

2040 General Plan Policy Consistency
County-Initiated Amendments to the Non-Coastal Zoning Ordinance
and Coastal Zoning Ordinance
Case No. PL20-0052

The Ventura County 2040 General Plan includes a vision statement and twelve guiding principles that serve as touchstones for determining a project's consistency with the General Plan's goals, policies, and implementation programs. The following is the 2040 General Plan Vision Statement:

Ventura County is an exceptional place to live, work, and play. Our quality of life and economic vitality are rooted in the stewardship of our cultural and natural resources, including agricultural lands and soils, open spaces, mountains, beaches, and talented people. The General Plan reflects the County's ongoing commitment to collaborate with residents, cities, businesses, and non-profit organizations to meet our social and economic needs in a sustainable manner, to protect the environment and address climate change, and to encourage safe, healthy, vibrant, and diverse communities to thrive.

Three guiding principles provide consistency context for the proposed zoning ordinance amendments:

Conservation and Open Space Guiding Principle to conserve and manage the County's open spaces and natural resources, including soils, water, air quality, minerals, biological resources, scenic resources, as well as historic and cultural resources.

Economic Vitality Guiding Principle to foster economic and job growth that is responsive to the evolving needs and opportunities of the County's economy and preserves land use compatibility with Naval Base Ventura County and the Port of Hueneme, while enhancing our quality of life and promoting environmental sustainability.

Hazards and Safety Guiding Principle to minimize health and safety impacts to residents, businesses and visitors from human-caused hazards such as hazardous materials, noise, air, sea level rise, and water pollution, as well as managing lands to reduce the impacts of natural hazards such as flooding, wildland fires, and geologic events

The proposed zoning ordinance amendments are consistent with, and would help to implement, the General Plan's vision statement, guiding principles and numerous policies because the proposed discretionary permit review and approval process for new oil and gas development would help ensure that: the County's natural resources are protected by operational development standards consistently applied to all oil and gas facilities; that potential hazards and environmental impacts are identified and mitigated during environmental review in accordance with numerous General Plan policies intended to safeguard the environment and public health; and that permitted operators and their

associated employment base could continue to extract important mineral resources using appropriate environmental stewardship and regulatory oversight that advances the economic vitality of the County. In two parts below, General Plan policies are identified addressing environmental resources, traffic and circulation, hazards and safety, public services and infrastructure, land use and public engagement, followed by economic policies in the Economic Vitality Element.

A. General Plan Policies Addressing Environmental Resources, Traffic and Circulation, Hazards and Safety, Public Services and Infrastructure, Land Use and Public Engagement

The 2040 General Plan policies addressing environmental resources, traffic and circulation, public services and infrastructure, land use, public engagement and related issue areas that would or could apply to proposals for new oil and gas development consist of the following. The proposed zoning ordinance amendments is consistent with and would help to implement these policies by providing for the review and conditioning of new oil and gas development projects during the discretionary permitting and environmental review process.

Agricultural Policies

AG 1.1 Agricultural Land Protection and Preservation

The County shall ensure that discretionary development located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory is planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil. (RDR, MPSP)

AG-1.2 Agricultural Land Use Designation

The County shall ensure that discretionary development located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory is planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil. (RDR, MPSP)

AG- 2.1 Discretionary Development Adjacent to Agriculturally Designated Lands

The County shall ensure that discretionary development adjacent to Agriculturally designated lands does not conflict with agricultural use of those lands. (RDR)

Circulation, Transportation and Mobility Policies

CTM-1.1 Vehicle Miles Traveled (VMT) Standards and CEQA Evaluation

The County shall require evaluation of County General Plan land use designation changes, zone changes, and discretionary development for their individual (i.e., project-specific) and cumulative transportation impacts based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) pursuant to the methodology and

thresholds of significance criteria set forth in the County Initial Study Assessment Guidelines. (RDR)

CTM-1.2 Projects with Significant Transportation Impacts

County General Plan land use designation changes, zone changes, and discretionary development that would cause an individual (i.e., project-specific) or cumulative significant transportation impact based on Vehicle Miles Traveled (VMT) under the California Environmental Quality Act (CEQA) shall be prohibited unless:

1. There are no feasible mitigation measures available that would reduce the impact to a less than significant level; and
2. The County's decision-making body, after balancing, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of the project against its unavoidable transportation impact and any other environmental risks, determines that the benefits of the project outweigh the unavoidable adverse environmental impacts and adopt a statement of overriding considerations pursuant CEQA. (RDR)

