



July 25, 2023

Board of Supervisors  
County of Ventura  
800 S. Victoria Avenue  
Ventura, CA 93009

**SUBJECT: Public Hearing Regarding Adoption of a County-Initiated Ordinance Amending Articles 1, 2, 6, 7, 8, 11, 13 and 19 of the Ventura County Non-Coastal Zoning Ordinance to Incorporate Maximum Building Lot Coverage Development Standards, Add a Setback Exception, and Make Grammatical, Stylistic, Definitional and Other Clarifying Amendments; and to Consider a Finding that Adoption of the Amendments is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15061(b)(3); All Supervisorial Districts (Case No. PL22-0163)**

**RECOMMENDED ACTIONS:**

1. **CERTIFY** that the Board of Supervisors has reviewed and considered the Board Letter, the April 6, 2023, Planning Commission Staff Report and all exhibits thereto (Exhibit 1), and has considered all comments received regarding this project;
2. **FIND**, on the basis of the entire record and as set forth in the April 6, 2023, Planning Commission Staff Report, that adoption of the Non-Coastal Zoning Ordinance (NCZO) amendments (Exhibit 3) is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because there is no possibility it may have a significant effect on the environment;
3. **FIND**, on the basis of the entire record and as set forth in the April 6, 2023, Planning Commission Staff Report and the entire record, that the proposed NCZO amendments (Exhibit 3) are consistent with the Ventura County General Plan, good planning practices, and are in the interest of public health, safety or general welfare;
4. **ADOPT** the proposed NCZO text amendments (Exhibit 3); and
5. **SPECIFY** the Clerk of the Board of Supervisors at 800 S. Victoria Avenue, Ventura, CA 93009 as the custodian and location of the documents and materials that constitute the record of proceedings upon which these decisions are based.

**FISCAL IMPACTS/MANDATES:**

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

<b>FY 2023-24 Budget Projection for Planning – Division 2910</b>				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings/(Deficit)
Appropriations	\$ 10,415,656	\$ 10,415,656	\$ 10,415,656	\$ -
Revenue	\$ 4,371,381	\$ 4,371,381	\$ 4,371,381	\$ -
Net Cost	\$ 6,044,275	\$ 6,044,275	\$ 6,044,275	\$ -

The proposed amendments can be completed with existing Planning Division staff and within the existing Planning Division budget allocation. Staff time will also be used to complete post-adoption tasks such as codification of the approved ordinance, staff training and information at the public counter and the Planning Division webpage.

**BACKGROUND/DISCUSSION:**

As part of continued process improvements in the Planning Division, staff is proposing the following NCZO amendments to enhance efficiency and ease of use by residents, applicants, and County staff, to respond to applicant feedback, and to provide clarification. Specifically, the proposed NCZO amendments before your Board consist of the following:

- (1) County-initiated amendments to incorporate existing building lot coverage development standards into Article 2 (Definitions) and Article 6 (Lot Area and Coverage, Setbacks, Height and Related Provisions) of the NCZO.

The text amendments include incorporating the defined term “building lot coverage” into Article 2 and updating the use of existing terms “lot coverage” and “building coverage” throughout the NCZO to conform to the newly defined term – “building lot coverage.” The proposed text amendments also incorporate building lot coverage development standards into the NCZO from the 2040 General Plan, the eight non-coastal Area Plans, and the repealed 2019 General Plan Goals, Policies and Programs (GPP) for efficiency and ease of use by residents, applicants, and County staff.

The proposed amendments do not include any policy or development standard changes.

- (2) The proposed amendment adds bay windows to the setback exception set forth under Section 8106-5.7 for chimneys and fireplaces. This is a policy change and allows greater design flexibility for project applicants. Based upon staff experience,

this proposed amendment will benefit property owners without a significant negative impact to the undeveloped portion of the subject lot, or to the solar access, air quality, or privacy of adjacent properties.

