



Planning Commission Staff Report Hearing of April 4, 2024

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • www.vcrma.org/divisions/planning

Subject: Public Hearing to Consider County-initiated Amendments to the Ventura County General Plan Economic Vitality Element and Articles 5 and 7 of the Ventura County Non-Coastal Zoning Ordinance to Allow and Establish Regulations for the Processing of Locally Grown Food in the Agricultural Exclusive, Open Space and Rural Agricultural Zones in Conformance with the County’s Save Open-Space and Agricultural Resources (SOAR) Ordinance (collectively, “Proposed Amendments”); and Consider a Finding that Adoption of the Proposed Amendments is Exempt from the California Environmental Quality Act (CEQA); All Supervisorial Districts (Case No. PL24-0027)

A. PROJECT INFORMATION

- 1. Applicant:** County of Ventura, Resource Management Agency (RMA), Planning Division, 800 S. Victoria Avenue, L#1740, Ventura, CA 93009
- 2. Location:** The proposed amendments to the Non-Coastal Zoning Ordinance (NCZO) would solely be applicable to non-coastal parcels zoned Open Space (OS), Agricultural Exclusive (AE) and Rural Agricultural (RA) in the unincorporated areas of the county (All Districts).
- 3. Request:** Planning staff requests that your Commission review this staff report and its attachments and adopt a resolution (Exhibit 2) recommending that the Board of Supervisors (Board) adopt the recommended actions stated in Section E of this staff report, including approval of a new General Plan Policy EV-2.3 that would be added to the Economic Vitality Element to allow processing of locally grown food on land that is subject to the SOAR Ordinance (SOAR, §2 (1)(l)(m)), specifically in the OS, AE and RA Zones, and the proposed amendments to the NCZO that would add a new use category, and establish regulations for, the processing of locally grown food to be consistent with the SOAR Ordinance. Planning staff also requests that your Commission consider a finding that adoption of the proposed amendments is exempt from CEQA pursuant to CEQA Guidelines sections 15301, 15303, and 15304 and that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions. The legislative version of the proposed amendments to the NCZO and the General Plan are included as Exhibits 3 and 4, respectively, and the clean versions are included as Exhibits 5 and 6, respectively, of this report.
- 4. Decision-Making Authority:** Pursuant to the NCZO section 8115-3.1 and Government Code section 65853, the Planning Commission is required to review, conduct a public hearing on, consider, and make recommendations to the Board regarding the proposed amendments. The Board, at a subsequent public hearing, will consider your Commission’s recommendations and decide whether to adopt, not adopt, or adopt the proposed amendments with modifications. The General Plan

Amendment (GPA) requires an affirmative vote of not less than a majority of the total membership of the Board to be adopted and the proposed NCZO amendments to implement the County's 2050 SOAR Ordinance (§ 2 (1)(l)(m)) requires a four-fifths vote of the Board to be adopted.

- 5. Background:** On November 3, 1998, the voters of Ventura County adopted the SOAR Ordinance to protect the County's agricultural, rural, and open space lands, to strengthen the local agricultural economy and to preserve the County's quality of life. The SOAR Ordinance requires countywide voter approval of any change to the County's General Plan involving the "agricultural," "open space," or "rural" land use designations, or any change to a General Plan goal or policy related to those land use designations. The SOAR Ordinance was set to expire in December 2020 but was extended until 2050 by voter initiative in 2016. In addition to extending the voter approval requirements of SOAR through 2050, a new provision was approved by voters to "eliminate voter approval requirements for redesignations of up to 12 acres of land countywide for processing of locally grown food." (SOAR, §2 (1)(l)(m)). SOAR section 2 (1)(l)(m) reads as follows:

"m) To preserve the maximum amount of land in agricultural production as possible, the processing of food beyond the limits currently allowed by Ventura County's general plan and policies should take place in existing urban areas that have appropriate supporting infrastructure.

Notwithstanding the foregoing limitations on the Board of Supervisors, in order to support the processing of locally grown food, before January 1, 2030 the Board of Supervisors may, without a vote of the people, re-designate up to a total of 12 acres of land, dispersed throughout the County, provided they comply with the following conditions:

i.) The Board has amended the appropriate provisions of the County's General Plan and other planning policies, and the amendment(s) conform with state laws governing such land use designations.

ii.) The Board finds the re-designation will allow for the processing of locally grown food that would otherwise likely be transported out of county for processing.

iii.) The re-designated land is no greater than 3 acres in size and does not require the expansion of new sewer lines to the facility.

iv.) The Board approved the action with at least four of the five Supervisors voting in the affirmative."

In response to stakeholders interest to allow food processing facilities on land zoned AE pursuant to the above referenced SOAR provision, the Planning Division

proceeded with County-initiated amendments to the General Plan and NCZO (today's topic before your Commission) instead of requiring individual property owners to file a separate, privately initiated GPA before the Board each time a request is submitted to allow the redesignation of land for food processing operations in the OS, AE and RA Zones. A privately initiated GPA involves the completion of a screening hearing before the Board prior to application submittal to the Planning Division. Since these amendments are County initiated, the screening hearing requirement is eliminated thereby reducing time and costs to individual applicants which would otherwise be required for privately initiated GPAs.

Processing that goes beyond washing, trimming, packing and storing of agricultural products is only allowed in the industrial zones of the unincorporated areas of Ventura County as "food processing," an industrial use. For this reason, to allow food processing in the OS, AE and RA Zones, amendments to the NCZO and the General Plan must be adopted by the Board to designate these zones to allow food processing. Food processing is the act of changing an agricultural product from its natural state to a different form such as milk to caramel and fruit to jam. Several stakeholders have shown interest in processing their agricultural commodities into a higher value, consumer product to increase their economic profitability and help maintain the economic viability of their agricultural operation on the land they current own in the OS, AE, and RA Zones.

The Background Report of the Agricultural Element of the County's 2040 General Plan¹ indicates that the current trend in food production and processing focuses on "locally" grown products. The concept of buying local agricultural commodities, rather than relying on imports is not new and has gained traction in recent years due to climate change concerns and its potential effects on crop production. This trend spurred an ongoing discussion with various stakeholders and the subsequent 2016 SOAR initiative that would allow a limited amount of "locally" grown food processing operations in land use designations subject to SOAR.

Existing General Plan Policies Pertaining to Agricultural, Open Space and Rural Land Uses

On September 15, 2020, the Board adopted the 2040 General Plan, including the Economic Vitality Element². The Economic Vitality Element includes goals, policies, and programs intended to help retain and expand existing economic sectors, to help diversify the economy by developing new kinds of businesses, and to help

¹ The Background Report of the 2040 County General Plan, Chapter 9 – Agriculture, can be viewed at: https://docs.vcrma.org/images/pdf/planning/plans/VCGPU_09_Adopted_Agriculture_September_2020.pdf.

² The Economic Vitality Element of the 2040 County General Plan can be viewed at: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/VCGPU_10_Economic_Vitality_Element_2020_09_15_web.pdf.

improve economic resiliency. The Economic Vitality Element is divided into four sections, including Section 10.1 Business and Employment. The existing policies (General Plan Policies EV-1 through EV-2) support retention and expansion of agriculture and manufacturing industries, tourism, and defense technologies. Specifically, the goal of the policies under General Plan Policy EV-2 is to improve the economic viability of agriculture through policies that support agriculture as an integral business to the County. Policy EV-2.1 encourages growth and expansion of new agricultural-related business opportunities and Policy EV-2.2 encourages the expansion of value-added agricultural products (e.g., processing, packaging, product development) within Existing Communities, where zoning allows, and on agricultural land consistent with SOAR policies.

The existing policies in the General Plan do not include provisions that allow food processing in the agricultural, open space and rural land use designations. This is addressed by adding new General Plan policy EV-2.3, as required by Section 2(1)(l)(m), subsection (i) of SOAR.

Existing NCZO Regulations Pertaining to Food Processing

Currently, all food processing falls under the category of “manufacturing industries,” under NCZO section 8105-5 (Permitted Uses in the Commercial and Industrial Zones). Food processing is not allowed in the OS, AE, or RA Zones and is only allowed in the industrial zones (M1, M2, and M3 Zones) within the unincorporated county. The type of permit required depends on the type of food or beverage that will be processed in accordance with NCZO section 8105-5. There are currently no specific use standards in the NCZO for food processing facilities. These types of facilities require an approved discretionary permit to operate that are reviewed and conditioned by various local, state, and federal regulatory agencies.

Consistent with the Guidelines for Orderly Development and the General Plan, food processing facilities are not allowed on land with a land use designation of “Agricultural,” “Open Space,” and “Rural” since food processing facilities are considered “urban development”. Urban development is defined in the General Plan as the establishment of new community sewer systems or the significant expansion of existing community sewer systems, the creation of residential lots less than two (2) acres in acres, or the establishment of commercial or industrial uses which are neither agriculturally related nor related to the production of mineral resources. These policies require that urban development be in existing urban areas that have the appropriate supporting infrastructure, as stated in the County’s 2050 SOAR Ordinance (§2(1)(l)(m)), so that agricultural and open space resources are preserved.

Pursuant to NCZO sections 8105-4 (Permitted Uses in the Open Space, Agricultural, Residential and Special Purpose Zones) and 8105-5 (Permitted Uses

in the Commercial and Industrial Zones) the only type of “processing” allowed in the OS, AE, and RA Zones is “preliminary processing,” which includes basic activities and operations instrumental to the preparation of agricultural goods for shipment to market. If structures are associated with the preliminary processing activities, the permit type is determined by the size of the principal structure in accordance with the use category “Principal Structures Related to Agriculture” under NCZO section 8105-4. Preliminary processing structures up to 20,000 square feet are permitted with a ministerial Zoning Clearance. Preliminary processing in structures exceeding 20,000 square feet requires a discretionary permit.

6. Summary of Proposed Amendments to the General Plan and the Non-Coastal Zoning Ordinance

Proposed General Plan Amendment

The SOAR Ordinance (§ 2(1)(l)(m), subsection (i)) states that the Board may amend the appropriate provisions of the General Plan and other Planning policies to allow up to a maximum cumulative total of 12 acres countywide of processing of locally grown food on land subject to SOAR, without voter approval and subject to certain findings. To be consistent and reflect the SOAR Ordinance provision Section 2(1)(l)(m), subsection (i), Planning staff proposes to add a new General Plan Policy EV-2.3 to the Economic Vitality Element that would allow the designation of a maximum of 12 acres countywide of land outside of an urban area (within the OS, AE, and RA Zones) to be used for processing of locally grown food and would assist in promoting and encouraging the economic viability of agriculture.

The new General Plan Policy EV-2.3 would include the same language of Section (2)(1)(l)(m), subsections (i), (iii), and (iv) of the SOAR Ordinance, and would include the prohibition of any direct or indirect loss of soils classified as “Prime,” “Statewide Importance,” and/or “Unique,” unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural crop production. With this prohibition the new General Plan policy EV-2.3 is consistent with other General Plan policies related to the preservation of agricultural resources, the County’s Guidelines for Orderly Development, and with the related proposed amendments to the NCZO, as discussed below. The legislative changes and staff explanations of the new General Plan Policy EV-2.3 are shown in Exhibit 4 and the clean version is shown in Exhibit 6.

Proposed NCZO Amendments

Articles 5 (Permitted Uses Matrix) and 7 (Standards for Specific Uses) of the NCZO must be amended to implement and be consistent with the proposed amendments to the General Plan and the County’s 2050 SOAR Ordinance concerning the processing of locally grown food in the AE, OS and RA Zones.

