

ORDINANCE NO. 4451

AN ORDINANCE OF THE VENTURA COUNTY BOARD OF SUPERVISORS AMENDING DIVISION 8, CHAPTER 2, ARTICLES 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, AND 14 OF THE VENTURA COUNTY ORDINANCE CODE, COASTAL ZONING ORDINANCE TO CORRECT CLERICAL ERRORS, CLARIFY ORDINANCE LANGUAGE AND CURRENT PROCEDURES, CREATE CONSISTENCY WITH THE NON-COASTAL ZONING ORDINANCE AND COASTAL ACT, ADD UPDATE SELECTED POLICIES WITHIN THE ORDINANCE

Section 1

ARTICLE 1 – AUTHORITY, PURPOSE, AND APPLICATION OF CHAPTER

Article 1, Section 8171-10 – Adoption of Zoning Maps, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-10 - Adoption of Zoning Maps

The Board of Supervisors hereby adopts the Ventura County Coastal Zoning Maps as the official zoning maps pursuant to the following findings:

Sec. 8171-10.1

Prior to the enactment of Ordinance 3654 in 1983, amending this Chapter of the Ventura County Ordinance Code, a zone classification was established on all land in the Coastal Zone in the unincorporated area of the County of Ventura. Said comprehensive zoning was effected by ordinance and included in the Ventura County Zoning Maps, Coastal Codification, that were contained in the previous Coastal Zoning Ordinance, Article 9, Section 8179 and graphically depicted on portions of the Ventura County Assessor map books 8, 60, 80, 138, 183, 188, 206, 231, 234, 694, 700 and 701.

Zoning designations, locations, and boundaries are set forth and indicated in the "Ventura County Coastal Zoning Maps," which are referenced in Article 9, Section 8179.

Adoption of the Ventura County Coastal Zoning Maps does not change the zone classification of any land. In the event of any error in the transmission of the zoning classifications from the previous zoning maps to the new Coastal Zoning Maps, the zone classification of the land as shown on the 1983 certified zoning maps, as amended, shall prevail, and the new coastal zoning maps shall be changed to correct the error.

The Ventura County Coastal Zoning Maps are on file in the office of the Clerk of the Board of Supervisors.

Article 1, Section 8171-11 – Uncertainty of Zone Boundaries, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-11 - Uncertainty of Zone Boundaries

Where uncertainty exists as to the boundaries of any zone district, indicated in the Ventura County Coastal Zoning Maps, the following rules of construction shall apply:

Sec. 8171-11.1 - Boundaries Following Lot Lines

Where such zone boundaries are indicated as approximately following street and alley lines or lot lines, such lines shall be construed to be such boundaries.

Sec. 8171-11.2 - Boundary by GIS Technology

Where a zone boundary divides a lot, the locations of such boundaries, unless indicated by dimensions, shall be determined by the use of GIS tools and/or datasets.

Sec. 8171-11.3 - Boundary Upon Street Abandonment

Where a public street or alley is officially vacated or abandoned, the zoning regulations applicable to abutting property on each side of the center line of the vacated or abandoned street or alley shall apply to the property located within the vacated or abandoned street or alley.

Sec. 8171-11.4 - Determination of Uncertainties

The Planning Director shall resolve uncertainties as to zone district boundary locations, and any challenge to his determination shall be resolved as provided in Sec. 8181-9. Any uncertainty as to the location of the coastal zone boundary shall be referred to the Coastal Commission for resolution in accordance with coastal zone maps adopted by the State legislature.

Section 2

ARTICLE 2 – DEFINITIONS

Article 2, Section 8172-1 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by revisions of the following definitions:

A-Frame Structure - A structure shaped in the configuration of the letter A, with angled exterior walls that also serve as a roof to the structure and that meet at the top ridge.

Abut - To touch physically, to border upon, or to share a common property line with. Lots that touch at corners only shall not be deemed abutting. Adjoining and contiguous shall mean the same as abutting.

Accessory Structure - A detached structure containing no kitchen or cooking facilities, and located upon the same lot as the building or use to which it is accessory, and the use of which is customarily incidental, appropriate and subordinate to the use of the principal building, or to the principal use of the land.

Alley - A private way permanently reserved as a secondary means of vehicular access to adjoining property.

Animal Husbandry - A branch of agriculture for the raising or nurturing and management of animals, including breeding, pasturing or ranching for such purposes as animal sales, food production, fiber production, ornament, or beneficial use (e.g. insectaries).

Animals, Pet - Domesticated animals such as dogs, cats, and rabbits, which are customarily kept for pleasure rather than animal husbandry or animal keeping.

Animals, Wild - Animals that are wild by nature and not customarily domesticated. This definition does not include birds, small rodents or small, nonpoisonous reptiles commonly used for educational or experimental purposes, or as pets.

Antenna, Freestanding - A metallic device for transmitting or receiving radio waves that rests on or is located in the ground. Included are antennas supported by guy wires and similar mechanisms.

Average Slope - The mean slope of an entire parcel of land before grading has commenced. Average slope is measured by the formula detailed in the Coastal Open Space (COS) or Coastal Agricultural (CA) Zones in this Chapter, and, in part, determines minimum parcel size(s) for proposed subdivisions.

Bathroom - A room with a sink, a toilet, and a bathtub and/or shower.

Bed-and-Breakfast Inn - A single family dwelling with guest rooms where lodging and one or more meals are offered for compensation to overnight guests.

Boatel - A building or buildings containing guest rooms or dwelling units that are used wholly or in part for the accommodation of boat transients, and are located near or abutting a river, lake or ocean.

Building Envelope - The area of a proposed parcel that contains all structures, including but not limited to: the primary residential structure, other accessory residential structures, barns, garages, swimming pools, and storage sheds. Specifically excluded are fences and walls.

Communications Facilities - Includes unstaffed uses and structures such as radio and television dishes/antennas, radar stations, and microwave towers.

Decision, Discretionary - Discretionary decisions involve cases that require the exercise of judgment, deliberation, or decision on the part of the decision-making authority in the process of approving or disapproving a particular activity, as distinguished from situations where the decision-making authority merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. Examples of cases requiring discretionary decisions to be made by the Board of Supervisors, Planning Commission and Planning Director include all those not classified as "ministerial" such as: Conditional Use Permits, Variances, Zone Changes, Planned Development Permits, Tentative Subdivision Maps and Time Extensions thereto, General Plan Amendments; and appeals, modifications and revocations, where applicable, of the above referenced decisions.

Decision, Ministerial - Ministerial decisions are approved by a decision-making authority based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority. In such cases, the authority must act upon the given facts without regard to its own judgment or opinion concerning the property or wisdom of the act although the statute, ordinance or regulation may require, in some degree, a construction of its language by the decision-making authority. In summary, a ministerial decision involves only the use of fixed standards or objective measurements without personal judgment.

Decision-Making Authority - An individual or body vested with the authority to make recommendations or act on application requests. The final decision-making authority is the one that has the authority to act on a request by approving or denying it.

Development Subject to Appeal - A development whose approval or denial by the County of Ventura may be appealed to the Coastal Commission. In compliance with Public Resources Code Section 30603(a), development subject to appeal consists of the following:

1. Development approved by the County between the sea and the first public road paralleling the sea, or within 300 feet of the inland extent of any beach, or within 300 feet of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
2. Development approved by the County that is not included within paragraph 1 above and is located on tidelands; submerged lands, public trust lands; within 100 feet of any wetland, estuary, or stream; or within 300 feet of the top of the seaward face of any coastal bluff.
3. Any development approved by the County that is not designated as the principally-permitted use under this Ordinance.
4. Any development that constitutes a major public works project or a major energy facility.

Drilling, Temporary Geologic - Bona fide temporary search and sampling activities that, in the case of oil-related testing, use drilling apparatus smaller than that used in oil production.

Dwelling, Caretaker - A dwelling unit occupied by a caretaker, and his or her family, employed full time and working on the same lot on which the dwelling

unit is located or on other land in Ventura County that is under the same ownership or lease as the subject lot.

Dwelling, Farm Worker - A dwelling unit occupied by farm worker(s), and their families, employed full time and working on the same lot on which the dwelling unit is located or on other land in Ventura County that is under the same ownership or lease as the subject lot.

Dwelling, Single-Family - A building constructed in conformance with the Uniform Building Code, or a mobilehome constructed on or after June 15, 1976, containing one principal dwelling unit.

Dwelling, Two-Family - A building containing two principal dwelling units.

Dwelling Unit - One or more rooms in a dwelling, with internal access between all rooms, that provide complete independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation, but contain only one kitchen.

Dwelling Unit, Second - A dwelling unit that is accessory to a principal dwelling. Second dwelling units include, but are not limited to, guest quarters, guesthouses, maid's quarters, granny flats, and sleeping rooms. Where a room or rooms have bathing facilities (i.e., a shower or bathtub) or a kitchen, or both, and no means of internal access to the principal dwelling, the room or rooms shall be a second dwelling unit.

Emergency - A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services. This may include such occurrences as fire, flood, and earthquake or other soil or geologic movements.

Energy Facility - Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy (See also "Major Public Works Project and Energy Facility").

Environmentally Sensitive Habitat Area (ESHA) - Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or harmed by human activities and development, including, but not limited to: Areas of Special Biological Significance as identified by the State Water Resource Control Board; rare and endangered species habitats identified by the State Department of Fish and Game; all coastal wetlands and lagoons; all marine, wildlife, and education and research reserves; nearshore reefs; stream corridors; lakes; tidepools; seacaves; islets and offshore rocks; kelp beds; significant coastal dunes; indigenous dune plant habitats; and wilderness and primitive areas.

Farm Worker - A person principally employed for agriculture or agricultural operations.

Fence, See-Through - A fence, such as the chain link type, that permits at least 50 percent open visibility throughout the fence.

Grade - Adjacent ground level. For purposes of building height measurement, grade is the average of the finished ground level along the walls of a building. In the case where walls are parallel to and within five feet of a sidewalk, the finished ground level is measured at the sidewalk.

Gross Floor Area - The area included within the surrounding exterior walls of all floors or levels of a building, exclusive of unenclosed shafts and courtyards, or, if the structure lacks walls, the area of all floors or levels included under the roofed/covered area of a structure.

Hazardous Waste - A waste product, or combination of waste products, that because of its quantity, concentration, or physical, chemical or infectious characteristics may do any of the following:

- 1) Cause, or significantly contribute to, an increase in mortality.
- 2) Increase serious irreversible, or incapacitating reversible, illness.
- 3) Pose a substantial present or potential future hazard to human health or environment due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bio-accumulative properties, or persistence in the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Unless expressly provided otherwise, the term "hazardous waste" shall be understood to also include extremely hazardous waste and acutely hazardous waste.

Home Occupation - Any commercial activity that is clearly incidental and secondary to the residential use of a dwelling and does not change the character thereof.

Hostel - Overnight sleeping accommodations that provide lodging for travelers, and that may provide kitchen and eating facilities. Occupancy is generally of a limited duration.

Hotel - A building with one main entrance, or a group of buildings, containing guest rooms where lodging with or without meals is provided for compensation.

Inoperative Vehicle - A vehicle that is not fully capable of movement under its own power, or is not licensed or registered to operate legally on a public right-of-way.

Inundation - Temporary flooding of normally dry land area caused or precipitated by an overflow or accumulation of water on or under the ground, or by the existence of unusual tidal conditions.

Lot - An area of land.

Lot Line

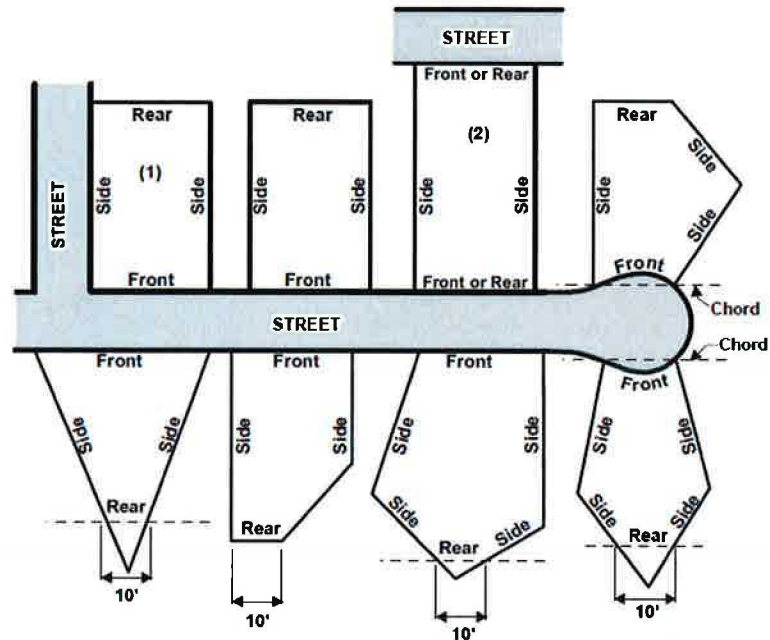
Front - A line separating an interior lot from the street, or a line separating the narrower street frontage of a corner lot from the street, except for flag lots (see "setbacks").

Side - Any lot boundary line that is not a front line or a rear lot line.

Rear - A lot line that is opposite and most distant from the front lot line. For a triangular or irregular-shaped lot, the rear lot line shall mean a line ten feet in length within the lot that is parallel to the front lot line, or parallel to the chord of a curved front lot line, and at the maximum distance from the front lot line.

See illustration below:

Types of Lot Lines



- (1) For corner lots, the narrower street frontage is the front yard.
- (2) For through lots, the Planning Division, in consultation with the applicant, shall designate one street frontage as the front of the lot and the other as rear (Sec. 8175-4.14).
- (3) For flag lots see definition for "setback."

Lot, Reverse-Corner - A corner lot, the rear of which abuts the side of another lot. Interior lots adjacent to flag lots are not considered reverse-corner lots.

Lot, Through - A lot, other than a corner lot, having frontage on two parallel or approximately parallel streets.

Major Public Works Project and Major Energy Facility - Any public works project or energy facility that costs more than one hundred thousand dollars (\$100,000) with an automatic annual increase in accordance with the Engineering News Record Construction Cost Index,^{*} except for those governed by the provisions of Sections 30610, 30610.5, 30611 or 30624 of the Public Resources Code.

In addition, a major public works project also means a publicly financed recreational facility that serves, affects, or otherwise impacts regional or statewide use of the coast by increasing or decreasing public recreational opportunities or facilities.

Motel - Building(s) that provide lodging in guest rooms primarily for tourists traveling by automobile. Motel buildings typically have direct access from the rooms to the outdoors. Motels include auto courts, motor lodges, and tourist courts.

^{*} Data from the Construction Cost Index is available from Coastal Commission staff or online at www.ENR.com. This definition is consistent with Code of Regulations § 13012(a), which became effective in January 1983. Construction costs of \$100,000 in 1983 were equal to \$208,771.04 as of December 2008.

Net Area - The total land area of a lot exclusive of: (a) areas within an existing or proposed public or private street, road, or easement used for ingress or egress, and (b) the area within an existing or proposed easement where the owner of the lot or parcel is prohibited from using the surface of the ground. Included in the "net area" is the area lying within public utility easements (except as otherwise provided in Section 8241 of Chapter 2 of this code), sanitary sewer easements, landscaping easements, public service easements, and tree maintenance easements.

Nonconforming Structure - A structure, or portion thereof, that was lawfully erected or altered and maintained, but that no longer conforms with development standards, including standards for lot coverage, setbacks, height, parking, and buffers for environmentally sensitive habitat areas, solely because of revisions made to development standards of this Chapter, including standards for ESHA buffers, lot coverage, lot area per structure, height, and setbacks.

Nonconforming Use - A use that was lawfully established and maintained but that, because of revisions made to this Chapter is (1) no longer permitted in the zone in which it is located or, (2) no longer in conformance with the parking requirements of the use in the zone in which it is located.

Nonprime Agricultural Land - Agricultural lands not defined as Prime that are suitable for agriculture.

Outdoor Sporting Events - Recreational events or activities, other than spectator-type animal events, that require a natural environment, are carried on by one or more groups of people, and do not involve structures, motorized vehicles, aircraft or firearms.

Parcel - For the purposes of this Chapter, the word "parcel" shall have the same meaning as the word "lot."

Planning Director - The Deputy Director, Ventura County Resource Management Agency, for the Planning Division, or his or her designee.

Prime Agricultural Land - Means any of the following:

- All land which qualifies for rating as Class I or Class II in the Natural Resource Conservation Service land use capability classifications.
- Land which qualifies for rating 80 through 100 in the Storie Index Rating.
- Land which supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
- Land planted with fruit- or nut-bearing trees, vines, bushes or crops which have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars (\$200) per acre.

Public Works - Means the following:

- (a) All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by a utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.

- (b) All public transportation facilities, including streets, roads, highways, public parking lots and structures, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.
- (c) All publicly-financed recreational facilities, all projects of the State Coastal Conservancy, and any development by a special district.
- (d) All community college facilities.

See also "Major Public Works Project and Major Energy Facility."

Recreational Vehicle - A vehicle of any size that (a) is self-propelled or is towed by another vehicle, (b) is not designed to be used as a permanent dwelling, (c) has self-contained plumbing, heating and electrical systems that may be operated without connection to outside utilities and, (d) does not meet the definition of a structure. Recreational vehicles do not fall within the definition of mobilehomes.

Residential Care Facility - A nonmedical facility providing any of the following services on a 24-hour basis: care for the mentally ill, handicapped, physically disabled, elderly, dependent or neglected children, wards of the Juvenile Court, and other persons in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are "intermediate care facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code. A facility is considered nonmedical if the only medication given or provided is the kind that can normally be self-administered.

Residential (or "R") Zone - A base zone classification under this Chapter that contains the letter "R" in its abbreviation.

Retail Trade - Businesses engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. Examples of retail trade businesses are: bakeries, delicatessens, grocery stores and meat markets; retail stores for the sale of books, cameras, clothing, flowers, hardware, jewelry, pets, shoes, sporting goods and toys; bait and fishing tackle rental; drug stores; gift shops, hobby shops and music stores.

