

EXHIBIT 1

Planning Commission Staff Report

County-Initiated Amendment to the Ventura County General Plan – Land Use Element, and Proposed Ordinance Amending Articles 2, 3, 5, 7, 8, and 19 of the Ventura County Non-Coastal Zoning Ordinance to Include a Definition, Lot Area Exception, Use Category, and Development Standards for Urban Parks

Case No. PL22-0056

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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 Amendment to the Ventura County General Plan – Land Use Element, and Proposed Ordinance Amending Articles 2, 3, 5, 7, 8, and 19 of the Ventura County Non-Coastal Zoning Ordinance to Include a Definition, Lot Area Exception, Use Category, and Development Standards for Urban Parks (collectively, “Proposed Amendments”); and Consider a Finding that Adoption of the Proposed Amendments is Exempt from the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Section 15168(c)(2); All Supervisorial Districts (Case No. PL 22-0056).

A. PROJECT INFORMATION

1. **Applicant:** County of Ventura, Resource Management Agency (RMA), Planning Division, 800 South Victoria Avenue, Ventura, CA 93009.
2. **Location:** The proposed amendments to the Non-Coastal Zoning Ordinance (NCZO) would be applicable to the non-coastal unincorporated areas of the County of Ventura and all Supervisorial 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 6 of this staff report, including approval of the proposed amendments to the General Plan and NCZO. The proposed amendments to the Land Use Element of the General Plan would 1) repeal the Parks and Recreation Land Use designation, 2) repeal the Recreation zone, 3) repeal Goal LU-12 and Policy LU-12.1, 4) amend Goal LU-16 and 5) add a new Policy LU-16.11. The proposed amendments to the NCZO would establish a new urban parks use category and make related amendments to Articles 2, 3, 5, 7, 8, and 19 of the NCZO. The proposed amendments to the General Plan and NCZO are included in Exhibits 3 and 5, respectively, of this report (collectively, “proposed amendments”). A legislative (strike-out) version with staff explanations are also included as Exhibits 4 and 6, respectively.
4. **Review/Decision-Making Authority:** Pursuant to 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 General Plan and NCZO amendments. The Board, at a subsequent public hearing, will consider your Commission’s recommendations and decide whether to adopt, not adopt, or adopt with modifications the proposed amendments.
5. **Project Background and Description:** Goal PFS-10 of the Public Facilities and Service Element of the General Plan tasks the County with developing and maintaining park lands. Within the unincorporated Existing Communities, parks and

recreation uses and amenities provide for a higher quality of life for residents and visitors and improve air and water quality in the surrounding area. The General Plan's Environmental Impact Report (EIR) found that implementation of the General Plan would require the expansion of existing park and recreation facilities or the construction of new facilities to avoid physical deterioration from overuse and to maintain an acceptable ratio of parklands to population¹. The proposed amendments to create a new urban parks use category in the NCZO and to modify permit requirements for other recreational uses would support the development of parks projects for public agencies, conservancies, and private landowners who seek to provide parks and recreation uses to residents and visitors.

a. Project Background

During a General Plan Update Work Session on November 6, 2018, the Board of Supervisors directed Planning staff to allow more flexibility when establishing park and recreational facility uses on vacant land within Existing Communities.

On September 15, 2020, the Board adopted the 2040 General Plan which contained a new Parks and Recreation land use designation and a new Recreation (REC) zone that, according to the Compatibility Matrix in Table 2-1 of the Land Use Element, were only compatible with each other. According to the General Plan's Public Land Use Element, the purpose of the Parks and Recreation land use designation is to provide for parks and recreation facilities and associated recreational uses characterized by open spaces and a limited number of buildings. These facilities typically include sports fields, playground equipment, picnic areas, sitting areas, natural areas, trails, and even concession businesses and golf courses. Policy LU-12.1 also supports the development of a REC Zone: "The County shall support the development of parks and recreation facilities within areas designated as Existing Community, Area Plans, or Areas of Interest."