CTM-1.3 County Level of Service (LOS) Standards

The County shall maintain LOS standards for use as part of the County's transportation planning including the traffic impact mitigation fee program, and the County's review and consideration of proposed land use legislation and discretionary development. For purposes of County transportation planning and review and consideration of proposed land use legislation and discretionary development, the County shall use the following minimum acceptable Level of Service (LOS) for road segment and intersection design standards within the Regional Road Network and all other County-maintained roadways:

- a. LOS-'C' for all Federal functional classification of Minor Collector (MNC) and Local roadways (L); and
- b. LOS-'D' for all Federal functional classifications except MNC and L, and Federal and State highways in the unincorporated area, except as otherwise provided in subparagraph (c and d;
- c. LOS-'E' for State Route 33 between the northerly end of the Ojai Freeway and the city of Ojai, Santa Rosa Road, Moorpark Road north of Santa Rosa Road, State Route 34 north of the city of Camarillo, and State Route 118 between Santa Clara Avenue and the city of Moorpark;
- d. LOS 'F' for Wendy Drive between Borchard Drive to Lois Avenue; and
- e. The LOS prescribed by the applicable city for all federal highways, state highways, city thoroughfares and city-maintained local roads located within that city, if the city has formally adopted and is implementing a General Plan policy, ordinance, or a reciprocal agreement with the County regarding development in the city that is intended to improve the LOS of County-maintained local roads and federal and state highways located within the unincorporated area of the county.

- f. At any intersection between two or more roads, each of which has a prescribed minimum acceptable LOS, the lower LOS of the roads shall be the minimum acceptable LOS for that intersection.

CTM-1.4 Level of Service (LOS) Evaluation

County General Plan land use designation changes and zone changes shall be evaluated for their individual (i.e., project-specific) and cumulative effects, and discretionary developments shall be evaluated for their individual effects, on Level of Service (LOS) on existing and future roads, to determine whether the project:

- a. Would cause existing roads within the Regional Road Network or County-maintained roadways that are currently functioning at an acceptable LOS to function below an acceptable LOS;
- b. Would add traffic to existing roads within the Regional Road Network or County-maintained roadways that are currently functioning below an acceptable LOS; and
- c. Could cause future roads planned for addition to the Regional Road Network or County-maintained roadways to function below an acceptable LOS.
- d. The Level of Service (LOS) evaluation shall be conducted based on methods established by the County.

CTM-1.5 Projects with Unacceptable Level of Service (LOS)

1. County General Plan land use designation changes and zone changes that would cause any cumulative unacceptable LOS as determined pursuant to Policies CTM-1.3 and CMT-1.4 shall be prohibited unless the Board of Supervisors imposes all feasible conditions of approval to address all unacceptable LOS effects and, after balancing, as applicable, the project's economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, against the project's unacceptable LOS effects, determines that the benefits of the project outweigh the project's unacceptable LOS effects.
2. County General Plan land use designation changes, zone changes, and discretionary development that would individually (i.e., project-specific) cause an unacceptable LOS effect as determined pursuant to Policies CTM-1.3 and CMT-1.4 shall be prohibited unless the improvements to the roadway and intersections are included in the Public Works Agency, Transportation Department Strategic Master Plan with a funding mechanism identified and the project is conditioned on the payment of a fee proportional to the project's fair share of unacceptable LOS effects.
3. The following are exempt from this Policy:
 - a. Farmworker Housing Complexes and other housing exclusively for lower-income households.
 - b. Affordable housing developments, pursuant to Article 16 of the Non-Coastal Zoning Ordinance, where such developments are served by roads that are currently operating at LOS "E" or better;

- c. Additional dwellings and lots on Cultural Heritage Sites as permitted in the Non-Coastal Zoning Ordinance;
- d. Agriculture and Agricultural Operations as permitted in the Coastal and Non-Coastal Zoning Ordinances, where such developments are served by roads that are currently operating at LOS "E" or better;
- e. The unacceptable LOS exists on a City-maintained road or federal or state highway located within a city unless the applicable city has formally adopted and is implementing a general plan policy, ordinance, or a reciprocal traffic impact mitigation fee agreement with the County regarding development in the city that is intended to improve the LOS of County-maintained local roads and federal and state highways located within the unincorporated area of the county;
- f. Allow LOS "F" for Wendy Drive and maintain as two-lane road; and
- g. If the LOS effects of a County-approved Specific/Area Plan are determined acceptable pursuant to Policies CTM-1.3 and CMT-1.4, the LOS effects of any subsequent development that is consistent with the approved Specific/Area Plan shall be exempt from this Policy.