The proposed NCZO amendments to each Article are provided below:

Article 5, Section 8105-4 (Permitted Uses in the Open Space, Agricultural, Residential and Special Purpose Zones)

As mentioned previously, only “preliminary processing” (washing, rinsing, trimming, packing, and storing agricultural products) is currently allowed in the OS, AE and RA Zones under Section 8105-4 of the NCZO. A new use category called “Processing of Locally Grown Food” would be added to the use matrix of NCZO section 8105-4 under the existing use category of “Agriculture and Agricultural Operations.” The new use category of “Processing of Locally Grown Food” is separated into subcategories based on the size of the facility, the type of food processing, and whether a package sewage treatment system (i.e., advanced treatment) would be required. The allowed zones, the facility size ranges, and the type of permit required are shown in matrix format in the legislative version of the NCZO amendments in Exhibit 3, and further described here: (1) a facility up to 20,000 square feet in area in the OS and AE Zones is allowed with a Zoning Clearance provided the facilities meet specific use standards for ministerial approval under Article 7 of the NCZO; (2) any food processing in the RA Zones, regardless of size, requires a CUP; and, (3) all other facilities in the OS and AE Zones that do not fall under the ministerial Zoning Clearance permit type would require a CUP, either approved by the Planning Director or Planning Commission. These types of facilities would not be allowed in the OS-REC Zone since they do not meet the purpose and intent of the zone, which is primarily for the maintenance and enhancement of lands for parks and recreation-related uses.

As directed by the County’s 2050 SOAR Ordinance, locally grown food processing facilities are limited to a cumulative 12-acre countywide maximum and a 3-acre maximum per legal lot, notwithstanding the allowable building lot coverage for the specific property as determined by the General Plan, and the proposed use standards for these types of facilities under Article 7 of the NCZO. Additionally, regardless of the size of the proposed food processing facility, if it includes slaughterhouses and meat packing plants, and/or a new package treatment plant³, a Planning Commission-approved CUP is required. These uses are typically higher intensity uses that have a greater potential for impacts to surrounding land uses and are of greater public interest and are therefore recommended to be conditionally allowed and subject to discretionary approval.

Article 7 - Standards for Specific Uses

New specific use standards for “Locally Grown Food Processing Facilities” would be added to Article 7 (Standards for Specific Uses), under an entirely new Section 8107-XX, that includes four new parts: (1) exclusions; (2) general standards for all applicable food processing facilities; (3) specific use standards for food processing

³ The NCZO already requires a Planning Commission-approved CUP for proposed package treatment plants in the AE, OS and RA Zones.

facilities allowed by a Zoning Clearance; and, (4) specific standards for food processing facilities that are allowed with a discretionary permit.

Part 1 (Exclusions) includes a list of uses that would be excluded from (or do not apply to) the proposed ordinance because they are uses that are regulated elsewhere in the NCZO. Separate permits may be required for uses that are not regulated under the locally grown food processing standards. For example, if public tours are proposed as part of the food processing facility, a Planning Commission-approved CUP for “Agricultural Promotional Uses” (NCZO § 8105-4) would be the appropriate permit for this use. The locally grown food processing facility and the agricultural promotional use would be processed concurrently under one discretionary CUP in accordance with CEQA environmental review guidelines.

Part 2 (General Standards) includes standards that would apply to all locally grown food processing facilities. Part 2 includes, but is not limited to, standards limiting food processing facilities to a maximum of 12 acres countywide and a maximum of 3 acres per legal lot, limiting the size of the facility based on the permit type, prohibiting the expansion or extension of new sewer lines, prohibiting any direct or indirect loss of soils classified as “Prime,” “Statewide Importance,” and/or “Unique,” and requiring agricultural products to be locally grown. Standards are provided to calculate the net acreage of a proposed facility, which includes the buildings/structures and areas dedicated to food processing, including required parking areas, but does not include below ground improvements such as onsite wastewater treatment systems and leach lines. For the purposes of CEQA environmental review, if applicable, all above- and below-ground improvements will be analyzed as part of the project. Part 2 cross references other NCZO requirements, such as, but not limited to, lighting standards, tree protection measures, and sign standards that must be met, if applicable. Additionally, Part 2 provides that the Planning Division will track the total net acreage of all food processing facilities subject to this proposed ordinance so that the 12-acre countywide limitation is not exceeded.

Part 3 (Facilities Allowed by Zoning Clearance) includes standards for food processing facilities allowed by a ministerial Zoning Clearance in the OS and AE Zones. In addition to the standards of Part 3, the food processing facility shall also be operated in compliance with the standards of Part 2. A summary of these standards includes a maximum size of the facility of no more than 20,000 square feet in area and, if native vegetation⁴ is present on the property in the vicinity of a proposed facility, there shall be no indirect or direct impacts on such native vegetation as a result of the siting of a new food process facility, which is consistent

⁴ Native vegetation is defined in the NCZO as naturally occurring vegetation in Ventura County, which includes but is not limited to, oak woodland, coastal sage scrub, chaparral, perennial grassland, California annual grassland, riparian woodland and riparian scrub.

with the policies of the General Plan and NCZO concerning the continued preservation of native vegetation in the unincorporated county.

Part 4 (Conditionally Permitted Facilities) includes standards for those facilities that do not fall under ministerial approval and require a discretionary permit. In addition to the standards of Part 4, food processing facilities approved under a discretionary permit shall be operated in compliance with the standards of Part 2. Part 4 clarifies that the General Permit Approval Standards of NCZO section 8111-1.2.1(a) and section 8111-1.2.1.2 (Additional Standards for AE Zone), if applicable, apply to these types of projects, including that any proposed project is consistent with the CEQA.

Unless otherwise specified in the proposed ordinance, any structures, buildings, parking lot areas, restrooms, and other related improvements associated with a proposed food processing facility are required to meet the development standards of Section 8106-1.1 and any other applicable standards of the NCZO, including, but not limited to, the parking and loading requirements of Article 8. Facilities subject to this proposed ordinance are required to meet the same parking requirements as “Buildings for the Packing or Processing of Agricultural Products” listed in the table under Agricultural Land Uses of NCZO section 8108-4.7.

Ventura County Agricultural Commissioner’s Office and the Ventura County Agricultural Policy Advisory Committee

Agricultural Commissioner’s Office

The Planning Division worked closely with the Agricultural Commissioner’s Office (ACO) on drafting a locally grown food processing ordinance that is consistent with the provisions of SOAR, the General Plan policies concerning the preservation of agricultural and natural resources, and CEQA. The initial draft ordinance reflected many of the same permit and size requirements for “wineries” under NCZO, section 8105-4, which allows winery operations up to a maximum of 2,000 square feet in area with a ministerial Zoning Clearance in the OS, AE and RA Zones. Winery operations that exceed 2,000 square feet in area require a CUP. After collaboration with the ACO, the 2,000 square feet ministerial allowance was expanded to allow up to 20,000 square feet in area with a Zoning Clearance to reflect the size requirements and permit type of “principal structures related to agriculture” under NCZO section 8105-4. The ACO and the Planning Division agreed that this change would provide more opportunities for operators and property owners to take advantage of the ministerial Zoning Clearance permitting path. They also agreed staff’s direction in drafting the proposed ordinance is to balance the policies of the General Plan and SOAR and move the proposed ordinance and amendment to the General Plan forward for adoption in a timely and expeditious manner. The ACO conditionally supports the proposed ordinance based on the change of the food processing facilities from 2,000 square feet to 20,000 square feet in area with a

ministerial Zoning Clearance. The legislative version of the proposed ordinance is shown in Exhibit 3. A summary of the proposed amendments to the General Plan and NCZO is provided in this staff report under Section A.6.

Agricultural Policy Advisory Committee

On March 13, 2024, the Planning Division attended the Agricultural Policy Advisory Committee (APAC) meeting to present and discuss the proposed amendments to the General Plan and NCZO concerning the processing of locally grown food in the AE, OS and RA Zones in the county. The APAC suggested the proposed ordinance allow as much flexibility as possible for the processing of locally grown food. Specifically, the APAC suggested the initial draft ordinance under Article 7, Section 8107-XX.2(b) be revised to eliminate the sentence “[...] *and that would otherwise likely be transported out of Ventura County for processing...*” The APAC shared that this provision would require the Planning Division to conduct an analysis to determine if existing food processing facilities are capable of accepting additional agricultural products and that no more than one commodity could be processed at a locally grown food processing facility at one time. The Planning Division agreed that this standard should be removed from the proposed ordinance because it is too subjective and could not be implemented, at the individual project level, through the ordinance in a consistent manner. The Planning Division revised the proposed ordinance accordingly (Exhibit 5). Instead, the Board will be asked to make this finding programmatically in approving these legislative amendments. There is strong evidence in the record to support that the proposed food processing facilities envisioned by these amendments would be used for the processing of locally grown agricultural products that likely would be transported out of the county for processing. According to a 2015 report entitled, “*Food Processing in Ventura County, Executive Summary*,” prepared by Applied Development Economics and The Hatamiya Group for Economic Development Collaborative-Ventura County (EDC-VC) and referenced in the 2040 General Plan⁵, the county currently has a low level (shortage) of food processing, and feedback provided by local farmers and other stakeholders in the agricultural sector have expressed specific interest in processing their own locally grown agricultural products into fruit pastries, salsa/guacamole, and fruit preserves. The report states that most of the crops grown in Ventura County have potential for value added food processing, but the local zoning regulations prohibit food processing on lands with a land use designation of agricultural, open space and rural.

The APAC had additional comments concerning the SOAR provisions. These comments included suggestions to remove the 12-acre countywide limitation and the 3-acre maximum per lot for food processing, to remove the prohibition on any direct or indirect loss of soils classified as “Prime,” “Statewide Importance,” and/or “Unique” to allow for future expansion, and to revise the 2030 sunset date of the

⁵ The report can be viewed at the following link: <https://edcollaborative.com/wp-content/uploads/2018/09/Food-Processing-in-Ventura-County-1.pdf>.

specific SOAR provision to match the 2050 sunset date of the SOAR Ordinance. Staff explained both the acreage limitation and sunset date were contained in SOAR and could not be addressed unless an amendment to SOAR was made through a ballot measure approved by a vote of county residents. Additionally, the removal of the prohibition of developing within “Prime,” “Statewide Importance,” and/or “Unique” soils is part of the proposed ordinance to avoid significant impacts, including cumulative impacts which would require additional environmental review, resulting in much longer timeframe and analysis. Planning staff intends to provide the APAC’s comments for consideration by the Board.

Exhibit 7 of this staff report includes the APAC’s written support of the proposed ordinance and outlines its concerns with some of the limitations of the SOAR ordinance, as mentioned above.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed amendments are a “project” subject to environmental review. The proposed amendments include amending the Economic Vitality Element by adding a new General Plan Policy EV-2.3 to reflect the County’s SOAR Ordinance that allows limited processing of locally grown food in the OS, AE and RA Zones and amending Articles 5 and 7 of the NCZO so that the NCZO is consistent with the new General Plan Policy EV-2.3 and the SOAR Ordinance.

