

September 10, 2019

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

SUBJECT: General Plan Update: Receive and Provide Direction Regarding Board Revisions to Preliminary Public Review Draft 2040 General Plan Made at August 6, 2019 Work Session, Including By Reconsidering Revisions to Draft General Plan Policy HAZ-10.11; and Receive Timeline for Remainder of General Plan Update Project; Planning Division Case Number PL17-0141; All Supervisorial Districts

RECOMMENDED ACTIONS:

1. **RECEIVE** and provide direction on the summary of revisions prepared by Planning Division staff for the August 6, 2019 work session for the Preliminary Public Review Draft 2040 General Plan ("draft General Plan" or "draft 2040 General Plan");
2. **RECONSIDER** proposed revision to draft General Plan Policy HAZ-10.11 and **DIRECT** Planning Division staff to remove this policy revision from the draft General Plan; and
3. **RECEIVE** timeline for remainder of the General Plan Update project.

FISCAL IMPACTS/MANDATES:

Mandated:	No
Source of Funding:	General Fund (Division 2910)
Funding Match Required:	None
Impact on Other Departments:	None

On September 22, 2015, your Board approved a General Plan Update (GPU) Work Program/Scope of Work with an estimated budget of \$4,400,000 in general fund monies. This estimate included funding for 2.5 full-time equivalent Planning Division staff and consulting services. On December 15, 2015, your Board approved a contract in the amount of \$2,368,786 to retain the services of a consultant team led by Mintier Harnish to assist with the GPU project. To date, \$1,449,320 of the contract amount has been expended from this consulting budget. As of June 30, 2019, there is a balance of \$615,000 to fund the continued work of the Planning Division staff GPU team.



Current FY 2019-20 Budget Projection for RMA Planning (Budget Division 2910)				
	Adopted Budget	Adjusted Budget	Projected Actual	Estimated Savings/Deficit
Appropriations	\$ 6,321,650	\$ 6,321,650	\$ 6,321,650	\$ -
Revenue	\$ 3,676,049	\$ 3,676,049	\$ 3,676,049	\$ -
Net Cost	\$ 2,645,601	\$ 2,645,601	\$ 2,645,601	\$ -

BACKGROUND:

On August 6, 2019, your Board held a work session to consider the draft General Plan, including written comments provided by the public and Planning Commission recommendations. Over the course of the seven-hour work session, your Board made several revisions to the draft General Plan and provided guidance as to whether and how public comment and the Planning Commission's recommended revisions should be incorporated into the draft General Plan. Exhibit 1, titled *Board of Supervisors Work Session Summary for August 6, 2019, Draft 2040 General Plan Recommended Revisions*, sets forth your Board's proposed revisions, additions, and deletions.

DISCUSSION:

To create Exhibit 1, Planning Division staff began with the table of revisions recommended by the Planning Commission at the series of three work sessions it held in June 2019. This table was included as part of the Board packet for your Board's August 6, 2019 work session; it was attached as Exhibit 2, and was titled *Planning Commission Work Session No. 4, June 6, 13, and 20, 2019 Draft 2040 General Plan Recommended Revisions and Additions*. It is attached hereto as Exhibit 2.

In Exhibit 1, Planning Commission revisions continue to be shown in red-line format, and all of your Board's revisions are highlighted in yellow. In cases where your Board created a new policy or program, the policy or program number is shown in red-line format and highlighted in yellow. For example, line 54 of Exhibit 1, COS-7X - Oil Well Distance Criteria, shows a new draft policy proposed and approved by your Board on August 6, 2019. Therefore, both the policy number and the policy text are in red-line format and highlighted in yellow. However, line 80 of Exhibit 1, AG-6.2 – Crop Resiliency, shows changes your Board approved to language proposed by the Planning Commission. Therefore, the policy number is not highlighted (as it does not reflect a new policy submitted by your Board). However, the Planning Commission changes continue to appear in red-line format, and those changes approved by your Board appear in both red-line format and are highlighted in yellow. A copy of the Board letter submitted for the August 6, 2019 work session is attached hereto as Exhibit 3 (without attachments).

Although most of your Board's revisions are straightforward, Planning Division staff has the following remaining questions, and requests your Board's direction.

Revision Clarifications

1. CTM- 2X, Funding and Maintenance for Sidewalks (Exhibit 1, line 36)

As currently drafted, the policy reads as follows:

- *The County shall seek funding sources first for construction of new sidewalks in low income areas and then for sidewalk maintenance.*

Planning Division staff seeks clarification regarding your Board's intent for the geographic area for which sidewalk maintenance funding is sought. Specifically, does your Board intend to seek funding for sidewalk maintenance only in low income areas, or to seek funding for maintenance throughout the unincorporated area? If it is the latter, Planning Division staff recommends the following revision:

- *The County shall seek funding sources first for construction of new sidewalks in low income areas, and then for sidewalk maintenance throughout the unincorporated area.*

2. PFS-10.10, Secured Revenue for New Parks and Recreation Facilities (Exhibit 1, line 42)

As currently drafted, the policy reads as follows:

- *The County shall require that any new parks and recreation facilities added to the County General Service Agency inventory of properties shall have dedicated revenue to support operations and maintenance in perpetuity.*

Planning Division staff seeks clarification regarding whether your Board voted to delete the entire policy, or only the words, "in perpetuity"?