CTM-1.6 Ojai Valley Area Plan - Level of Service (LOS) Evaluation and Unacceptable Level of Service

County General Plan land use designation changes, zone changes, and discretionary development within the boundaries of the Ojai Valley Area Plan are subject to the Level of Service goals, policies and programs in the Ojai Valley Area Plan and not subject to Policies CTM-1.3, CTM-1.4 and CTM-1.5.

CTM-1.7 Pro Rata Share of Improvements

The County shall require discretionary development that would generate additional traffic pays its pro rata share of the cost of added vehicle trips and the costs of necessary improvements to the Regional Road Network pursuant to the County's Traffic Impact Mitigation Fee Ordinance. (RDR)

CTM-5.5 Airport Land Use Compatibility

Discretionary development that would endanger the efficient, safe operation of an airport or would result in significant land use incompatibility impact with an airport shall be prohibited. (RDR, SO)

Water Resources Policies

WR-2.3 Discretionary Development Subject to CEQA Statement of Overriding Considerations – Water Quality and Quantity

The County shall require that discretionary development not significantly impact the quality or quantity of water resources within watersheds, groundwater recharge areas or groundwater basins. (RDR)

WR-4.5 Discretionary Development Subject to CEQA Statement of Overriding Considerations – Water Quantity and Quality

The County shall require that discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins. (RDR)

WR-4.7 Discretionary Development and Conditions of Approval – Oil, Gas, and Water Wells

The County shall require that discretionary development be subject to conditions of approval requiring proper drilling and construction of new oil, gas, and water wells and removal and plugging of all abandoned wells on-site. (RDR)

WR-1.12 Water Quality Protection for Discretionary Development

The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development. (RDR)

WR-2.2 Water Quality Protection for Discretionary Development

The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste, and other contaminants into surface runoff, drainage systems, surface water bodies, and groundwater. In addition, the County shall evaluate the potential for discretionary development to limit or otherwise impair later reuse or reclamation of wastewater or stormwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development. (RDR)

Public Facilities, Services and Infrastructure Policies

PFS-1.7 Public Facilities, Services, and Infrastructure Availability

The County shall only approve discretionary development in locations where adequate public facilities, services, and infrastructure are available and functional, under physical construction, or will be available prior to occupancy. (RDR)

PFS-3.2 Fair Share of Improvement Costs

The County shall require development to pay its fair share of community improvement costs through impact fees, assessment districts, and other mechanisms. (RDR)

PFS-6.1 Flood Control and Drainage Facilities Required for Discretionary Development

The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund

improvements to existing flood control facilities necessitated by or required by the development. (RDR)

PFS-7.4 Discretionary Development Utility Service Line Placement

The County shall require discretionary development to place new utility service lines underground if feasible. If undergrounding is determined by the County to be infeasible, then new utility service lines shall be placed in parallel to existing utility rights-of-way, if they exist, or sited to minimize their visual impact. (RDR)

PFS-12.3 Adequate Water Supply, Access, and Response Times for Firefighting Purposes

The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes. (RDR)

PFS-12.4 Minimized Disruption of Natural Vegetation

The County shall encourage location and construction of all transmission lines in a manner which minimizes disruption of natural vegetation and agricultural activities and avoids unnecessary grading of slopes when not in conflict with the rules and regulations of the California Public Utilities Commission. (JP)

Conservation and Open Space Policies

COS 1.1 Protection of Sensitive Biological Resources

The County shall ensure that discretionary development that could potentially impact sensitive biological resources be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures that fully account for the impacted resource. When feasible, mitigation measures should adhere to the following priority: avoid impacts, minimize impacts, and compensate for impacts. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body. (MPSP, IGC, RDR)

COS-1.3 Wildlife Corridor Crossing Structures

Based on the review and recommendation of a qualified biologist, the design and maintenance of road and floodplain improvements, including culverts and bridges, shall incorporate all feasible measures to accommodate wildlife passage. (RDR, MPSP)

COS-1.4 Consideration of Impacts to Wildlife Movement

When considering proposed discretionary development, County decision-makers shall consider the development's potential project-specific and cumulative impacts on the movement of wildlife at a range of spatial scales including local scales (e.g., hundreds of feet) and regional scales (e.g., tens of miles). (RDR)

COS-1.5 Development Within Habitat Connectivity and Wildlife Corridors

Development within the Habitat Connectivity and Wildlife Corridors overlay zone and Critical Wildlife Passage Areas overlay zone shall be subject to the applicable provisions and standards of these overlay zones as set forth in the Non-Coastal Zoning Ordinance. (RDR)