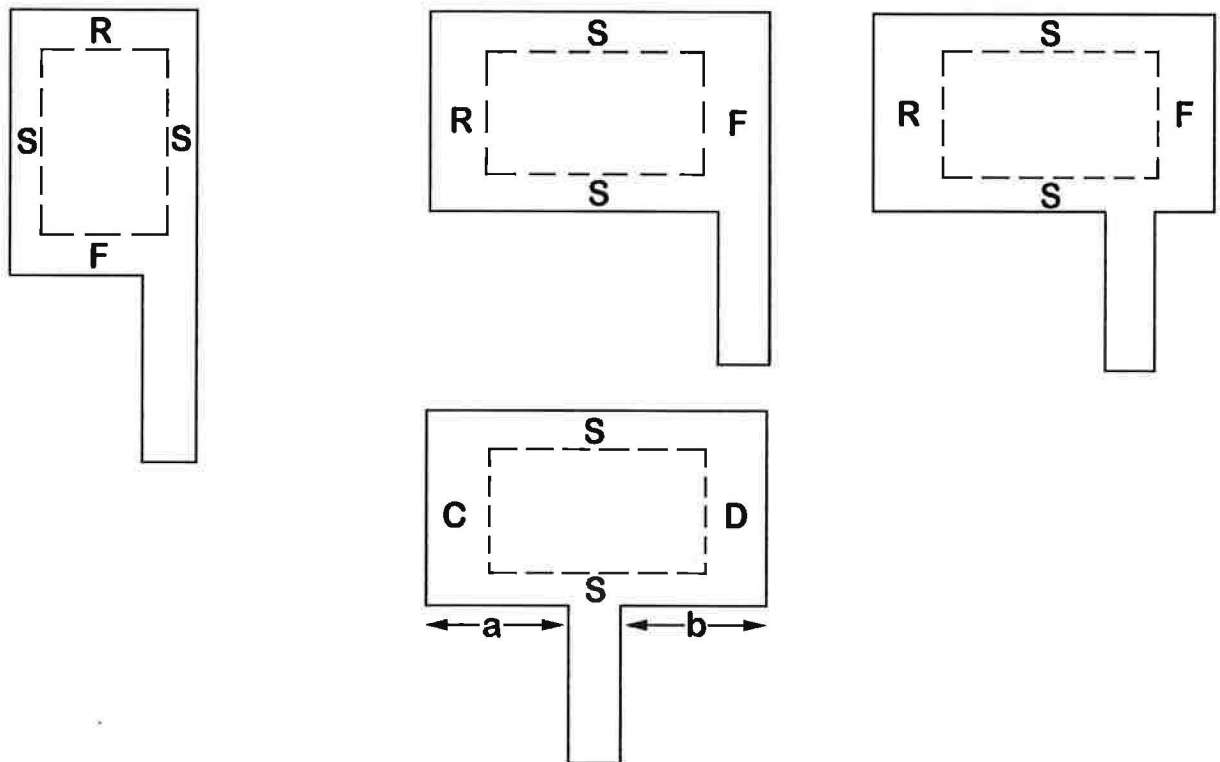
Riding Stable - A facility where there are stables for horses that are rented to members of the public for recreational purposes, including riding lessons, whether or not the facility is advertised or promoted as such, and whether or not the riding occurs on the property on which the horses are kept.

Roof Structures - Structures located on the roof of a building for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building; fire or parapet walls, safety rails, skylights, towers, flagpoles, chimneys, smokestacks, solar collectors, wireless masts, T.V. antennas and similar structures.

Second Dwelling - See Dwelling, Second.

Setback - The distance on an individual lot that is intended to provide an open area measured from a property line or other boundary line to a structure or use, and includes front (F), rear (R) and side (S) setbacks.

In the case of "flag" lots, the setbacks shall be measured from the applicable front, rear and sides of the lot as designated in the following diagram.



If $a = b$, applicant designates C or D as front.

Shoreline Protective Devices - Seawalls, revetments, breakwaters, and other such construction that alter natural shoreline processes.

Stream - A perennial or intermittent watercourse mapped by the U.S. Geologic Survey or identified in the LCP.

Structural Alterations - Any change in roof lines or exterior walls, or in the supporting members of a building such as foundations, bearing walls, columns, beams, girders, floor joists, roof joists, or rafters. This includes any physical change that could affect the integrity of a wall, including partial or total removal, moving a wall to another location or expanding the wall in terms of height or length. Minor actions such as adding a doorway, walkway, passage or window, or attaching architectural features or adornments, are not considered to be structural alterations.

Structure - Anything constructed or erected on the ground, or that requires location on the ground, or is attached to something having a location on or in the ground.

Wet Bar - A bar or counter used for mixing drinks that is located in an area separate from the kitchen and includes a sink with running water.

Zoning Clearance - A permit that certifies that a proposed development and/or use of land meets all requirements of the Ventura County Zoning Code and, if applicable, the conditions of any previously approved permit.

Article 2, Section 8172-1 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by the addition of the following definitions in their appropriate alphabetical order:

Animal Caretaker - A person employed full time on the same property for activities associated with Animal Husbandry or Animal Keeping.

Animal Keeping - The keeping of animals other than for husbandry or pet purposes, with or without compensation; including such activities as boarding, stabling, pasturing, rehabilitating, training of animals and lessons for their owners, and recreational riding by the owners of the animals; but excluding such activities as the rental use of the animals by people other than the owners, and excluding events such as organized competitions, judging and the like.

Buffer Area - The area within 100 feet of the boundary of any environmentally sensitive habitat area (ESHA).

Clear Sight Triangle - The area of unobstructed visibility at street intersections or driveways that allows a driver to see approaching vehicles.

Coastal Development Permit - A discretionary permit required pursuant to this chapter or subdivision (a) of Section 30600 of the Coastal Act. Conditional Use Permits, Planned Development Permits and Public Works Permits are Coastal Development Permits.

Dwelling, Animal Caretaker - A dwelling unit occupied by animal caretaker(s), and their families, employed full time and working on the same lot on which the dwelling unit is located, or on other land in Ventura County that is under the same ownership or lease as the subject lot.

Exterior Storage - The outdoor placement or keeping of materials in an area not fully enclosed by a storage structure. (Also see Section 8175-5.1(j).)

Geotechnical and Soils Testing - Exploratory borings and excavations conducted under the direction of a Soils Engineer or Engineering Geologist, but excluding the construction of access roads or pads for exploratory excavations.

GIS - Geographic Information System; within the Coastal Zone, the digital data system that includes zoning and land use data that conforms to the zoning and land use maps officially certified by the California Coastal Commission.

Kitchen - Any room in a dwelling designed or used as a place for food preparation and cooking, and containing two or more of the following: (a) a counter sink; (b) a stove, hotplate, or conventional or microwave oven; (c) a refrigerator of more than four cubic feet capacity.

Mean High Tide Line - A line representing the intersection of a particular shoreline with the average height of all high waters over a 18.6-year lunar cycle. The mean high tide line may vary in location (or "ambulate") over time as a result of climatic and other influences.

Minor Development - A development that satisfies all of the following requirements:

1. The development is consistent with the County of Ventura Certified LCP;
2. The development requires no discretionary approvals other than a Public Works Permit or a Planned Development Permit; and
3. The development has no adverse effect either individually or cumulatively on coastal resources or public access to the shoreline or along the coast.

Permitted Use - A use listed in Section 8174-5 as a permitted use, which may be allowed subject to obtaining the necessary permits and compliance with all applicable provisions of the LCP.

Principal Use/Principal Structure - The primary use(s) or primary structure(s) on a lot to which other uses and structures are accessory. This term is unrelated to the definition of "principally-permitted use," which indicates development that is not appealable to the Coastal Commission, unless located within an appealable area (see definition of "Principally-Permitted Use").

Principally-Permitted Use - The primary use of land that clearly carries out the land use intent and purpose of a particular zone, as specified in Section 8174-5. Where a land use is identified as a principally-permitted use, the County's approval of a Coastal Development Permit for that development is not appealable to the Coastal Commission unless it otherwise meets the definition of "Development Subject to Appeal." See definition of "principal use/principal structure" for development that is the primary use or primary structure on a lot.

Rebuild - A rebuild or reconstruction occurs when extensive changes or repairs are made to the exterior envelope of any structure.

Remodel - A remodel is an interior alteration to an existing approved, permitted and inspected structure where the foundation, exterior walls and roof structure remain in place without modification.

Setback, Front - An open area that extends between side lot lines across the front of a lot, the depth of which is the required minimum horizontal distance between the front lot line and a line parallel thereto on the lot.

Setback, Rear - An open area that extends across the rear of the lot between the inner side lot lines that is the required minimum horizontal distance between the rear lot line and a line parallel thereto on the lot.

Setback, Side - An open area that extends from the front setback, or the front lot line where no front setback is required, to the rear yard; the width of the required side setback shall be measured horizontally from the nearest part of the side lot line.

Slope/Density Formula - An engineering formula based on the average slope of an existing lot that is used to determine the minimum lot area of all proposed lots of a land division in the COS zone, and in the CA zone when not prime agricultural land.

Tidelands - All lands that are located between the lines of mean high tide and mean low tide.

Article 2, Section 8172-1 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by the deletion of the definition of Building Height, Open Storage, Satellite Dish Antenna, Traffic Safety Sight Area, Yard, Yard, Front, Yard, Rear, and Yard, Side.

Section 3

ARTICLE 3 – PURPOSES OF ZONES

Article 3, Section 8173-3 – Coastal Rural (C-R) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-3 - Coastal Rural (CR) Zone

The purpose of this zone is to provide for and maintain a rural residential setting where a variety of agricultural uses are also permitted, while surrounding land uses are protected.

Section 4

ARTICLE 4 – PERMITTED USES

Article 4 of the Ventura County Ordinance Code is hereby repealed and reenacted as follows:

Sec. 8174-1 – Purpose

The purposes of this Article are to list the uses or types of uses allowed in each zone, and to indicate the type of permit required to establish a particular use in that zone.

Sec. 8174-2 – Interpretation

Sec. 8174-2.1

Each use is subject to all provisions of this Chapter.

Sec. 8174-2.2

Any use requested as an accessory use that is not listed as such in Section 8174-5, but is listed as a principal use, shall be subject to the indicated requirements of the principal use.

Sec. 8174-2.3

More than one principal use or principal structure* may legally exist on a lot (e.g., agriculture, oil production, a cell tower and/or a residence.)

Sec. 8174-2.4

For the purposes of this Article, any use listed in matrix form that is indented shall be construed as a subheading of the heading under which it is indented.

Sec. 8174-3 - Original Permit Jurisdiction

Within the areas described below, the Coastal Commission retains original permit authority under the Coastal Act. All applicants for development proposed within these areas must obtain a Coastal Development Permit from the Coastal Commission in addition to any permits required by the County.

- a. Tidelands;
- b. Submerged lands;
- c. Public trust lands, whether filled or unfilled;
- d. Ports covered by Chapter 8 (commencing with Section 30700) of the Coastal Act (Port Hueneme);
- e. State universities or colleges.

* Also see definition of "principally-permitted use" for uses that are not appealable to the Coastal Commission, unless located within an area subject to appeal

Sec. 8174-4 - Environmentally Sensitive Habitat Areas (ESHA)

Within an ESHA as defined in Article 2, or a buffer area, only the following uses, subject to all applicable standards and policies, are permitted:

- a. Nature study;
- b. Developments where the primary function is habitat enhancement or restoration;
- c. Shoreline protective devices;
- d. Passive recreational uses not involving structures;
- e. Uses dependent on habitat values such as aquiculture and scientific research;
- f. Public Works facilities in accordance with this Article and Section 8175-5.9, and all other applicable provisions of this Chapter and the LCP Land Use Plan.

Exceptions:

Within a buffer area, no new principal structures will be permitted unless prohibition of the structure from the buffer will preclude the utilization of the larger parcel for its designated use. When it is necessary to allow structures within the buffer they shall be located as far from the habitat resource as possible and mitigations shall be required to eliminate or reduce their impacts to an insignificant level. If a principal structure exists as of the adoption of this Plan, it may be rebuilt within the buffer zone if it is destroyed by fire or a natural disaster. If it is an otherwise nonconforming use it shall not be rebuilt within the buffer.

Sec. 8174-5 – Permitted Uses by Zone

The following zoning matrix establishes the type of permit required for land uses permitted in each zoning district. However, if a property is determined to be all or in part within an environmentally sensitive habitat area (ESHA) or buffer area, only limited uses are permitted. (See Sec. 8174-4 for uses permitted in an ESHA, and Sec. 8178-2 for specific standards applicable to an ESHA.)

Additionally, properties located within the Santa Monica Mountains Overlay Zone (denoted by /M after the base zoning) are subject to specific development standards (see Sec. 8177-4).

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
AGRICULTURE AND AGRICULTURAL OPERATIONS (No Retail Except Produce Stands) ^{b,d,f,h}												
Animal Husbandry (see Sec. 8175-5.2)	PDP	PDP										
• Apiculture (see Sec. 8175-5.2.1)	PDP	PDP										

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
• Structures for up to 25 Animal Units	PDP	PDP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• Structures for More Than 25 Animal Units	CUP	CUP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• More Animals Than Are Permitted By Sec. 8175-5.2.4	CUP	CUP										
• Wild Animals	CUP											
Aquiculture	PDP	PDP										
Contractors' Service and Storage Yards and Buildings		CUP										
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5		ZC										
Crop Production	E	E	E	E	E	E	E	E	E	E	E	
• With Brush or Vegetation Removal	Permit May Be Required. See "Brush or Vegetation Removal"											
• With Grading, Excavation or Fill	Permit May Be Required. See "Grading, Excavation or Fill"											
Growing, Packing, Storage or Preliminary Processing, in Structures												
• Total Floor Area Per Lot												
up to 20,000 sq. ft.	PD	PD	PD									
over 20,000 to 100,000 sq. ft.	PD	PD	CUP									
over 100,000 sq. ft.	CUP	CUP										
• If exempt per Sec. 8174-6.2, 8174-6.3.1, 8174-6.3.4, or 8174-6.3.5												
Total Floor Area up to 100,000 sq. ft.	ZC	ZC	ZC									
Total Floor Area over 100,000 sq. ft.	ZC	ZC										
Improvements to Agricultural Structures	See "Improvements to Structures, Other Than Single Family Dwellings or Public Works Facilities"											
Uses and Structures, Accessory	PD	PD	PD									
• If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC									
• Dwellings, Farm Worker or Animal Caretaker:												

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
one on lot meeting the minimum lot size per zone		PDP										
one on lot not meeting the minimum lot size per zone		CUP										
more than one per lot		CUP										
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5		ZC										
• Fences and walls	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
• Fuel Storage, 10,000 Gallons Maximum		PD										
If exempt per Sec. 8174-6.3.2		ZC										
• Offices		PD										
If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5		ZC										
• Packing, Storage or Preliminary Processing of Crops (No Structures)	ZC	ZC										
within a maximum 20,000 sq. ft structure per lot	PD	PD										
• Produce Stands, Retail, Accessory to Crop Production (Sec. 8175-5.8)		PD										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5		ZC										
AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE	CUP	CUP									CUP	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC									ZC	
AMBULANCE SERVICES										PD		
ANIMALS, KEEPING OF (See Sec. 8175-5.2)	PDP	PDP										
Apiculture (see Sec. 8175-5.2.1)	PDP	PDP										
Structures:												
• For Up To 25 Animal Units	PDP	PDP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• For More Than 25 Animal Units	CUP	CUP										

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	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
More Animals Than Are Permitted By Sec. 8175-5.2.4	CUP	CUP										
Wild Animals	CUP											
ART GALLERIES										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
AUTOMOBILE REPAIRING										CUP		
If exempt per Sec. 8174-6.3.4 or 8174-6.3.5										ZC		
AUTOMOBILE SERVICE STATIONS										PD		
If exempt per Sec. 8174-6.3.4 or 8174-6.3.5										ZC		
BANKS, SAVINGS AND LOANS AND RELATED OFFICES AND INSTITUTIONS										PD		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BARBER AND BEAUTY SHOPS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BARS, TAVERNS AND NIGHTCLUBS										CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BOARDINGHOUSES, ROOMING HOUSES AND BED-AND-BREAKFAST INNS				CUP	CUP					CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5				ZC	ZC					ZC		
BRUSH OR VEGETATION REMOVAL	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
BUS TERMINALS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
CARE FACILITIES												
Day												
• Care of Six or Fewer Persons	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			

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	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
• Care of Seven or More Persons			CUP	CUP	CUP	CUP						
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5			ZC	ZC	ZC	ZC						
Residential: Care of Six or Fewer Persons	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
• If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
CARWASHES, SELF-SERVICE OR AUTOMATIC										CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
CHURCHES AND OTHER BUILDINGS USED FOR RELIGIOUS WORSHIP			PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
CLUBHOUSES			CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		PD
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		ZC
COMMUNICATIONS FACILITIES	CUP	CUP									CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC									ZC	
CONFERENCE CENTERS/CONVENTION CENTERS										CUP		CUP
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		ZC
DOG GROOMING										PDP		
DREDGING	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.1 or 8174-6.3.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
DRILLING, TEMPORARY GEOLOGIC (Testing Only)	PD	PD	PD	PD							PD	
DWELLINGS												
Demolition of Single Family Dwellings and Accessory Structures	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
• If exempt per Sec. 8174-6.2 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Improvements to Residential Structures												

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
<ul style="list-style-type: none"> Improvements to Single Family Dwellings and Accessory Structures 	PD	PD	PD	PD	PD	PD	PD	PD	PD			
If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
<ul style="list-style-type: none"> Improvements to Other Dwellings and Accessory Structures 	See "Improvements to Structures, Other Than Single Family Dwellings or Public Works Facilities"											
One Single-Family	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
One Two-Family or Two Single-Family (also see Sec. 8175-3.10)						PDP	PDP	PDP	PDP			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5 						ZC	ZC	ZC	ZC			
Multi-Family									PDP			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5 									ZC			
Mobilehome, Continuing Nonconforming	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP				
DWELLINGS – ACCESSORY USES AND STRUCTURES												
Animals												
<ul style="list-style-type: none"> Apiculture (see Sec. 8175-5.2.1) 	PD	PD										
<ul style="list-style-type: none"> Aviaries (see Sec. 8175-5.2.2) 	PD	PD	PD	CUP	CUP							
<ul style="list-style-type: none"> Board and Care of Horses on Lots of 10 Acres or More 	CUP		CUP									
<ul style="list-style-type: none"> Farm, Including Private Stables (see Sec. 8175-5.2.4b) 	PD	PD	PD									
<ul style="list-style-type: none"> Pet Animals (consistent with Sec. 8175-5.2.4a) 	E	E	E	E	E	E	E	E	E			
<ul style="list-style-type: none"> More Than Are Permitted By Sec. 8175-5.2.4 	CUP	CUP										
<ul style="list-style-type: none"> Wild Animals 	CUP											
Antennas, Freestanding, Above 40 Feet (see Sec. 8175-5.1i)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.4 or 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Exterior Storage consistent with Sec. 8174-6.2.5 and 8175-5.1j	E	E	E	E	E	E	E	E	E			

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Fences and Walls	PD	PD	PD	PD	PD	PD	PD	PD	PD	See "Uses and Structures accessory to a Commercial or Industrial Use"		
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.5, or 8174-6.3.6 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	See "Uses and Structures accessory to a Commercial or Industrial Use"		
Home Occupations (see Sec. 8175-5.1f)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Mobilehome/RV as Temp. Dwelling During Construction, consistent with standards in Sec. 8175-5.1e	PD	PD	PD	PD								
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.6 	ZC	ZC	ZC	ZC								
Second Dwellings (see Sec. 8175-5.1g)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.5, or 8174-6.3.6 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Septic Systems, Construction or Expansion of	PD	PD	PD	PD	PD	PD	PD	PD	PD			
Water Wells, Construction or Expansion	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> Incidental, appropriate and subordinate to a principally-permitted use 	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
<ul style="list-style-type: none"> With Brush or Vegetation Removal 	Permit May Be Required. See "Brush or Vegetation Removal"											
<ul style="list-style-type: none"> With Grading, Excavation or Fill 	Permit May Be Required. See "Grading, Excavation or Fill"											
Water Wells, Testing to Determine Water Availability	See "Water Facilities"											
Accessory Uses and Structures Not Otherwise Listed	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
ENERGY FACILITIES , Including Energy Production From Renewable Sources	CUP										CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC										ZC	
FIRE STATIONS	PD	PD	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CN	HPD
GRADING, EXCAVATION, OR FILL, Pursuant To Sec. 8175-5.17	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
GEOTECHNICAL AND SOILS TESTING												
Without Brush or Vegetation Removal, and Without Grading	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
With Brush or Vegetation Removal	Permit May Be Required. See Brush or Vegetation Removal											
With Grading, Excavation or Fill	Permit May Be Required. See Grading, Excavation or Fill											
HARBOR USES (See Definitions)												PD
Fleet Base Activities, Accessory to Offshore Drilling												CUP
Fuel Storage and Sales												CUP
• If exempt per Sec. 8174-6.3.2, 8174- 6.3.4, or 8174-6.3.5												ZC
HEALTH CLINICS										PDP		
If exempt per Sec. 8174-6.3.2, 8174- 6.3.4, or 8174-6.3.5										ZC		
HOTELS, MOTELS, AND BOATELS										CUP		CUP
If exempt per Sec. 8174-6.3.2, 8174- 6.3.4, or 8174-6.3.5										ZC		ZC
IMPROVEMENTS TO STRUCTURES, OTHER THAN SINGLE FAMILY DWELLINGS OR PUBLIC WORKS FACILITIES	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2, 8174- 6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
KENNELS	PD											
LABORATORIES; RESEARCH, SCIENTIFIC, MEDICAL OR DENTAL										CUP	CUP	
If exempt per Sec. 8174-6.3.2, 8174- 6.3.4, or 8174-6.3.5										ZC	ZC	
LAUNDRY AND DRY CLEANING ESTABLISHMENTS: 5 OR FEWER EMPLOYEES										PDP		