The proposed amendments would allow processing of locally grown food facilities as a principal use in the OS, AE, and RA Zones with a limitation of 12 acres countywide, 3 acres per individual lot, and specific use standards requiring, but not limited to, compliance with development standards such as setbacks, height limitations, and building lot coverage, and the prohibition of any direct or indirect loss of soils classified as “Prime,” “Statewide Importance,” and/or “Unique.” In addition to these standards, projects allowed by a ministerial Zoning Clearance are prohibited from causing any direct or indirect impacts on native vegetation. The proposed amendments would allow the conversion of existing structures as well as new development within areas that are currently developed, outside of areas with native vegetation for ministerial projects, outside of areas with Important Farmland soil classifications, or in areas that are unsuitable for agricultural production as verified by the ACO. No new provisions have been added to the NCZO that would result in a potentially significant impact on the environment compared to the existing NCZO. The proposed amendments do not reduce or alter any of the regulatory requirements of other federal, state or local agencies that regulate agricultural food processing or associated activities. Facilities that would require discretionary review will still require discretionary County approval and environmental review pursuant to CEQA at the individual project level.

Based on this analysis, the proposed amendments to the General Plan and NCZO are exempt from CEQA pursuant to the CEQA Guidelines sections 15301 (Class I) because it involves the potential use of developed facilities, 15303 (Class 3) because it involves the potential conversion and/or construction of small structures and facilities and the installation of small new equipment and facilities in small structures, and 15304 (Class 4) because it involves the potential minor alterations in the condition of land and/or vegetation. The Planning Division has determined that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions.

C. NON-COASTAL ZONING ORDINANCE AMENDMENT FINDINGS AND SUPPORTING EVIDENCE

The Board of Supervisors must make certain findings in order to amend the NCZO pursuant to NCZO section 8115-0, which states at relevant part:

Sec. 8115-0 - Purpose

The purpose of this Article is to establish procedures for amending this Chapter. These procedures shall apply to all proposals to change any property from one zone to another or to amend the text of this Chapter. This Chapter may be amended by the Board of Supervisors whenever the public health, safety, or general welfare, good zoning practice, and consistency with the General Plan justify such action...

The Board's ability to make these required findings to adopt the proposed amendments is evaluated below for your Commission's consideration in making its recommendation to the Board.

a. The proposed amendments would not be detrimental to public health, safety, or general welfare.

The proposed amendments to the NCZO would implement and be consistent with the County's SOAR Ordinance concerning the designation of land for the processing of locally grown food on land zoned AE, OS and RA without a vote of the people, provided certain use standards and provisions are met and appropriate permits are obtained. The proposed amendments would result in benefits to the agricultural community as well as the residents of Ventura County. As noted in the 2015 report "*Food Processing Report*," prepared by Applied Development Economics and The Hatamiya Group (see Footnote 4), the potential benefits to allowing limited food processing on farmland in unincorporated Ventura County are as follows:

- Diversifies farmers' income stream and captures value added.
- Provides some marginal reduction in truck traffic by the proximity of crops (reducing greenhouse gas emissions).

- Integrates better with farm operations, improving product traceability.
- Lower-cost land.
- Utilizes land that is marginalized by lack of water, parcel size, urban conflicts.
- Reduces impacts to urban areas from odors, noise, truck traffic.
- Reduces cost of value-added process that would occur elsewhere.

With facility size limitations, restrictions on the loss of soils designated as “Prime,” “Statewide Importance,” and/or “Unique,” restrictions for ministerial projects on the development of land determined to be biologically sensitive, and specific use standards for food processing facilities, the proposed amendments would not be detrimental to the public health, safety, or general welfare.

Based on the above discussion, this finding can be made.

b. The proposed amendments represent good zoning practice.

Good zoning practice requires zoning ordinances be periodically updated to maintain consistency with current zoning standards, other County ordinances, and state and federal laws affecting planning and land use. In this case, amending both the General Plan and the NCZO to implement the County’s SOAR Ordinance, which is incorporated by reference into the General Plan as Appendix C, to designate areas in the County to allow limited processing of food on land zoned AE, OS, and RA is consistent with Government Code section 65860, which requires zoning ordinances to be consistent with and implement goals, programs and policies of a general plan.

Good zoning practice also includes responding to community goals, which were expressed by the residents of Ventura County when they voted to approve the 2016 SOAR Initiative to allow a limited amount of processing of locally grown food on land subject to SOAR. The proposed ordinance would allow a property owner the opportunity to process locally grown food on land zoned OS, AE and RA that would otherwise be required to be transported out of county or in the limited industrial zones in the county due to current General Plan and NCZO restrictions and, at the same time, provides safeguards to ensure these types of facilities are operated and maintained in a safe manner to protect public health and safety as well as the County’s agricultural and natural resources.

Based on the above discussion, this finding can be made.

c. The proposed amendments are consistent with the Ventura County General Plan.

In November 2016, Ventura County voters renewed the County’s SOAR Ordinance, which is incorporated by reference into the General Plan as Appendix C, and extended its provisions through 2050. In addition to the extension of the voter approval requirements until 2050, a new provision was added to SOAR that allows the Board of

Supervisors to redesignate up to 12 acres countywide of land to be used for the processing of locally grown food in the OS, AE and RA Zones of the county. A new General Plan policy EV-2.3, under the Economic Vitality Element, would be added to the General Plan and proposed amendments to the NCZO would be made to implement and make consistent with the SOAR provision. In addition to making these documents consistent with SOAR, the proposed amendments would further accomplish several goals and policies of the General Plan concerning agricultural land preservation, innovative specialty agriculture, and food security. Keeping our locally grown crops within Ventura County that otherwise would likely be transported out of the county for processing improves the economic viability of local agriculture as an integral business to the county (GPP AG-1.6) and encourages the continuation and enhancement of the marketing of county grown agricultural products (GPP AG-1.5). It also reduces the environmental impact of shipping food out of the county. Allowing a modest amount of food processing on property zoned OS, AE and RA also encourages locally owned farms and ranches to continue to grow or start growing specialty and high-value crops and specialized animal facilities and rearing methods that can be used for local food processing (GPP AG-3.1). Allowing the processing of locally grown food on agricultural, open space and rural land use designations is also consistent with and supports the County's policies concerning food security. It enhances the connections between local farmers/ranchers and markets, restaurants, institutions, schools, hospitals, food banks, and other business (GPP AG-4.1) and supports certified farmer's markets and community supported agriculture (GPP AG-4.5) while at the same time preserves agricultural land by limiting the processing to no more than 12 acres countywide, which equates to approximately 0.013% of irrigated cropland in Ventura County.⁶

Additionally, the proposed ordinance implements policies of the Conservation and Open Space Element of the General Plan (i.e., COS-1.1 and COS-1.5), which promote the management and conservation of the County's agricultural and natural resources, including biological resources. The proposed amendments ensure that potential development that could impact sensitive biological resources are evaluated and that potential development within an overlay zone is subject to the applicable overlay zone development standards as set forth in the NCZO.

Based on the above discussion, this finding can be made.

D. PLANNING COMMISSION HEARING NOTICE, AND PUBLIC COMMENTS AND

The Planning Division provided public notice regarding the Planning Commission hearing in accordance with the Government Code section 65091 and NCZO section 8111-3.1. On March 22, 2024, the Planning Division placed a legal advertisement providing notice of this public hearing in the *Ventura County Star*. Additionally, an email was provided to

⁶ Based on the Ventura County's Agricultural Commissioner's 2022 Crop Report, there was 95,785 acres of irrigated crops in Ventura County. The report can be viewed at the following link:

<https://vcportal.ventura.org/AgComm/docs/crop-reports/Ventura-County-2022-Crop-and-Livestock-Report.pdf>.

several interested persons and entities who requested to be notified of this public hearing on this item. To date, no public comments have been received by the Planning Division.

E. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division staff recommends that the Planning Commission take the following actions:

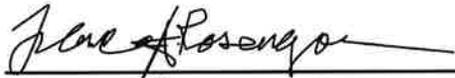
1. **CERTIFY** that the Planning Commission has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process; and
2. **ADOPT** a resolution (Exhibit 2) recommending that the Board of Supervisors take the following actions regarding the proposed amendments to the General Plan (Exhibit 6) and the Non-Coastal Zoning Ordinance (Exhibit 5):
 - a. **CERTIFY** that the Board of Supervisors has reviewed and considered the Board letter and all exhibits thereto, the April 4, 2024 Planning Commission staff report and all exhibits thereto, and has considered all other materials and public comments received during the public comment and hearing processes;
 - b. **FIND** on the basis of the entire record and as set forth in Section B of the April 4, 2024 Planning Commission staff report, that adoption of the proposed amendments to the General Plan and Non-Coastal Zoning Ordinance (NCZO) (Exhibits 5 and 6) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections: (1) 15301 (Class 1) because it involves the potential use of developed facilities, (2) 15303 (Class 3) for new, small facilities or structures or the conversion of existing small structures from one use to another, (3) 15304 (Class 4) because it involves the potential minor alterations in the condition of land and/or vegetation, and that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions.
 - c. **FIND**, on the basis of the entire record and as set forth in Sections A, B, C, and D of the April 4, 2024 Planning Commission staff report, that the proposed amendments to the General Plan (Exhibit 6) and the NCZO (Exhibit 5) are consistent with the goals, policies, and programs of the General Plan and good planning practices, and are in the interest of public health, safety and general welfare;
 - d. **ADOPT** a resolution approving the proposed amendments to the General Plan (Exhibit 8);

- e. **ADOPT** the proposed ordinance (Exhibit 5) amending Articles 5 and 7 of the Non-Coastal Zoning Ordinance (4/5ths vote required); and
- f. **SPECIFY** the Clerk of the Board of Supervisors is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which these decisions are based.

This staff report was reviewed by County Counsel. The Board of Supervisors hearing to consider the proposed amendments to the General Plan and NCZO is tentatively scheduled for June 2024 in the Board of Supervisor's hearing room.

If you have any questions concerning the information presented above, please contact the case planner, Ms. Franca A. Rosengren, Senior Planner, at (805) 654-2045 or by email at Franca.Rosengren@ventura.org. You may also contact Mr. Winston Wright, Planning Manager, at (805) 654-2468 or by email at Winston.Wright@ventura.org.

Prepared by:



Franca A. Rosengren, Case Planner
Permit Administration Section
Ventura County Planning Division

Reviewed by:



Dave Ward, Director, AICP
Ventura County Planning Division

EXHIBITS

- Exhibit 1 – Reserved⁷
- Exhibit 2 – Draft Planning Commission Resolution
- Exhibit 3 – Proposed NCZO Amendments (Legislative Version)
- Exhibit 4 – Proposed General Plan Amendments (Legislative Version)
- Exhibit 5 – Proposed NCZO Amendments (Clean Version)
- Exhibit 6 – Proposed General Plan Amendments (Clean Version)
- Exhibit 7 – Agricultural Policy Advisory Committee Letter of Support
- Exhibit 8 – Draft Board Resolution Approving General Plan Amendment

⁷ This Planning Commission staff report will be included as Exhibit 1 of the Board of Supervisors Letter.



