

March 19, 2019

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

SUBJECT: Continued Public Hearing Regarding County-Initiated Proposal to Amend the General Plan and Articles 2, 3, 4, 5, 9 and 18 of the Non-Coastal Zoning Ordinance (PL16-0127) to Establish a Habitat Connectivity and Wildlife Corridors Overlay Zone and a Critical Wildlife Passage Areas Overlay Zone, and to Adopt Regulations for These Areas; Find that the Proposed Amendments are Exempt from Environmental Review Under the California Environmental Quality Act; All Supervisorial Districts.

RECOMMENDED ACTIONS:

1. **CERTIFY** that your Board has reviewed and considered this Board letter and all exhibits hereto, the Board letter for this matter dated March 12, 2019 and all attachments thereto, and all other comments, materials and testimony offered during the public hearing process regarding this matter;
2. **FIND** that adoption of the proposed ordinance amending Article 18 of the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Exhibit 1), when considered in conjunction with your Board's adoption of the ordinance amending Articles 2, 3, 4, 5 and 9 of the NCZO (Exhibit 2) and approval of amendments to the Ventura County General Plan (Exhibits 3 – 9, 11), constitutes a project that is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the project may cause a significant adverse effect on the environment; **FIND** that because the project is intended to benefit the environment, it is also exempt from CEQA pursuant to CEQA Guidelines sections 15307 and 15308; and **FIND** that there is no reasonable possibility that the project could have a significant effect on the environment due to unusual circumstances, or that the project is otherwise not eligible for a CEQA categorical exemption pursuant to CEQA Guidelines section 15300.2;
3. **FIND** that the proposed ordinance amending Article 18 of the NCZO (Exhibit 1) is in the interest of public health, safety or general welfare and good zoning practice, and is consistent with the Ventura County General Plan;



4. **ADOPT** the proposed ordinance amending Article 18 of the NCZO (Exhibit 1);
5. **RECONSIDER** the Board's March 12, 2019 approval of the General Plan map identifying the Habitat Connectivity and Wildlife Corridors for Resources Appendix, Figure 1.5.5 (Exhibit 3), and the map intended to be the General Plan map identifying the Tierra Rejada Critical Wildlife Passage Area for Resources Appendix, Figure 1.5.8 (Exhibit 6);
6. **FIND** that adoption of the revised General Plan map identifying the Habitat Connectivity and Wildlife Corridors for Resources Appendix, Figure 1.5.5 (Exhibit 9), and the General Plan map identifying the Tierra Rejada Critical Wildlife Passage Area for Resources Appendix, Figure 1.5.8 (Exhibit 10), are in the public interest, and will benefit the general welfare, and is consistent with good planning practice, and **ADOPT** a resolution (Exhibit 11) approving these maps to replace the corresponding maps attached as Exhibits 3 and 6 hereto, respectively;
7. **DECLARE** that all County legislative approvals associated with the above-captioned matter shall become effective 30 days after March 19, 2019, and shall become operative 60 days after March 19, 2019;
8. **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.

BACKGROUND

On March 12, 2019, following the public hearing and deliberations, your Board took the following actions regarding this above-captioned matter:

1. Adopted the recommended actions stated in the March 12, 2019 Board letter as modified and supplemented as follows.
2. Adopted a revised version of the ordinance amending Articles 2, 3, 4, 5 and 9 of the NCZO (Exhibit 2) which:
 - a. Includes a revised definition of "surface water feature" in Article 2 to increase from 100 to 200 feet the development buffer included in the definition;
 - b. Acknowledges inclusion of the Tierra Rejada in the Critical Wildlife Passage Areas overlay zone by revising the first sentence of Section 8109-4.7.8 to state that there are three Critical Wildlife Passage Areas; and

- c. Incorporates the applicable revisions set forth in the Planning Division's March 12, 2019 memorandum to your Board presented at the March 12 hearing (Exhibit 12).
3. Approved a resolution and accompanying amendments to the Ventura County General Plan (Exhibits 3 - 8) as revised to identify the Tierra Rejada's inclusion in the Critical Wildlife Passage Areas overlay zone.
4. Continued to March 19, 2019 at 9:30 a.m. the public hearing of this matter for the purpose of your Board's consideration and approval of the ordinance amending Article 18 of the NCZO as revised to:
 - a. Include the Tierra Rejada within the Critical Wildlife Passages Area overlay zone;
 - b. Exclude all properties located within the Los Padres National Forest from the Habitat Connectivity and Wildlife Corridors overlay zone; and
 - c. Incorporate the applicable revisions set forth in the Planning Division's March 12, 2019 memorandum to the Board presented at the March 12 hearing (Exhibit 12).
5. Directed Planning Division staff to develop a subsequent project to create an overlay zone for the purpose of regulating development near wildlife crossing structures on private property within the Los Padres National Forest.