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	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
LIBRARIES			CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
MAINTENANCE/REPAIRS , No Additions or Enlargements	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2 or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
MOBILEHOME PARKS (See Sec. 8175-5.5)			CUP	CUP	CUP	CUP	CUP	CUP	CUP			
If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC	ZC	ZC	ZC	ZC	ZC			
MOTION PICTURE OR TV PRODUCTION ACTIVITIES, TEMPORARY (See Section 8175-5.6)												
Within Existing Building (7 Days Max. per 60-Day Period)	ZC	ZC	PDP							PDP	ZC	
Outdoor:												
• Up to 7 days per 60-Day Period	ZC	ZC	PD							PD	ZC	
Using pyrotechnics or noise higher than customary in the vicinity, with a waiver per Sec. 8175-5.6.2	PD	PD	PD							PD	ZC	
• Up to 42 Days per 180-Day Period	PD										ZC	
OFFICES: BUSINESS, PROFESSIONAL AND ADMINISTRATIVE , Excluding Storage, Wholesale Trade and Veterinary Clinics										PD	PD	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
OIL AND GAS: EXPLORATION AND PRODUCTION, UNLESS PREEMPTED (See Sec. 8175-5.7)	CUP	CUP								CUP	CUP	
Refining, Processing, Manufacture, and Bulk Storage											CUP	
• If exempt per Sec. 8174-6.3.2											ZC	
PARKING LOTS, PUBLIC										CUP		PD

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	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
PIPELINES AND TRANSMISSION LINES, AND APPURTENANT STRUCTURES	CUP	CUP	CUP								CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC								ZC	
PUBLIC UTILITY FACILITIES												
Without Service Yards	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
With Service Yards	CUP		CUP							CUP	CUP	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC		ZC							ZC	ZC	
Offices Only										PD	PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6										ZC	ZC	
PUBLIC WORKS FACILITIES (See Sec. 8175-5.9)												
County Initiated	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
Not County-Initiated	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
REAL ESTATE TRACT OFFICES, TEMPORARY (See Sec. 8175-5.1k)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
RECREATIONAL USES												
Campgrounds (see Sec. 8175-5.3)	CUP		CUP									
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC		ZC									
Camps (see Sec. 8175-5.4)			CUP	CUP								
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC								
Community Centers										CUP		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		

E = Exempt*

ZC = Zoning Clearance*

PD = Planned Development Permit

PDP = PD Permit, Principally-Permitted**

PW = Public Works Permit

CUP = Conditional Use Permit

Not Allowed

Exempt

Approved by Planning Director or Designee

Approved by Planning Commission

Approved by Board of Supervisors

*Not Appealable to the Coastal Commission

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Fields, Athletic (Seating: Portable Only, for Not More Than 100 People)			CUP	CUP	CUP	CUP			CUP	CUP		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC	ZC	ZC			ZC	ZC		
Golf Courses, Except Miniature Golf	CUP											
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC											
Outdoor Festivals, Temporary, and Outdoor Sporting Events	CUP											
Parks and Picnic Grounds	PD		PDP	PDP	PDP	PDP	PDP	PDP	PDP	PD	PD	PD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC		ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
Recreational Vehicle Parks (see Sec. 8175-5.10)	CUP		CUP									
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC		ZC									
Recreational Uses (as Permitted by This Table), County Initiated	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
• Caretaker Recreational Vehicle, Accessory, pursuant to the standards in Sec. 8175-5.15	E	E	E	E	E	E	E	E	E	E		
Riding Stables	PD		CUP									
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC		ZC									
• With Accessory Lodging Facilities	CUP											
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC											
Swimming and Tennis Clubs, and the Like										CUP		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
Youth Hostels										PD		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
REPAIR OF PERSONAL GOODS (Such As										PDP		

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Not Allowed

Exempt

Approved by
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or Designee

Approved by
Planning
Commission

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Jewelry, Shoes And Small Appliances)												
RESTAURANTS, CAFES, AND CAFETERIAS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
RETAIL TRADE (See Definitions)										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
Liquor Stores										CUP		
Nurseries										CUP		
SCHOOLS , Public or Private, Nonboarding					CUP		CUP	CUP				
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5					ZC		ZC	ZC				
SHORELINE PROTECTIVE DEVICES (See Sec. 8175-5.12.2)	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
SIGNS	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
STORAGE OF BUILDING MATERIALS, TEMPORARY (See Sec. 8175-16)	Same permit as principal use											
SUBDIVISIONS:												
Parcel Map Waivers	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
• Lot Line Adjustments	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
Tentative Maps (TM)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Tentative Parcel Maps (TPM)	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
TAILOR SHOPS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		

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Not Allowed

Exempt

Approved by Planning Director or Designee

Approved by Planning Commission

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
USES AND STRUCTURES, ACCESSORY TO A COMMERCIAL OR INDUSTRIAL USE										PD	PD	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
Brush or Vegetation Removal	Permit May Be Required. See "Brush or Vegetation Removal"											
Dwelling, for Proprietor or Employee (2 ND or 3 rd Floor Only)										PDP	PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
Fences and walls	See "Dwelling – Accessory Uses and Structures"									PD	PD	PD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	See "Dwelling – Accessory Uses and Structures"									ZC	ZC	ZC
Game Machines, Three or Fewer										PD		
Grading, Excavation or Fill	Permit May Be Required. See "Grading, Excavation or Fill"											
Improvements to Structures	See "Improvements to Structures, other than Single Family Dwellings or Public Works Facilities"											
Recreational Facilities, Restaurants and Cafes: For Employees Only											PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5											ZC	
Repair of Products Retailed										PD		
Temporary Buildings During Construction (see Sec. 8175-5.14)										PD	PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
USES AND STRUCTURES, ACCESSORY, NOT OTHERWISE LISTED	Same permit as principal use											
VETERINARY CLINICS , Excluding Livestock										CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
WASTE TREATMENT AND DISPOSAL	See also "Public Works Facilities"											
Waste Disposal, Including Sanitary Landfills	CUP										CUP	

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ZC = Zoning Clearance*	PW = Public Works Permit					
PD = Planned Development Permit	CUP = Conditional Use Permit					

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6 	ZC										ZC	
Waste Treatment											CUP	
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6 											ZC	
Recycling Facilities and Centers											CUP	
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6 											ZC	
WATER FACILITIES	See also "Public Works Facilities"											
Water Storage and Distribution Facilities: Private Agencies	PD	PD	PD	PD	PD	PD	PD	PD		PD	PD	
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		ZC	ZC	
Water Wells, Testing to Determine Water Availability	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> Incidental, appropriate and subordinate to a principally-permitted use 	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
<ul style="list-style-type: none"> With Brush or Vegetation Removal 	Permit May Be Required. See "Brush or Vegetation Removal"											
<ul style="list-style-type: none"> With Grading, Excavation or Fill 	Permit May Be Required. See "Grading, Excavation or Fill"											

E = Exempt*	PDP = PD Permit, Principally-Permitted**				
ZC = Zoning Clearance*	PW = Public Works Permit	Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission
PD = Planned Development Permit	CUP = Conditional Use Permit				Approved by Board of Supervisors

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Sec. 8174-6 – Statutory Exemptions and Categorical Exclusions

- a. Authority. Pursuant to Sec. 30610 of the Public Resources Code, certain categories of development are statutorily exempt from coastal development permit (Conditional Use Permit, Planned Development Permit, or Public Works Permit) requirements. Pursuant to Sec. 30610(e) of the Public Resources Code, the Coastal Commission has approved Categorical Exclusion Order E-83-1, as amended by E-83-1A (effective 9/30/1986, amendment effective 2/25/1987), that provides additional exemptions to coastal development permit requirements within Ventura County.
- b. Zoning Clearance Required. Unless exempt from all permit requirements per Sec. 8174-5 above, a Zoning Clearance is required from Ventura County for developments exempt from coastal development permit requirements pursuant to this Section.

Sec. 8174-6.1 – Agricultural Exclusions

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the following uses are exempt from coastal development permit requirements when they meet all of the criteria listed in Sec. 8174-6.1(b):
 - (1) The construction or demolition of barns, storage (including equipment storage), and other necessary buildings for agricultural purposes, provided the buildings are used for the sole purpose of commodities grown on the same lot;
 - (2) The construction of fences for farm or ranch purposes, provided:
 - i. No solid fence designs are used; and
 - ii. Fences do not block existing or proposed public equestrian and/or pedestrian trails;
 - (3) Greenhouses that do not exceed 400 sq. ft. in total area;
 - (4) Storage tanks and water distribution lines used for on-site agricultural activities;
 - (5) Water impoundment projects in canyons and drainage areas, provided:
 - i. Canyons and drainage areas are not identified as solid or dashed blue line streams on the USGS 7½-minute quadrangle maps; and
 - ii. Projects do not exceed two acre-feet either in actual water impounded or in design capacity.
- b. Agricultural uses listed in Sec. 8174-6.1a above are exempt from the requirement for a coastal development permit when they meet all of the following criteria:
 - (1) Development is located in the CA or COS zones;
 - (2) Development is located on lots exceeding 10 acres;

- (3) Development is located inland of the following public roadways: U.S. 101 from Rincon Point to the intersection of Harbor Boulevard, Harbor Boulevard south to City of Oxnard corporate boundary at Wooley Road, and Highway 1 on the South Coast; and
- (4) Development is not located:
 - i. Within tidelands, submerged lands, or beaches;
 - ii. On a lot immediately adjacent to the inland extent of the beach, or of the mean high tide line of the sea where there is no beach;
 - iii. Within any stream, wetland, estuary, marsh or lake, or 100 feet of such areas;
 - iv. Within any area defined as riparian habitat or ESHA, or 100 feet of such areas;
 - v. On lands or waters subject to, or potentially subject to, the public trust; or
 - vi. Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources, open space, or environmentally sensitive habitat than those areas listed in Sections 8174-6.1(b)4i-v above.
- c. The following uses are *not* part of this exemption for agricultural uses, and may require a coastal development permit:
 - (1) Water wells;
 - (2) Equestrian facilities, including, but not limited to, boarding stables, riding areas, and polo fields;
 - (3) Greenhouses that exceed 400 sq. ft. in total area;
 - (4) Any structure defined as "a qualified historical building or structure" by Section 18955 of the Health and Safety Code;
 - (5) Single-family residences;
 - (6) Agricultural processing facilities, including storage and accessory structures;
 - (7) The removal of vegetation on more than one-half acre of land;* and
 - (8) The removal of major vegetation, other than for agricultural purposes.*

Sec. 8174-6.2 – Residential Exemptions and Exclusions

Sec. 8174-6.2.1 – Single-Family Dwellings

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the construction of single-family

* The removal of any amount or type of vegetation may be subject to Coastal Development Permit requirements. See permit requirements for Brush or Vegetation Removal in Sec. 8174-5.

dwellings on existing vacant legal lots of record in the following areas* is exempt from coastal development permit requirements, *with the exception* of dwellings located in the areas listed in Sec. 8174-6.2.1(b) below:

- (1) Solromar (South Coast Community) – The developed areas inland of the Pacific Coast Highway zoned CRE, CR and CRPD;
 - (2) Silver Strand/Hollywood-by-the-Sea – The entire unincorporated area inland of the first public road (Ocean Avenue) to the boundary of the U.S. Naval Construction Battalion Center zoned RBH;
 - (3) Hollywood Beach – The entire unincorporated area inland of the first public road (Ocean Avenue) to the city limits of Oxnard zoned RBH; or
 - (4) North Coast Community – Those lots inland of the first row of lots adjacent to the beach and part of the County Service Area 29 zoned RB.
- b. Single-Family Dwellings described in Sec. 8174-6.2.1(a) above shall require a coastal development permit when they are located in the following areas:
- (1) Tidelands, submerged lands, or beaches;
 - (2) Lots immediately adjacent to the inland extent of the beach, or of the mean high tide line of the sea where there is no beach;
 - (3) Lands or waters subject to, or potentially subject to, the public trust;
 - (4) Within any stream, wetland, estuary, marsh or lake, or 100 feet of such areas; or
 - (5) Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources, open space, or environmentally sensitive habitat than those areas listed in Sections 8174-6.2.1(b)1-4 above.

Sec. 8174-6.2.2 - Improvements to Existing Single-Family Dwellings

- a. Pursuant to Section 30610(a) of the Public Resources Code, improvements to existing, legally-permitted single-family dwellings are exempt from coastal development permit requirements, with the exception of those developments listed in Sec. 8174-6.2.2(c) below.
- b. For the purposes of this section, the following are considered part of single-family dwellings:
 - (1) All fixtures and other structures directly attached to a dwelling;
 - (2) Structures on the property normally associated with a single-family residence, such as garages, swimming pools, fences, and

* See also Exclusion Maps in Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987)

storage sheds; but not including guest houses or self-contained residential units; and

(3) Landscaping on the lot.

c. Pursuant to Section 13250 of Title 14 of the California Code of Regulations, the following improvements to existing single-family dwellings *require a coastal development permit* because they involve a risk of adverse environmental effects:

- (1) Improvements to a single-family structure if the structure or improvement is located: on a beach, in a wetland, seaward of the mean high tide line, in ESHA, in an area designated as highly scenic in a certified land use plan, or within 50 feet of the edge of a coastal bluff;
- (2) Any significant alteration of land forms including removal or placement of vegetation, on a beach, wetland, or sand dune, or within 50 feet of the edge of a coastal bluff, or in ESHAs;
- (3) The expansion or construction of water wells or septic systems;
- (4) On property not included in subsection (c)(1) above that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resources areas as designated by the commission or regional commission, improvement that would result in an increase of 10 percent or more of internal floor area of an existing structure or an additional improvement of 10 percent or less where an improvement to the structure had previously been undertaken pursuant to Public Resources Code Section 30610(a), increase in height by more than 10 percent of an existing structure and/or any significant non-attached structure such as garages, fences, shoreline protective works or docks;
- (5) In areas which the commission or a regional commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for the protection of coastal resources or public recreational use, the construction of any specified major water using development not essential to residential use including but not limited to swimming pools, or the construction or extension of any landscaping irrigation system;
- (6) Any improvement to a single-family residence where the development permit issued for the original structure by the commission, regional commission, or local government indicated that any future improvements would require a development permit.

Sec. 8174-6.2.3 - Improvements to Residential Structures, Other Than Single-Family Dwellings

a. Pursuant to Section 30610(b) of the Public Resources Code, as it may be amended, improvements to existing legally permitted residential structures, other than single-family dwellings, are exempt from coastal

development permit requirements, with the exception of those improvements listed in Sec. 8174-6.2.3(c) below.

- b. For the purposes of this section, the following are considered part of residential structures, other than single-family dwellings:
 - (1) All fixtures and other structures directly attached to the structure; and
 - (2) Landscaping on the lot.
- c. Pursuant to Section 13253 of Title 14 of the California Code of Regulations, as it may be amended, the following improvements to residential structures, other than single-family dwellings, shall require a coastal development permit because they involve a risk of adverse environmental effect, adversely affect public access, or involve a change in use contrary to the policy of Division 20 of the Public Resources Code:
 - (1) Improvement to any structure when the structure or the improvement is located: on a beach; in a wetland, stream, or lake; seaward of the mean high tide line; in an area designated as highly scenic in a certified land use plan; or within 50 feet of the edge of a coastal bluff;
 - (2) Any significant alteration of land forms including removal or placement of vegetation, on a beach or sand dune; in a wetland or stream; within 100 feet of the edge of a coastal bluff, in a highly scenic area, or in an ESHA;
 - (3) The expansion or construction of water wells or septic systems;
 - (4) On property not included in subsection (c)(1) above that is located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the commission or regional commission an improvement that would result in an increase of 10 percent or more of internal floor area of the existing structure, or constitute an additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to Public Resources Code Section 30610(b), and/or increase in height by more than 10 percent of an existing structure;
 - (5) In areas which the commission or regional commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for protection of coastal recreation or public recreational use, the construction of any specified major water using development including but not limited to swimming pools or the construction or extension of any landscaping irrigation system;
 - (6) Any improvement to a structure where the coastal development permit issued for the original structure by the commission, regional commission, or local government indicated that any future improvements would require a development permit;

- (7) Any improvement to a structure which changes the intensity of use of the structure; or
- (8) Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion or motel/hotel timesharing conversion.

Sec. 8174-6.2.4 – Conversion of Residential Units

Pursuant to Section 30610(h) of the Public Resources Code, the conversion of any existing, legally permitted multiple-unit residential structure to a time-share project, estate, or use, as defined in Section 11212 of the Business and Professions Code, is exempt from Coastal Development Permit requirements. If any improvement to an existing structure is otherwise exempt from coastal development permit requirements, no coastal development permit is required for that improvement on the basis that it is to be made in connection with any conversion exempt pursuant to this Section. The division of a multiple-unit residential structure into condominiums, as defined in Section 783 of the Civil Code, shall not be considered a time-share project, estate, or use for purposes of this Section.

Sec. 8174-6.2.5 – Residential Accessory Uses and Structures

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987) the following uses and structures accessory to dwellings are exempt from coastal development permit requirements, except when proposed within a location as described in Sec. 8174-6.2.5(b) below:
 - (1) Pet animal keeping consistent with the standards of Section 8175-5.2.4;
 - (2) Temporary mobile homes during construction consistent with the standards of Sec. 8175-5.1e;
 - (3) Exterior storage consistent with the standards of Sec. 8175-5.1j;
 - (4) Demolition of single-family dwellings, and of accessory structures such as garages, carports and storage sheds;
 - (5) Accessory structures normally associated with single-family dwellings, including garages, swimming pools, fences and storage sheds, in accordance with Title 14, California Administrative Code, Section 13250(a) provided that:
 - i. The lot contains an existing single-family dwelling;
 - ii. The accessory structure is not used for human habitation;
 - iii. The accessory structure does not exceed 400 square feet in aggregate in gross floor area; and

- iv. The structure does not conflict with Title 14, California Code of Regulations, Section 13250(b)(6).
- b. Residential accessory uses and structures described in Sec. 8174-6.2.5(a) above shall require a coastal development permit when they are located in the following areas:
 - (1) Tidelands, submerged lands, or beaches, or within 100 feet of such areas;
 - (2) Within any ESHA, riparian habitat, river, sand dune, stream, wetland, estuary, marsh, lake, edge of coastal bluff, or 100 feet of such areas;
 - (3) Lands or waters subject to, or potentially subject to, the public trust;
 - (4) Lots immediately adjacent to the inland extent of the beach, or of the mean high tide line of the sea where there is no beach;
 - (5) Lots between the mean high tide line and the first public road parallel to the sea, or within 300 feet of the mean high tide line where the nearest public road is not parallel to the sea;
 - (6) On slopes greater than 20 percent; or
 - (7) Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources, open space, or environmentally sensitive habitat than those areas listed in Sections 8174-6.2.5(b)1-6 above.