Planning Commission Resolution 24-06

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • www.vcrma.org/divisions/planning

RESOLUTION 24-06 FOR PL24-0027 REGARDING COUNTY OF VENTURA INITIATED AMENDMENTS TO THE VENTURA COUNTY GENERAL PLAN ECONOMIC VITALITY ELEMENT AND ARTICLES 5 AND 7 OF THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE TO ALLOW AND ESTABLISH REGULATIONS FOR THE PROCESSING OF LOCALLY GROWN FOOD IN THE AGRICULTURAL EXCLUSIVE, OPEN SPACE AND RURAL AGRICULTURAL ZONES IN ACCORDANCE WITH THE COUNTY'S SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES (SOAR) ORDINANCE

WHEREAS, on April 4, 2024, the Ventura County Planning Commission (“Commission”) held a legally noticed public hearing to consider county-initiated amendment to the Economic Vitality Element of the General Plan, and an ordinance amending Articles 5 and 7 of the Ventura County Non-Coastal Zoning Ordinance to allow and establish regulations for the processing of locally grown food in conformance with Section 2(1)(l)(m) of the County’s 2050 SOAR Ordinance (collectively, “Proposed Amendments”); and to consider a finding that adoption of the Proposed Amendments is exempt from the California Environmental Quality Act (CEQA);

WHEREAS, the Planning Commission considered all written and oral testimony from County staff and public on this matter; and

WHEREAS, after the close of the public hearing, Commissioner Boydston, District 1, made a motion to approve staff’s recommended actions, with modifications to include the April 4, 2024 Errata Memorandum amending pages 2 and 6 of Exhibit 3 and pages 2 and 5 of Exhibit 5, and to replace the term “square footage” with “acreage” in Section 8107-XX.2(c) of the proposed ordinance (Exhibit 3). Commissioner Sandlin, District 2, seconded the motion.

WHEREAS, the motion carried 3-1(Commissioner McPhail abstained) - 1(Commissioner Kesley absent); and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the following actions be taken by the Board of Supervisors with respect to the proposed amendments:

1. **CERTIFY** that the Board of Supervisors has reviewed and considered the Board letter and all exhibits thereto, the April 4, 2024 Planning Commission staff report and all exhibits thereto, and has considered all other materials and public comments received during the public comment and hearing processes;
2. **FIND** on the basis of the entire record and as set forth in Section B of the April 4, 2024 Planning Commission staff report, that adoption of the proposed amendments to the General Plan and Non-Coastal Zoning Ordinance (NCZO) (Exhibits 5 and 6) is exempt from the California Environmental Quality Act

(CEQA) pursuant to CEQA Guidelines sections: (1) 15301 (Class I) because it involves the potential use of developed facilities, (2) 15303 (Class 3) for new, small facilities or structures or the conversion of existing small structures from one use to another, (3) 15304 (Class 4) because it involves the potential minor alterations in the condition of land and/or vegetation, and (4) that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions.

3. **FIND**, on the basis of the entire record and as set forth in Sections A, B, and C of the April 4, 2024 Planning Commission staff report, that the proposed amendments to the General Plan (Exhibit 6) and the NCZO (Exhibit 5) are consistent with the goals, policies, and programs of the General Plan and good planning practices, and are in the interest of public health, safety and general welfare;
4. **ADOPT** a resolution approving the proposed amendments to the General Plan (Exhibit 8);
5. **ADOPT** the proposed ordinance (Exhibit 5) amending Articles 5 and 7 of the Non-Coastal Zoning Ordinance (4/5ths vote required), with modifications to include the April 4, 2024 Errata Memorandum amending pages 2 and 6 of Exhibit 3 and pages 2 and 5 of Exhibit 5, and to replace the term "square footage" with "acreage" in Section 8107-XX.2(c) of the proposed ordinance (Exhibit 3); and
6. **SPECIFY** the Clerk of the Board of Supervisors is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which these decisions are based.

NOW, THEREFORE, BE IT RESOLVED FURTHER that the Planning Commission makes its above recommendation based upon, and finds that the proposed Non-Coastal Zoning Ordinance amendment's relationship and consistency with the General Plan are addressed, in the Planning Commission staff report prepared for the April 4, 2024, hearing which is incorporated herein by this reference.

This is to certify that the foregoing is a true and correct copy of the Resolution reflecting the actions taken by the Commission at a public hearing regarding the above-described matter on April 4, 2024.



Dave Ward, AICP, Secretary to the
Ventura County Planning Commission

Exhibit 3

Editor’s Note: The proposed amendments below are shown in legislative format, which shows all newly proposed text as underlined text, and text that is proposed for deletion is shown as red ~~strikeout~~ text. Staff comments, which are not part of the amendment package, are shown in *[blue italicized font with brackets]* and provide an explanation for the proposed amendment.

ORDINANCE NO. _____

COUNTY OF VENTURA INITIATED ADOPTION OF AMENDMENTS TO THE VENTURA COUNTY GENERAL PLAN ECONOMIC VITALITY ELEMENT AND PROPOSED ORDINANCE AMENDING ARTICLES 5 AND 7 OF THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE TO ALLOW AND ESTABLISH REGULATIONS FOR THE PROCESSING OF LOCALLY GROWN FOOD IN THE AGRICULTURAL EXCLUSIVE, OPEN SPACE AND RURAL AGRICULTURAL ZONES IN ACCORDANCE WITH THE COUNTY’S SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES (SOAR) ORDINANCE

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

Section 1

**ARTICLE 5:
USES AND STRUCTURES BY ZONE**

Article 5, Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses relating to processing of locally grown food:

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
AGRICULTURE AND AGRICULTURAL OPERATIONS												
<i>Animal Husbandry</i>												
<i>Domestic Animals Per Art. 7</i>	E	E	E	E	E	E						
more <i>domestic animals</i> than are permitted by Art. 7 (excluding the keeping of <i>roosters</i> – see sec. 8107-2.3.7) (3, 19, 53)	CUP	CUP	CUP	CUP	CUP	CUP						

County of Ventura
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PC Exhibit 3 - Proposed NCZO
Amendments (Legislative Version)

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Reduced <i>Setbacks</i> for <i>Animals</i> (Excluding the Keeping of <i>Roosters</i>) Per Table 2, Sec. 8107-2.5.1 (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW						
<i>Apiculture</i> (Other than <i>Backyard Beekeeping</i>) See Sec. 8107-2.6.1 (2, 15, 56)	E	E	E	E							E	
Aquaculture/Aquiculture (15)	CUP	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture											
Vermiculture * (16)												
up to 5,000 sq. ft. of open beds	ZC	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds		CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)		CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)		CUP	CUP									
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)		CUP	CUP	CUP								
<u>Processing of Locally Grown Food</u> *												
<u>Up to 20,000 sq. ft. in area</u>		ZC	ZC	CUP								
<u>not meeting standards of sections 8107-XX.2 and XX.3</u>		CUP	CUP	CUP								
<u>Over 20,000 sq. ft. to 3 acres in area</u>		CUP	CUP	CUP								
<u>Slaughterhouses, meatpacking and fish processing plants</u>		CUP	CUP	CUP								
<u>Requiring a new package sewage treatment plant for wastewater</u>		CUP	CUP	CUP								

[Staff Explanation: Adds a new principal use category of “Processing of Locally Grown Food” under “Agriculture and Agricultural Operations.” Adds an asterisk in the heading to indicate there are specific use standards in Article 7 pertaining to food processing facilities. There are subcategories under “Processing of Locally Grown Food”: facilities up to 20,000 square feet in the OS and AE Zones that meet the Zoning Clearance requirements are allowed with a Zoning Clearance, all facilities in the RA Zone regardless of size require a CUP, all facilities up to 20,000 square feet that do not meet the Zoning Clearance requirements are allowed with a Planning Director-approved CUP, facilities over 20,000 square feet to 3 acres are allowed with a Planning Director-approved CUP in the OS and AE Zones and with a Planning Commission-approved CUP in the RA Zone. Regardless of the size of the facility, if it involves a new packaged treatment plant (i.e., advanced treatment), and/or a slaughterhouse, meatpacking and fish processing plant, a Planning Commission-approved CUP is required. Food processing would be prohibited in the OS-REC Zone since it does not meet the purpose of the zone.]

Section 2
ARTICLE 7:
STANDARDS FOR SPECIFIC USES

Article 7 – Standards for Specific Uses – of the Ventura County Ordinance Code is hereby amended to add a new Section 8107-XX - Locally Grown Food Processing Facilities, which shall read in its entirety as follows:

Sec. 8107-XX – Locally Grown Food Processing Facilities

The purpose of this Section 8107-XX is to allow and regulate the processing of locally grown food (agricultural processed commodities) on OS, AE, and RA zoned lands in compliance with the County’s Save Open-Space and Agricultural Resources (SOAR) Ordinance (§ 2(1)(I)(m)).

Sec. 8107-XX.1 – Exclusions

This Section 8107-XX does not authorize or apply to the following uses and structures which are separately regulated as set forth in this Chapter:

- a. Preliminary processing and packing of agricultural products.
- b. Those related to alcoholic beverages such as wineries and distilleries.
- c. Cannabis or hemp processing and manufacturing facilities.
- d. Principal or accessory drinking or eating establishments.
- e. The hosting of outdoor events pursuant to Section 8107-46 of this Chapter as part of the locally grown processing facility use.
- f. Promotional, educational, and entertainment activities that directly relate to agricultural activities pursuant to Section 8107-33 of this Chapter.

Sec. 8107-XX.2 – General Standards

The following standards apply to all locally grown food processing facilities that are subject to this Section 8107-XX:

- a. Locally grown food processing facilities are allowed in the OS, AE, and RA Zones with an approved land use entitlement as identified in Section 8105-4 of this Chapter.
- b. Locally grown food processing facilities shall consist of the processing of agricultural products that are grown or produced on the subject lot, or locally grown as verified by the Agricultural Commissioner’s Office.
- c. All existing and proposed buildings, structures, and equipment dedicated to processing of food, including but not limited to packaging, labeling, storing, required parking and loading of processed commodities, and related buildings, structures, and parking areas for employees, shall be counted toward the total square footage of the locally grown food processing facility, which determines the permit type for such facility as set forth in Section 8105-4 of this Chapter. The following shall not be calculated as part of the total square footage of the facility: private and public roads and streets, below ground infrastructure, flatwork not used for required parking and loading, areas of active crop production, containment areas for the keeping of animals, areas designated for preliminary processing of agricultural products, and areas dedicated to a use or uses other than food processing.
- d. Only one locally grown food processing facility is allowed per legal lot. Each facility shall not exceed a total of 3 acres in area per legal lot, based on the criteria set forth

in subsection (c) above. There is no limit on the number of processed commodities that may be prepared at a single facility.

- e. No new land use entitlement authorizing a locally grown food processing facility shall be approved, and no existing locally grown food processing facility shall be authorized to expand its net acreage (as calculated per subsection (c) above), after January 1, 2030. Such facilities approved prior to January 1, 2030, may continue to operate in accordance with the terms and conditions of the facility's approved permit. An application to extend the expiration date of the permit, in accordance with Sections 8111-2 and 8111-2.10 of this Chapter, may be submitted to the Planning Division after January 1, 2030.
- f. Only 12 cumulative net acres (as calculated per subsection (c) above) of locally grown food processing subject to this Section 8107-XX is allowed within Ventura County; no locally grown food processing facilities may be approved or expanded that would exceed this cumulative net acreage total. The Planning Division shall track and record the total net acres of locally grown food processing facilities that are subject to this Section 8107-XX.
- g. No proposed above or below ground improvements related to the locally grown processing facility, including wastewater treatment systems and related infrastructure, shall result in the direct or indirect loss of soils on land classified as "Prime," "Statewide Importance," and/or "Unique" by the California Department of Conservation Important Farmland Inventory, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural production.
- h. No public tours, events, or food tasting shall occur at the locally grown food processing facility, unless approved by separate permit pursuant to Section 8105-4 of this Chapter.
- i. The property where the locally grown food processing facility is located does not require the expansion or extension of new sewer lines to the facility.
- j. Existing and proposed buildings and structures that are utilized as part of the locally grown food processing facility shall meet all applicable building code and food safety requirements and laws.
- k. The applicant shall demonstrate that all terms and conditions of an applicable Land Conservation Act (LCA) contract will be maintained if a locally grown food processing facility is located on land subject to an LCA contract. The applicant must also demonstrate compliance with the California LCA of 1965, Sections 51200 et seq. of the California Government Code, as may be amended.
- l. All proposed signage for the locally grown food processing facility shall comply with the regulations of Article 10 of this Chapter.
- m. All exterior lighting for the locally grown food processing facility shall comply with Section 8106-8.6 of this Chapter and applicable lighting regulations in overlay zones outlined in Section 8109-4 of this Chapter.