Reconsideration of Draft General Plan Policy HAZ-10.11

At the August 6th work session your Board approved, without discussion, Planning Commission-recommended revisions to an existing General Plan policy addressing the County's analysis of air quality impacts for discretionary projects. The current policy states as follows in the existing General Plan: "The air quality impacts of discretionary development shall be evaluated by use of the Guidelines for the Preparation of Air Quality Impact Analysis." (General Plan, Air Quality Policy 1.2.2.2.) At the Planning Commission's June 20th work session, the Planning Commission voted, without substantive discussion, to recommend revising this current policy, which is labeled HAZ-10.11 in the draft General Plan, to state as follows:

"In evaluating air quality impacts, the County shall consider total emissions from both stationary and mobile sources, as required by the California Environmental Quality Act. The County shall evaluate discretionary development for air quality impacts using the Air Quality Assessment Guidelines as adopted by the Ventura County Air Pollution Control District, except that emissions from APCD-permitted sources shall also be included in the analysis. The County

shall revise the Initial Study Assessment Guides to implement this policy.” (Exhibit 1, line 66)

County Counsel and Resource Management Agency staff interpret the revised policy to require the County to continue utilizing the Ventura County Air Pollution Control District’s (APCD) Air Quality Assessment Guidelines to evaluate discretionary development for air quality impacts during the California Environmental Quality Act (CEQA) analysis, but also to require the County to disclose and consider discretionary developments’ total emissions, including emissions from sources regulated by the APCD. Based on this interpretation, as staff explained in the letter for your Board’s August 6th work session, staff intended to implement the revised policy by amending the County’s Initial Study Assessment Guidelines (ISAGs) for consistency with the policy (e.g., providing disclosure), and to clarify in the ISAGs that the County considers the APCD’s permitting and regulatory program to constitute mitigation for air quality impacts under CEQA.

Following the August 6th work session, staff was informed that the revised policy is being interpreted significantly differently than staff’s above-stated interpretation. Based on this input, staff determined that the revised policy is ambiguous and unclear in terms of how it must be implemented by the County. Consequently, staff recommends that your Board direct removal of the policy revisions from the draft General Plan so that HAZ-10.11 carries forward the existing General Plan policy without substantive revision to state as follows: “The air quality impacts of discretionary development shall be evaluated by use of the Ventura County Air Quality Assessment Guidelines.”

NEXT STEPS AND TIMELINE

Based on direction from your Board, staff will implement any new direction received today into the ongoing drafting of the Program Environmental Impact Report (PEIR or EIR) for the General Plan Update project. Also, as discussed during the August 6, 2019 work session Planning Division staff will coordinate with the County Executive Office to complete a fiscal analysis for proposed implementation programs scheduled for 2020-2025.

The tentative project timeline for remaining tasks is outlined below:

Remaining Project Milestone	Approximate Date
Delivery of first administrative review draft of Programmatic EIR (PEIR) (internal review)	9/24/19
Delivery of Draft PEIR (public review)	11/18/19
45-day Public Comment Period	Ends 1/4/20
Delivery of Final PEIR	3/22/20

Remaining Project Milestone	Approximate Date
Planning Commission Hearings for Draft General Plan and PEIR (second hearing will be held if necessary)	4/23/20
Board Hearings for Draft General Plan and PEIR	6/22/20
Preparation of final General Plan documents	7/21/20
Final Adoption Hearing (BOS)	8/17/20

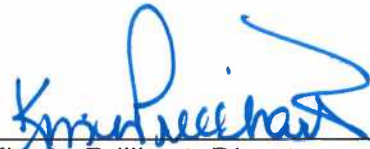
PUBLIC NOTICE

The Planning Division provided public notice regarding this item by publishing a notice in the Ventura County Star, the Mountain Enterprise and Ojai Valley News on August 30, 2019. In addition, staff sent email notices to the General Plan email listserv (approximately 1,300 contacts) and publicized the hearing through the GPU project website.

This letter was reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel's Office. If you have any questions regarding this item, please contact me at (805) 654-2481, or Susan Curtis, General Plan Update Manager, at (805) 654-2497 or susan.curtis@ventura.org.



Dave Ward, Director
Ventura County Planning Division



Kim L. Prillhart, Director
Resource Management Agency

Exhibits

- Exhibit 1 Board of Supervisors Work Session Summary for August 6, 2019, Draft 2040 General Plan Recommended Revisions
- Exhibit 2 Planning Commission Work Session No. 4, June 6, 13, and 20, 2019 Draft 2040 General Plan Recommended Revisions and Additions
- Exhibit 3 Board letter submitted for the August 6, 2019 BOS work session