



**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

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)												
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>		<u>ZC</u>	<u>ZC</u>	<u>CUP</u>								
<u>not meeting standards of sections 8107-XX.2 and section 8107-XX.3.2(b)</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>								
<u>Over 20,000 sq. ft. to 3 acres in area</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>								
<u>Slaughterhouses, meatpacking and fish processing plants</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>								
<u>Requiring a new package sewage treatment plant for wastewater</u>		<u>CUP</u>	<u>CUP</u>	<u>CUP</u>								

**[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*

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<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						
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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).