(3) The proposed amendments include grammatical, stylistic, and clarifying amendments to make the articles under revision consistent with the other articles of the NCZO and for improved readability and use by the public based upon Planning staff experience assisting the public or project applicants using the County's zoning regulations. Illustrative examples of these proposed amendments include:

- a. Replacing written numbers with the numerical version;
- b. Revising capitalization, punctuation, etc. for consistency;
- c. Deleting unnecessary language for clarity or adding clarifying language based upon Planning Division staff and applicant use of the NCZO; and
- d. Making changes consistent with the recent update of the California Building Code and California Residential Code.

Background and discussion of each proposed NCZO text amendment is provided in the April 6, 2023, Planning Commission Staff Report (Exhibit 1, Section 6). Except for the post-Planning Commission hearing revision included in Exhibit 4 and discussed below, the proposed legislative changes are shown in SR-Exhibit 2 and the final, clean version is shown in Exhibit 3.

#### **PLANNING COMMISSION HEARING:**

On April 6, 2023, the Planning Commission considered the proposed NCZO text amendments at a public hearing. No public written or verbal comments were received by the Planning Commission at the hearing. The Planning Commission voted 3-0 (with 2 absent) to approve staff's recommended actions without modifications.

#### **POST-PLANNING COMMISSION HEARING REVISION:**

Following the April 6, 2023, Planning Commission hearing, Planning Division staff identified a minor necessary revision to the proposed update to NCZO Section 8119-1.1.2 (Exhibit 4). The proposed revision clarifies that the development standards for the M1, M2, and M3 industrial zones within the Saticoy Area Plan boundary are set forth in various provisions of the NCZO, not just in what was formerly identified as Section 8104-5.

#### **ENVIRONMENTAL REVIEW:**

The proposed project includes incorporating existing maximum building lot coverage development standards from the General Plan, Area Plans, and repealed 2019 GPP into the NCZO, adds bay windows to the setback exception for chimneys and fireplaces, and makes various minor administrative clarifying amendments. Together, these amendments do not have the potential to cause a significant effect on the environment.

Planning Division staff has therefore determined, and recommends that your Board find, that the adoption of the proposed ordinance amendments is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3). CEQA Guidelines section 15061(b)(3) states, "the activity is covered by the common sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

**PUBLIC NOTICE AND PUBLIC COMMENTS:**

The Planning Division provided public notice regarding this Board hearing by publishing a hearing notice, along with a summary of the text amendments, in Spanish in *Vida* newspaper on July 13, 2023, and in English in the *Ventura County Star* on July 13, 2023. No additional written comments have been received as of the date of this Board Letter.

This Board Letter was reviewed by the County Executive Office, the Auditor-Controller's Office, and the County Counsel's Office.

If you have any questions regarding this item, please contact me at (805) 654-2481 or by email at [Dave.Ward@ventura.org](mailto:Dave.Ward@ventura.org). You may also contact the case planner, Todd Davis, at (805) 654-2498 or by email at [Todd.Davis@ventura.org](mailto:Todd.Davis@ventura.org).



DAVE WARD, AICP, Planning Director  
Ventura County Planning Division

**ATTACHMENTS:**

Exhibit 1 – April 6, 2023, Planning Commission Staff Report, including Exhibits (Exhibits to the April 6, 2023, Planning Commission Staff Report are shown with prefix "SR" below.)

SR Exhibit 2 – Proposed NCZO Text Amendments, Legislative Version

SR Exhibit 3 – Proposed NCZO Text Amendments, Clean Version

SR Exhibit 4 – Draft Planning Commission Resolution to the Board of Supervisors

SR Exhibit 5 – Proposed NCZO Building Lot Coverage Development Standard References

SR Exhibit 6 – Maximum Building Lot Coverage Development Standards for Lots Subject to NCZO § 8106-1 .4.1.2

SR Exhibit 7 – Errata Memorandum

Exhibit 2 – Planning Commission Resolution 23-04

Exhibit 3 – Proposed NCZO Amendments, Clean Version

Exhibit 4 – Post-Planning Commission Hearing Revisions to Article 19, Legislative Format