A. REVISED ORDINANCE AMENDING ARTICLE 18 OF THE NON-COASTAL ZONING ORDINANCE

Pursuant to your Board's March 12 action, the ordinance amending Article 18 of the NCZO (Exhibit 1) has been revised to include the Tierra Rejada within the Critical Wildlife Passage Areas overlay zone (see Exhibit 1 at Exhibits G and H), and to exclude all properties located within the Los Padres National Forest from the Habitat Connectivity and Wildlife Corridors overlay zone (see Exhibit 1 at Exhibits A and B). The ordinance has also been revised to incorporate the applicable revisions set forth in the Planning Division's March 12, 2019 memorandum to your Board presented at the March 12 hearing (Exhibit 12).

B. REVISED GENERAL PLAN MAPS IDENTIFYING THE HABITAT CONNECTIVITY AND WILDLIFE CORRIDORS OVERLAY ZONE AND THE TIERRA REJADA CRITICAL WILDLIFE PASSAGE AREA

Following your Board's March 12, 2019 hearing of this matter, Planning Division staff realized that your Board's action to remove all properties within the Los Padres National Forest from the Habitat Connectivity and Wildlife Corridors overlay zone necessitates a

revision to the map your Board approved on March 12 (Exhibit 3)¹ identifying this area in the General Plan at Resources Appendix, Figure 1.5.5. The revised General Plan map reflecting the removal of this area is attached as Exhibit 9.

In addition, Planning Division staff realized that on March 12 your Board approved a map of the Tierra Rejada Critical Wildlife Passage Area (Exhibit 6)² which, although intended to be the map constituting General Plan Resources Appendix, Figure 1.5.8, was actually a different zoning map of the same area. The correct Tierra Rejada Critical Wildlife Passage Area map constituting General Plan Resources Appendix, Figure 1.5.8, is attached as Exhibit 10.

Because your Board approved the aforementioned maps at the March 12 hearing (Exhibits 3 and 6), approving the replacement maps should be accomplished through a reconsideration of the approvals. Reconsideration requires a motion to be brought by a Board member on the prevailing side of the matter previously considered, and seconded by any Board member, and then approved by majority vote of the entire Board. If the motion for reconsideration passes, then your Board may approve the replacement maps by majority vote along with the other above-stated recommended actions.

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 654-2661.

A handwritten signature in blue ink that reads "Susan Curtis for Kim Prillhart". The signature is written in a cursive, flowing style.

Kim L. Prillhart
Resource Management Agency Director

EXHIBITS

Exhibit 1 – Proposed ordinance amending Article 18 of the Ventura County Non-Coastal Zoning Ordinance

Exhibit 2 – Board-approved Ordinance amending Articles 2, 3, 4, 5 and 9 of the NCZO

Exhibit 3 – Board-approved General Plan map identifying Habitat Connectivity and Wildlife Corridors (Resources Appendix, Figure 1.5.5)

¹ This map was attached to the March 12, 2019 Board letter as Exhibit 2.

² This map was attached to the March 12, 2019 Board letter as SR Exhibit 7.

Exhibit 4 – Board-approved General Plan map identifying Oak View Critical Wildlife Passages Area (Resources Appendix, Figure 1.5.6)

Exhibit 5 – Board-approved General Plan map identifying Simi Hills Critical Wildlife Passages Area (Resources Appendix, Figure 1.5.7)

Exhibit 6 – Board-approved map identifying Tierra Rejada Critical Wildlife Passage Area

Exhibit 7 – Board-approved General Plan text amendment

Exhibit 8 – Board-approved March 12, 2019 resolution adopting General Plan amendments

Exhibit 9 – Revised General Plan map identifying Habitat Connectivity and Wildlife Corridors for Resources Appendix, Figure 1.5.5

Exhibit 10 – General Plan map identifying Tierra Rejada Critical Wildlife Passage Area for Resources Appendix, Figure 1.5.8

Exhibit 11 – Resolution adopting revised General Plan map for Habitat Connectivity and Wildlife Corridors for Resources Appendix, Figures 1.5.5, and replacement General Plan map identifying Tierra Rejada Critical Wildlife Passage Area for Resources Appendix, Figure 1.5.8

Exhibit 12 – March 12, 2019 Planning Division memorandum to Board