days from the date the *Cultural Heritage Board* or its designee approved such action, the *Certificate of Appropriateness* shall be void.

Sec. 1372. PROCESS FOR CERTIFICATE OF REVIEW. This section applies only to *Sites of Merit* or *Potential Cultural Heritage Sites* for which a permit application is received to construct, change, alter, modify, or remodel in a manner that affects the exterior *character-defining features* or *integrity* of the site. This section applies only to sites not requiring a *Certificate of Appropriateness* and shall not apply to permit applications for *demolition*.

Sec. 1372-1. A request for a *Certificate of Review* shall be signed by the property owner or their designated agent and filed with the County's Resource Management Agency for processing. The request shall include plans and specifications and shall be accompanied by all necessary information the *Cultural Heritage Board* needs to provide an evaluation of the proposed work according to Sec. 1372-2.

Sec. 1372-2. Prior to issuance of a permit, the County Resource Management Agency shall forward the application materials described in Sec. 1372-1 to the *Cultural Heritage Board* for action at its next scheduled meeting, or its designee for such minor proposals as designated by resolution of the *Cultural Heritage Board* for review and comment. For such sites and applications, the *Cultural Heritage Board*, or its designee, shall:

- a. Using the *Secretary of the Interior's Standards* as a guide, review and comment upon the permit application as it relates to potential or designated *Cultural Heritage Sites*; and
- b. Review the permit application, and advise the applicant and/or all public agencies concerning the effects of the proposed action(s) on potential and/or designated *Cultural Heritage Sites*.

Sec. 1373. APPEALS. An aggrieved party may appeal to the *Board of Supervisors* any of the following decisions of the *Cultural Heritage Board* (or in the case of a decision of a designee of the *Cultural Heritage Board*, such appeal shall first be heard by the *Cultural Heritage Board*) by filing an appeal application with the Planning Director within ten calendar days (or the following work day if the tenth day falls on a weekend or holiday) of such decision:

- a. Designations of *Cultural Heritage Sites*;
- b. Removals, modifications, or downgrades of designation of *Cultural Heritage Sites*; and
- c. *Certificates of Appropriateness*.

Sec. 1373-1. The application for the appeal shall state the grounds for the appeal and any alleged decision-making error by the *Cultural Heritage Board*, or its designee. Appeals constitute a de novo hearing of the decision appealed and the *Board of Supervisors* may, following notice to the property owner and a public hearing, make its own determination on the matter.

Sec. 1374. ACQUISITION OF DESIGNATED CULTURAL HERITAGE SITES. If the decision is made that the historical significance of any designated *Cultural Heritage Site* justifies the expenditure of public funds, acquisition proceedings may be initiated. If the *Board of Supervisors* finds a site to be of historical significance and public funds are not available, private funds may be used for acquisition or other arrangements may be made that are satisfactory to the property owner.

Sec. 1375. MUNICIPAL CULTURAL HERITAGE. The *Cultural Heritage Board*, at the request of a city, may serve as the city's Cultural Heritage Board. However, the provisions of this Article, unless adopted by the City Council, shall have force and effect only in the unincorporated area of the County.

Sec. 1376. FUNDS. The *Cultural Heritage Board*, or other interested persons, may petition the *Board of Supervisors* for funds necessary to carry out the purposes of this Article. The *Board of Supervisors* may expend all reasonable amounts of money needed to carry out the purposes of this Article or to acquire fee title or such lesser ownership rights or rights of possession or negative easements as it deems necessary or expedient to carry out the purposes of this Article.

Sec. 1377. COOPERATION. The *Cultural Heritage Board* shall cooperate with all County departments and officers when requested, and shall recommend for their consideration matters covered by this Article. All Boards, Commissions, Departments, and Officers of the County shall cooperate with the *Cultural Heritage Board* in carrying out the spirit and intent of this Article and shall:

Sec. 1377-1. Notify the *Cultural Heritage Board* of the discovery of items of historical significance, such as burial grounds, prehistoric artifacts, or historical foundations;

Sec. 1377-2. Inform the *Cultural Heritage Board* of the proposed alteration, demolition, or relocation of potential or designated *Cultural Heritage Sites*;

Sec. 1377-3. Inform the *Cultural Heritage Board* of proposed changes of all road and geographical names; and

Sec. 1377-4. Inform the *Cultural Heritage Board* of all County records of historical significance which are to be disposed of or destroyed.

Sec. 1378. EXPENSES. The necessary and reasonable expenses to the operation of the *Cultural Heritage Board*, as set forth in Sec. 1365, shall be the responsibility of the County.

Sec. 1379. VIOLATIONS AND ENFORCEMENT. Violations of the provisions of this Article 5 are misdemeanor/ infractions under Sections 13 and 13.1 of the Ventura County Ordinance Code. Violations of the provisions of this Article 5 are also hereby enforceable and subject to civil penalties under the procedures set forth in Article 14 of Chapter 1 of Division 8 of the Ventura County Ordinance Code commencing at Section 8114 et seq. Violations are enforceable by the Planning Director or Code Compliance Director of the Ventura County Resource Management Agency.

Section 2. Severability. This Article's provisions are severable. If any portion of this Article or its application to any person or circumstance is held invalid or unconstitutional, that decision does not affect the validity of the Article's remaining portions and the Article's application to other persons and circumstances. The Board of Supervisors declares that it would have passed the remainder of this Article without the invalid or unconstitutional provision.

Section 3. This Ordinance shall be effective and operative 30 days following its final passage.

Passed and adopted this 26 day of July 2022, by the following vote:

AYES: Supervisors Lavers, Parks, Long, Huber + Ramirez

NOES: none

ABSENT: none

ATTEST: Carmen Ramirez
CHAIR, BOARD OF SUPERVISORS

SEVET JOHNSON
Interim Clerk of the Board of Supervisors
County of Ventura, State of California

By: Sorel Key
Deputy Clerk of the Board