While adoption of the 2040 General Plan established a new Parks and Recreation land use designation and Recreation zone, no lands received the designation at the time of the General Plan's adoption and the Recreation zone has not been incorporated into the County's zoning ordinance. For a potential applicant to propose a new park with the above land use designation and zoning district they would have

¹ County of Ventura 2040 General Plan Final EIR, Mitigation Measure for Impact 4.15-5 states that the construction of new or expanded parks and recreation facilities could result in the types of potential adverse physical changes to the environment already evaluated and identified throughout the Final EIR. Where impacts are potentially significant, the Final EIR identifies potentially feasible mitigation measures to avoid or substantially lessen the impact. As a result, no additional mitigation measures are identified in this section to address the potentially significant impacts of constructing new or expanded parks and recreation facilities. Additionally, future development would be subject to applicable laws and regulations, the policies and implementation programs in the 2040 General Plan, and mitigation measures identified throughout the Final EIR.

to submit first a General Plan amendment screening to the Board of Supervisors for preliminary direction to support or reject the amendment for processing; then secondly, apply for a formal General Plan amendment, Area Plan amendment (if applicable), and zone change in addition to apply for the applicable permits, which can be a costly and lengthy process. To date, no requests have been submitted for a General Plan amendment or rezone of any parcel to the Parks and Recreation land use designation and REC zone.

The staff work effort for this urban park project commenced in 2022 and is included in the June 2023 Board adopted Three-Year Work Plan Forecast.

b. Project Description

To provide parks and recreation facilities that serve all residents of Ventura County and fulfill the Board's directive while also considering applicant processing time and costs for rezoning, Planning staff recommends to repeal the Parks and Recreation land use designation and REC zone in the General Plan and amend the NCZO to establish instead a new urban parks use category to encourage the development of new parks without the need for applicants to pursue a rezone or General Plan amendment.

Amendments to the NCZO are proposed to implement the new urban parks use category, including amendments to the definitions in Section 8102-0, an exception to the minimum lot size in Section 8103-2, insertion of the urban parks use in the Permitted Uses tables in Sections 8105-4, 8105-5, and 8119-1, creation of new development standards under Article 7, and minor modifications to the parking requirements for parks uses in Section 8108-4. Additionally, the geographic restrictions contained within Policy LU-12.1 to support the development of parks in areas designated as Existing Community, Area Plans, and Areas of Interest are proposed to be implemented by allowing the proposed urban park use predominantly in zones that are most prevalent within developed areas of these designations, e.g. RE, R1, RPD, etc.

The Permitted Uses tables in Sections 8105-4 and 8119-1 currently require Conditional Use Permits for County-initiated recreation projects, athletic fields, and natural parks. These permit requirements are also proposed to be changed to Planned Development Permits, which are authorized for uses consistent with the zone and typically do not have permit expiration dates. This modification will also reduce permitting costs for parks projects because the permits will not need to go through the permit renewal process, which takes approximately 6-12 months, are subject to environmental review, and would require a minimum deposit of \$750 (per the 2023-2024 Planning Division Fee Schedule).

In addition to this project, please note that staff has been working on an additional park-related project consisting of County-initiated amendments to the General Plan and NCZO to create a new Open Space – Parks and Recreation zone (PL22-0057). Since both projects include amendments to Article 5, Section 8105-4, Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones. The combined changes are shown in Exhibit 6 of the Staff Report for Case No. PL22-0057.

6. Summary of Proposed General Plan Amendment

The following is a summary of the proposed amendments to the General Plan. The amendments are shown in legislative format in Exhibit 4, and a clean version in Exhibit 3.

a. Amend Tables 2-1 and 2-2 to Remove the Parks and Recreation Land Use Designation and the Recreation Zone

The Parks and Recreation land use designation and REC zone are proposed to be removed from Table 2-1, General Plan Land Use Designations and Zoning Compatibility Matrix, and Table 2-2, Land Use Designation General Development Standards. As stated above in section 5.a, no parcels were assigned this land use or zoning designation at the time of adoption of the General Plan, and no subsequent request has been submitted for an amendment or rezone.

b. Repeal Goal LU-12 and Policy LU-12.1, Amend Goal LU-16, and Add Policy LU-16.11

Goal LU-12 and Policy LU-12.1 relate to the Parks and Recreation land use designation and provide policy direction to support parks and recreation facilities. Since the Parks and Recreation land use designation is proposed for repeal, this related goal and policy is also proposed for repeal. However, instead of completely eliminating this goal and policy, staff proposes they be incorporated into Land Use Element Section 2.4, Character and Design, as this section focuses on promoting attractive communities with a distinct sense of place. Goal LU-16 will be modified to clarify that the provision of parks and recreation facilities are needed to enhance the character and design of unincorporated communities and meet the daily needs of residents. Additionally, LU-12.1 will be moved in its entirety to Section 2.4 and will become new Policy LU-16.11.