Sec. 8174-6.3 – General Exemptions and Exclusions

Sec. 8174-6.3.1 – Maintenance Dredging

Pursuant to Section 30610(c) of the Public Resources Code, as it may be amended, maintenance dredging of existing navigation channels or moving dredged material from those channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers, is exempt from coastal development permit requirements.

Sec. 8174-6.3.2 – Repair or Maintenance Activities*

- a. Pursuant to Section 30610(d) of the Public Resources Code, as it may be amended, repair or maintenance activities that do not result in additions, enlargements or expansions are exempt from coastal development permit requirements, with the exception of those activities identified in Sec. 8174-6.3.2(b) below.
- b. Pursuant to Section 13252 of Title 14 of the California Code of Regulations, the following repair and maintenance activities are not exempt and shall require a coastal development permit because they involve a risk of substantial adverse environmental impact:

* For additional information regarding repair and maintenance activities excluded from coastal permit requirements (including roads, public utilities, parks, industrial facilities, other structures and dredging and beach alteration) see Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements, adopted by the Coastal Commission on Sept. 5, 1978.

- (1) Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
 - i. Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface structures;
 - ii. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, streams, wetlands, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;
 - iii. The replacement of 20 percent or more of the materials of an existing structure with materials of a different kind; or
 - iv. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or environmentally sensitive habitat area (ESHA), or within 20 feet of coastal waters or streams.
- (2) Any method of routine maintenance dredging that involves:
 - i. The dredging of 100,000 cubic yards or more within a 12-month period;
 - ii. The placement of dredged spoils of any quantity within an ESHA, on any sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or streams; or
 - iii. The removal, sale, or disposal of dredged spoils of any quantity that would be suitable for beach nourishment in an area the commission has declared by resolution to have a critically short sand supply that must be maintained for protection of structures, coastal access or public recreational use.
- (3) Any repair or maintenance to facilities or structures or work located in an ESHA, any sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or streams that include:
 - i. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials; or
 - ii. The presence, whether temporary or permanent, of mechanized equipment or construction materials.
- d. All repair and maintenance activities governed by the above provisions are subject to the permit regulations promulgated pursuant to the Coastal Act, including but not limited to the regulations governing administrative and emergency permits. The provisions of this section shall not be applicable to methods of repair and maintenance undertaken by the ports listed in Section 30700 of the Public Resources Code, unless so provided elsewhere in the Coastal Act. The provisions of this section shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on

September 5, 1978, unless a proposed activity will have a risk of substantial adverse impact on public access, ESHA, wetlands, or public views to the ocean.

- e. Unless destroyed by natural disaster, the replacement of 50 percent or more of a single-family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any other structure is not repair and maintenance under Sec. 8174-6.3.2, but instead constitutes a replacement structure requiring a coastal development permit.

Sec. 8174-6.3.3 – Utility Connections

- a. Pursuant to Section 30610(f) of the Public Resources Code, as it may be amended, the installation, testing, and placement in service or the replacement of any necessary utility connection between an existing service facility and any development approved pursuant to this Chapter is exempt from coastal development permit requirements; provided, however, that the County may, where necessary, require reasonable conditions to mitigate any adverse impacts on coastal resources, including scenic resources.

Sec. 8174-6.3.4 - Improvements to Non-Residential Structures, Other Than Public Works Facilities

- a. Pursuant to Section 30610(b) of the Public Resources Code, as it may be amended, improvements to existing legally permitted non-residential structures, other than public works facilities, are exempt from coastal development permit requirements, with the exception of those improvements listed in Sec. 8174-6.3.4(c) below.
- b. For the purposes of this section, the following are considered part of non-residential structures:
 - (1) All fixtures and other structures directly attached to the structure; and
 - (2) Landscaping on the lot.
- c. Pursuant to Section 13253 of Title 14 of the California Code of Regulations, as it may be amended, the following improvements to residential structures, other than public works facilities, shall require a coastal development permit because they involve a risk of adverse environmental effect, adversely affect public access, or involve a change in use contrary to the policy of Division 20 of the Public Resources Code:
 - (1) Improvement to any structure when the structure or the improvement is located: on a beach; in a wetland, stream, or lake; seaward of the mean high tide line; in an area designated as highly scenic in a certified land use plan; or within 50 feet of the edge of a coastal bluff;
 - (2) Any significant alteration of land forms including removal or placement of vegetation, on a beach or sand dune; in a wetland or stream; within 100 feet of the edge of a coastal bluff, in a highly scenic area, or in an ESHA;
 - (3) The expansion or construction of water wells or septic systems;
 - (4) On property not included in subsection (c)(1) above that is located

between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the commission or regional commission an improvement that would result in an increase of 10 percent or more of internal floor area of the existing structure, or constitute an additional improvement of 10 percent or less where an improvement to the structure has previously been undertaken pursuant to Public Resources Code Section 30610(b), and/or increase in height by more than 10 percent of an existing structure;

- (5) In areas which the commission or regional commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for protection of coastal recreation or public recreational use, the construction of any specified major water using development including but not limited to swimming pools or the construction or extension of any landscaping irrigation system;
- (6) Any improvement to a structure where the coastal development permit issued for the original structure by the commission, regional commission, or local government indicated that any future improvements would require a development permit;
- (7) Any improvement to a structure which changes the intensity of use of the structure; or
- (8) Any improvement made pursuant to a conversion of an existing structure from a multiple unit rental use or visitor-serving commercial use to a use involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion or motel/hotel timesharing conversion.

Sec. 8174-6.3.5 – Disaster Replacement of Structures

- a. Pursuant to Section 30610(g) of the Public Resources Code, as it may be amended, the replacement of any legally permitted structure, other than a public works facility, destroyed by a disaster is exempt from coastal development permit requirements. The replacement structure shall conform to applicable existing zoning requirements, shall be for the same use as the destroyed structure, shall not exceed either the floor area, height, or bulk of the destroyed structure by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure.

Sec. 8174-6.3.6 – Other General Exclusions

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the following activities are exempt from coastal development permit requirements, except when proposed within a location as described in Sec. 8174-6.3.6(b) below:
 - (1) Fences and walls of six feet or less in height except when such fence or wall may obstruct public access to the beach.
 - (2) The installation of irrigation lines;

- (3) Structures, or additions thereto, with an aggregate value of \$1,000 or less;
 - (4) The addition of solar collection systems to existing structures;
 - (5) Grading, excavation or fill that involves less than 50 cubic yards of material;
 - (6) Brush or vegetation removal, other than major vegetation, of less than one-half acre;
 - (7) Lot Line Adjustments that do not result in an increase or potential increase in the number of lots, number of building sites, or density of permitted development;
 - (8) Removal of architectural barriers to facilitate access by the physically handicapped;
 - (9) Replacement of public works facilities, furnishings, and equipment which shall:
 - i. Be for the same use as the structure replaced;
 - ii. Not exceed the capacity, surface coverage, height, or bulk of the structure replaced by more than ten percent;
 - iii. Be sited in the same location on the affected property or right-of-way; and
 - iv. Not include water, sewer and power plants or stations; public transportation stations; oil and gas production, processing or pipelines; and similar development.
- b. Uses described in Sec. 8174-6.3.6(a) above shall require a coastal development permit when they are located in the following areas:
- (1) Tidelands, submerged lands, or beaches, or within 100 feet of such areas;
 - (2) Within any ESHA, riparian habitat, river, sand dune, stream, wetland, estuary, marsh, lake, edge of coastal bluff, or 100 feet of such areas;
 - (3) Lands or waters subject to, or potentially subject to, the public trust;
 - (4) Lots immediately adjacent to the inland extent of the beach, or of the mean high tide line of the sea where there is no beach;
 - (5) Lots between the mean high tide line and the first public road parallel to the sea, or within 300 feet of the mean high tide line where the nearest public road is not parallel to the sea;
 - (6) On slopes greater than 20 percent; or
 - (7) Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources than those areas listed in Sections 8174-6.3.6(b)1-6 above.

Sec. 8174-6.4 - Procedures for Categorically Excluded Developments

Sec. 8174-6.4.1 - Records

The County shall maintain a record of any other permits that may be required for categorically excluded development,* which shall be made available to the Coastal Commission or any interested person upon request.

Sec. 8174-6.4.2 - Notice

On the first Monday of each month, the County Planning Division shall notify the District Office of the Coastal Commission, and any person who has requested such notice, of categorical exclusions on a form containing the following information:

- a. Developer's name;
- b. Street address and assessor's parcel number of property on which development is proposed;
- c. Brief description of development;
- d. Date of application for other local permit(s);
- e. All terms and conditions of development imposed by the County in granting its approval of such other permits.

* See Sections 8174-6.1, 8174-6.2.1, 8174-6.2.5, and 8174-6.3.6.

Section 5
**ARTICLE 5 – DEVELOPMENT STANDARDS/CONDITIONS
- USES**

Article 5, Section 8175-3.5 – Accessory Structures as Dwellings, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.5 - Accessory Structures as Dwellings

Only the following accessory structures, as authorized in this Chapter and with appropriate permits, may be used for human habitation:

- a. Second dwelling;
- b. Temporary mobilehome or recreational vehicle during construction;
- c. Farm worker or animal caretaker dwelling;
- d. Caretaker dwelling.

Article 5, Section 8175-5.1(d) – Mobilehomes Used as Dwelling Units, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- d. Mobilehomes Used as Dwelling Units - Mobilehomes may be used as single-family dwellings if the mobilehome was constructed on or after June 15, 1976. Mobilehomes used as second dwellings are also subject to this date limitation, but mobilehomes used as caretaker, farm worker, or animal caretaker dwellings are not.
 - (1) Foundation System - Mobilehomes that are used as single-family residences, second dwellings, or caretaker, farm worker, or animal caretaker dwellings shall be installed on a foundation system in compliance with Section 1333 of Title 25 of the California Administrative Code. Mobilehomes renewed under a Continuation Permit shall be in compliance with the applicable provisions of Article 7 (commencing with section 1320) of Chapter 2 of Division 1 of Title 25 of the California Administrative Code.
 - (2) Exterior Siding - Exterior siding of a mobilehome used as a single-family dwelling shall extend to the ground level, or to the top of the deck or structural platform where the dwelling is supported on an exposed pile foundation complying with the requirements of the Uniform Building Code, or to the top of a perimeter foundation. For mobilehomes used as caretaker, farm worker, or animal caretaker dwellings, mobilehome skirting shall completely enclose the mobilehome, including the tongue, with a color and material compatible with the mobilehome.

Article 5, Section 8175-5.1(g) – Second Dwelling Units, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- g. Second Dwelling Units - A second dwelling unit with complete, independent living facilities may be created on lots that contain an existing single-family detached residence and no other dwellings, other than an authorized farm worker or animal caretaker dwelling, subject to Sec. 8174-5 and the following:

- (1) Second dwelling units are allowed only on lots that conform to the minimum lot area standard for the zone.
- (2) The gross floor area of the second dwelling unit shall not exceed 700 square feet. A second dwelling unit over 700 feet may be approved if the existing single-family dwelling on the property does not exceed 700 square feet in gross floor area and does not exceed the height limit for accessory structures in the zone. In such cases, the larger dwelling shall be considered the principal dwelling with regard to height and setback standards, and the smaller dwelling shall be considered the second dwelling with regard to future expansions. In all cases, total off-street parking requirements for the dwellings must be met.
- (3) The unit shall comply with the parking requirements for second dwellings.
- (4) The unit may be attached to or detached from the existing single family residence.
- (5) The unit shall meet zoning provisions and permit requirements, as well as County Building and Fire Code requirements, and other public service requirements that apply to single-family dwellings. Where sewage or water service is to be provided through a public or private utility, availability letters from the responsible sanitation district and will-serve letters from the responsible water agency shall be required.
- (6) A second dwelling unit will not be allowed in areas where adequate water supply, water quality and sewage disposal cannot be demonstrated.
- (7) No more than one second dwelling unit is allowed on each lot.
- (8) No other accessory structure shall be combined with a detached second dwelling unit, except that a second dwelling unit may be attached to a garage or carport. If a second dwelling unit is attached to a garage, the common wall between the garage and the second dwelling unit may not be longer than is necessary to accommodate a standard parking space; the garage area abutting this common wall may be used only for vehicle parking or accessory storage of household items. A second dwelling unit may be attached to a garage or carport that is itself attached to another accessory use such as a recreation room or workshop, provided that there is no common wall between the second dwelling and the other accessory use.
- (9) Mobile homes may be used as second dwelling units, in accordance with Sec. 8175-5.1.d.
- (10) The applicant for a second dwelling unit shall be the owner of record and shall reside in the principal dwelling unit on the parcel.

Article 5, Section 8175-3.8 – Structures in Traffic Safety Sight Area, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

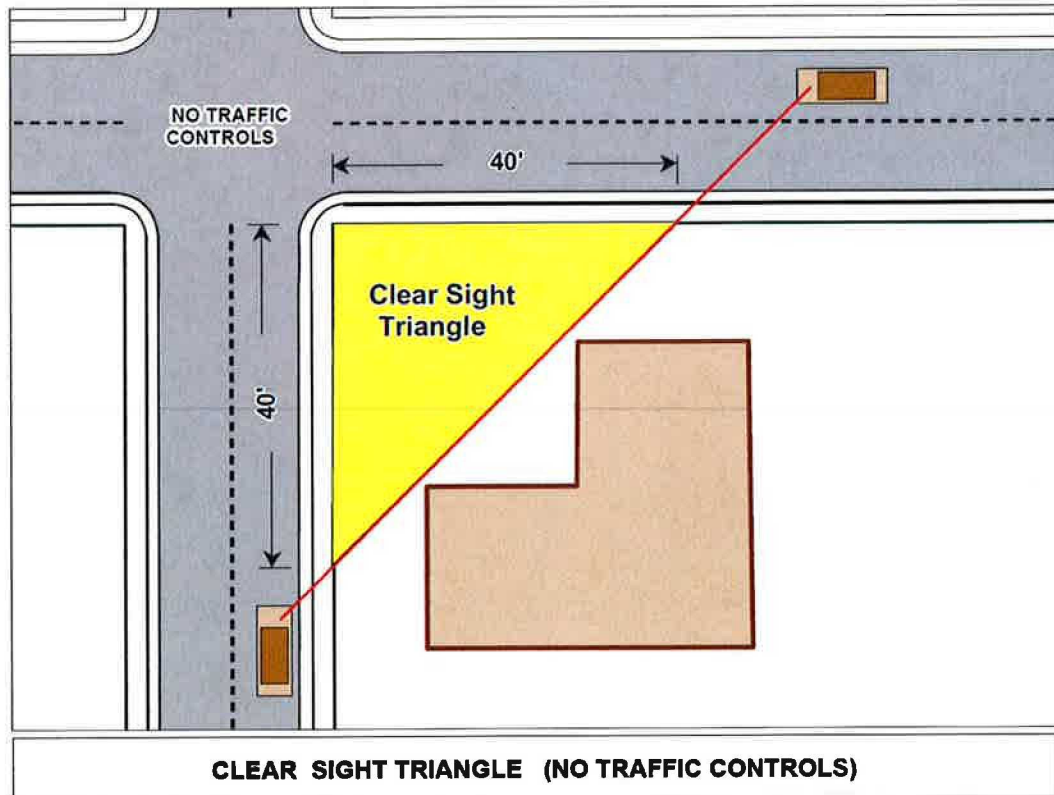
Sec. 8175-3.8 - Clear Sight Triangles

Clear Sight Triangles shall be provided in the following circumstances:

Sec. 8175-3.8.1 - Clear Sight Triangle at Intersections with No Traffic Control

Where there is no traffic control on any street at an intersection, a clear sight triangle shall be provided at each corner of the intersection as shown in Figure 1 below:

Figure 1



Sec. 8175-3.8.2 - Clear Sight Triangle at Stop-Controlled Intersection

Where traffic is controlled by stop signs on only one street of an intersection (the "minor street"), a clear sight triangle shall be provided consistent with the guidelines established by the American Association of State Highway and Transportation Officials.

Sec. 8175-3.8.3 - Structures and Vegetation Within Clear Sight Triangles.

- a. Structures and sight-obscuring fences or walls over three feet in height are prohibited within clear sight triangles, except for sign posts, utility poles or structures not exceeding 12 inches in width;
- b. Hedges or shrubbery over three feet in height are prohibited within clear sight triangles;*
- c. The foliage of mature trees shall be trimmed to seven feet above the base of the tree within clear sight triangles. However, bare tree trunks or tree saplings are permitted within clear sight triangles.*

* ESHA is subject to Sec. 8174-4 and Sec. 8178-2.

Article 5, Section 8175-5.1(h) – Wet Bars, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

h. Wet Bars

- (1) Wet bars shall be separate from kitchens;
- (2) No more than one wet bar is permitted per dwelling unit;
- (3) Wet bars shall contain no electrical outlets in excess of 110 volts;
- (4) Plumbing connected to the bar sink drain shall be no greater than 1 and ¼ inches in diameter and shall not include plumbing stub-outs;
- (5) Wet bars located in the RB and RBH zones shall have no gas outlets or gas stub-outs, nor shall they have more than one bar sink fixture with one sink well.

Article 5, Section 8175-5.10.3(c), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- c. The front of each space should include a level, landscaped area with picnic table and a grill or campfire ring.

Article 5, Section 8175-5.11 – Satellite Dish Antennas, of the Ventura County Ordinance Code is hereby deleted.

Article 5, Section 8175-5.18 – Farm Worker and Animal Caretaker Dwelling Units, of the Ventura County Ordinance Code is hereby added as follows:

Sec. 8175-5.18 – Farm Worker and Animal Caretaker Dwelling Units

Farm worker and animal caretaker dwelling units shall be developed in accordance with the following standards:

Sec. 8175-5.18.1 – Farm Worker and Animal Caretaker Employment Criteria

Farm worker and animal caretaker dwelling units shall only be rented or provided under the terms of employment to persons who are employed full time (minimum of 32 hours per week) as farm workers or animal caretakers by the property owner or lessee of the lot upon which the dwelling unit sits, or on other land in Ventura County that is under the same ownership or lease as the property with the dwelling unit. A farm worker or animal caretaker who has been renting or occupying a farm worker or animal caretaker dwelling unit, and who subsequently retires or becomes disabled, may continue to reside in the dwelling unit. Members of the farm worker's or animal caretaker's household, if any, may also occupy said dwelling unit.

Sec. 8175-5.18.2 - Annual Verification of Farm Worker or Animal Caretaker Employment

The owner of the property, or his/her designated agent, must submit all County-required verification fees as established by resolution of the Board of Supervisors and an annual verification report by May 15th of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, demonstrating that the farm worker(s) or animal caretaker(s) residing in the farm worker or animal caretaker dwelling unit(s) meet(s) the employment criteria established in Sec. 8175-18.1.

Article 5, Section 8175-5.19 – Bed-and-Breakfast Inns, of the Ventura County Ordinance Code is hereby added as follows:

Sec. 8175-5.19 – Bed-and-Breakfast Inns

Bed-and-breakfast Inns shall be developed in accordance with the following standards:

8175-5.19.1

Bed-and-breakfast inns shall contain no more than six guest bedrooms.

8175-5.19.2

Bed-and-breakfast inns shall accommodate no more than 15 guests at any time.

8175-5.19.3

No guest shall occupy a bed-and-breakfast inn for more than 30 consecutive days.