- n. The *buildings* and *structures* utilized for locally grown food processing shall comply with the *setback*, *building lot coverage*, *height*, permit type, and other development standards applicable to the zone and *overlay zone*, if applicable, in which it is located.
- o. All off-street parking for the locally grown food processing facility shall comply with the parking regulations of Article 8 of this Chapter. The required number of parking spaces shall be the same as for *buildings* for the packing or processing of agricultural products as listed under Agricultural Land Uses in the table of Section 8108-4.7 of this Chapter.
- p. Development of the locally grown food processing facility that involves the *removal*, *alteration* or encroachment into the *protected zone* of a *protected tree* will require a Tree Permit in accordance with Section 8107-25 of this Chapter.
- q. Within 10 days of the termination of the *use* of the locally grown food processing facility, the *permittee* shall notify the Planning Division of such termination of *use* for the purpose of tracking available acreage that has been allocated for locally grown food processing as set forth in subsection (f) above. All equipment, *buildings* and *structures*, and improvements on the *lot* associated with the locally grown food processing facility shall be removed from the *lot* or converted to a *use* permitted by the Planning Division and other applicable regulatory agencies within 180 days after the notification of termination of the *use*, unless a time extension is approved in writing by the *Planning Director*.

Sec. 8107-XX.3 – Locally Grown Food Processing Facilities Allowed by Zoning Clearance

Locally grown food processing facilities that meet all of the general standards set forth in Section 8107-XX.2 above and meet all of the following procedures and standards of Section 8107-XX.3 et seq., shall be approved with a ministerial Zoning Clearance. Locally grown food processing facilities in the RA Zone, and those that do not meet the standards below may only be approved with a Conditional Use Permit pursuant to Section 8105-4 of this Chapter and the standards set forth in Section 8107-XX.4 below.

Sec. 8107-XX.3.1 –Zoning Clearance Application Filing, Processing and Approval Requirements for Locally Grown Food Processing Facilities

- a. Applications for a ministerial Zoning Clearance for a locally grown food processing facility shall be filed with the Planning Division. No application shall be accepted for filing and processing if not provided in accordance with Section 8107-XX.3.1 and Section 8111-2 et seq. of this Chapter.
- b. *Applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, and other above- and below-ground improvements that would be utilized for the facility.
- c. A ministerial Zoning Clearance for a locally grown food processing facility shall be issued if the proposed *use of land*, *structures*, or construction complies with Section 8111-1.1.1(b) of this Chapter, the general standards of Section 8107-XX.2, and the Zoning Clearance standards of 8107-XX.3.2 below.

- d. In instances where the locally grown food processing facility requires a ministerial Zoning Clearance in conjunction with a separate project involving an application for a Conditional Use Permit, Planned Development Permit, or other discretionary County land use approval involving some or all of the property subject to the locally grown food processing facility, the application for the locally grown food processing facility shall be processed concurrently with the application for the discretionary land use approval, including for purposes of evaluating the project's potential environmental effects.

Sec. 8107-XX.3.2 – Standards for Locally Grown Food Processing Facilities Allowed by Zoning Clearance

- a. The locally grown food processing facility shall not exceed 20,000 square feet in area, based on the criteria set forth in Section 8107-XX.2(c) above.
- b. No proposed above or below ground improvements related to the locally grown processing facility, including wastewater treatment systems and related infrastructure, shall result in direct or indirect impacts on *native vegetation*. Removal of *native vegetation* to accommodate a locally grown food processing facility is prohibited. An assessment prepared by a qualified biological consultant may be required by the *Planning Director* to determine an application's compliance with this subsection (b).

Sec. 8107-XX.4– Conditionally Permitted Locally Grown Food Processing Facilities

A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet all of the standards of Sections 8107-XX.2 and 8107-XX.3.2 above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

- a. In addition to complying with the requirements of Section 8111-2 et seq. of this Chapter, *applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, including all existing and proposed *structures, buildings, equipment, and other above- and below-ground improvements* that would be utilized for the facility.
- b. A Conditional Use Permit authorizing a locally grown food processing facility, and any discretionary permit modification thereto, shall meet all of the general standards set forth in Section 8107-XX.2 above, in addition to the applicable permit approval standards of this Chapter as set forth in Section 8111-1.2.1.1a. (General Permit Approval Standards), Section 8111-1.2.1.2 (Additional Standards for AE Zone), Section 8111-1.2.1.3 (Compliance with Other Documents), Section 8111-1.2.1.4 (Additional Standards for *Overlay Zones*), and Section 8111-1.2.1.7 (Additional Standards for *Cultural Heritage Sites*).

[Staff Explanation: This is an entirely new section under Article 7 of the Non-Coastal Zoning Ordinance that implements the 2016 County SOAR initiative that allows up to 12 acres countywide of food processing on land zoned AE, OS, and RA without the vote of the people. Consistent with the 2016 County SOAR initiative (section 2(1)(l)(m)), the intent of this NCZO amendment is to expand the current allowance of preliminary processing of agricultural products in the subject zones to food processing of locally grown food, which is currently not allowed in the OS, AE and RA Zones. This amendment supports allowing up to 12 acres countywide of these types of facilities in the subject zones that would otherwise likely be transported out of the County for processing. The

Food Processing Ordinance includes the conditions included in SOAR, additional use and development standards with the purpose of continuing to support and preserve, to the maximum extent possible, the amount of land in agricultural production and with native vegetation and are consistent with the General Plan policies pertaining to preserving the County's agricultural and open space resources. A new Policy EV-2.3 will be added to the General Plan to allow these types of facilities on agricultural land in accordance with SOAR in conjunction with these NCZO amendments in order to make the General Plan and NCZO consistent with each other.]

Proposed General Plan Amendment

Note: The proposed amendments below are shown in legislative format. All newly proposed text is shown as black underlined text, and text that is proposed for deletion is shown as **red strikethrough text**. Staff comments, which are not part of the amendment package, are shown in *[blue italicized font within brackets]* and provide an explanation for the proposed amendment.

EV-2

To improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.

EV-2.1

Agricultural Diversification

The County should encourage the growth and expansion of new, innovative agricultural-related business opportunities, including technological advancements in irrigation, crop production and pest control, new crop types, and agritourism, and “farm-to-table” programs and events. (RDR, PI)

EV-2.2

Value-Added Agriculture

The County shall encourage the expansion of value-added agricultural products (e.g., processing, packaging, product development) within Existing Communities, where zoning allows, and on agricultural land consistent with SOAR policies. (RDR, MPSP, JP)

EV-2.3

Processing of Locally Grown Food

In accordance with Section 2, subsection l(m) of the County’s 2050 Save Open-Space and Agricultural Resources (SOAR) Ordinance, facilities for the processing of locally grown food are authorized for approval on up to a cumulative total of 12 acres in the unincorporated area on land designated Agricultural Exclusive, Open Space, and Rural, provided that:

- a) the locally grown food processing facility is approved on or before January 1, 2030;
- b) no more than 3 acres per legal lot is devoted to the locally grown food processing facility use;
- c) the locally food processing facility does not require the expansion or extension of new sewer lines; and
- d) the locally grown food processing facility use will not result in a direct or indirect loss of soils on land classified as “Prime” or “Statewide Importance,” and/or “Unique” by the California Department of Conservation Important Farmland Inventory, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.



Additional policies on the agricultural economy are located in Chapter 8, Agriculture Element.

[Staff Explanation: *The General Plan Economic Vitality Element is proposed to be revised to include a new Policy EV-2.3 under Section 10.1, Business and Employment. The goal of the Business and Employment section under EV-2, is to improve the economic viability of agriculture through policies that support agriculture as an integral business to the County. The new Policy EV-2.3 would include a new policy that would allow a limited number of locally grown food processing facilities in the Open Space (OS), Agricultural Exclusive (AE), and Rural Agricultural (RA) Zones without the vote of the people to implement and make consistent with the provisions of Section 2(1)(l)(m) of the County's 2050 Save Open-Space and Agricultural Resources (SOAR) Ordinance. In order to fully implement this proposed policy and the related SOAR measure, amendments to the Non-Coastal Zoning Ordinance (NCZO) will be processed concurrently with this General Plan Amendment. The NCZO amendments include adding a new use category of "Processing of Locally Grown Food," which would be a principal land use that is consistent with agriculture and agricultural operations under NCZO section 8105-4. The provisions of the proposed Policy EV-2.3 will be included as standards in the NCZO concerning the processing of locally grown food facilities.]*

Exhibit 5

ORDINANCE NO. _____

COUNTY OF VENTURA INITIATED ADOPTION OF AMENDMENTS TO THE VENTURA COUNTY GENERAL PLAN ECONOMIC VITALITY ELEMENT AND PROPOSED ORDINANCE AMENDING ARTICLES 5 AND 7 OF THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE TO ALLOW AND ESTABLISH REGULATIONS FOR THE PROCESSING OF LOCALLY GROWN FOOD IN THE AGRICULTURAL EXCLUSIVE, OPEN SPACE AND RURAL AGRICULTURAL ZONES IN ACCORDANCE WITH THE COUNTY’S SAVE OPEN-SPACE AND AGRICULTURAL RESOURCES (SOAR) ORDINANCE

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

Section 1

ARTICLE 5: USES AND STRUCTURES BY ZONE

Article 5, Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses relating to processing of locally grown food:

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

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
AGRICULTURE AND AGRICULTURAL OPERATIONS												
<i>Animal Husbandry</i>												
<i>Domestic Animals Per Art. 7</i>	E	E	E	E	E	E						
more domestic animals than are permitted by Art. 7 (excluding the keeping of roosters – see sec. 8107-2.3.7) (3, 19, 53)	CUP	CUP	CUP	CUP	CUP	CUP						
Reduced Setbacks for Animals (Excluding the Keeping of Roosters) Per Table 2, Sec. 8107-2.5.1 (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW						

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PC Exhibit 5 - Proposed NCZO
Amendments (Clean Version)

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Apiculture (Other than Backyard Beekeeping) See Sec. 8107-2.6.1 (2, 15, 56)	E	E	E	E							E	
Aquaculture/Aquiculture (15)	CUP	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture											
Vermiculture * (16)												
up to 5,000 sq. ft. of open beds	ZC	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds		CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)		CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)		CUP	CUP									
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)		CUP	CUP	CUP								
Processing of Locally Grown Food *												
Up to 20,000 sq. ft. in area		ZC	ZC	CUP								
not meeting standards of sections 8107-XX.2 and XX.3		CUP	CUP	CUP								
Over 20,000 sq. ft. to 3 acres in area		CUP	CUP	CUP								
Slaughterhouses, meatpacking and fish processing plants		CUP	CUP	CUP								
Requiring a new package sewage treatment plant for wastewater		CUP	CUP	CUP								

Section 2
ARTICLE 7:
STANDARDS FOR SPECIFIC USES

Article 7 – Standards for Specific Uses – of the Ventura County Ordinance Code is hereby amended to add a new Section 8107-XX - Locally Grown Food Processing Facilities, which shall read in its entirety as follows:

Sec. 8107-XX – Locally Grown Food Processing Facilities

The purpose of this Section 8107-XX is to allow and regulate the processing of locally grown food (agricultural *processed commodities*) on OS, AE, and RA zoned lands in compliance with the County’s Save Open-Space and Agricultural Resources (SOAR) Ordinance (§ 2(1)(I)(m)).