7. Summary of Proposed Ordinance Amending the NCZO:

The following is a summary of the proposed amendments to Articles 2, 3, 5, 7, 8, and 19 of the NCZO. The amendments are shown in legislative format in Exhibit 6, and a clean version in Exhibit 5.

a. Article 2 – Definitions

The existing definition of “park” in Section 8102-0 of the NCZO requires that at least 75-percent of the area be landscaped or otherwise left in a natural state. To better distinguish between these parks and the proposed new “urban park use”, the existing *park* definition would be updated with the word “natural” so that the term for such parks be “natural parks”. The rest of the definition has been left intact. The 75 percent landscape/natural state requirement is a fundamental difference between “natural parks” characterized by predominantly open space, and “urban parks” characterized predominantly by sports fields and playgrounds in a neighborhood setting. The proposed urban park definition does not require the 75 percent landscape/natural state feature and it would include various types of public spaces and amenities for active users.

b. Article 3 – Establishment of Zones, Boundaries and Maps

The purpose behind the proposed urban park use is to allow them within existing communities, on remnant parcels, or as part of new subdivisions. An exception to the minimum lot area is proposed to allow urban parks to be located on lots that do not meet the minimum lot size requirements. This exception will encourage the development of small pocket parks and parks on legal lots that are too small for other types of development.

c. Article 5 – Uses and Structures by Zone

The proposed amendments to Article 5 include modifications to both the Open Space, Agricultural, Residential and Special Purpose Zones Use Matrix in Section 8105-4 and the Commercial and Industrial Zones Use Matrix in Section 8105-5, as described below.

i. Section 8105-4 – Open Space, Agricultural, Residential and Special Purpose Zones

Proposed amendments to the Open Space, Agricultural, Residential and Special Purpose Zones table in NCZO Section 8105-4 will facilitate the development of parks and recreation facilities. A new “urban parks” use category is proposed to be added, which correlates to the new definition added to Article 2 and will be subject to specific standards under Article 7. Urban parks will be allowed within the Rural Exclusive (“RE”), Single Family Estate (“RO”), Single Family Residential (“R1”), Two-Family Residential (“R2”), Residential Planned Development (“RPD”), and Residential High Density (“RHD”) with the approval of a Planned Development Permit from the Planning Director. Additionally, a supporting gymnasium is allowed within the urban park with the approval of a Conditional Use Permit by the Planning Director. The “Recreational, Sport, and Athletic Facilities” use category is proposed to be renamed to “Recreation and Parks” so that it is more inclusive of the broader recreation and park uses that are permitted within this category.

As mentioned above, one of the key proposed amendments that would encourage the provision of parks and recreation facilities is changing the requirements for a Conditional Use Permit (CUP) to a Planned Development Permit (PD), while keeping the approval body the same, for the following recreation and park uses: “athletic fields,” “natural parks,” “urban parks,” and “County-initiated recreation projects.” CUP’s have an expiration date and are intended for uses that could conflict with the neighborhood setting. However, parks are integral components of the built environment and staff recommends they be allowed with a PD permit that does not expire. This amendment would help to reduce permitting costs for agencies and landowners that provide parks by removing the need to go through the CUP renewal process. By changing the permit requirement from a CUP to a PD, the proposed amendments would not require a park owner/operator to submit any permit application unless the park is proposed for a modification that is not authorized under the existing permit.

For both natural park and urban park uses, the permits required for buildings or gymnasiums are proposed to be included as separate uses (inset rows in the use matrix) as they would be subservient to the principal park uses. If necessary, a park use can be authorized under one permit and a building or gymnasium use can be authorized with another permit. If a future change, modification, expiration, or revocation is required for the building or use, then the specific permits can be modified without needing to modify the permit for the park. In particular, this approach is needed for the new use, in the NCZO’s use matrix, for “gymnasiums” that would be authorized through a CUP permit under the proposed urban parks use authorized through a PD permit. While buildings are allowed through a PD permit, gymnasiums tend to host events which have the potential to be disruptive in urban zones with nearby/neighboring residential uses, therefore a CUP for the use would be more appropriate as the approving body would be able to review the permit to see if any operational conditions or modifications are necessary.

ii. Section 8105-5 – Commercial and Industrial Zones

The proposed urban parks use would be inserted into the Commercial and Industrial Zones in the NCZO Section 8105-5 use matrix under the broader “Amusement and Recreational Facilities” category. Urban parks would be allowed within the three commercial zones, Commercial Office (CO), Neighborhood Commercial (C1), and Commercial Planned Development (CPD), with the authorization of a PD permit by the Planning Director. Urban parks in commercial zones can be used by employees and residents that live nearby and allowing them in commercial zones would allow the opportunity for these uses. According to the American Planning Association, parks provide a benefit to nearby businesses and

local governments because they enhance property values, increase municipal revenues, and are attractive features for business owners and employees.