Section 6

ARTICLE 6 – PARKING, ACCESS AND LANDSCAPING

Article 6, Section 8176-2(m), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- m. Dwelling units, including caretaker, farm worker, and animal caretaker dwellings: 2 covered spaces per unit. Exceptions as follows:
 - (1) Bachelor or studio-type dwelling: 1 covered space per unit.
 - (2) One-bedroom dwelling in a multi-family building: 1¼ covered spaces per unit.
 - (3) Second dwelling: 1 uncovered space.

Section 7
**ARTICLE 11 – ENTITLEMENTS – PROCESS AND
PROCEDURES**

Article 11, Section 8181-5.1(e) – Violations on Property, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- e. Violations on Property - No application for any entitlement shall be accepted for filing if a violation of Chapter 1.1 or Chapter 2 exists on the property, provided that the violation was a result of the actions or inactions of the applicant or his predecessor(s) in interest, unless an application is concurrently filed that would abate the existing violation.

Article 11, Section 8181-5.5 – Fees, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.4 - Fees

Each application request for any purpose subject to the regulations of this Chapter, except appeals of decisions regarding developments subject to appeal, shall be accompanied by payment of all outstanding fees and charges billed by and owed to the County under Division 8, Chapters 1, 1.1, and 2 by the applicant or by persons, partnerships, corporations or other entities owned or controlled by applicant or owning or controlling applicant. Furthermore, each application for any of the above, and for appeals of decisions regarding developments not subject to appeal, shall be accompanied by the fee specified by Resolution No. 222 of the Board of Supervisors. No application or appeal shall be accepted for filing or be processed unless the applicant complies with this Section.

- a. Exemptions - No fee need accompany applications for activities sponsored by nonprofit organizations that are solely youth-oriented, including, but not limited to, Scouts, 4-H Clubs, and Little Leagues. No filing fee shall be charged or collected for any application or appeal filed by any County officer, employee, board, commission, or Board-governed Special District on behalf of the County of Ventura.
- b. Penalty Fees - Where a use is inaugurated, or construction to that end is commenced, prior to the granting of the required entitlement or amendment to the LCP, the fee for said entitlement or amendment shall be doubled. Payment of such double fee shall not relieve persons from fully complying with the requirements of this Code, nor from any other penalties prescribed herein. In no event shall such double fee exceed the application fee plus \$1,000.00.
- c. Billing Method - Once a decision is rendered and becomes final regarding an entitlement, the applicant shall be billed for the balance of fees and charges up to the ceiling amount as specified by the fee schedule (Resolution 222). Should final costs be less than the deposit fee, the unused portion of the deposit shall be refunded to the applicant. Upon request, an accounting of all fees and charges billed to the applicant shall be made available. An applicant may request, or the County may require, incremental billing for processing costs of an application request. All fees and charges shall be due and payable within 30 days of the date of any

billing invoice. If billed fees and charges are not paid within 30 days of the invoice date, a penalty charge of two percent of the unpaid balance will be added to the balance due, and each month thereafter an interest charge of two percent of the unpaid balance shall be added and compounded until the bill is paid in full.

- d. Failure to Pay - While the County may choose not to stop processing an application for which the applicable billed fees and charges have not been paid, the County may, after a hearing, deny such application based on the applicant's failure to pay said fees and charges.

Article 11, Section 8181-6 – Notice and Hearing Procedures, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-6 – Hearing Procedures

Sec. 8181-6.1 - Determination of Applicable Procedures

At the time the application for development within the coastal zone is submitted, the Planning Director shall determine whether the development is categorically excluded, nonappealable, or subject to appeal to the Coastal Commission for purposes of notice, hearing and appeals procedures. The Planning Director shall inform the applicant of the notice and hearing requirements for that particular development. The Planning Director's determination shall be made with reference to the certified LCP, including any maps, categorical exclusions, land use designations and zoning ordinances that are adopted as part of the LCP.

If the determination is challenged by the applicant or other interested party, or by a local government, or if the County wishes to have a Coastal Commission determination as to the appropriate designation, the County shall notify the Coastal Commission by telephone of the dispute or question, and shall request an Executive Director's opinion. The Executive Director shall, within two working days of the County's request (or upon completion of a site inspection where such inspection is warranted), transmit his or her determination as to whether the development is categorically excluded, nonappealable, or subject to appeal to the Coastal Commission.

If the Executive Director's determination is not in agreement with the County's determination, the Coastal Commission shall hold a hearing for purposes of determining the appropriate designation for the development.

Sec. 8181-6.2 - Public Hearings

The Planning Director shall hold at least one public hearing on any duly filed application that requires a discretionary decision unless the hearing requirement is waived pursuant to Sec. 8181-6.2.3. If the Director defers the application to the Planning Commission, the Commission shall hold at least one public hearing per the requirements of this Article.

Sec. 8181-6.2.1 - Notice Requirements

The County shall give public notice of the hearing by publication in a newspaper of general circulation at least 10 calendar days prior to the hearing. In addition, the County shall provide notice of such hearing by first class mail at least 10 calendar days prior to the public hearing.

- a. The notice shall be mailed to all of the following:

- (1) The owner of the subject property, or the owner's duly authorized agent;
 - (2) The applicant, if different from the owner;
 - (3) The Coastal Commission;
 - (4) Each local agency whose ability to provide essential services or facilities within its jurisdiction may be significantly affected by the project;
 - (5) All property owners within 300 feet and residents within 100 feet of the exterior boundaries of the Assessor's Parcel(s) on which the development is proposed. If the number of owners exceeds 1,000, a one-eighth page advertisement published at least ten days prior to the hearing in a newspaper of general circulation may be substituted for the direct mailing;
 - (6) Any person who has filed a written request with the Planning Director or the Clerk of the Board of Supervisors to be on the mailing list for that development project or for coastal decisions within the unincorporated area of the County of Ventura;
 - (7) In the case of appeal hearings, notice shall also be provided to the applicant and, if applicable, to the County official, department, Board or Commission whose order, requirement, permit, decision or determination is the subject of the appeal.
- b. The notice shall contain the following information:
- (1) A statement that the development is within the coastal zone;
 - (2) The date of filing of the application and the name of the applicant;
 - (3) The number assigned to the application;
 - (4) A description of the development and its proposed location;
 - (5) The date, time and place of the hearing, and the identity of the hearing body or officer;
 - (6) A brief description of the general procedure of the County concerning the conduct of hearings and actions; and
 - (7) The system for County and Coastal Commission appeals, including local fees required.

Sec. 8181-6.2.2 – Conduct of Public Hearings

All public hearings shall be conducted in accordance with the Government Code and this Chapter.

Sec. 8181-6.2.3 – Waiver of Hearing for Minor Developments

- a. Consistent with Section 30624.9 of the Public Resources Code, the public hearing requirement for minor developments may be waived if all of the following occur:
- (1) Notice is sent to all persons consistent with the provisions of Sec. 8181-6.2.1, as well as all other persons known to be interested in receiving such notice;

- (2) The notice states that a public hearing will be held upon the request of any person;
- (3) No request for public hearing is received by the County within 15 working days from the date of sending the notice.
- b. The notice provided pursuant to Sec. 8181-6.2.3(a) above shall include a statement that failure by a person to request a public hearing may result in the loss of that person's ability to appeal to the Coastal Commission any action taken by the County on a coastal development permit application.
- c. Requests for a public hearing must be made in writing to the Planning Division, and must identify the reasons for such request.

Article 11, Section 8181-10 – Modification, Suspension and Revocation, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-10 – Modification, Suspension and Revocation

Any permit or variance heretofore or hereafter granted may be modified or revoked, or its use suspended by the decision-making authority that would normally approve the permit or variance, following the same hearing and notice procedures that were followed for approval of the permit or variance.

Sec. 8181-10.1 - Causes for Modification, Suspension or Revocation

- a. That any term or condition of the permit or variance has not been complied with;
- b. That the property subject to the permit or variance or any portion thereof, is or has been used or maintained in violation of any statute, ordinance, law or regulation;
- c. That the use for which the permit or variance was granted has not been exercised in accordance with Sec. 8181-7.7, or has ceased to exist, or has been abandoned;
- d. That the use for which the permit or variance was granted has been so exercised as to be detrimental to the public health, or safety, or as to constitute a nuisance;
- e. That changes in technology, or in the type or amount of development in the vicinity of the use, or other good cause warrants modification of conditions of operation or imposition of additional conditions of operation to assure that the use remains compatible with existing and potential uses of other property within the general area in which the use is located. This section is declaratory of existing law.

Sec. 8181-10.2 - Nonwaiver

The failure of the Planning Director, Planning Commission or Board of Supervisors to revoke a variance or permit or suspend its use whenever cause therefor exists or occurs does not constitute a waiver of such right with respect to any subsequent cause for revocation or suspension of the use.

Sec. 8181-10.3 - Prohibition

No person shall carry on any of the operations authorized to be performed under the terms of any permit, during any period of suspension thereof, or after the revocation thereof, or pending a judgment of court upon any application for writ

taken to review the decision or order of the final appeal body in the County in suspending or revoking such permit; provided, however, that nothing contained herein shall be construed to prevent the performance of such operations as may be necessary in connection with a diligent and bonafide effort to remedy the default, noncompliance or violation, for which a suspension of the permit was ordered by the applicable County entity, or such operations as may be required by other laws and regulations for the safety of persons and the protection and preservation of property.

Sec. 8181-10.4 - Modification of Permits (Applicant Initiated)

An application for modification of a permit pursuant to this Section may be filed by any person or entity listed in Sec. 8181-5.1.

Sec. 8181-10.4.1 – Ministerial Modifications

Any change of use that would not alter any of the findings made pursuant to Sec. 8181-3.5, nor any findings contained in the environmental document prepared for the permit, may be permitted through the issuance of a Zoning Clearance provided any change to a permit issued without a previously approved environmental document is reviewed for its incremental impact on the environment.

Sec. 8181-10.4.2 – Discretionary Modifications

The following changes to an approved discretionary permit are discretionary decisions and are considered to fall into one of the following three categories described below: Site Plan Adjustment, Minor Modification, or Major Modification.

- a. Site Plan Adjustment - Any change to a permit that would not alter any of the findings made pursuant to Sec. 8181-3.5, nor any findings of approval for the permit or any findings contained in the environmental document prepared for the project, and would not have any adverse impact on the subject site or surrounding properties, may be deemed a site plan adjustment and acted upon by the Planning Director without a hearing. Additionally, these minor changes shall not circumvent the purpose or lessen the effectiveness of the approved permit conditions and must be consistent with all other provisions of the LCP. Such changes include, but are not limited to, the following:
 - (1) Changes to conditions of approval that do not circumvent the purpose or lessen the effectiveness of the approved permit conditions;
 - (2) A cumulative increase not exceeding ten percent of the approved permit area or building coverage;
 - (3) A decrease of the approved permit area or building coverage, floor area, or height;
 - (4) Changes in structure location, including reorientation of structures, provided the structures are situated within the same general footprint as in the approved permit
 - (5) A cumulative increase not exceeding ten percent of floor area or height, including modifications to roof design;
 - (6) Changes to on-site circulation or to the configuration of any street or access driveway, provided such change does not negatively affect connections with an existing or planned street, the performance of the

circulation system, public safety, or the ability of the public to access coastal waters or nearby inland recreation areas.

- (7) A cumulative increase or decrease not exceeding 10 percent of approved motor vehicle or bicycle parking, provided increases can be accommodated on site and the project continues to meet the minimum number of required spaces pursuant to Article 6;
 - (8) A cumulative decrease not exceeding 10 percent of the approved landscaping or screening, provided the development continues to meet the minimum landscape requirements pursuant to Sec. 8176-4;
 - (9) A cumulative increase not exceeding ten percent of the approved area of walls, fences, or similar structures, provided the development continues to meet minimum screening requirements, and that the increase does not negatively affect the ability of the public to access coastal waters or nearby inland recreation areas;
 - (10) Minor architectural changes or embellishments involving no change in basic architectural style; or
 - (11) Internal remodeling, consistent with all other County ordinance requirements.
- b. Minor Modification - Any proposed change that exceeds the criteria of a site plan adjustment, but is not extensive enough to be considered a substantial or fundamental change in land use relative to the permit, would not have a substantial adverse impact on surrounding properties, and would not change any findings contained in the environmental document prepared for the permit, shall be deemed a minor modification and be acted upon by the Planning Director through a public hearing process.
 - c. Major Modification - Any proposed modification that is considered to be a substantial change in land use relative to the original permit, and/or would alter the findings contained in the environmental document prepared for the permit, shall be deemed a major modification and be acted upon by the decision-making authority that approved the original permit.

Article 11, Section 8181-14 Reasonable Accommodation, of the Ventura County Ordinance Code is hereby added as follows:

Section 8181-14 - Reasonable Accommodation

Sec. 8181-14.1 - Purpose

Pursuant to the Federal Fair Housing Act, and the California Fair Employment and Housing Act (the Acts), it is the policy of the County of Ventura to provide individuals with disabilities reasonable accommodations in land use and zoning rules, policies, practices and procedures that may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. Requests for reasonable accommodation shall be processed in accordance with this section.

Reasonable accommodations may include, but are not limited to, setback area encroachments for ramps, handrails, or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways that would not otherwise comply with required landscaping or open space area provisions; and building addition(s) necessary to afford the applicant an equal opportunity to use and enjoy a dwelling.

Sec. 8181-14.2 – Fair Housing Reasonable Accommodation Requests

A "Fair Housing Reasonable Accommodation Request" application form provided by the Planning Division must be completed and filed with the Planning Division. If the project for which the request is being made requires a discretionary entitlement (Planned Development Permit, Conditional Use Permit or Public Works Permit) the applicant shall file the Reasonable Accommodation Request application concurrent with the application for discretionary approval. In this case, the review period for the Reasonable Accommodation request shall be the same as the application review period for the discretionary entitlement.

Although the applicant may be represented by an agent, the applicant must qualify as a protected individual under the Acts. If the applicant needs assistance in making the Fair Housing Reasonable Accommodation Request or processing any appeals associated with the request, the Planning Division shall provide assistance necessary to ensure that the process is accessible to the applicant.

Sec. 8181-14.3 – Fair Housing Reasonable Accommodation Determination

Upon receipt of a completed written application for a Fair Housing Reasonable Accommodation Request, the Planning Director shall review the Request and make a determination whether to approve or deny it, in whole or in part. All references to the Planning Director in Sec. 8181-14 shall include his or her designee.

If additional information is needed to make a determination, the Planning Director shall request it of the applicant, specifying in writing the information that is needed. The applicant shall provide the information prior to the Planning Director acting upon and/or making a determination on the Fair Housing Reasonable Accommodation Request.

Sec. 8181-14.4 – Standards for Determining Fair Housing Reasonable Accommodation Requests

The Planning Director shall make a determination on a Fair Housing Reasonable Accommodation Request, consistent with the following:

- a. The applicant seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. The accommodation(s) is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy a dwelling unit(s).
- c. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- d. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including zoning ordinances and will be consistent with the standards and policies of the LCP.
- e. Other factors that may have a bearing on the accommodation request.

Sec. 8181-14.5 – Conditions of Approval

The Planning Director may impose conditions on the approval of a Fair Housing Reasonable Accommodation Request, which may include, but are not limited to, any or all of the following:

- a. Periodic inspection of the affected premises by the County's Code Compliance Division to verify compliance with this section and any applicable conditions of approval;
- b. Removal of the improvements by the applicant when the accommodation is no longer necessary to afford the applicant an equal opportunity to use and enjoy the dwelling unit(s), if removal would not constitute an unreasonable financial burden;
- c. Expiration of the approval when the accommodation is no longer necessary to afford the applicant an equal opportunity to use and enjoy the dwelling unit; and/or
- d. A requirement that the applicant advise the Planning Division if the applicant no longer qualifies as an individual with a disability under the Acts or if the accommodation granted is no longer reasonable or necessary to afford the applicant an equal opportunity to use and enjoy a dwelling unit(s).

Sec. 8181-14.6 – Written Determination on the Request for Reasonable Accommodation

Except as provided in Section 8181-14.2, not more than 45 days after receiving a completed Fair Housing Reasonable Accommodation Request Form, the Planning Director or other approving authority, shall issue a written determination and shall set forth in detail the basis for the determination, the findings on the criteria set forth Section 8181-14.4, and the conditions of approval. The determination shall be sent to the applicant by certified mail and shall give notice of the applicant's right to appeal as set forth in Section 8181-14.7.

Upon the request of the Planning Director to the applicant to provide additional information pursuant to Sec. 8181-14.3, the 45 day determination period shall be stopped. Once the applicant provides the Planning Director the information requested, a new 45-day period shall begin.

Sec. 8181-14.7 – Appeals

Within 10 days of the date of the Planning Director's written determination, the applicant may file an appeal of the determination pursuant to Section 8181-9. Appeals will be heard by the Ventura County Planning Commission.

Section 8
**ARTICLE 14 – AMENDMENT TO THE LOCAL COASTAL
PROGRAM**

Article 14, Section 8184-2 – Amendments, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8184-2 – Amendments

Changes to the boundaries of any zone or LCP Land Use Plan designations, changes to the zoning or land use classifications of any property, and textual changes to this Chapter or to the policies or text of the LCP Land Use Plan shall be considered amendments to the LCP.

Sec. 8184-2.1 - Initiation of Amendments

Proposals to amend the Coastal Zoning Ordinance may be initiated in the following manner:

- a. By the adoption of a Resolution of Intention by the Board of Supervisors requesting the Planning Commission to set the matter for hearing and recommendation within a reasonable time.
- b. By the adoption of a Resolution of Intention by the Planning Commission setting the matter for hearing.
- c. By Planning Director action.
- d. By the filing with the Planning Division a complete application accompanied by the appropriate filing fee for:
 - (1) a proposed change to the Coastal Zoning Ordinance by the owner of the property, by a person with a power of attorney from the owner, or by the attorney at law of the owner; or
 - (2) a proposed amendment to the text of the Coastal Zoning Ordinance by an interested person.

Sec. 8184-2.2 - Application Forms

No application for an amendment shall be accepted for filing or processing without a completed application form. The Planning Director may prescribe the form and scope of such application forms.

Sec. 8184-2.3 - Filing Fee

No application for an amendment shall be accepted for filing or processing unless the required fee, as specified by Board Resolution, is paid.

- a. Penalty Fees - Where a use (or construction to that end) is commenced without the required amendment first being obtained, the fee for said amendment, as specified by Resolution of the Board of Supervisors, shall be doubled. In no event shall the double fee exceed the filing fee plus \$1000.00. Payment of such double fee shall not relieve persons from fully complying with the requirements of this Code, nor from any other penalties prescribed herein.

Sec. 8184-2.4 - Study of Additional Area

The Planning Director, upon review of an application or Resolution of Intention for an amendment, may elect to include a larger area or additional land in the study of the amendment request.

Sec. 8184-2.5 - Frequency of Amendments

The LCP shall not be amended more frequently than three times during any calendar year. The amendments may occur at any time as determined by the County, and each amendment may include several different changes.

Sec. 8184-2.6 - Screening of Privately-Initiated Applications for Zoning Ordinance Amendments

- a. All privately-initiated applications for amendments to the Coastal Zoning Ordinance (Section 8184-2.1(d)) shall first be first screened by the Board of Supervisors prior to any further processing by the Planning Division staff. The purpose of this Board of Supervisors initial screening process is to determine if the privately-initiated application is consistent with the purpose of ordinance amendments in Section 8184-1 and appropriate for further processing by the Planning Division staff, or if for any reason such further processing is not warranted.
- b. The Planning Division shall prepare a brief report and recommendation for the Board to use in its screening decision-making process.
- c. If the Board does authorize Planning Division staff to further process the privately-initiated amendment to the Coastal Zoning Ordinance, the Board action shall not confer or imply ultimate approval of any such Coastal Zoning Ordinance amendment request. If the Board does not authorize Planning Division staff to further process the privately-initiated amendment, that decision shall be final.