COS-1.6 Discretionary Development on Hillsides and Slopes

The County shall require discretionary development on hillsides and slopes, which have an average natural slope of 20 percent or greater in the area where the proposed development would occur, to be sited and designed in a manner that will minimize grading, alteration of natural land forms, and vegetation removal to avoid significant impacts to sensitive biological resources to the extent feasible. (RDR, MPSP)

COS-1.9 Agency Consultation Regarding Biological Resources

The County shall consult with the California Department of Fish and Wildlife, the Regional Water Quality Control Board, the U.S. Fish and Wildlife Service, National Audubon Society, California Native Plant Society, National Park Service for development in the Santa Monica Mountains or Oak Park Area, and other resource management agencies, as applicable during the review of discretionary development applications to ensure that impacts to biological resources, including rare, threatened, or endangered species, are avoided or minimized. (MPSP, IGC, RDR)

COS-1.10 Evaluation of Potential Impacts of Discretionary Development on Wetlands

The County shall require discretionary development that is proposed to be located within 300 feet of a wetland to be evaluated by a County-approved biologist for potential impacts on the wetland and its associated habitats pursuant to the applicable provisions of the County's Initial Study Assessment Guidelines. (RDR)

COS-1.11 Discretionary Development Sited Near Wetlands

The County shall require discretionary development to be sited 100 feet from wetland habitats, except as provided below. The 100-foot setback may be increased or decreased based upon an evaluation and recommendation by a qualified biologist and approval by the decision-making body based on factors that include, but may not be limited to, soil type, slope stability, drainage patterns, the potential for discharges that may impair water quality, presence or absence of endangered, threatened or rare plants or animals, direct and indirect effects to wildlife movement, and compatibility of the proposed development with use of the wetland habitat area by wildlife. Discretionary development that would have a significant impact on a wetland habitat shall be prohibited unless mitigation measures are approved that would reduce the impact to a less than significant level. Notwithstanding the foregoing, discretionary development that would have a significant impact on a wetland habitat on land within a designated Existing community may be approved in conjunction with the adoption of a statement of overriding considerations by the decision-making body. (RDR)

COS-1.12 Discretionary Development and Landscaping

The County shall require landscaping associated with discretionary development, or subject to the California Water Efficient Landscape Ordinance (WELO), to be water-efficient and include native, pollinator-friendly plants consistent with WELO guidelines, as applicable. The planting of invasive and watch list plants as inventoried by the California Invasive Plant Council shall be prohibited, unless planted as a commercial agricultural crop or grown as commercial nursery stock. (RDR)

COS-2.11 Dune Vegetation

Discretionary development which would result in the removal of dune vegetation shall be conditioned to replace the vegetation. (RDR)

COS-3.5 Ridgeline and Hilltop Preservation

The County shall ensure that ridgelines and major hilltops remain undeveloped and that discretionary development is sited and designed to remain below significant ridgelines, except as required for communication or similar facilities. (RDR)

COS-4.4 Discretionary Development and Tribal, Cultural, Historical, Paleontological, and Archaeological Resource Preservation

The County shall require that all discretionary development projects be assessed for potential tribal, cultural, historical, paleontological, and archaeological resources by a qualified professional and shall be designed to protect existing resources. Whenever possible, significant impacts shall be reduced to a less-than-significant level through the application of mitigation and/or extraction of maximum recoverable data. Priority shall be given to measures that avoid resources. (RDR)

COS-4.7 Cultural Heritage Board Review

Prior to environmental review of discretionary development projects, the County shall initiate a records search request with the South Central Coastal Information Center and coordinate with the Cultural Heritage Board to identify sites of potential archaeological, historical, tribal cultural and paleontological significance, to ensure that all known resources have been properly identified. Should a site of archaeological, tribal, architectural, or historical significance be identified, the County shall provide an opportunity for the Cultural Heritage Board to include recommendations specific to the discretionary project and identified resource(s). If it is determined during the review that a site has potential archaeological, tribal, architectural, or historical significance, information shall be provided to the County Cultural Heritage Board for evaluation. Recommendations identified by the Cultural Heritage Board shall be provided to the appropriate decision-making body. (RDR)

COS-7.1 Minimum Site Area

The County shall only approve discretionary development for oil and gas development if the area of ground disturbance constitutes the minimum necessary to accomplish the project objectives. (RDR)

COS-7.2 Oil Well Distance Criteria

The County shall require new discretionary oil wells to be located a minimum of 1,500 feet from residential dwellings and 2,500 from any school. (RDR)