Sec. 8107-XX.1 – Exclusions

This Section 8107-XX does not authorize or apply to the following *uses* and *structures* which are separately regulated as set forth in this Chapter:

- a. *Preliminary processing* and packing of agricultural products.
- b. Those related to alcoholic beverages such as wineries and distilleries.
- c. Cannabis or hemp processing and manufacturing facilities.
- d. Principal or accessory drinking or *eating establishments*.
- e. The hosting of *outdoor events* pursuant to Section 8107-46 of this Chapter as part of the locally grown food processing facility use.
- f. Promotional, educational, and entertainment activities that directly relate to agricultural activities pursuant to Section 8107-33 of this Chapter.

Sec. 8107-XX.2 – General Standards

The following standards apply to all locally grown food processing facilities that are subject to this Section 8107-XX:

- a. Locally grown food processing facilities are allowed in the OS, AE, and RA Zones with an approved land use *entitlement* as identified in Section 8105-4 of this Chapter.
- b. Locally grown food processing facilities shall consist of the processing of agricultural products that are grown or produced on the subject *lot*, or locally grown as verified by the Agricultural Commissioner’s Office.
- c. All existing and proposed *buildings, structures*, and equipment dedicated to processing of food, including but not limited to packaging, labeling, storing, required parking and loading of *processed commodities*, and related *buildings, structures*, and *parking areas* for employees, shall be counted toward the total square footage of the locally grown food processing facility, which determines the permit type for such facility as set forth in Section 8105-4 of this Chapter. The following shall not be calculated as part of the total square footage of the facility: private and *public roads and streets*, below ground infrastructure, flatwork not used for required parking and loading, areas of active crop production, containment areas for the keeping of *animals*, areas designated for *preliminary processing* of agricultural products, and areas dedicated to a *use or uses* other than food processing.
- d. Only one locally grown food processing facility is allowed per legal lot. Each facility shall not exceed a total of 3 acres in area per *legal lot*, based on the criteria set forth in subsection (c) above. There is no limit on the number of *processed commodities* that may be prepared at a single facility.
- e. No new land use *entitlement* authorizing a locally grown food processing facility shall be approved, and no existing locally grown food processing facility shall be authorized to expand its net acreage (as calculated per subsection (c) above), after January 1, 2030. Such facilities approved prior to January 1, 2030, may continue to operate in accordance with the terms and conditions of the facility’s approved permit. An application to extend the expiration date of the permit, in accordance with Sections 8111-2 and 8111-2.10 of this Chapter, may be submitted to the Planning Division after January 1, 2030.
- f. Only 12 cumulative net acres (as calculated per subsection (c) above) of locally grown food processing subject to this Section 8107-XX is allowed within Ventura County; no locally grown food processing facilities may be approved or expanded that would exceed this cumulative net acreage total. The Planning Division shall track and record the total net acres of locally grown food processing facilities that are subject to this Section 8107-XX.

- g. No proposed above or below ground improvements related to the locally grown processing facility, including wastewater treatment systems and related infrastructure, shall result in the direct or indirect loss of soils on land classified as "Prime," "Statewide Importance," and/or "Unique" by the California Department of Conservation Important Farmland Inventory, unless the *Planning Director*, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural production.
- h. No public tours, events, or food tasting shall occur at the locally grown food processing facility, unless approved by separate permit pursuant to Section 8105-4 of this Chapter.
- i. The property where the locally grown food processing facility is located does not require the *expansion* or extension of new sewer lines to the facility.
- j. Existing and proposed *buildings* and *structures* that are utilized as part of the locally grown food processing facility shall meet all applicable building code and food safety requirements and laws.
- k. The *applicant* shall demonstrate that all terms and conditions of an applicable Land Conservation Act (LCA) contract will be maintained if a locally grown food processing facility is located on land subject to an LCA contract. The *applicant* must also demonstrate compliance with the California LCA of 1965, Sections 51200 et seq. of the California Government Code, as may be amended.
- l. All proposed signage for the locally grown food processing facility shall comply with the regulations of Article 10 of this Chapter.
- m. All exterior lighting for the locally grown food processing facility shall comply with Section 8106-8.6 of this Chapter and applicable lighting regulations in *overlay zones* outlined in Section 8109-4 of this Chapter.
- n. The *buildings* and *structures* utilized for locally grown food processing shall comply with the *setback*, *building lot coverage*, *height*, permit type, and other development standards applicable to the zone and *overlay zone*, if applicable, in which it is located.
- o. All off-street parking for the locally grown food processing facility shall comply with the parking regulations of Article 8 of this Chapter. The required number of parking spaces shall be the same as for *buildings* for the packing or processing of agricultural products as listed under Agricultural Land Uses in the table of Section 8108-4.7 of this Chapter.
- p. Development of the locally grown food processing facility that involves the *removal*, *alteration* or encroachment into the *protected zone* of a *protected tree* will require a Tree Permit in accordance with Section 8107-25 of this Chapter.
- q. Within 10 days of the termination of the *use* of the locally grown food processing facility, the *permittee* shall notify the Planning Division of such termination of *use* for the purpose of tracking available acreage that has been allocated for locally grown food processing as set forth in subsection (f) above. All equipment, *buildings* and *structures*, and improvements on the *lot* associated with the locally grown food processing facility shall be removed from the *lot* or converted to a *use* permitted by the Planning Division and other applicable regulatory agencies within 180 days after

the notification of termination of the *use*, unless a time extension is approved in writing by the *Planning Director*.

Sec. 8107-XX.3 – Locally Grown Food Processing Facilities Allowed by Zoning Clearance

Locally grown food processing facilities that meet all of the general standards set forth in Section 8107-XX.2 above and meet all of the following procedures and standards of Section 8107-XX.3 et seq., shall be approved with a ministerial Zoning Clearance. Locally grown food processing facilities in the RA Zone, and those that do not meet the standards below may only be approved with a Conditional Use Permit pursuant to Section 8105-4 of this Chapter and the standards set forth in Section 8107-XX.4 below.

Sec. 8107-XX.3.1 – Zoning Clearance Application Filing, Processing and Approval Requirements for Locally Grown Food Processing Facilities

- a. Applications for a ministerial Zoning Clearance for a locally grown food processing facility shall be filed with the Planning Division. No application shall be accepted for filing and processing if not provided in accordance with Section 8107-XX.3.1 and Section 8111-2 et seq. of this Chapter.
- b. *Applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, and other above- and below-ground improvements that would be utilized for the facility.
- c. A ministerial Zoning Clearance for a locally grown food processing facility shall be issued if the proposed *use* of land, *structures*, or construction complies with Section 8111-1.1.1(b) of this Chapter, the general standards of Section 8107-XX.2, and the Zoning Clearance standards of 8107-XX.3.2 below.
- d. In instances where the locally grown food processing facility requires a ministerial Zoning Clearance in conjunction with a separate project involving an application for a Conditional Use Permit, Planned Development Permit, or other discretionary County land use approval involving some or all of the property subject to the locally grown food processing facility, the application for the locally grown food processing facility shall be processed concurrently with the application for the discretionary land use approval, including for purposes of evaluating the project's potential environmental effects.

Sec. 8107-XX.3.2 – Standards for Locally Grown Food Processing Facilities Allowed by Zoning Clearance

- a. The locally grown food processing facility shall not exceed 20,000 square feet in area, based on the criteria set forth in Section 8107-XX.2(c) above.
- b. No proposed above or below ground improvements related to the locally grown processing facility, including wastewater treatment systems and related infrastructure, shall result in direct or indirect impacts on *native vegetation*. Removal of *native vegetation* to accommodate a locally grown food processing facility is prohibited. An assessment prepared by a qualified biological

consultant may be required by the *Planning Director* to determine an application's compliance with this subsection (b).

Sec. 8107-XX.4– Conditionally Permitted Locally Grown Food Processing Facilities

A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet all of the standards of Sections 8107-XX.2 and 8107-XX.3.2 above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

- a. In addition to complying with the requirements of Section 8111-2 et seq. of this Chapter, *applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, including all existing and proposed *structures, buildings*, equipment, and other above- and below-ground improvements that would be utilized for the facility.
- b. A Conditional Use Permit authorizing a locally grown food processing facility, and any discretionary permit modification thereto, shall meet all of the general standards set forth in Section 8107-XX.2 above, in addition to the applicable permit approval standards of this Chapter as set forth in Section 8111-1.2.1.1a. (General Permit Approval Standards), Section 8111-1.2.1.2 (Additional Standards for AE Zone), Section 8111-1.2.1.3 (Compliance with Other Documents), Section 8111-1.2.1.4 (Additional Standards for *Overlay Zones*), and Section 8111-1.2.1.7 (Additional Standards for Cultural Heritage Sites).

GENERAL PLAN AMENDMENT

EV-2

To improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.

EV-2.1

Agricultural Diversification

The County should encourage the growth and expansion of new, innovative agricultural-related business opportunities, including technological advancements in irrigation, crop production and pest control, new crop types, and agritourism, and “farm-to-table” programs and events. (RDR, PI)

EV-2.2

Value-Added Agriculture

The County shall encourage the expansion of value-added agricultural products (e.g., processing, packaging, product development) within Existing Communities, where zoning allows, and on agricultural land consistent with SOAR policies. (RDR, MPSP, JP)

EV-2.3

Processing of Locally Grown Food

In accordance with Section 2, subsection I(m) of the County’s 2050 Save Open-Space and Agricultural Resources (SOAR) Ordinance, facilities for the processing of locally grown food are authorized for approval on up to a cumulative total of 12 acres in the unincorporated area on land designated Agricultural Exclusive, Open Space, and Rural, provided that:

- a) the locally grown food processing facility is approved on or before January 1, 2030;
- b) no more than 3 acres per legal lot is devoted to the locally grown food processing facility use;
- c) the locally food processing facility does not require the expansion or extension of new sewer lines; and
- d) the locally grown food processing facility use will not result in a direct or indirect loss of soils on land classified as “Prime” or “Statewide Importance,” and/or “Unique” by the California Department of Conservation Important Farmland Inventory, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.



Additional policies on the agricultural economy are located in Chapter 8, Agriculture Element.