Section 9 CLARIFICATIONS

Article 1, Section 8171-1 – Adoption and Title of Chapter, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-1 - Adoption and Title of Chapter

This chapter is adopted pursuant to the authority vested in the County of Ventura by the State of California, including, but not limited to, the Government Code and the Public Resources Code. This Chapter shall be known as the "Zoning Ordinance for the Coastal Zone."

Article 1, Section 8171-2 – Purpose of Chapter, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-2 - Purpose of Chapter

The text, use matrix, and zoning maps of this Chapter constitute the comprehensive zoning plan and regulations for the unincorporated coastal zone of the County of Ventura. This Chapter is adopted to protect and promote the public health, safety, and general welfare; and to provide the environmental, economic, and social advantages that result from an orderly, planned use of resources; and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, by protecting the ecological balance of the coastal zone and preventing its destruction and deterioration. This Chapter shall implement the objectives and policies of Ventura County's General Plan including the LCP Land Use Plan.

Article 1, Section 8171-3.2 – Standards and Conditions, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-3.2 - Standards and Conditions

All standards and conditions stated in this Chapter are considered to be minimums only. Any decision-making body has the right to impose more restrictive standards or conditions than those stated in this Chapter for any permit involving a discretionary decision.

Article 1, Section 8171-4.4, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-4.4

No permit or entitlement shall be issued for any use or construction on a lot that is not a legal lot.

Article 1, Section 8171-6 – Local Coastal Program (LCP), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-6 - Local Coastal Program (LCP)

The LCP for Ventura County consists of this Chapter and the certified Coastal Land Use Plan for the coastal zone. Both documents shall be used when analyzing development requests. Many policy statements found only in the Land Use Plan will, nevertheless, have a significant impact on development decisions. If there is a conflict between policy statements in the Land Use Plan, and uses or standards

in this Chapter, or just between standards in this Chapter, the most restrictive requirement shall take precedence.

Article 1, Section 8171-8 – Interpretation and Ambiguities, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-8 - Interpretation and Ambiguities

The provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare. If ambiguity arises concerning the appropriate classification or particular use within the meaning and intent of this Chapter, or if ambiguity exists with respect to matters of height, setback, or area requirements, it shall be the duty of the Planning Director to ascertain all pertinent facts and make a determination on said ambiguity.

Article 1, Section 8171-9 – Establishment of Use Zones, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8171-9 - Establishment of Use Zones

In order to classify, regulate, restrict and segregate the uses of land and buildings; to regulate the height and size of buildings; to regulate the area of setbacks and other open spaces around buildings; and to regulate the density of population, the following classes of use zones are established along with their abbreviations and minimum lot areas. Alternative minimum lot areas may be established pursuant to Section 8171-9.1 et seq. Minimum lot area requirements are expressed in "gross" area for land uses and structures. The minimum lot area for subdivision purposes is expressed in "net" area for parcels of less than 10 acres, and "gross" area for parcels of 10 acres or more.

Zoning District Base Zones	Abbreviation	<i>Minimum Lot Area</i>
Coastal Open Space	COS	10 Acres
Coastal Agriculture	CA	40 Acres
Coastal Rural	CR	1 Acre
Coastal Rural Exclusive	CRE	20,000 sq. ft
Coastal Single-Family Residential	CR1	7,000 sq. ft
Coastal Two-Family Residential	CR2	7,000 sq. ft
Residential Beach	RB	3,000 sq. ft.
Residential Beach Harbor	RBH	*
Coastal Residential Planned Development	CRPD	As Specified by Permit
Harbor Planned Development	HPD	As Specified by Permit
Coastal Commercial	CC	20,000 sq. ft.
Coastal Industrial	CM	10 Acres

Overlay Zones	Abbreviation	Minimum Lot Area
Santa Monica Mountains	M /	Not Applicable

*See Section 8175-2 for specifics.

Sec. 8171-9.1 - Lot Area Suffix

Lot areas larger than the minimum specified by the Coastal Land Use Plan and this Chapter may be determined by a suffix number following the base zone designation on a given zoning map. The application of said suffixes shall be consistent with the Area Plan for the Coastal Zone and Article 5 of this Chapter. All other requirements of the base zone contained in this Chapter shall apply to the respective zone designated by a suffix. The suffix numbers shall only be assigned in 1,000-square-foot increments for lots less than one acre in area (i.e., CRE-30 means: Coastal Rural Exclusive, 30,000 square foot minimum lot size), and in increments of one acre for lots of one acre or larger area (i.e., CRE 5Ac means: Coastal Rural Exclusive, Five-Acre Minimum lot size). The application of suffix numbers shall not create lot areas smaller than the minimum area specified for the various base zones established by Sec. 8171-9. Where no suffix number appears, it is understood that the minimum lot area specified in Sec. 8171-9 for that zone shall apply.

Sec. 8171-9.2 - Suffix Designators and Maximum Density for the CRPD Zone

A designator suffix shall be assigned to each CRPD zone. The suffix shall indicate the maximum number of dwelling units per gross acre (excluding dedications for major thoroughfares and flood control channel rights-of-way), followed by the letter "U"; for example, CRPD-25U shall mean a maximum of 25 dwelling units per acre. The designator suffix may be any number between 1U and 30U. A CRPD zone without a designator suffix shall allow a maximum of 30 dwelling units per acre. The maximum density permitted for any property in the CRPD zone shall be established on the basis of LCP Land Use Plan compatibility, topography, orderly development principles, and infrastructure available to serve the development.

Article 3, Section 8173-1 – Coastal Open Space (C-O-S) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-1 - Coastal Open Space (COS) Zone

The purpose of this zone is to provide for the preservation, maintenance, and enhancement of natural and recreational resources in the coastal areas of the County while allowing reasonable and compatible uses of the land.

Article 3, Section 8173-2 – Coastal Agricultural (C-A) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-2 - Coastal Agricultural (CA) Zone

The purpose of this zone is to preserve and protect commercial agricultural lands as a limited and irreplaceable resource, to preserve and maintain agriculture as a major industry in the coastal zone of Ventura County, and to protect these areas from the encroachment of nonresidential uses that, by their nature would have detrimental effects on the agriculture industry.

Article 3, Section 8173-4 – Coastal Rural Exclusive (C-R-E) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-4 - Coastal Rural Exclusive (CRE) Zone

The purpose of this zone is to provide for residential areas with semirural atmosphere, but exclude agricultural uses to a great extent and concentrate on residential uses.

Article 3, Section 8173-5 – Coastal One-Family Residential (C-R-1) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-5 - Coastal One-Family Residential (CR1) Zone

The purpose of this zone is to provide for, and maintain, areas along the coast for more traditional single-family developments and lots significantly larger than those permitted in the RB or RBH zones.

Article 3, Section 8173-6 – Coastal Two-Family Residential (C-R-2) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-6 - Coastal Two-Family Residential (CR2) Zone

The purpose of this zone is to provide for, and maintain, areas along the coast where single and two-family dwellings are allowed, but on lot sizes significantly larger than those permitted in the higher density RB and RBH zones.

Article 3, Section 8173-7 – Residential Beach (R-B) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-7 - Residential Beach (RB) Zone

The purpose of this zone is to provide for the development and preservation of small-lot, beach-oriented residential communities.

Article 3, Section 8173-8 – Residential Beach Harbor (R-B-H) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-8 - Residential Beach Harbor (RBH) Zone

The purpose of this zone is to provide for development and preservation of unique beach-oriented residential communities with small lot subdivision patterns.

Article 3, Section 8173-9 – Coastal Residential Planned Development (C-R-PD) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-9 - Coastal Residential Planned Development (CRPD) Zone

The purpose of this zone is to provide a method whereby land may be designated and developed as a unit for residential use by taking advantage of innovative site planning techniques.

Article 3, Section 8173-10 – Coastal Commercial (C-C) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-10 – Coastal Commercial (CC) Zone

The purpose of this zone is to provide for the development of retail and service commercial uses that are intended to be neighborhood-serving or visitor-serving.

Article 3, Section 8173-11 – Coastal Industrial (C-M) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-11 - Coastal Industrial (CM) Zone

The purpose of this zone is to establish an industrial zone consistent with the unique features of the coastal zone. The intent is to recognize existing industrial uses, and to permit other uses compatible with the Coastal Plan, especially uses that could be considered coastal-dependent.

Article 3, Section 8173-12 – Harbor Planned Development (H-P-D) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8173-12 - Harbor Planned Development (HPD) Zone

The purpose of this zone is to provide for uses consistent with harbor- and tourist-oriented developments.

Article 5, Section 8175-1 – Purpose, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-1 – Purpose

The purpose of this Article is to provide those development standards or conditions that are applicable to the use zones. This Article also delineates certain instances where exceptions to certain standards or conditions are allowable.

Article 5, Section 8175-2 – Schedule of Specific Development Standards by Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-2 – Schedule of Specific Development Standards by Zone

The following table indicates the lot area, lot width, setback, height, and building coverage standards that apply to individual lots in the zones specified. See Articles 6 and 7 for other general standards and exceptions.

Zone	Minimum Lot Area (a)	Maximum Percentage of Building Coverage	Minimum Lot Width	Required Minimum Setbacks (b)			Maximum Height (b)			
				Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure
					Interior & Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				

Zone	Minimum Lot Area (a)	Maximum Percentage of Building Coverage	Minimum Lot Width	Required Minimum Setbacks (b)				Maximum Height (b)		
				Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure
					Interior & Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				
COS	10 Acres (c)	See Section 8175-2.1	40'	20'	10'	20'	15'	25'	Height May Be Increased to 35' if Each Side setback is at Least 15'	Same as Principal Structure
CA	40 Acres (c)									
CR	One Acre			20' (d)	5'	10'				
CRE	20,000 Sq. Ft.									
CR1	7000		25'	10'	3'	5'	14' (f)	28', measured to the highest point of the finished roof (i)	Height May Be Increased to 30' for A-frame Structures	15'
CR2	Sq. Ft.									
RB	3,000 Sq. Ft. (e)			20' (h)	3' (q)	6' (r)				
RBH	(g)									
CRPD	As Specified by Permit		As Specified by Permit	See Section 8177-1.3				25'	N/A	
HPD				15'	(j)	10'	15'	35' (p)		
CC	20,000 Sq. Ft.			(k)	(1)		(m)	35'		
CM	10 Acres		40'	(n)				(o)		

(a) See Sections 8175-4.10 through 8175-4.12 for exceptions.

(b) See Sections 8175-4 and 8175-5 for exceptions.

(c) For all proposed land divisions in the COS and CA zones, the parent parcel shall be subject to the following slope/density formula for determining minimum lot area.

$$S = \frac{(100) (I) (L)}{A} \text{ Where:}$$

S = average slope (%)

I = contour interval (feet)

L = total length of all contour lines (feet)

A = total area of the lot (square feet)

Once the average slope has been computed, the following table shall be used to determine a minimum lot size for all proposed lots (numbers should be rounded to the nearest tenth):

COS: 0% - 15% = 10 acres CA: 0% - 35% = 40 acres

15.1% - 20% = 20 acres Over 35% = 100 acres
 20.1% - 25% = 30 acres
 25.1% - 35% = 40 acres
 Over 35% = 100 acres

Exception (CA): Property with a land use designation of "Agriculture" in the Coastal Area Plan that is not prime agricultural land shall have a lot area not less than 200 acres, regardless of slope.

- (d) Dwellings constructed with carports or garages having a curved or "swing" driveway, with the entrances to the garages or carports facing the side property line, may have a minimum front setback distance of 15 feet.
- (e) Minimum 1500 sq. ft. of lot area per dwelling unit; maximum two dwelling units per lot.
- (f) If the front setback distance is 20 feet or more, the rear setback distance may be reduced to six feet.
- (g) 1,750 sq. ft. per single-family dwelling; 3,000 sq. ft. per two-family dwelling.
- (h) Where there is a two- or three-storied structure, such second or third stories may intrude not more than four feet into the required front setback. Eaves may extend a maximum of two feet beyond the outside walls of such second or third floor extension.
- (i) See also Sec. 8175-3.13.
- (j) Five feet for lots used for dwelling purposes, and five feet on any side abutting a residential zone (any zone with an "R" in the title); otherwise, as specified by permit.
- (k) Ten feet if the lot abuts a residential zone on the side; otherwise, as specified by permit.
- (l) Five feet on any side abutting a residential zone. Also, when the rear of a corner lot abuts a residential zone, the side setback distance from the street shall be at least five feet; otherwise, as specified by permit.
- (m) Ten feet if the rear of the lot abuts a residential zone; otherwise, as specified by permit.
- (n) From street: the greater of 15 feet or 15% of lot width or depth. Interior: the greater of five feet or 10% of lot width or depth. The Planning Director is authorized to modify or entirely waive the interior setback requirements in cases where such reductions are necessary for efficient utilization of property and will not adversely affect the public health, safety or welfare, and rail access is provided to the lot.
- (o) No building or structure located within 100 feet of any property in a residential zone shall exceed 60 feet in height; otherwise, as specified by permit.
- (p) A lower height limit may be required by the permit authorizing the use.
- (q) Exception: Each dwelling unit of a two-family dwelling may have a zero side setback distance if constructed on a lot (other than a through lot) of

at least 3,500 square feet in area created prior to February 26, 1987, if that lot is subdivided along a common side wall of the two dwelling units.

- (r) Exception: Each dwelling unit of a two-family dwelling may have a zero rear setback distance if constructed on a through lot of at least 4,000 square feet in area created prior to February 26, 1987, if that lot is subdivided along a common rear wall of the two dwelling units, and the front setback distance of each resulting lot is at least 20 feet.

Sec. 8175-2.1 – Building Coverage Standards

The following table indicates the building coverage standards by land use designation.

Coastal Area Plan Designation	Maximum Building Coverage
Open Space	5% (a)
Agriculture	5% (a)
Recreation	5%
Residential – Rural	25% (b)
Residential – Low	29%
Residential – Medium	42%
Residential – High	65%
Commercial	40%
Industrial	40%

- (a) Excludes greenhouses, hothouses, and the like. For nonconforming lots, maximum building coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of lot area over 5,000 square feet.
- (b) Excludes greenhouses, hothouses, and the like. For nonconforming lots, maximum building coverage shall be 2,500 square feet, plus 1 square foot for each 4.6 square feet of lot area over 5,000 square feet.

Article 5, Section 8175-3.3 – Accessory Parking, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.3 - Accessory Parking

No residential, agricultural, or open space zoned lot shall be used for the accessory parking or storage of vehicles that are designed to carry more than a three-quarter ton load, and that are used for shipping and/or the delivery of freight and products, except on those lots where delivery to storage or market of agricultural or horticultural commodities is permitted under this Chapter and is occurring on said lot.

Article 5, Section 8175-3.4 – Parking or Storage in Setbacks, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.4 - Parking or Storage in Setbacks

Parking or storage of vehicles, exterior storage, garages or other accessory buildings are not allowed within setback areas, except as specifically provided in this Chapter. Fully operative, licensed, and registered motorized vehicles, and operative trailers, shall not be parked within any front or street-side setback, except in the driveway access to the required parking, or on a paved area (no wider than 10 feet) adjacent to the driveway, as an accessory use to a dwelling. On interior lots, a minimum three-foot-wide area adjacent to one

side lot line must be kept free of operative vehicles and of exterior storage (see Sec. 8175-5.1j).

Article 5, Section 8175-3.6 – Connection of Structures, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.6 - Connection of Structures

An accessory structure will be considered to be detached from the principal structure unless the roof connecting the two structures is essentially a continuation of the roof of the principal structure, or the space between such structures is completely enclosed by walls attached to each structure.

Article 5, Section 8175-3.9 – Setbacks from Easements, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.9 - Setbacks from Easements

If the only means of access to one or more lots is by way of an easement, the easement shall be considered as a street for purposes of determining setback distances on lots over which the easement passes.

Article 5, Section 8175-3.10 – Number of Dwellings Per Lot, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.10 - Number of Dwellings Per Lot

Not more than one principal dwelling shall be constructed on any lot zoned COS, CA, CR, CRE or CR1. A second dwelling unit may be permitted pursuant to Sec. 8175-5.1(g).

Not more than two dwellings of any type shall be constructed on any lot zoned CR2, RB or RBH.

Article 5, Section 8175-3.11 – Fences, Walls, and Hedges, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.11 - Fences, Walls, and Hedges

- a. No fences, walls or hedges over three feet high may be placed in the required setback area adjacent to a street.
- b. A maximum six-foot-high wall, fence or hedge may be located anywhere on the lot except in the clear sight triangle or required setback area adjacent to a street. On vacant land in the CC or CM zones, fences, walls and hedges are subject to this six-foot height limit, to any specific setback requirements of Sec. 8175-2, and to the clear sight triangle regulations of Sec. 8175-3.11a above. On through lots, the setback regulations given for structures in Section 8175-4.1d shall apply to fences over three feet in height.
- c. A maximum eight-foot-high see-through fence may be located on any lot zoned COS or CA that contains an agricultural operation, or in a subdivision that abuts an agricultural operation in a COS or CA zone, provided that such fence is located at or near the boundary line separating such properties.
- d. A maximum twelve-foot-high see-through fence may be located around a tennis court anywhere on a lot, except in a required setback area adjacent to a street or within any public view to or along the coast.

- e. When there is a difference in the ground level between two adjoining lots, the height of any wall or fence constructed along any property line may be determined by using the lot level line of the higher lot, as measured within five feet of the lot line separating such lots.
- f. The provisions of this Section shall not apply to a fence or wall necessary as required by any law or regulation of the State of California or any agency thereof.

Article 5, Section 8175-3.13 of the Ventura County Ordinance Code is hereby amended as follows:

Sec. 8175-3.13 - Building Height

Sec. 8175-3.13.1 – Measurement of Building Height

The heights of buildings in all zones shall be measured as follows:

- a. Pitched or Hip Roofs - For buildings with a pitched or hip roof, building height is the vertical distance from the finished grade to the averaged midpoint of the finished roof.
- b. Other Roof Types - For buildings with a flat roof or buildings where the roof and walls form a continuous architectural unit (e.g. A-frame buildings, Quonset huts, geodesic domes) building height is the vertical distance from the finished grade to the highest point of the finished roof.
- c. Calculation of Averaged Midpoint - The averaged midpoint is calculated by drawing a line between the highest point of the finished roof at the main ridgeline and top of the roof covering where it intersects with a horizontal line drawn from the top of each of the two exterior walls parallel to the main ridgeline. The midpoint is the point one-half of the distance between the upper and lower points. The averaged midpoint is the average of the two midpoints.
- d. Finished Roof - For purposes of determining the "finished roof", "finished roof" shall mean the roof with the roof sheeting in place, but not the other roofing materials.

