



November 9, 2021

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

**SUBJECT: Public Hearing regarding Adoption of an Ordinance of the Following Land Conservation Act (LCA)-Related Zone Change and Determination that the Action is Exempt from the California Environmental Quality Act for the Parcel Identified as Tax Assessor's Parcel No. 108-0-121-080 from OS-160 ac (Open Space, 160-Acre Minimum Parcel Size) to AE-160 ac (Agricultural Exclusive, 160-Acre Minimum Parcel Size), Supervisorial District 4; Case No. PL20-0075, Noble Ranch (Applicant).**

**A. RECOMMENDED ACTIONS:**

1. **CERTIFY** that your Board has reviewed and considered this Board letter and all exhibits hereto regarding the proposed zone change for Case No. PL20-0075 and has considered all comments received during the public hearing process;
2. **FIND**, on the basis of the entire record and as set forth in Section B of the staff report for the Planning Commission hearing on October 7, 2021, (Exhibit 1), that the approval of the proposed zone change for Case No. PL20-0075 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061, subdivision (b)(3) because there is no possibility that the proposed zone change may have a significant effect on the environment;
3. **FIND**, based on the substantial evidence set forth in Sections A, B and C of the staff report for the Planning Commission hearing on October 7, 2021 (Exhibit 1), the public testimony received and the entire record, that the proposed zone change for Case No. PL20-0075 is consistent with the Goals, Policies and Programs of the Ventura County General Plan, good zoning practices and is in the interest of public health, safety or general welfare;
4. **ADOPT** the attached ordinance for Case No. PL20-0075 rezoning the parcel identified as Tax Assessor's Parcel No. 108-0-121-080 from OS-160 ac (Open Space, 160-acre minimum parcel size) to AE-160 ac (Agricultural Exclusive, 160-acre minimum parcel size) (Exhibit 5), effective 30 days after adoption;
5. **SPECIFY** that the Clerk of the Board of Supervisors is the custodian and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which the decisions are based.

### **FISCAL/MANDATES IMPACT:**

In accordance with the Board-adopted Planning Division Fee Schedule, the applicant submitted the required \$1,000 zone change application processing deposit fee. The applicant is responsible for remitting payment of all County costs associated with the recommended actions.

### **DISCUSSION:**

#### **Project Description**

The Applicant is requesting to rezone the parcel identified as APN 108-0-121-080 from OS-160 ac to AE-160 ac. The requested zone change is required for the property owner to enter into an LCA contract with the County because such contracts are not permitted on property zoned "Open Space." The establishment of an LCA contract requires the expansion of an existing Agricultural Preserve (AGP 51-21) to include the entirety of the subject property.

Access to the site is provided by Stockton Road and water service is provided by Ventura County Waterworks District 1. The zone change request does not include any proposed development.

#### **Decision-Making Authority and Planning Commission Recommendation**

Pursuant to Ventura County Non-Coastal Zoning Ordinance (NCZO) section 8115-3, your Board is the decision-making authority for the requested zone change. At its October 7, 2021 hearing the Planning Commission considered, and, by a vote of 4 to 0, recommended that your Board take the recommended action for this project as set forth on page one (above), as stated in Planning Commission Resolution No. 21-10 (Exhibit 4). The staff report for the October 7, 2021 Planning Commission hearing (Exhibit 1) contains the factual record assembled by staff for the requested zone change.

#### **Environmental Review**

Pursuant to the California Environmental Quality Act (CEQA) (Pub. Res. Code, § 21000 et seq.) and the CEQA Guidelines (Cal. Code of Regs., tit. 14, § 15000 et seq.), the subject rezone constitutes a "project" that is subject to environmental review.

The CEQA Guidelines list certain types of projects that are exempt from environmental review. As stated in the general rule exemption set forth in the CEQA Guidelines (California Code of Regulations, tit. 14, §15061, subd. (b)(3)), "The activity is covered by the common-sense exemption that CEQA applies only to projects, which have the potential for causing a significant effect on the environment." The proposed zone change

from OS to AE is an action “[w]here it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment” (Ibid). Rezoning the subject property to the proposed AE zone will further restrict permitted and conditionally permitted uses allowed on the property. The proposed zone change is not associated with any specific development and does not increase the development potential of the parcel being rezoned. To the contrary, the purpose of the rezone is to make the property eligible for an LCA contract which provides the participating property owner a property tax incentive to retain the agricultural and open space character and use of the land.

Assuming that your Board agrees with the conclusions of the environmental analysis set forth in the discussion above, your Board should take the recommended action on page one (above) to find that the approval of the proposed project is exempt from CEQA.

### **Project Evaluation and Findings**

The NCZO authorizes your Board to change or amend the zoning ordinance (which includes zone changes) “whenever the public health, safety, or general welfare, good zoning practice, and consistency with the General Plan justify such action...”

Pursuant to NCZO section 8115-0, your Board must make certain findings in order to amend the NCZO. For the reasons set forth in the staff report for the Planning Commission hearing on October 7, 2021 (Exhibit No. 1, §§ C.1 through C.3), Planning staff recommends that your Board find that the public health, safety, general welfare, good zoning practice, and consistency with the General Plan justify the proposed zone change for the subject property.

### **PUBLIC AND JURISDICTIONAL REVIEW:**

The Planning Division mailed notification of this hearing to property owners within 300 feet of the boundaries of the proposed projects and all interested parties on October 27, 2021. The notices of hearing for the proposed projects were also published in the *Ventura County Star* (countywide circulation) on October 30, 2021.

To date, the Planning Division has not received any public comments on the proposed project. Planning Division staff will submit any comments that Planning Division staff receives after publication of this Board letter to your Board at the public hearing on November 9, 2021.

This Board Letter has been reviewed by the County Executive Office, Auditor Controller’s Office, and County Counsel. Questions concerning this Board Letter should be directed to Angela Georgeff, Case Planner, at [angela.georgeff@ventura.org](mailto:angela.georgeff@ventura.org) or (805) 654-5097.



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Dave Ward, AICP, Director  
Ventura County Planning Division

**Attachments:**

Exhibit 1	Staff Report for PL20-0075 for the October 7, 2021 Planning Commission Hearing
Exhibit 2	Maps
Exhibit 3	Planning Commission PowerPoint Presentation
Exhibit 4	Planning Commission Resolution No. 21-10 for PL20-0075
Exhibit 5	Proposed Ordinance Amendment for PL20-0075 (NCZO § 8118-2.1374)