Planning Division
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Mr. Ward,

We thank you again for your staff's March 13th, 2024 Ventura County Planner presentation on the proposed SOAR-enabled Local Food Processing Ordinance. The APAC supports the ordinance and the effort to increase local processing of agricultural products. To that end, APAC writes this letter to raise concerns regarding ordinance specifics that would limit the effectiveness of the ordinance and propose changes to address these concerns:

- The 2030 deadline for implementation of these facilities is not only restricting, but needlessly so. This could be addressed through a Board initiated SOAR vote to remove the 2030 deadline and make the provision expire along the entirety of SOAR.
- By prohibiting these facilities on lands with native vegetation or Prime, Statewide Importance, or Unique classified soils the ordinance as proposed would find few if any eligible lands. Especially as those potential lands are in mountainous areas that are unlikely to be able to support these facilities. Removing the absolute restriction on permitting these facilities on sites with native vegetation and/or classified soils would greatly increase the eligible acres and utility of the proposed ordinance.
- General Standards section b. is worded such that once a facility is constructed under this ordinance it may only source ingredients for processed commodities from Ventura County. Furthermore, the language would prevent construction of a facility which processes the same commodity as an existing facility permitted under this ordinance. These could be addressed by revising section b. to read:
 - "Locally grown food processing facilities shall include the processing of agricultural products that are grown or produced on the subject lot or locally."
- General Standards section g. places restrictions above and beyond what is currently permissible on agricultural properties through existing Zoning Ordinance restrictions. Removal of section g. would address this issue.

County of Ventura
Board of Supervisors Public Hearing
Case No. PL24-0027
PC Exhibit 7 - Agricultural Policy
Advisory Committee Letter of Support

We respectfully request you accept these recommendations and incorporate them into your revisions to the ordinance prior to approval and implementation.



Sanger Hedrick, Chair,
District 2

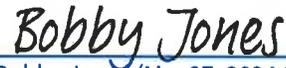


Scott Deardorff, District 1

Josh Waters, District 4



Lisa Tate, District 3



Bobby Jones (Mar 27, 2024 09:55 PDT)

Bobby Jones, District 5

DRAFT RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF VENTURA APPROVING AMENDMENTS TO THE VENTURA COUNTY
GENERAL PLAN'S ECONOMIC VITALITY ELEMENT (PL24-0027)**

WHEREAS, the County of Ventura ("County") has prepared amendments to the Economic Vitality Element of the Ventura County General Plan in the form attached to this Resolution ("General Plan Amendment") as part of the County's proposed amendments to the General Plan and Non-Coastal Zoning Ordinance to allow and establish regulations for the processing of locally grown food in conformance with the County's 2050 SOAR Ordinance (collectively, "Proposed Amendments");

WHEREAS, on April 4, 2024, the Ventura County Planning Commission held a legally noticed public hearing regarding the Proposed Amendments at which time the Planning Commission heard and received oral and written testimony from the general public and County staff, including the staff report and all exhibits;

WHEREAS, the Planning Commission voted **X-X** to recommend that the County's Board of Supervisors ("Board") approve and adopt the Proposed Amendments;

WHEREAS, the Board held a legally noticed public hearing regarding the Proposed Amendments in Ventura, California, on **June XX, 2024**; and

WHEREAS, the Board considered the Planning Commission's recommendation as well as all written and oral testimony from County staff and members of the public regarding the Proposed Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Board:

1. **FINDS** that the County's approval of the General Plan Amendment and Proposed Amendments as a whole is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections: (1) 15301 (Class I) because it involves the potential use of developed facilities, (2) 15303 (Class 3) for new, small facilities or structures or the conversion of existing small structures from one use to another, (3) 15304 (Class 4) because it involves the potential minor alterations in the condition of land and/or vegetation, and (4) that no unusual circumstances or other exception set forth in CEQA Guidelines 15300.2 precludes use of these categorical exemptions.
2. **FINDS** that the General Plan Amendment is in the public interest, consistent with all other applicable federal and state laws, and consistent with the goals, policies and programs of the Ventura County General Plan; and
3. **APPROVES** the General Plan Amendment in the form attached to this Resolution.

Upon a motion by Supervisor _____, and seconded by Supervisor _____, duly carried, the foregoing Resolution was passed and adopted this __ day of _____, 2024, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

ABSENT: Supervisors _____

CHAIR, BOARD OF SUPERVISORS

ATTEST:

DR. SEVET JOHNSON

Clerk of the Board of Supervisors

County of Ventura, State of California

By _____

Deputy Clerk of the Board

GENERAL PLAN AMENDMENT

EV-2

To improve the economic viability of agriculture through policies that support agriculture as an integral business to the County.

EV-2.1

Agricultural Diversification

The County should encourage the growth and expansion of new, innovative agricultural-related business opportunities, including technological advancements in irrigation, crop production and pest control, new crop types, and agritourism, and “farm-to-table” programs and events. (RDR, PI)

EV-2.2

Value-Added Agriculture

The County shall encourage the expansion of value-added agricultural products (e.g., processing, packaging, product development) within Existing Communities, where zoning allows, and on agricultural land consistent with SOAR policies. (RDR, MPSP, JP)

EV-2.3

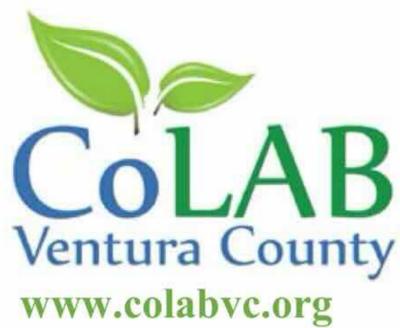
Processing of Locally Grown Food

In accordance with Section 2, subsection I(m) of the County’s 2050 Save Open-Space and Agricultural Resources (SOAR) Ordinance, facilities for the processing of locally grown food are authorized for approval on up to a cumulative total of 12 acres in the unincorporated area on land designated Agricultural Exclusive, Open Space, and Rural, provided that:

- a) the locally grown food processing facility is approved on or before January 1, 2030;
- b) no more than 3 acres per legal lot is devoted to the locally grown food processing facility use;
- c) the locally food processing facility does not require the expansion or extension of new sewer lines;
- d) the locally grown food that is processed at a facility would otherwise likely be transported out of Ventura County for processing as determined by the Agricultural Commissioner; and
- e) the locally grown food processing facility use will not result in a direct or indirect loss of soils on land classified as “Prime” or “Statewide Importance,” and/or “Unique” by the California Department of Conservation Important Farmland Inventory, unless the Planning Director, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.



Additional policies on the agricultural economy are located in Chapter 8, Agriculture Element.



April 3, 2024

Ventura County CoLAB
Board of Directors & Officers

Mark Mooring, Buon Gusto Farms
Chairman

Patrick Loughman,
Lowthorp Richards Attorneys
Vice Chairman

Bud Sloan, Sloan Ranches
President

John Hecht, Sespe Consulting
Vice President

Lynn Gray Jensen,
Jensen Design and Survey
Secretary

Melinda Carmichael,
UBS Financial Services
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Director

Bill Camarillo, Agromin
Director

Tim Cohen, Rancho Temescal
Director

Maureen Cottingham, CamLam Farms
Director

Jane Farkas, Carbon California
Director

Chris Oliva, AgRX
Director

Alex Teague,, AMT Ag Sales & Consulting
Director

Patty Waters, Waters Ranches
Director

Lisa Woodburn, Jensen Design and Survey
Director

Ventura County Planning Commission
Hall of Administration
800 S. Victoria Ave.
Ventura, CA 93009-1740

Re: Agenda Item B: Consideration to Allow and Establish Regulations for the Processing of Locally Grown Food in the Agricultural Exclusive, Open Space and Rural Agricultural Zones

Dear Chair Boydston and members of the Planning Commission,

To begin, VC CoLAB would like to thank county staff for all their work in preparing this proposed non-coastal zoning ordinance language. Staff's efforts in reaching out to County Agricultural Commissioner Bell, members of the Agricultural Policy Advisory Committee (APAC), Farm Bureau of Ventura County and VC CoLAB while developing this language have been greatly appreciated and have not gone unnoticed. It is our belief that these collaborative efforts have resulted in a very welcome opportunity for improvement in agricultural food processing here in Ventura County. Having been in attendance of the March 13, 2024, APAC meeting, we are also pleased to see many of the concerns made by Commissioner Bell and APAC have been addressed in the latest version of the proposed non-coastal zoning ordinance language.

As stated within the provided staff report, the goal of the proposed amendments is to work with our county's farmers and ranchers to ensure the economic sustainability of Ventura County's agriculture industry, including, but not limited to:

- Keeping locally grown crops in the county that would otherwise be transported elsewhere to be processed,
- Creating an environment that encourages producers to grow or start growing specialty or high-value crops, including specialized animal facilities and rearing methods that can be used for local food processing,
- Increasing our local food security,
- Enhancing relationships with local agricultural producers and other businesses within the county, including restaurants, markets, hospitals, food banks, schools and more,
- Reducing the environmental impact of shipping products outside the county.

While the proposed ordinance language makes huge strides in achieving the above objectives, we feel this can be better achieved by incorporating additional flexibility within the proposed language, specifically:

County of Ventura
Board of Supervisors Public Hearing
Case No. PI24-0027
PC Public Comment Letter from Ventura
County Coalition of Labor, Agriculture, and
Business (COLAB), dated April 3, 2024

- **Sec. 8107-XX.2 – General Standards**
 - **g.** Final determination of what land or parcels are unsuitable for cultivation uses should rely primarily on the determination of the Agricultural Commissioner. We suggest language be added to clarify that this standard will be based upon the Agricultural Commissioner’s determination, rather than a collaboration of multiple agencies.
 - **q.** Consider incorporating the wording outlining notification requirements for non-functioning processing facilities into any approved permitting language so that future food processing operators are aware of this requirement.
- **Sec. 8107-XX.3.2 – Standards for Locally Grown Food Processing Facilities Allowed by Zoning Clearance**
 - **b.** The absolute prohibition of native vegetation removal may create a significant impediment to permitting. We strongly suggest that flexibility be added to this language that would prevent the destruction or removal of established native vegetation communities, but would rather allow for areas of single or minimal native vegetation be considered for permitting, with supporting biological surveys.
 - *Example – If an individual is looking to build a food processing facility on an area where there is an unmaintained paved lot and a sagebrush plant is growing out of a crack, they would not qualify in the way it’s currently worded.*

VC CoLab would also echo the concerns made by APAC regarding the January 1, 2030 deadline for permit approval as it would preclude many projects from being developed. While we understand that the January 1, 2030 deadline is a provision of SOAR, the current timeline for permitting experienced by many growers and farmers far exceeds this five-year timeline. We urge the Planning Commission to recommend the Board of Supervisors review SOAR and remove the 2030 deadline. Alternatively, the County should establish a streamlined permitting process to ensure that food processing permit applications could be reviewed and approved within a 12-month timeframe.

VC CoLAB acknowledges the dedication of county staff towards crafting the proposed non-coastal zoning ordinance language, recognizing their commitment to the enduring prosperity of Ventura County's agriculture industry. We also appreciate staff’s efforts towards creating a more sustainable local agricultural economy, but urge the Planning Commission to support CoLAB’s recommendations to incorporate more clarity and flexibility into the proposed ordinance language. These recommendations would enhance the proposed ordinance effectiveness and ensure the County is supporting the evolving needs and challenges of our agricultural community. By fostering a collaborative approach, we can better safeguard the vitality and sustainability of Ventura County's agricultural landscape for generations to come.