The urban parks use in commercial zones is also proposed to include the ancillary gymnasium use with the authorization of a CUP by the Planning Director, matching the same permit pathways in the Open Space, Agricultural, Residential, and Special Purpose Zones Use table. Note that this ancillary gymnasium use is separate and distinct from the standalone “Gymnasium” use within the same “Amusement and Recreational Facilities” category because that use is meant to be the primary use on a site, unlike gymnasiums within an urban park setting which must be ancillary to the larger urban park uses.

d. Article 7 – Standards for Specific Uses

A new subsection, Section 8107-48, is proposed that would prescribe standards for “urban park” uses including setback, safety, lighting, signage, and application requirements. The new standards will ensure consistent, safe, and high-quality design to limit potential incompatible impacts to surrounding land uses. These standards will specifically apply to urban parks and do not apply to other recreation use categories, such as “natural parks” and “athletic fields” which are regulated by other sections of the NCZO, unless those uses are proposed as a component of the urban park.

The intent of these specific standards is to limit potential impacts to adjacent sensitive uses, specifically regarding noise and light. The proposed section includes setbacks for uses from these sensitive uses and incorporates a new lighting section which is based from the dark sky regulations set forth in Section 8104-7.6 of the NCZO.

e. Article 8 – Parking and Loading Requirements

An amendment to the parking calculations for urban parks is proposed that would apply to principal buildings that are within parks and open to the public. If a proposed park is 1-acre or less then no parking is required because the park would primarily serve the surrounding neighborhood, and in this case the number of bicycle spaces would be determined by the decision maker. The standard of not requiring vehicle parking spaces for natural parks that are one acre or less in size has been previously approved by the Board of Supervisors with the adoption of the Saticoy Area Plan and Development Code in 2015.

f. Article 19 – Specific Standards for Area Plans

The Old Town Saticoy Development Code table in Section 8119-1 is proposed to be amended for consistency with the proposed amendments to the use matrix in Article 5 of the NCZO, e.g., to distinguish natural parks from urban parks and update the permitting requirements for athletic fields as well as County-initiated

recreation projects from a CUP to a PD permit type. As explained above, changing the permit path from a CUP to a PD for such uses would reduce the need for periodic permit renewals if the park is not being modified, which would save time and costs for the County Park in Saticoy.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

The proposed amendments are a “project” as defined by the California Environmental Quality Act (“CEQA”) (Public Resources Code, §21000 et seq.) and the CEQA Guidelines (California Code of Regulations, title 14, §15000 et seq.).

On September 15, 2020, the Board of Supervisors certified an environmental impact report that evaluated the potential environmental impacts of actions taken related to the adoption of the County’s 2040 General Plan (“General Plan EIR”)². The Board also adopted a Statement of Overriding Considerations³ for impacts which were identified as significant and unavoidable and could not be reduced to a less-than-significant level after applying mitigation measures. The General Plan EIR assessed the environmental impacts in the County that would result from offsite or indirect development necessitated by the General Plan (e.g., new facilities, infrastructure upgrades). The General Plan EIR identified potentially significant impacts and adopted mitigation measures for aesthetics, scenic resources, and light pollution to reduce the impact to less-than-significant.

Additionally, the General Plan EIR identified the significant environmental impacts that could not be fully mitigated or where feasible mitigation did not reduce the impacts to a less-than-significant level. Such impacts were determined to be significant and unavoidable. These significant impacts included impacts to air quality (construction- and operation-related criteria pollutants) and the need for new or expanded public facilities including parks.

The General Plan EIR is a program EIR pursuant to Section 15168, subdivision (a) of the CEQA Guidelines. Section 15168(c) states that later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared. If the lead agency finds that pursuant to Section 15162, no subsequent EIR would be required, the lead agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area

² <https://vcrma.org/docs/images/pdf/planning/plans/VCGPU-FEIR.pdf>

³ https://docs.vcrma.org/images/pdf/planning/plans/Final_EIR_Findings_SOC.pdf

analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.