COS-7.3 Compliance with Current Policies, Standards, and Conditions

The County shall require new or modified discretionary development permits for oil and gas exploration, production, drilling, and related operations be subject to current State and County policies, standards, and conditions. (RDR)

COS-7.4 Electrically-Powered Equipment for Oil and Gas Exploration and Production

The County shall require discretionary development for oil and gas exploration and production to use electrically-powered equipment from 100 percent renewable sources and cogeneration, where feasible, to reduce air pollution and greenhouse gas emissions from internal combustion engines and equipment. (RDR)

COS-7.5 Restoration and Revegetation of Sites Used for Oil and Gas Exploration, Extraction, and Production

The County shall require that discretionary development for oil and gas exploration activities be conditioned to require the restoration and revegetation of the site if the exploration does not result in oil and gas production facilities. (RDR)

COS-7.6 Abandoned Oil and Gas Well Identification

The County shall evaluate discretionary development to identify any abandoned oil and gas wells on the project site. (RDR)

COS-7.7 Conveyance for Oil and Produced Water

The County shall require new discretionary oil wells to use pipelines to convey oil and produced water; oil and produced water shall not be trucked. (RDR)

COS-7.8 Gas Collection, Use, and Disposal

The County shall require that gases emitted from all new discretionary oil and gas wells shall be collected and used or removed for sale or proper disposal. Flaring or venting shall only be allowed in cases of emergency or for testing purposes. (RDR)

Hazard and Safety Policies

HAZ-1.1 Fire Prevention Design and Practices

The County shall continue to require development to incorporate design measures that enhance fire protection in areas of high fire risk. This shall include but is not limited to incorporation of fire-resistant structural design, use of fire-resistant landscaping, and fuel modification around the perimeter of structures. (RDR, PI)

HAZ-1.2 Defensible Space Clear Zones

The County shall require adherence to defensible space standards, or vegetation “clear zones,” for all existing and new structures in areas that are designated as Hazardous Fire Areas by the Ventura County Fire Protection District and High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection. (IGC, PI, RDR)

HAZ-2.3 Best Available Flood Hazard Information

The County shall continue to use the best available flood hazard information from local, regional, State, and Federal agencies to inform decision-making on appropriate land uses, discretionary development, and infrastructure investments. (SO, MPSP, RDR)

HAZ-2.5 Recordation of a Notice of Flood Hazard

The County shall require the recordation of a Notice of Flood Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas subject to flooding as determined by the Federal Emergency Management Agency on the latest available Digital Flood Insurance Rate Maps (DFIRMs). (RDR)

HAZ-4.2 Linear Project Intersection with Active Faults

The County shall require that linear projects, including roads, streets, highways, utility conduits, water transmission facilities, and oil and gas pipelines, avoid intersecting active faults to the extent possible. When such locations are unavoidable, the project design shall include measures to minimize the effects of any fault movement. (RDR)

HAZ-4.4 Discretionary Development Below Rocky Outcrops

The County shall require discretionary development below rocky outcrops to evaluate and mitigate potential rockfall hazards including but not limited to by avoiding placement of structures that could be impacted by rockfall hazards, rock removal, rock anchoring, walls, fence barriers, or other similar systems. (RDR)

HAZ-4.5 Soil Erosion and Pollution Prevention

The County shall require discretionary development be designed to prevent soil erosion and downstream sedimentation and pollution. (RDR)

HAZ-4.6 Vegetative Resource Protection

The County shall require discretionary development to minimize the removal of vegetation to protect against soil erosion, rockslides, and landslides. (SO)

HAZ-4.8 Seismic Hazards

The County shall not allow development of habitable structures or hazardous materials storage facilities within areas prone to the effects of strong ground shaking, such as liquefaction, landslides, or other ground failures, unless a geotechnical engineering investigation is performed and appropriate and sufficient safeguards, based on this investigation, are incorporated into the project design. (RDR)

HAZ-4.10 Development in Landslide/Debris Flow Hazard Areas

The County shall not allow development in mapped landslide/debris flow hazard areas unless a geologic and geotechnical engineering investigation is performed and appropriate and sufficient safeguards, based on this investigation, are incorporated into the project design. (RDR)

HAZ-4.11 Alteration of Land in Landslide/Debris Flow Hazard Areas

The County shall not allow alteration of land in landslide/debris flow hazard areas, including concentration of water through drainage, irrigation or septic systems, removal of vegetative cover, and undercutting of the bases of slopes or other grading activity unless demonstrated by geologic, geotechnical, and civil engineering analysis that the project will not increase the landslide/debris flow hazard. (RDR)