Sincerely,



Brianne Whitcomb
Policy and Advocacy Coordinator



DATE: April 4, 2024

TO: Clerk of the County of Ventura Planning Commission and Planning Commissioners

FROM: Franca A. Rosengren, Case Planner, Planning Division
Dave Ward, Planning Director

SUBJECT: Amendment to April 4, 2024, 8:30 AM Agenda Item #6B, Public Hearing to Consider County-Initiated Amendments to the Ventura County General Plan Economic Vitality Element and Articles 5 and 7 of the Ventura County Non-Coastal Zoning Ordinance to Allow and Establish Regulations for the Processing of Locally Grown Food in the Agricultural Exclusive, Open Space and Rural Agricultural Zones in Conformance with the County's Save Open-Space and Agricultural Resources (SOAR) Ordinance (collectively, "Proposed Amendments"); and Consider a Finding that Adoption of the Proposed Amendments is Exempt from the California Environmental Quality Act (Case No. PL24-0027)

The following revisions to pages 2 and 6 of Exhibit 3 (Proposed NCZO Amendments, Legislative Version) and pages 2 and 5 of Exhibit 5 (Proposed NCZO Amendments, Clean Version) are submitted as an amendment to your Planning Commission packet for item No. 6B on the Planning Commission Agenda of April 4, 2024. In preparation of the Planning Commission hearing, staff identified a necessary change to both the land use matrix table and the development standards to ensure regulatory clarity for future implementation. The revisions are summarized below. The pages attached to this errata memorandum shall replace pages 2 and 6 of Exhibit 3 and pages 2 and 5 of Exhibit 5 of your Planning Commission packet.

Note: Inclusions and deletions to the sections are indicated in **red text** with underline and **strikeouts** respectively.

A. Exhibit 3, Page 2 of the Planning Commission Packet: Removes reference to Section 8107-XX.2 (General Standards) in the third line item of the use category "Processing of Locally Grown Food" because all proposed facilities are required to meet the standards of Section 8107-XX.2 regardless of whether it is ministerially or conditionally permitted. The revisions also include adding the specific subsection under Section 8107-XX.3 (i.e., Section 8107-XX.3.2(b)) to clarify the specific standard

County of Ventura
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Case No. PL24-0027
PC Errata Memorandum

related to the prohibition of vegetation removal that, if not met, would require a Conditional Use Permit.

Article 5, Section 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Processing of Locally Grown Food *												
Up to 20,000 sq. ft. in area		ZC	ZC	CUP								
not meeting standards of sections 8107-XX.2 and section 8107-XX.3.2(b)		CUP	CUP	CUP								
Over 20,000 sq. ft. to 3 acres in area		CUP	CUP	CUP								
Slaughterhouses, meatpacking and fish processing plants		CUP	CUP	CUP								
Requiring a new package sewage treatment plant for wastewater		CUP	CUP	CUP								

B. Exhibit 3, Page 6 of the Planning Commission Staff Report: Removes reference to Section 8107-XX.2 (General Standards) under Section 8107-XX.4 (Conditionally Permitted Locally Grown Food Processing Facilities) because all facilities are required to meet the general standards of Section 8107-XX.2 regardless of whether the facility is ministerially or conditionally permitted. The revisions also include adding subsection (b) to Section 8107-XX.3.2 to clarify that if the construction of a proposed facility will remove native vegetation, a Conditional Use Permit is required.

Sec. 8107-XX.4– Conditionally Permitted Locally Grown Food Processing Facilities
A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet ~~all of the standards of Sections 8107-XX.2 and the provisions of Section 8107-XX.3.2(b)~~ above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

Attachments: Replacement Pages 2 and 6 of Exhibit 3
 Replacement Pages 2 and 5 of Exhibit 5

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Reduced <i>Setbacks</i> for <i>Animals</i> (Excluding the Keeping of <i>Roosters</i>) Per Table 2, Sec. 8107-2.5.1 (16, 53)	ZCW	ZCW	ZCW	ZCW	ZCW	ZCW						
<i>Apiculture</i> (Other than <i>Backyard Beekeeping</i>) See Sec. 8107-2.6.1 (2, 15, 56)	E	E	E	E							E	
Aquaculture/Aquiculture (15)	CUP	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture											
Vermiculture * (16)	See Principal Structures Related to Agriculture											
up to 5,000 sq. ft. of open beds	ZC	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds		CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)		CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)		CUP	CUP									
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)		CUP	CUP	CUP								
<u>Processing of Locally Grown Food *</u>	See Principal Structures Related to Agriculture											
<u>Up to 20,000 sq. ft. in area</u>		ZC	ZC	CUP								
<u>not meeting standards of sections 8107-XX.2 and section 8107-XX.3.2(b)</u>		CUP	CUP	CUP								
<u>Over 20,000 sq. ft. to 3 acres in area</u>		CUP	CUP	CUP								
<u>Slaughterhouses, meatpacking and fish processing plants</u>		CUP	CUP	CUP								
<u>Requiring a new package sewage treatment plant for wastewater</u>		CUP	CUP	CUP								

[Staff Explanation: Adds a new principal use category of “Processing of Locally Grown Food” under “Agriculture and Agricultural Operations.” Adds an asterisk in the heading to indicate there are specific use standards in Article 7 pertaining to food processing facilities. There are subcategories under “Processing of Locally Grown Food”: facilities up to 20,000 square feet in the OS and AE Zones that meet the Zoning Clearance requirements are allowed with a Zoning Clearance, all facilities in the RA Zone regardless of size require a CUP, all facilities up to 20,000 square feet that do not meet the Zoning Clearance requirements are allowed with a Planning Director-approved CUP, facilities over 20,000 square feet to 3 acres are allowed with a Planning Director-approved CUP in the OS and AE Zones and with a Planning Commission-approved CUP in the RA Zone. Regardless of the size of the facility, if it involves a new packaged treatment plant (i.e., advanced treatment), and/or a slaughterhouse, meatpacking and fish processing plant, a Planning Commission-approved CUP is required. Food processing would be prohibited in the OS-REC Zone since it does not meet the purpose of the zone.]

- d. In instances where the locally grown food processing facility requires a ministerial Zoning Clearance in conjunction with a separate project involving an application for a Conditional Use Permit, Planned Development Permit, or other discretionary County land use approval involving some or all of the property subject to the locally grown food processing facility, the application for the locally grown food processing facility shall be processed concurrently with the application for the discretionary land use approval, including for purposes of evaluating the project's potential environmental effects.

Sec. 8107-XX.3.2 – Standards for Locally Grown Food Processing Facilities Allowed by Zoning Clearance

- a. The locally grown food processing facility shall not exceed 20,000 square feet in area, based on the criteria set forth in Section 8107-XX.2(c) above.
- b. No proposed above or below ground improvements related to the locally grown processing facility, including wastewater treatment systems and related infrastructure, shall result in direct or indirect impacts on *native vegetation*. Removal of *native vegetation* to accommodate a locally grown food processing facility is prohibited. An assessment prepared by a qualified biological consultant may be required by the *Planning Director* to determine an application's compliance with this subsection (b).

Sec. 8107-XX.4– Conditionally Permitted Locally Grown Food Processing Facilities

A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet ~~all of the standards of Sections 8107-XX.2 and the provisions of Section 8107-XX.3.2(b)~~ above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

- a. In addition to complying with the requirements of Section 8111-2 et seq. of this Chapter, *applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, including all existing and proposed structures, buildings, equipment, and other above- and below-ground improvements that would be utilized for the facility.
- b. A Conditional Use Permit authorizing a locally grown food processing facility, and any discretionary permit modification thereto, shall meet all of the general standards set forth in Section 8107-XX.2 above, in addition to the applicable permit approval standards of this Chapter as set forth in Section 8111-1.2.1.1a. (General Permit Approval Standards), Section 8111-1.2.1.2 (Additional Standards for AE Zone), Section 8111-1.2.1.3 (Compliance with Other Documents), Section 8111-1.2.1.4 (Additional Standards for Overlay Zones), and Section 8111-1.2.1.7 (Additional Standards for Cultural Heritage Sites).

[Staff Explanation: This is an entirely new section under Article 7 of the Non-Coastal Zoning Ordinance that implements the 2016 County SOAR initiative that allows up to 12 acres countywide of food processing on land zoned AE, OS, and RA without the vote of the people. Consistent with the 2016 County SOAR initiative (section 2(1)(l)(m)), the intent of this NCZO amendment is to expand the current allowance of preliminary processing of agricultural products in the subject zones to food processing of locally grown food, which is currently not allowed in the OS, AE and RA Zones. This amendment supports allowing up to 12 acres countywide of these types of

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
Apiculture (Other than Backyard Beekeeping) See Sec. 8107-2.6.1 (2, 15, 56)	E	E	E	E							E	
Aquaculture/Aquiculture (15)	CUP	CUP	CUP	CUP	CUP							
Insectaries for Pest Control (3, 6, 15)	See Principal Structures Related to Agriculture											
Vermiculture * (16)												
up to 5,000 sq. ft. of open beds	ZC	ZC	ZC	ZC	ZC	ZC					ZC	
over 5,000 sq. ft. of open beds		CUP	CUP	CUP	CUP							
Wild Animals, Not Inherently Dangerous * (16, 19)		CUP	CUP	CUP	CUP	CUP						
Inherently Dangerous Animals (16)		CUP	CUP									
Agricultural Contractors' Service And Storage Yards And Buildings (15, 19)		CUP	CUP	CUP								
Processing of Locally Grown Food *												
Up to 20,000 sq. ft. in area		ZC	ZC	CUP								
not meeting standards of section 8107-XX.3.2(b)		CUP	CUP	CUP								
Over 20,000 sq. ft. to 3 acres in area		CUP	CUP	CUP								
Slaughterhouses, meatpacking and fish processing plants		CUP	CUP	CUP								
Requiring a new package sewage treatment plant for wastewater		CUP	CUP	CUP								

Section 2
ARTICLE 7:
STANDARDS FOR SPECIFIC USES

Article 7 – Standards for Specific Uses – of the Ventura County Ordinance Code is hereby amended to add a new Section 8107-XX - Locally Grown Food Processing Facilities, which shall read in its entirety as follows:

Sec. 8107-XX – Locally Grown Food Processing Facilities

The purpose of this Section 8107-XX is to allow and regulate the processing of locally grown food (agricultural *processed commodities*) on OS, AE, and RA zoned lands in compliance with the County’s Save Open-Space and Agricultural Resources (SOAR) Ordinance (§ 2(1)(I)(m)).

Sec. 8107-XX.1 – Exclusions

This Section 8107-XX does not authorize or apply to the following *uses* and *structures* which are separately regulated as set forth in this Chapter:

- a. *Preliminary processing* and packing of agricultural products.

consultant may be required by the *Planning Director* to determine an application's compliance with this subsection (b).

Sec. 8107-XX.4– Conditionally Permitted Locally Grown Food Processing Facilities

A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet the provisions of Section 8107-XX.3.2(b) above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

- a. In addition to complying with the requirements of Section 8111-2 et seq. of this Chapter, *applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-XX.2(c) above), and intensity of the locally grown food processing facility, including all existing and proposed *structures, buildings*, equipment, and other above- and below-ground improvements that would be utilized for the facility.
- b. A Conditional Use Permit authorizing a locally grown food processing facility, and any discretionary permit modification thereto, shall meet all of the general standards set forth in Section 8107-XX.2 above, in addition to the applicable permit approval standards of this Chapter as set forth in Section 8111-1.2.1.1a. (General Permit Approval Standards), Section 8111-1.2.1.2 (Additional Standards for AE Zone), Section 8111-1.2.1.3 (Compliance with Other Documents), Section 8111-1.2.1.4 (Additional Standards for *Overlay Zones*), and Section 8111-1.2.1.7 (Additional Standards for Cultural Heritage Sites).