The proposed amendments are exempt pursuant to Section 15168(c)(2) because they are a later activity within the scope of the General Plan EIR. The establishment of the Parks and Recreation land use designation and REC zone was included in the General Plan EIR. Mitigation measure for Impact 4.15-5 states that the construction of new or expanded parks and recreation facilities could result in the types of potential adverse physical changes to the environment are already identified, evaluated, and mitigated throughout the Final EIR.

The related impacts of additional parks development on the environment is also consistent with the adopted land uses accounted for in the General Plan over a 20-year planning horizon. The proposed amendments would only apply within the geographic area analyzed in the General Plan EIR. Like the General Plan EIR, the proposed amendments are programmatic, and the analysis is not intended to examine individual projects that may be implemented.

Therefore, staff has determined that adoption and implementation of the proposed amendments would not result in substantial changes to the allowable land use, geographic area analyzed for environmental impacts, and covered infrastructure, as allowed in the unincorporated area of Ventura County under the General Plan.

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

The Board of supervisors must make certain findings to amend the NCZO pursuant to NCZO Section 8115-0, which states in relevant part that the NCZO “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 the required findings to adopt the proposed amendments is evaluated below for your Commission’s consideration in making its recommendations to the Board.

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

The proposed amendments would not be detrimental to the public health, safety, or general welfare as they are intended to encourage the provision of publicly accessible parks and recreational uses. The proposed urban parks use could provide a permit pathway to increase recreational activities in existing communities with populations that are currently underserved by parks. Parks provide public health benefits such as access to clean air, exercise, and mental health. The amendments include

development standards that would ensure land use compatibility and would not require the rezoning of land.

There are no projects proposed with these amendments, but when an application is received for an urban park, the discretionary permit process would evaluate the project description and site-specific characteristics and require conditions of approval to ensure the project would not be detrimental to public health, safety, or general welfare in coordination with the Fire Department and other agencies whose mission is to ensure the safety of new development. The discretionary permit process also includes notification of any proposed urban park projects to the owners of parcels within a minimum 300-foot radius.

2. The proposed amendments represent good zoning practice.

Good zoning practice requires periodic updates to the NCZO to maintain consistency with current zoning practices, other County policies or ordinances, state laws, and building codes affecting planning and land use.

The proposed amendments to the NCZO represent good zoning practice because they ensure that the NCZO reflects and implements the goals, policies and programs of the General Plan. Further, the new urban parks use has been designed to encourage the provision of parks and recreational facilities within the built environment, which helps place such uses closer to the users. According to the American Planning Association, infill parks help to create a walkable destination, provide economic growth for the surrounding property owners and neighborhood, and improve the surrounding air and water quality.

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

Planning staff evaluated the proposed amendments with the following policies of the Ventura County General Plan:

Goal or Policy	Description
PFS-10	<p>Goal <i>To develop and maintain a comprehensive system of parklands and recreational facilities that meet the active and passive recreation needs of residents and visitors, as funding is available.</i></p>
PFS-10.4 EJ HC	<p>New Park and Recreational Facility Locations and Park Accessibility Parks and recreational facilities shall be located and designed to be accessible and inclusive for all users, to the maximum extent feasible.</p>
PFS-10.6 HC	<p>Additional Lands for Recreation Use</p>

	As part of subdivision development, the County shall encourage developers to set aside unused open space for active and passive recreational uses.
PFS-10.7 HC	Parkland Development, Operation, and Maintenance The County shall require discretionary projects to provide funding for development, operation and maintenance of park facilities appropriate to serve the needs of the project.
LU-12.1 (now LU-16.11) EJ HC	Parks and Recreational Facilities The County shall support the development of parks and recreation facilities within areas designated as Existing Community, Area Plans, or Areas of Interest.
LU-17.1 EJ HC	Providing Equitable Public Services Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to the equitable provision of public services and infrastructure such as parks, recreational facilities, community gardens, public safety facilities, and other beneficial uses that improve the overall quality of life.
LU-17.7 EJ HC	Brownfield Remediation Within designated disadvantaged communities, the County shall promote the remediation and reuse of contaminated brownfield sites to spur economic development, expand natural open spaces and parks, community gardens, and other similar health-promoting community revitalization activities.
<p>General Plan Policy/Program Icons: <i>The Ventura County 2040 General Plan contains a number of policies and programs that address cross-cutting topics that weave throughout the General Plan. In order to highlight these policies and programs, one or more of the icons shown to the left of this text are used. These icons identify policies and programs that directly relate to one or more of these topics. Details of what each of these topics cover can be found in Section 1.4 – Readers Guide of the General Plan.</i></p> <p>EJ Environmental HC Justice Healthy Communities</p>	