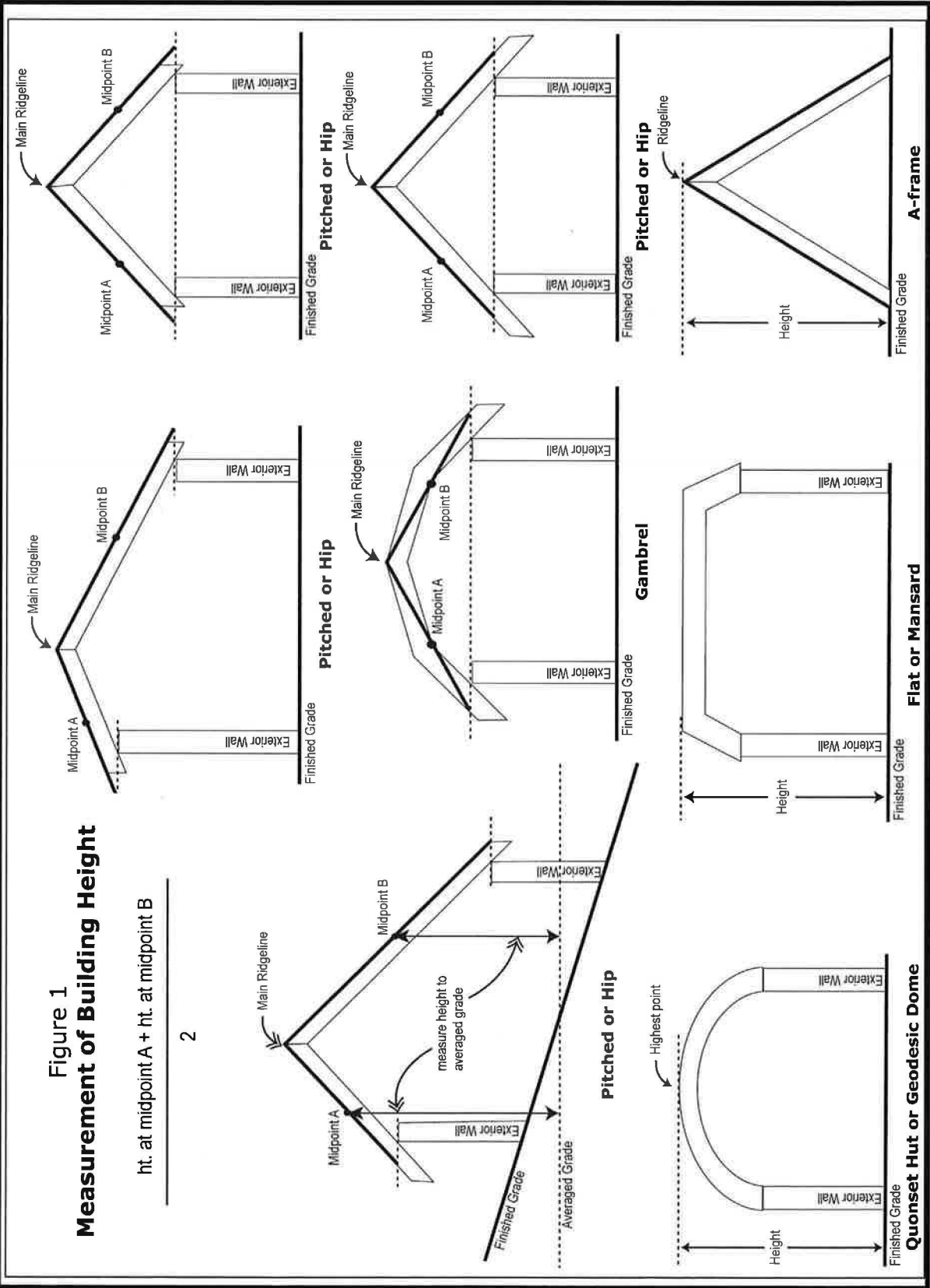
Sec. 8175-3.13.2 –Height Regulations in the RB and RBH Zones

- a. Building height in the RB and RBH zones shall be measured from the higher of the following: (1) the minimum elevation of the first floor as established by the Flood Control Division of Public Works, or (2) twelve inches above the highest point of the paved portion of the road adjacent to the lot.
- b. The height of the highest point of the finished roof of principal structures shall be no more than 28 feet for structures with flat roofs, pitched or hip roofs, and no more than 30 feet for A-frame structures.
- c. The finished height of any exterior wall of a principal structure shall be no more than 28 feet.
- d. The finished height of dormer windows shall be no more than 28 feet.
- e. The height of all roof structures shall be consistent with the regulations included in Sec. 8175-4.8(b).

Figure 1
Measurement of Building Height

ht. at midpoint A + ht. at midpoint B

2



Article 5, Section 8175-3.14 – Recycling Areas, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-3.14 - Recycling Areas

All commercial, industrial, institutional, or residential buildings having five or more dwelling units, shall provide availability for, and access to, recycling storage areas in accordance with the County of Ventura's most recently adopted Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines in effect at the time of the development approval.

Article 5, Section 8175-4.1 – Accessory Structures in Setback Areas, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.1 - Accessory Structures in Setback Areas

Detached accessory structures that are not used for human habitation may be constructed to within three feet of interior and rear lot lines, provided that:

- a. In no case shall any such structure exceed 15 feet in height.
- b. In no case shall any such structure(s) occupy more than 40 percent of the rear setback area.
- c. Setback areas adjacent to the street shall be maintained.
- d. On through lots, said structures may be located no closer than ten feet (six feet in the RBH Zone) to the rear lot line, except as specified otherwise in Section 8175-4.14.

Article 5, Section 8175-4.2 – Architectural Features, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.2 - Architectural Features

Eaves, cornices, canopies, belt courses, sills, buttresses or other similar architectural features may project into required setback areas provided that such extensions do not extend more than two feet into any required setback area, and are not closer than two feet to any side or rear property line. When more than one building is located on the same lot, such features shall not be closer than two feet to a line midway between the exterior walls of such buildings.

Bay windows, regardless of whether or not they create additional floor area, are not considered architectural features and may not project into required setback areas.

Article 5, Section 8175-4.3 – Balconies, Fire Escapes and Stairways, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.3 - Balconies, Fire Escapes and Stairways

Open, unenclosed stairways or balconies not covered by roofs or canopies may extend into required rear setbacks not more than four feet (three feet in the RBH zone) and into required front setbacks not more than two and one-half feet (four feet in the RBH zone).

Article 5, Section 8175-4.4 – Porches and Decks, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.4 - Porches and Decks

Uncovered porches and decks constructed at or below the level of the first floor of the building may extend into required front setbacks not more than six feet, and into rear and side setbacks no closer than three feet to the property line. On through lots, such porches and decks may be constructed no closer than three feet to the rear property line in the RB and RBH zones, and no closer than ten feet in other zones. An open-work railing not more than three feet in height may be installed or constructed on such porch or deck without affecting this provision. In no case shall required parking, or access thereto, be obstructed in any way.

Article 5, Section 8175-4.5 – Chimneys and Fireplaces, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.5 - Chimneys and Fireplaces

Masonry chimneys and fireplaces may project into required setback areas not more than two feet provided that such chimneys or fireplaces shall not be closer than three feet to any side property line of the lot or parcel. Where more than one building is located on the same lot, such chimneys or fireplaces shall not be closer than three feet to a line midway between the exterior walls of such buildings.

Article 5, Section 8175-4.7 – Depressed Ramps, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.7 - Depressed Ramps

Open-work fences, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps may be located in required setback areas, provided that such devices are not more than three and one-half feet in height.

Article 5, Section 8175-4.8 – Roof Structures, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.8 - Roof Structures

- a. Except as provided in Sec. 8175-4.8(b) below, roof structures may be erected above the height limits prescribed in this Chapter, provided that no additional floor space is thereby created.
- b. In the RB and RBH zones, the finished height of roof structures shall not exceed 28 feet except for:
 - (1) TV antennas, chimneys, flagpoles, weather vanes or similar structures, and structures or walls as required by the County for fire protection; and
 - (2) Open-rail or transparent safety railings on principal structures with flat roofs. These railings may be increased to a finished height of no more than 28'6" to comply with California Building Code regulations.

Article 5, Section 8175-4.12 – Fire Stations, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.12 - Fire Stations

There shall be no minimum area in any zone during the period of time the lot is held by a public entity for present or future use as a fire station or is dedicated to a public entity for such use. Any lot in such zones or any subzones thereof that:

- a. was created by a conveyance of a portion of a larger lot to a public entity for present or future use as a fire station, or was created by a subdivision map that dedicated the lot to a public entity for such use; and
- b. would have been nonconforming at the time of such creation if it had not been conveyed or dedicated to a public entity; and
- c. does not conform to minimum area requirements applicable to other lots in the same zone or subzone that have not been conveyed or dedicated to a public entity, may not be used for any purpose other than a fire station site by the public entity or its successors in interest.

Article 5, Section 8175-4.13 – Temporary Dwellings During Construction, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.13 - Temporary Dwellings During Construction

A mobilehome or recreational vehicle that is used as a temporary dwelling during construction shall be set back at least five feet from the property line of the lot on which it is placed.

Article 5, Section 8175-4.14 – Setbacks on Through Lots, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-4.14 - Setbacks on Through Lots

Front and rear setbacks on through lots shall be determined as follows: The Planning Division, in consultation with the applicant, shall designate one street frontage as the front of the lot and the other as the rear. The entrance to any covered parking (garage or carport) shall be set back a distance at least equal to the minimum front setback, except that if a dwelling is constructed with a curved or "swing" driveway leading to the covered parking, with the entrance to such parking facing the side property line, the garage or carport may be located a minimum of ten feet (six feet in the RBH zone) from the rear property line.

Article 5, Section 8175-5.1(f) – Home Occupations, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- f. Home Occupations - On property containing a dwelling, no commercial activity shall be construed as a valid accessory use to the dwelling unless the activity falls within the definition and regulations of a home occupation. Home occupations are permitted in accordance with the following standards:
 - (1) No merchandise, produce or other materials or equipment may be displayed for advertising purposes. Advertising in a telephone book, newspaper, etc., or on a vehicle, shall not divulge the dwelling's location.
 - (2) The use shall be carried on only by residents of the dwelling.
 - (3) No signs naming or advertising the home occupation are permitted on or off the premises.
 - (4) The use shall not generate additional pedestrian or vehicular traffic beyond that considered normal to the neighborhood. Deliveries to the dwelling shall not be excessive and shall not disrupt traffic patterns in the vicinity.
 - (5) Home occupations shall not occupy space required for other purposes (off-street parking, interior setbacks, etc.).

- (6) For each dwelling unit, there shall be no more than one commercial vehicle parked on the property related to the home occupation. A vehicle with external lettering or other script pertaining to the home occupation is considered to be a commercial vehicle.
- (7) The existence of a home occupation shall not be evident beyond the boundaries of the property on which it is conducted. There shall be no internal or external alterations not customarily found in residences.
- (8) The use of electrical or mechanical equipment that would create visible or audible interference in radio or television receivers is prohibited.

Article 5, Section 8175-5.1(j) – Open Storage of Materials, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- j. Exterior Storage of Materials - Permitted as an accessory use to a dwelling, shall be subject to the following conditions:
 - (1) The exterior storage of materials may be placed within three feet of one interior lot line, and to rear lot lines, but shall not intrude into any required front or street-side setback.
 - (2) All materials must be stored at least six feet from any structure.
 - (3) The exterior storage of materials shall not exceed an aggregate area of 200 square feet and shall not exceed a height of six feet.
 - (4) Materials stored may include, but are not limited to, inoperative vehicles, equipment, building materials, scrap metal, or personal or household items.
 - (5) Materials or equipment kept on any premises for use in construction of any building on said premises for which a Zoning Clearance and necessary building permits are obtained and in force are exempt from the exterior storage provisions of subsections (2) and (3) above. However, such storage shall be neat and orderly, and shall not exceed an area equal to 100 percent of the gross floor area of the building under construction. Stored materials shall be installed within 180 days of their placement on the lot; however, the Planning Director may grant a time extension for good cause, based on a written request from the applicant.
 - (6) Materials or equipment customarily used on a farm or ranch are also exempt from the exterior storage provisions of subsections (2) and (3) above.
 - (7) Exterior storage shall be consistent with all provisions of the LCP.

Article 5, Section 8175-5.2.3 – Keeping of Birds, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.2.3 - Keeping of Birds

The keeping of birds of a type readily classifiable as being customarily incidental and accessory to a permitted principal dwelling is subject to the following:

- a. The keeping of all birds provided for herein shall be for noncommercial purposes, shall be incidental to the principal dwelling, and shall conform to all other provisions of law governing same.

- b. No bird, cage, or other enclosure shall be maintained within 15 feet of any window or door of any residence, dwelling, or other building used for human habitation other than the personal dwelling or residence of the owner or keeper thereof.
- c. Such birds shall be maintained in a sanitary condition at all times and shall not cause or tend to cause conditions detrimental or injurious to the public health, safety, or general welfare.
- d. The keeping of birds that are wild or nondomestic, or of a type not readily classifiable as being customarily incidental and accessory to a permitted principal dwelling, is not permitted.

Article 5, Section 8175-5.2.4 – Animals and Fowl, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.2.4 - Animals and Fowl

Animal husbandry, and the keeping of animals and fowl as accessory to dwellings, shall conform to the following standards. NOTE: The offspring of animals are allowed and shall not be counted until they are weanable or self-sufficient age. Dogs and cats shall be counted at four months of age or more.

- a. Pet Animals - Each dwelling unit is permitted the following (in addition to the animal units permitted under Sec. 8175-5.2.4b):

COS CA CR CRE CR1	Up to 4 of any combination of the following: Chickens (excluding roosters), cooped Ducks and similar fowl, penned goose or turkey (limit 1), penned	4 dogs and 4 cats	4 rabbits or other domestic animals of similar size at maturity, caged.	Domestic birds (must be kept inside the dwelling; see also Section 8175-5.2.3).
CR2, RB, CRPD				
RBH		2 dogs and 2 cats*		

*Any combination of dogs and cats totaling not more than four animals.

- b. Farm Animals – Farm animals are permitted in accordance with the following table:

Zone	Minimum Lot Area Required (c)	Number of Animals (a)	Minimum Setbacks (b)
COS CA	20,000 sq. ft.	Lots of 10 acres or less: one animal unit for each 10,000 sq. ft. of lot area (more with a Conditional Use Permit). Lots over 10 acres: no limit.	Farm animals and fowl shall not be housed, stabled, lodged, kept, maintained, pastured or confined within 40 feet of any school, church, hospital, public place, business, dwelling or other structure used for human habitation, other than the personal residence of the owner or keeper thereof.
CR	20,000	One animal unit for each	

	sq. ft.	10,000 sq. ft. of lot area.	
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One Animal Unit Equals:

- 1 cow, bull, horse, mule or donkey;
- or 3 sheep or female goats;
- or up to 6 of any combination of geese or turkeys;
- or up to 10 of any combination of chickens, ducks or game hens;
- or 2 ponies, pigs, male goats, peacocks or guinea fowl (or a combination thereof totaling 2);
- or 20 fur-bearing animals, such as rabbits, and others of a similar size at maturity.

Notes to Animal Unit Table

- (a) In calculations for permitted animals, fractional numbers are to be rounded to the lower whole number.
- (b) These separation requirements do not apply to pet animals.
- (c) Abutting lots that are under unified control, either through ownership or by means of a lease, may be combined in order to meet minimum area requirements for animal-keeping or to keep a larger number of animals, but only for the duration of such common ownership or lease, and only in zones that allow the keeping of animals as a principal use.

Article 5, Section 8175-5.2.5 – Kennels, of the Ventura County Ordinance Code is hereby added as follows:

Sec. 8175-5.2.5 – Kennels

The following standards shall apply to all kennels:

- a. No more than one adult dog over four months old per 4,000 square feet of lot area shall be allowed as part of any kennel.
- b. No more than 50 dogs per lot shall be allowed as part of any kennel.

Article 5, Section 8175-5.3.7, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.3.7

Trash collection areas shall be adequately distributed and enclosed by a six-foot-high landscape screen, solid wall or fence that is accessible on one side.

Article 5, Section 8175-5.4.2, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.4.2

Overnight population of guests and staff shall be limited by the following calculations:

Sec. 8175-5.4.2.1

Camps on property zoned Coastal Rural (CR) - lot size in acres x 2.56 = the maximum number of persons to be accommodated overnight.

Sec. 8175-5.4.2.2

Camps on property zoned Coastal Rural Exclusive (CRE) - lot size in acres x 10.24 = the maximum number of persons to be accommodated overnight.

Article 5, Section 8175-5.4.3, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.4.3

Total daily on-site population of guests and staff shall be limited by the following calculations:

Sec. 8175-5.4.3.1

Camps on property zoned Coastal Rural (CR) - $5.12 \times \text{lot size in acres} = \text{total population allowed on site}$.

Sec. 8175-5.4.3.2

Camps on property zoned Coastal Rural Exclusive (CRE) - $20.48 \times \text{lot size in acres} = \text{total population allowed on site}$.

Sec. 8175-5.4.3.3

A larger total daily population may be allowed for special events, the frequency to be determined by the camp's Use Permit.

Article 5, Section 8175-5.6.2, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.6.2

Outdoor filming for up to seven days in the COS and CA zones shall require only a Zoning Clearance, unless pyrotechnics (open flames or explosives) or levels of noise higher than are customary in the vicinity are involved. In such cases, the approval of the residents of at least 60 percent of surrounding, contiguous properties shall be obtained by the applicant by means of signatures on a form provided by the County.

Sec. 8175-5.6.1 shall be adhered to. Note: the time periods indicated in this Section 8175-5.6.2 and in Article 4 do not include minor set-building and tear-down.

Article 5, Section 8175-5.7.1 – Purpose, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.7.1 – Purpose

The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for oil and gas exploration and production facilities and other industrial operations within the Coastal portions of the County that will allow for the reasonable use of an important County resource. These regulations shall also ensure that development activities will be conducted in harmony with other uses of land within the County and that the rights of surface and mineral owners are balanced. The standards of this section shall apply to all new development activities, even within areas covered by existing Conditional Use Permits. However, they shall not apply to any specific development for which the applicant has been granted a claim of vested rights by the Coastal Commission on the basis of a CUP. For any such development, no new coastal permit is required pursuant to this Chapter.

Article 5, Section 8175-5.7.3 – Definitions, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.7.3 – Definitions

Unless otherwise defined herein, or unless the context clearly indicates otherwise, the definition of petroleum-related terms shall be that used by the California State Division of Oil , Gas and Geothermal Resources (DOGGR).

Article 5, Section 8175-5.7.5 – Required Permits, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.7.5 - Required Permits

No oil or gas exploration or production related use may commence without or inconsistent with a Conditional Use Permit approved pursuant to this Chapter. Furthermore, a Zoning Clearance must be obtained by the permittee to confirm consistency with the Coastal Zoning Ordinance and/or Conditional Use Permit prior to drilling every well, commencing site preparation for such well(s), and/or expansion of existing facilities, including redrilling of existing wells or changing from a producing well to a water injection well, or installing related appurtenances as defined by the Planning Director, or prior to abandonment. However, a single Zoning Clearance may be issued for more than one well or drill site or structure. Possession of an approved Conditional Use Permit shall not relieve the operator of the responsibility of securing and complying with any other permit that may be required by other County Ordinances, or State or Federal laws. No condition of a Conditional Use Permit for uses allowed by this Chapter shall be interpreted as permitting or requiring any violation of law, or any lawful rules, or regulations or orders of an authorized governmental agency. When more than one set of rules apply, the stricter one shall take precedence.

Article 5, Section 8175-5.7.6(c) – Development Plan, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- c. A phasing plan for the staging of development that indicates the approximately anticipated timetable for project installation, completion and decommissioning.

Article 5, Section 8175-5.7.7 – Oil Development Design Standards, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.7.7 – Oil Development Design Standards

The general standards that follow shall be used in the development of conditions that will help ensure that oil development projects generate minimal negative impacts on the environment. The standards shall be applied whenever physically and economically feasible and practicable, unless the strict application of a particular standard(s) would otherwise defeat the intent of other standards. An applicant should use the standards in the design of the project and anticipate their use as permit conditions, unless the applicant can demonstrate that they are not feasible or practicable. More restrictive requirements may be imposed on a project through the conditions of the permit.