HAZ-4.12 Slope Drainage

Drainage plans that direct runoff and drainage away from slopes shall be required for construction in hillside areas. (RDR)

HAZ-5.7 Presence of Hazardous Wastes

Applicants shall provide a statement indicating the presence of any hazardous wastes on a site, prior to discretionary development. The applicant must demonstrate that the waste site is properly closed, or will be closed, pursuant to all applicable state and federal laws, before the project is inaugurated. (RDR)

HAZ-4.15 Subsidence Hazard – Extraction Wells

The County shall require that potential ground surface subsidence be evaluated prior to approval of new oil, gas, water or other extraction well drilling permits and appropriate and sufficient safeguards are incorporated into the project design and facility operation. (RDR)

HAZ-4.16 Subsidence and Hydroconsolidation Hazard – Structural Design

Structural design of buildings and other structures shall recognize the potential for subsidence and hydroconsolidation and provide mitigation recommendations for structures that may be affected. (RDR)

HAZ-5.2 Hazardous Materials and Waste Management Facilities

The County shall require discretionary development involving facilities and operations which may potentially utilize, store, and/or generate hazardous materials and/or wastes be located in areas that would not expose the public to a significant risk of injury, loss of life, or property damage and would not disproportionally impact Designated Disadvantaged Communities. (SO)

HAZ-5.3 Preventing Contamination of Natural Resources

The County shall strive to locate and control sources of hazardous materials to prevent contamination of air, water, soil, and other natural resources. (SO)

HAZ-5.5 Hazardous Waste Reduction at the Source

The County shall, as part of the discretionary review process, require that hazardous wastes and hazardous materials be managed in such a way that waste reduction through alternative technology is the first priority, followed by recycling and on-site treatment, with disposal as the last resort. (RDR)

HAZ-5.6 Hazardous Materials – County Regulatory Oversight

The County shall continue to provide regulatory oversight for all facilities or activities that store, use, or handle hazardous materials. (SO)

HAZ-5.7 Presence of Hazardous Wastes

Applicants shall provide a statement indicating the presence of any hazardous wastes on a site, prior to discretionary development. The applicant must demonstrate that the waste site is properly closed, or will be closed, pursuant to all applicable state and federal laws, before the project is inaugurated. (RDR)

HAZ-5.8 Siting Criteria for Hazardous Waste Generators

The County shall require commercial or industrial uses which generate, store, or handle hazardous waste and/or hazardous materials to locate, operate, and maintain hazardous waste and/or hazardous materials in a manner that does not endanger public health and safety and is located based on objective criteria that do not disproportionately impact Designated Disadvantaged Communities. (RDR)

HAZ-6.7 Risk Reduction for Railroad and Trucking Hazards

The County shall condition discretionary development to minimize, to the maximum extent practical through site design or setbacks, the risk for exposure to railroad and trucking hazards. (RDR)

HAZ-7.1 Oil Spill Prevention

The County shall review and analyze all proposed oil and gas exploration and production projects and shall condition all County discretionary permits for such projects, to require compliance with local, state, and federal oil spill prevention regulations. The County shall also provide input and comments on permit applications that are under the purview of an outside agency. (RDR, IGC)

HAZ-9.1 Limiting Unwanted Noise

The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be reduced to meet the standards prescribed in Policy Haz-9.2. This policy does not apply to noise generated during the construction phase of a project. (SO)

HAZ-9.2 Noise Compatibility Standards

The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:

1. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.
2. New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)
3. New noise sensitive uses proposed to be located near airports:
 - a. Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or
 - b. Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.

4. New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:

a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;

b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and

c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

5. Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005). (RDR)

HAZ-9.3 Development Along Travel Routes

The County shall evaluate discretionary development for noise generated by project-related traffic along the travel route to the nearest intersection which allows for movement of traffic in multiple directions. In all cases, the evaluation of project-related roadway noise shall be evaluated along the travel route(s) within 1,600 feet of the project site. (RDR)

HAZ-9.4 Acoustical Analysis Required

The County shall require an acoustical analysis by a qualified acoustical engineer for discretionary development involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors and shall recommend noise control measures for mitigating adverse impacts. (RDR)

HAZ-9.7 Noise Control Priorities

The priorities for noise control for discretionary development shall be as follows:

1. Reduction of noise emissions at the source.
2. Attenuation of sound transmission along its path, using barriers, landform modification, dense plantings, building orientation and placement, and the like.
3. Rejection of noise at the reception point using noise control building construction, hearing protection or other means. (RDR)

