

EXHIBIT 1, PC-4

Legislative Version of Proposed Non-Coastal Zoning
Ordinance Amendments

County-Initiated Proposed Ordinance Amending
Articles 2, 5, 7, and 19 of the Ventura County Non-
Coastal Zoning Ordinance to Include a Definition,
Use Category, and Acres Limitation for Phase I of
the Renewable Energy Program

Case No. PL24-0019

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Section 1
ARTICLE 2:
DEFINITIONS

Article 2, Section 8102-0 – Application of Definitions of the Ventura County Ordinance Code is hereby amended to revise the definition of “Energy Production from Renewable Sources” and to add a definition for “Renewable Energy Storage,” to read as follows:

[Staff Explanation: On November 29, 2023, the Planning Director issued Planning Director Determination Policy No. 2023-2 which found that battery energy storage as a principal use is equivalent to the use “Energy Production From Renewable Sources” as defined in Article 2 and allowed as a use through a Conditional Use Permit in the OS, AE, and RA zones and a PD permit in the M1, M2, M3, and IND zones in Articles 5 and 19 of the Non-Coastal Zoning Ordinance (NCZO). On December 19, 2023, the Board of Supervisors directed the Planning Division to conduct a two-phase work plan for implementation of General Plan Program COS-O and Policy EV-4.4 that encourage the development of renewable energy facilities including battery energy storage. Phase 1 includes implementation of Planning Director Determination Policy No. 2023-2. This requires the following amendment to the “Energy Production from Renewable Sources” definition to include battery energy storage. The Board also supported amending the definition to include other types of renewable energy storage to allow flexibility for different types of renewable energy storage technology and therefore “battery” is not specified.

A definition for “renewable energy storage” would also be included that describes it is a type of “energy production and storage from renewable resources”. The new definition is proposed to be used in the Article 5 and Article 7 amendments.]

Energy Production and Storage from Renewable Sources - Any facility, structure, or installation as a principal use that ~~such as a windmill, hydroelectric unit or solar collecting or concentrating array, which is designed and intended to produce or stores energy, primarily for off-site use, from naturally replenished sources~~ ~~forces~~ such as, but not limited to, wind, water, sunlight, or geothermal heat, or ~~from biomass, for off-site use.~~

Energy Storage, Renewable – A specific type of land use under the definition “*energy production and storage from renewable sources*” that is limited to the storage of renewable energy primarily for off-site use.

Section 2
ARTICLE 5:
USES AND STRUCTURES BY ZONE

Article 5, Section 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones of the Ventura County Ordinance Code is hereby amended to rename the use category of “Energy Production from Renewable Sources” to “Energy Production and Storage from Renewable Sources” and add a reference to applicable development standards, to read as follows:

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

*[Staff Explanation: The table below shows the revised category “Energy Production and Storage from Renewable Sources” includes an * to indicate the use category is subject to special development standards. This task addresses the Board of Supervisors direction to include a development standard to limit new principal use energy storage projects to 100 acres.]*

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
ENERGY PRODUCTION AND STORAGE FROM RENEWABLE SOURCES_* (3)	CUP	CUP	CUP								

Article 5, Section 8105-5 – Permitted Uses in Commercial and Industrial Zones of the Ventura County Ordinance Code is hereby amended to rename the use category of “Energy Production from Renewable Sources” to “Energy Production and Storage from Renewable Sources” and to add a line item for “Renewable Energy Storage,” with a reference to applicable development standards, to read as follows:

Sec. 8105-5 – Permitted Uses in Commercial and Industrial Zones

[Staff Explanation: The table below shows the revised category in NCZO Section 8105-5 “Energy Production and Storage from Renewable Sources” with a new use category row labeled “Renewable Energy Storage.” This amendment reflects Planning Director Determination Policy No. 2023-2 directive to allow renewable energy storage in M1, M2, and M3 zones with a Planning Director-approved Planned Development permit..]

	CO	C1	CPD	M1	M2	M3
ENERGY PRODUCTION AND STORAGE FROM RENEWABLE SOURCES (3)					CUP	CUP
<u>Renewable Energy Storage*</u>				PD	PD	PD

Section 3

ARTICLE 7: STANDARDS FOR SPECIFIC USES

Article 7 – Standards for Specific Uses of the Ventura County Ordinance Code is hereby amended by adding a new **Section 8107-49 – Energy Production and Storage from Renewable Sources** to read as follows:

[Staff Explanation: On December 19, 2023, the Board of Supervisors directed staff to limit renewable energy storage development to 100 acres in the OS (Open Space), AE (Agricultural Exclusive), and RA (Rural Agriculture) zones to ensure that this use does not result in substantial impacts to existing uses in these zoning districts. In response to this request a new section under Article 7 is proposed that would limit the number of cumulative acres that could be developed for these facilities when they are a grid scale principal use (not an accessory use).

This this new section will eventually be expanded to include more development standards for long-term renewable energy facilities.]

Sec. 8107-49 – Energy Production and Storage from Renewable Sources

The purpose of this Section 8107-49 is to regulate energy production and storage from renewable sources to ensure public safety and compatibility with surrounding land uses, and limit impacts to agricultural and open space lands, while providing reliable renewable energy for the community.

Sec. 8107-49.1 – Renewable Energy Storage Acreage Limitation

The total cumulative acreage for renewable energy storage facilities, including accessory equipment and structures but excluding the area for ingress and egress to the facility, shall not exceed 100 acres within the OS (Open Space), AE (Agricultural Exclusive), and RA (Rural Agriculture) zoning districts.

Section 4
ARTICLE 19:
SPECIFIC STANDARDS FOR AREA PLANS

Article 19, Section 8119-1 – Old Town Saticoy Development Code of the Ventura County Ordinance Code is hereby amended to add “Renewable Energy Storage” under the heading of “Warehousing and Storage, Indoor Only,” to read as follows:

[Staff Explanation: The Saticoy Area Plan is proposed to be amended to expressly allow energy storage. This amendment reflects Planning Director Determination Policy No. 2023-2 directive to allow electrical/energy storage in NCZO Section 8119-1, under the IND zone column with a Planning Director-approved Planned Development permit.]

Sec. 8119-1– Old Town Saticoy Development Code

PERMITTED USES IN OLD TOWN SATICOY, BY ZONE				
	TC	R/MU	RES	IND
WAREHOUSING AND STORAGE, INDOOR ONLY				PD
Building Materials, Movers’ Equipment, etc.				PD
Ministorage, with or without RV Storage *				CUP
Warehousing and Storage, with outdoor storage				CUP
<u>Renewable Energy Storage</u>				PD