The proposed amendments would not be detrimental to the public health, safety, or general welfare as it is intended to encourage the provision of parks and recreational facilities within the built environment envisioned under Goal LU-12 (proposed to be incorporated into Goal LU-16) and policy LU-12.1 (proposed to be moved to LU-16.11). The General Plan also recognizes that the provision of parks and recreational facilities benefits all county residents and visitors because it helps to maintain a high quality of life in the County as shown in PFS Goal 10 and policies PFS-10.4, 10.6, and 10.7 identified in the table above.

Additionally, General Plan Policies LU-17.1 (Providing Equitable Public Services) and LU-17.7 (Brownfield Remediation) recognize that increasing the parks and recreational opportunities, specifically within designated disadvantaged communities, help to preserve the public health, safety, and general welfare by equitably providing these uses and promoting the opportunity for additional facilities to be constructed.

Finally, the new urban park use is not in conflict with the provisions of the Save Open Space and Agricultural Resources (SOAR) Initiative, as incorporated in the General Plan and established in General Plan Appendix C. As proposed, the new urban park use would only be allowed within specified residential and commercial zones, not within the open space and agricultural zones.

D. PLANNING COMMISSION HEARING NOTICE AND PUBLIC COMMENTS

The Planning Division provided public notice of the Planning Commission hearing in accordance with Government Code section 65090 and NCZO Section 8111-3.1 et seq. The Planning Division emailed approximately 1,150 notices of the Planning Commission hearing to the General Plan's interested parties list and to responsible and affected public agencies, e.g. all incorporated cities. The Planning Division placed a legal notice in the Vida Newspaper (in Spanish) on September 21, 2023, and the Ventura County Star (in English) on September 22, 2023.

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 your 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 in the form attached as Exhibit 2 recommending that the Board of Supervisors take the following actions regarding the proposed amendments to the General Plan (Exhibit 3) and Non-Coastal Zoning Ordinance (Exhibit 5):
 - a. **CERTIFY** that the Board has reviewed and considered the Board Letter, and all exhibits thereto, the 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 Planning Commission Staff Report, that adoption of the proposed amendments to the General Plan and NCZO (Exhibits 3 and 5) is exempt from CEQA pursuant to CEQA Guidelines section 15168(c)(2) because adoption of the proposed ordinance is a later activity within the scope of the

certified 2040 General Plan Environmental Impact Report (EIR) and does not require a subsequent EIR;

- c. **FIND**, on the basis of the entire record and as set forth in Sections A, B, C, and D of the Planning Commission staff report, that the proposed amendments to the General Plan and NCZO (Exhibits 3 and 5) are consistent with the goals, policies and programs of the General Plan and good planning practices and in the interest of public health, safety and general welfare;
- d. **ADOPT** a resolution approving the proposed amendments to the General Plan (Exhibit 3):
- e. **ADOPT** the proposed ordinance amending Articles 2, 3, 5, 7, 8, and 19 of the NCZO (Exhibit 5); and
- f. **SPECIFY** that the Clerk of the Board of Supervisors is the custodian, and 800 South 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 in January in the Board of Supervisor’s hearing room.

If you have any questions concerning the information above, please contact Donald Nielsen, Case Planner, at (805) 650-4047 or by email at Donald.Nielsen@ventura.org. You may also contact Aaron Engstrom, Planning Manager, at (805) 654-2963 or by email at Aaron.Engstrom@ventura.org.

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EXHIBITS⁴

- Exhibit 1 - Reserved
- Exhibit 2 - Planning Commission Resolution
- Exhibit 3 - Proposed Board Resolution with Clean Version of Proposed General Plan Amendment
- Exhibit 4 - Proposed General Plan Amendment in Legislative Format
- Exhibit 5 - Clean Version of Proposed NCZO Ordinance Amendments
- Exhibit 6 - Proposed NCZO Ordinance Amendments in Legislative Format

⁴ Within the Board of Supervisors letter, this Planning Commission staff report will be included as Exhibit 1