HAZ-9.5 Site and Building Design

The County shall require discretionary development and County-initiated projects to comply with adopted noise standards through proper site and building design features, such as building location and orientation, setbacks, natural barriers and vegetation, and building construction. The County shall only consider sound walls if noise mitigation measures have been evaluated or integrated into the project and found infeasible. RDR)

HAZ-10.1 Air Pollutant Reduction

The County shall strive to reduce air pollutants from stationary and mobile sources to protect human health and welfare, focusing efforts on shifting patterns and practices that contribute to the areas with the highest pollution exposures and health impacts. (MPSP, RDR, SO, IGC, PI, JP)

HAZ-10.2 Air Quality Management Plan Consistency

The County shall prohibit discretionary development that is inconsistent with the most recent adopted Air Quality Management Plan (AQMP), unless the Board of Supervisors adopts a statement of overriding considerations. (RDR)

HAZ-10.3 Air Pollution Control District Rule and Permit Compliance

The County shall ensure that discretionary development subject to Ventura County Air Pollution Control District (VCAPCD) permit authority complies with all applicable APCD rules and permit requirements, including the use of Best Available Control Technology (BACT) as determined by the VCAPCD. (RDR)

HAZ-10.11 Air Quality Assessment Guidelines

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 (APCD), 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. (RDR)

HAZ-10.12 Conditions for Air Quality Impacts

The County shall require that discretionary development that would have a significant adverse air quality impact shall only be approved if it is conditioned with all feasible mitigation measures to avoid, minimize or compensate (offset) for the air quality impact. The use of innovative methods and technologies to minimize air pollution impacts shall be encourage in project design. (RDR)

Land Use and Community Character Policies

LU-6.1 Agricultural Buffers

The County shall require non-agricultural land uses adjacent to agricultural uses to incorporate adequate buffers (e.g., fences, setbacks) to limit conflicts with adjoining agricultural operations. (RDR)

LU-17.3 Environmental Protection

The County shall apply environmental protection measures equally among geographic and socioeconomic sectors within designated disadvantaged communities of the county. (RDR, MPSP, PSR)

LU-17.4 New Incompatible Land Uses

The County shall not approve new discretionary projects within or in the immediate vicinity of existing residential areas, especially designated disadvantaged communities,

introducing a new incompatible land use that could have substantial adverse health impacts on an area's residents. (RDR, MPSP, PSR)

LU-18.3 Times and Locations of Public Engagement Opportunities

Within designated disadvantaged communities, the County shall aim to hold meetings, workshops, and other public engagement opportunities at times and locations that make it convenient for community members to attend, particularly stakeholders who are the most likely to be directly affected by the outcome. (SO)

B. General Plan Policies Addressing Economic Vitality

The 2040 General Plan's Economic Vitality Element contains policies addressing a broad range of economic issues including business development, infrastructure and resource needs, housing supply and job growth. Some key policies are for the County to: (1) prioritize investment in infrastructure, services, safety net programs and other assets that are critical to future economic vitality, including public safety, healthcare, library services, water supply and quality, transportation, energy, and environmental resources (Policy EV-1.2); (2) focus on retention of existing businesses (Policy EV-3.1); (3) work proactively to retain and facilitate the expansion of firms in key industries (Policy EV-3.3); (4) encourage the development and expansion of businesses that advance social equity, environmental quality, and economic sustainability, as well as capitalize on key industry strengths (EV-4.3); (5) and collaborate with the Workforce Development Board to assess employment changes expected over the next 20 years and evaluate opportunities for job training and education to meet new economic opportunities, particularly in green energy and in designated disadvantaged communities within the county (Policy EV-6.7).

In addition, Policy EV-1.1, implementing the Economic Vitality Strategic Plan (EVSP), is also incorporated into this General Plan Element and contains several major goals to promote the regional economy (i.e., those of cities and county), such as to leverage the County's investments in economic vitality through public- and private-sector partnerships (Goal 3), prioritize County investment in capital projects that facilitate quality economic growth (Goal 4), provide excellent customer service to the public and a business-friendly environment (Goal 5).

From the perspective of the local oil and gas industry and other economic sectors supporting this industry, the proposed zoning ordinance amendments are presumably considered not to be business friendly and/or as not fostering economic vitality in that the lengthier, costlier and more uncertain permit processing and environmental review associated with the ordinance amendments would presumably impact oil and gas operators' business decisions regarding new oil and gas development and could slow economic growth in this industry. However, the EVSP also contains Goal 1: foster targeted economic growth that supports the County's commitment to quality of life and environmental sustainability. The proposed zoning ordinance amendments would implement this goal by helping to protect environmental resources and to avoid hazardous operations which the discretionary permit review and environmental review process will accomplish.

EV-1.1 Economic Vitality Strategic Plan

The County shall use the Ventura County Economic Vitality Strategic Plan, as updated, as an operational guide to implement the economic development goals, policies, and programs of the General Plan. (FB, SO, MPSP)

EV-1.2 County Investment Priorities

The County shall prioritize investment in infrastructure, services, safety net programs and other assets that are critical to future economic vitality, including public safety, healthcare, library services, water supply and quality, transportation, energy, and environmental resources. This investment shall consider equity in investment opportunities to designated disadvantaged communities, including designated Opportunity Zones under the federal Tax Cuts and Jobs Act of 2017. The focus of these efforts shall be to improve social equity and opportunity for all. (FB, SO)

EV-1.6 Economic Expansion

The County shall work with local chambers of commerce, countywide economic development organizations, and businesses to support the appropriate expansion of the local economy and job creation, particularly in Existing Communities and unincorporated Urban Areas where zoning allows. (MPSP, JP)

EV-1.7 Supporting Industries Fitting County Needs

The County shall strive to attract industries based on existing and projected workforce demographics, educational attainment, skills, and commute patterns, and which provide opportunities to residents living in designated disadvantaged communities. (MPSP, JP)

EV-3.1 Existing Business Retention

The County shall proactively focus on retention of existing businesses in key industry clusters. In the unincorporated areas, this would include prioritizing Naval Base Ventura County and agricultural activities. (MPSP, JP)

EV-3.3 Facilitate Expansion of Key Economic Clusters

The County shall work proactively to retain and facilitate the expansion of firms in key industries, particularly those at risk of downsizing or relocation. (IGC, JP)

EV-3.5 Entrepreneurial Development and Key Industry Attraction

The County shall support local efforts to attract firms in key industries from outside the county or support the entrepreneurial development of new firms within the county, as well as training to develop entrepreneurship and innovation in the local workforce. (IGC, JP)

EV-4.3 Sustainable Business Development

The County shall encourage the development and expansion of businesses that advance social equity, environmental quality, and economic sustainability, as well as capitalize on key industry strengths. Economic sustainability includes planning and preparation for disaster response and long-term resiliency of businesses and economic assets in the county. (JP)

EV-6.7 Future Job Opportunities

The County shall collaborate with the Workforce Development Board to assess employment changes expected over the next 20 years and evaluate opportunities for job training and education to meet new economic opportunities, particularly in green energy and in designated disadvantaged communities within the county. (IGC)

Of these economic vitality policies, the proposed zoning ordinance amendments are most consistent with Policies EV-1.2 and EV-4.3 addressing the protection of environmental resources and expansion of businesses that incorporate sustainable environmental operations. However, the proposed zoning amendments could slow and/or reduce the potential expansion of new local oil and gas development, which in turn could have a negative economic impact on the oil and gas sector and its employment base, due to the increased permitting costs and uncertainty that would be associated with the proposed discretionary permitting and environmental review process that would be required for certain new oil and gas development. In addition, the new 2040 General Plan Policies COS 7.2 (increasing minimum well setback distances from sensitive uses), 7.7 (requiring oil and produced water to be transported offsite by pipeline) and 7.8 (prohibiting flaring of produced gas) reduce the locations where, and types of, new oil production facilities that can be discretionarily permitted by the County. The proposed zoning amendments would make these new policies applicable to a broader range of proposed oil and gas development based on the new discretionary approval requirement for projects which, under the status quo, only request a ministerial approval.

The potential economic impacts associated with the proposed zoning amendments are not known given the numerous variables associated with the oil and gas industry's potential future development plans which are not known to the County and are driven in large part by global oil prices. Nevertheless, based on these potentially negative economic ramifications, the proposed zoning ordinance amendments could be considered inconsistent with Policies EV-3.1 and 3.3.

In summary, by applying a discretionary permit approval and environmental review process to certain new oil and gas development proposals that at present require a ministerial permit and no environmental review, the zoning ordinance amendments would slow and/or reduce the potential expansion of certain new local oil and gas development which in turn could negatively impact this economic sector and its employment base. Nevertheless, the proposed zoning ordinance amendments are consistent with the General Plan. They would provide for the consistent application of numerous important General Plan policies and County oil and gas regulations, and for consistent environmental review and public participation, regarding new oil and gas development.