- a. Permit areas and drill sites shall generally coincide and shall be only as large as necessary to accommodate typical drilling and production equipment.
- b. The number of drill sites in an area shall be minimized by using centralized drill sites, directional drilling, and other techniques.

- c. Drill sites and production facilities shall be located so that they are not readily seen. All permanent facilities, structures, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the Planning Director prior to the painting of facilities.
- d. Permittees and operators shall share facilities such as, but not limited to, permit areas, drill sites, access roads, storage, production and processing facilities and pipelines.
- e. The following standards apply to the installation and use of oil and gas pipelines:
 - 1. Pipelines shall be used to transport petroleum products offsite to promote traffic safety and air quality. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
 - (a) Where pipeline connections are not available or feasible, oil products may be removed by truck. All tanker trucking shall be limited to Monday through Saturday, between the hours of 7:30 a.m. and 6:30 p.m. of the same day. Except under emergency circumstances, as determined by the Planning Director, no more than two (2) equivalent round-trip tanker truck trips per day shall be permitted to haul oil and waste products generated from an area under an oil permit through residential streets unless the Planning Director authorizes additional trips.
 - 2. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic reasons not to do so. Installation of pipelines and utility lines (as applicable) shall be within the road prism of project access roads, to the extent practicable, to prevent additional loss of habitat.
 - 3. When feasible, pipelines shall be routed to avoid important coastal resource areas, such as recreation, sensitive habitats and archaeological areas, as well as geological hazard areas. Unavoidable routing through recreation, habitat, or archaeological areas, or other areas of a significant coastal resource value, shall be done in a manner that minimizes the impacts of potential spills by considering spill volumes, duration, and projected paths. New pipeline segments shall be equipped with automatic shutoff valves, or suitable alternatives approved by the Planning Director, so that each segment will be isolated in the event of a break.
 - 4. Upon completion of pipeline construction, the site shall be restored to the approximate previous grade and condition. All sites previously covered with native vegetation shall be re-

seeded with the same, or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established, and to promote visual and environmental quality.

5. All offshore to onshore pipelines shall, where feasible, be located at existing pipeline landfall sites, and shall be buried from a point where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "environmentally sensitive habitat area."
 6. Except for pipelines exempted from permit requirements under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive guidelines, a survey by a qualified expert in biological resources shall be conducted along the route of any pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of a pipeline and to recommend any feasible mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an EIR or Mitigated Negative Declaration is required for a particular project; or otherwise conducted prior to the issuance of any permit pursuant to this Chapter. The recommended mitigation measures shall be incorporated as part of the permit.
 7. Prior to issuance of any permit pursuant to this Chapter, a geologic investigation shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. The recommended measures shall be incorporated as conditions of the permit.
- f. Cuts or fills associated with access roads and drill sites shall be kept to a minimum to avoid erosion and visual impacts. They shall be located in inconspicuous areas, and generally not exceed 10 vertical feet. Cuts and fills shall be restored to their original grade once the use has been discontinued.
 - g. Gas from wells shall be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources. Oil shall also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality.
 - h. Wells shall be located a minimum of 800 feet from occupied sensitive uses. Private access roads to drill sites shall be located a minimum of

300 feet from occupied sensitive uses, unless this requirement is waived by the occupant.

- i. Oversized vehicles shall be preceded by lead vehicles, where necessary for traffic safety.
- j. In the design and operation of new or modified oil and gas production facilities, best accepted practices in drilling and production methods shall be utilized, to eliminate or minimize to the maximum extent feasible any adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the exploration and production of oil and gas.
- k. Any production shipping tanks(s) installed on the subject permit site shall have a collective rated capacity only as large as necessary to service any particular drill pad(s).
- l. All proposed energy and industrial facilities shall be so sited and designed in compliance with CEQA requirements to eliminate or reduce, to the maximum extent feasible; impacts to biological, geological, archaeological, paleontological, agricultural, visual, recreational; air and water quality resources, and any other resources that may be identified.
- m. In sensitive resource areas, the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited, and staked work corridors and storage areas.

Article 5, Section 8175-5.7.8 – Oil Development and Operational Standards, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.7.8 – Oil Development and Operational Standards

The following are minimum standards and requirements, which shall be applied pursuant to Sec. 8175-5.7.2. More restrictive requirements may be imposed on a project through the conditions of the permit.

- a. Setbacks - Wells shall be located a minimum of 800 feet from an occupied sensitive use. Private access roads to drill sites shall be located a minimum of 300 feet from occupied sensitive uses, unless a waiver is signed pursuant to Sec. 8175-5.7.8.x. In addition, no well shall be drilled and no equipment or facilities shall be permanently located within:
 - (1) 100 feet of any dedicated public street, highway or nearest rail of a railway being used as such, unless the new well is located on an existing drill site and the new well would not present a safety or right-of-way problem. If aesthetics is a problem, then the permit must be conditioned to mitigate the problem.
 - (2) 500 feet of any building or dwelling not necessary to the operation of the well, unless a waiver is signed pursuant to Sec. 8175-5.7.8.x, allowing the setback to be reduced. In no case shall the well be located less than 100 feet from said structures.

- (3) 800 feet of any institution, school or other building used as a place of public assemblage, unless a waiver is signed pursuant to Sec. 8175-5.7.8.x, allowing the setback to be reduced. In no case shall the well be located less than 300 feet from said structures.
 - (4) 300 feet from the edge of the existing banks of "Red Line" channels as established by the Ventura County Flood Control District (VCFCD) and 100 feet from the existing banks of all other channels appearing on the most current United States Geological Service (USGS) 2,000' scale topographic map as a blue line. These setbacks shall prevail unless the permittee can demonstrate to the satisfaction of the Public Works Agency that the subject use can be safely located nearer the stream or channel in question without posing an undue risk of water pollution, damage to wildlife and habitat, or impairment of flood control interests. In no case shall setbacks from streams or channels be less than 50 feet. All drill sites located within the 100-year flood plain shall be protected from flooding in accordance with Flood Control District requirements.
 - (5) The applicable setbacks for accessory structures for the zone in which the use is located.
 - (6) 100 feet from any marsh, small wash, intermittent lake, intermittent stream, spring or perennial stream appearing on the most current USGS 2,000' scale topographic map, unless a qualified biologist, approved by the County, determines that there are no significant biological resources present or that this standard setback should be adjusted.
- b. Obstruction of Drainage Courses - Drill sites and access roads shall not obstruct natural drainage courses. Diverting or channeling such drainage courses may be permitted only with the authorization of the Public Works Agency.
 - c. Removal of Equipment - All equipment used for drilling, redrilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work unless a time extension is approved by the Planning Director.
 - d. Waste Handling and Containment of Contaminants - Oil, produced water, drilling fluids, cuttings, and other contaminants associated with the drilling, production, storage, and transport of oil shall be contained on the site unless properly transported off-site or injected into a well, treated or re-used in an approved manner on-site or, if allowed, off-site. Appropriate permits, permit modifications or approvals must be secured when necessary, prior to treatment or re-use of oil field waste materials. The permittee shall furnish the Planning Director with a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching surface or subsurface waters. The plan shall be consistent with the requirements of the County, State and Federal Government.

- e. Securities - Prior to the commencement or continuance of drilling or other uses on an existing permit, the permittee shall file, in a form acceptable to the County Counsel and certified by the County Clerk, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. Any operator may, in lieu of filing such a security for each well drilled, redrilled, produced or maintained, file a security in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, a political subdivision of the State of California, conditioned upon the permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. In cases of any failure by the permittee to perform or comply with any term or provision thereof, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, or for expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of said permit or of any applicable ordinance or of this security. No security shall be exonerated until after all of the applicable conditions of the permit have been met.
- f. Dust Prevention and Road Maintenance - The drill site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as necessary to prevent the emanation of dust. Access roads shall be designed and maintained so as to minimize erosion, prevent the deterioration of vegetation and crops, and ensure adequate levels of safety. The permittee shall treat unpaved access roads by either oiling and chipping, or use of an APCD-approved chemical dust palliative (such as Dust-Off - $MgCl_2$) or use of other APCD-approved mechanisms.
- g. Light Emanation - Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain normal nighttime light levels in the area, but not inhibit adequate and safe working light levels. The location of all flood lights and an outline of the illuminated area shall be shown on the landscape plan, if required, or on the requisite plot plan.
- h. Reporting of Accidents - The permittee shall immediately notify the Planning Director, the Fire Department and all other applicable agencies in the event of fires, spills, or hazardous conditions not incidental to the normal operations at the permit site. Upon request of any County Agency, the permittee shall provide a written report of any incident within seven calendar days that shall include, but not be limited to, a description of the facts of the incident, the corrective measures used and the steps taken to prevent recurrence of the incident.
- i. Painting - Drill sites and production facilities shall be located so that they are not readily seen. All permanent facilities, structures, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said

colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the Planning Director prior to the painting of facilities.

- j. Site Maintenance - The permit area shall be maintained in a neat and orderly manner so as not to create any hazardous or unsightly conditions such as debris, pools of oil, water, or other liquids, weeds, brush, and trash. Equipment and materials used for the operation and maintenance of the oil well located at the site may be stored on site. If the well has been suspended, idled or shut-in for 30 days, as determined by the Division of Oil and Gas, all such equipment and materials shall be removed within 90 days.
- k. Site Restoration - Within 90 days of revocation, expiration, surrender of any permit, or abandonment of the use, the permittee shall restore and revegetate the premises to as nearly its original condition as is practicable, unless otherwise requested by the landowner.
- l. Insurance - The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons and \$2,000,000 for property damage. This requirement does not preclude the permittee from being self-insured.
- m. Noise Standard - Unless herein exempted, drilling, production, and maintenance operations associated with an approved oil permit shall not produce noise, measured at a point outside of occupied sensitive uses such as residences, schools, health care facilities, or places of public assembly, that exceeds the following standard or any other more restrictive standard that may be established as a condition of a specific permit. Noise from the subject project shall be considered in excess of the standard when the average sound level, measured over one hour, is greater than the standard that follows. The determination of whether a violation has occurred shall be made in accordance with the provisions of the permit in question.

Nomenclature and noise level descriptor definitions are in accordance with the Ventura County General Plan Goals, Policies and Programs and the Ventura County General Plan Hazards Appendix. Measurement procedures shall be in accordance with the Ventura County General Plan Goals, Policies and Programs, and General Plan Hazards Appendix.

The maximum allowable average sound level is as follows:

Average Noise Levels (LEQ)

Time Period	Drilling and Production	
	Maintenance Phase	Phase
Day (6:00 a.m. to 7:00 p.m.)	55 dBA	45 dBA
Evening (7:00 p.m. to 10:00 p.m.)	50 dBA	40 dBA
Night (10:00 p.m. to 6:00 a.m.)	45 dBA	40 dBA

For purposes of this section, a well is in the "producing phase" when hydrocarbons are being extracted or when the well is idled and not undergoing maintenance. It is presumed that a well is in the "drilling and maintenance phase" when not in the "producing phase."

- n. Exceptions to Noise Standards - The noise standards established pursuant to Sec. 8175-5.7.8.m shall not be exceeded unless covered under any of the following provisions:

- (1) Where the ambient noise levels (excluding the subject facility) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dB(A).
- (2) Where the owners/occupants of sensitive uses have signed a waiver pursuant to Sec. 8175-5.7.8.x indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.

- o. Compliance with Noise Standard - When a permittee has been notified by the Planning Division that his operation is in violation of the applicable noise standard, the permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:

- (1) hammering on pipe;
- (2) racking or making-up of pipe;
- (3) acceleration and deceleration of engines or motors;
- (4) drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by use of a slower rotational speed;
- (5) picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.

If the noise problem has not been corrected by 7:00 p.m. of the following day, the offending operations, except for those deemed necessary for safety reasons by the Planning Director upon the advice of the DOGGR, shall be suspended until the problem is corrected.

- p. Preventive Noise Insulation - If drilling, redrilling, or maintenance operations, such as pulling pipe or pumps, are located within 1,600 feet of an occupied sensitive use, the work platform, engine base and draw works, crown block, power sources, pipe rack, and other probable noise sources associated with a drilling or maintenance operation shall be enclosed with soundproofing sufficient to ensure that expected noise levels do not exceed the noise limits applicable to the permit. Such soundproofing shall be installed prior to the commencement of drilling or maintenance activities, and shall include any or all of the following: acoustical blanket, coverings, soundwalls, or other soundproofing

materials or methods that ensure that operations meet the applicable noise standard. The requirements may be waived by the Planning Commission if the permittee can demonstrate that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to 8175-5.7.8.x.

- q. Waiver of Preventative Noise Insulation – The applicant may have a noise study prepared by a qualified acoustical consultant, approved by the County. If the findings of the study conclude that the proposed project will meet the County Noise standards contained in Section 8175-5.7.8.m and do not constitute a nuisance, then the soundproofing requirement may be waived. If the findings show a noise level will be generated above and beyond the County standards, then soundproofing must be installed sufficient to meet the applicable noise standard. Where a waiver pursuant to Sec. 8175-5.7.8.x is signed, no preventative noise insulation will be required.
- r. Soundproofing Material - All acoustical blankets or panels used for required soundproofing shall be of fireproof materials and shall comply with California Industrial Safety Standards and shall be approved by the Ventura County Fire Protection District prior to installation.
- s. Hours of Well Maintenance - All non-emergency maintenance of a well, such as the pulling of pipe and replacement of pumps, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. of the same day if the well site is located within 3,000 feet of an occupied residence. This requirement may be waived by the Planning Director if the permittee can demonstrate that the applicable noise standards can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.8.x.
- t. Limited Drilling Hours - All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur less than 800 feet from an occupied sensitive use. Night time drilling shall be permitted if it can be demonstrated to the satisfaction of the Planning Director that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.8.x.
- u. Signs – In addition to the signage otherwise allowed by Sec. 8175-5.13, only signs required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and Federal laws may be placed in areas subject to an oil and gas Conditional Use Permit. Identification signs shall be a maximum four square feet in size and shall contain, at minimum, the following information:
 - 1. DOGGR well name and number.
 - 2. Name of owner/operator.
 - 3. Name of lease and name and/or number of the well.
 - 4. Name and telephone number of person(s) on 24-hour emergency call.

The well identification sign(s) shall be maintained at the well site from the time drilling operations commence until the well is abandoned.

- v. Fencing – All active well sites (except submersible pumps), sumps and/or drainage basins or any machinery in use or intended to be used at the well site or other associated facilities shall be securely fenced, if required, based on the Planning Director's determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. A single adequate fence that is compatible with surrounding area, may be used to enclose more than one oil well or well site and appurtenances. Location of fences shall be shown on a submitted plot plan and/or landscape plan, if required. Fences must meet all DOGGR regulations.
- w. Screening and Landscaping - All oil and gas production areas shall be landscaped so as to screen production equipment in a manner consistent with the natural character of the area, if required, based on the Planning Director's determination that landscaping is necessary. Required landscaping shall be implemented in accordance with a landscape and irrigation plan to be approved by the Planning Director or his/her designee after consultation with the property owner. The landscape plan shall be consistent with Ventura County Guide to Landscape Plans, or Coastal Area Plan policies, whichever are more restrictive, provided that no landscape plan shall be approved that does not comply with the Coastal Area Plan policies. This landscape plan shall include, but not be limited to, measures for adequate screening of producing wells and permanent equipment from view of public roads or dwellings, revegetation of all cut and fill banks, and the restoration of disturbed areas of the site not directly related to oil and gas production. Low water usage landscaping and use of native plants shall be encouraged.
 - 1. Landscaping and Above Ground Pipelines. Consideration shall also be given to above ground pipelines that are part of the project. Landscape maintenance shall be subject to periodic inspection by the County. The permittee shall be required to remedy any defects in landscape maintenance within 30 days of notification by the County.
 - 2. Landscaping and Well Drill Pads
 - a. If wells are brought into production, the site shall be landscaped so as to screen production equipment from view from neighboring residences in a manner consistent with the natural character of the area.
 - b. The landscaping associated with the wells shall also be intended to provide screening from glare that may result from on-site facilities (e.g., tanks, buildings, other).
 - c. The permittee shall not install production equipment until the Planning Director has approved the landscaping plan and a Zoning Clearance has been issued.
 - d. At the expense of the permittee, the County, or a County approved landscape architect, shall determine whether the visual impacts of the production facilities have been screened from view. The timing and schedule for subsequent review shall be determined prior to the issuance of a Zoning Clearance for the production

facilities.

- x. Waivers - Where provisions exist for the waiver of an ordinance requirement, the waiver must be signed by the owner and all adult occupants of a dwelling, or in the case of other sensitive uses, by the owner of the use in question. Once a waiver is granted, the permittee is exempt from affected ordinance requirements for the life of the waiver. Unless otherwise stated by the signatory, a waiver signed pursuant to Sec. 8175-5.7.7.n.(2) shall also be considered a waiver applicable to Sections 8175-5.7.7.p. and 8175-5.7.7.s. and t.
- y. Application of Sensitive Use Related Standards - The imposition of regulations on petroleum operations that are based on distances from occupied sensitive uses shall only apply to those occupied sensitive uses that were in existence at the time the permit for the subject oil operations was approved.
- z. Inspection, Enforcement and Compatibility Review - To ensure that adequate funds are available for the legitimate and anticipated costs incurred for monitoring and enforcement activities associated with new or modified oil and gas related Conditional Use Permits, the permittee shall deposit with the County funds, determined on a case by case basis, prior to the issuance of a Zoning Clearance. The funds shall also cover the costs for any other necessary inspections or the resolution of confirmed violations that may occur. One deposit may be made to cover all of the permittee's various permits. In addition, all new or modified Conditional Use Permits for oil and gas related uses shall, at the discretion of the Planning Director, be conditioned to require a compatibility review on a periodic basis. The purpose of the review is to determine whether the permit, as conditioned, has remained consistent with its findings for approval and if there are grounds for proceeding with public hearings concerning modification, suspension, or revocation of the permit.

Article 5, Section 8175-5.9(c), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- c. Electrical transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations that are on or near sensitive habitats, or recreational or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be repaired and the affected areas revegetated with plants similar to those in the area to the extent that safety and economic considerations allow.

Article 5, Section 8175-5.10.2(g), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- g. All setback areas from streets and other areas in an RV park not used for driveways, parking, buildings or service areas shall be landscaped.

Article 5, Section 8175-5.10.2(i), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- i. Where needed to enhance aesthetics or to ensure public safety, a fence, wall, landscaping screening, earth mounds or other means approved by

the Planning Director that will complement the landscape and assure compatibility with the surrounding environment shall enclose the park.

Article 5, Section 8175-5.10.3(j), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- j. Each site plan should also incorporate a recreational or utility building, laundry facilities and an entrance sign made from natural materials that blend with the landscape.

Article 5, Section 8175-5.10.4(e), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- e. Off-road motor vehicle uses that might cause damage to vegetation or soil stability are not permitted.

Article 5, Section 8175-5.12.1(b), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- b. All shoreline protective structures that alter natural shoreline processes must be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

Article 5, Section 8175-5.12.2, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.12.2

Prior to the construction of any shoreline protective device, the County may require the preparation of an engineering geology report at the applicant's expense. Such report shall include feasible mitigation measures that will be used, the following applicable information to satisfy the standards of Sec. 8178-4.1, as well as other provisions of the ordinance and Land Use Plan policies:

- a. Description of the geology of the bluff or beach, and its susceptibility to wave attack and erosion.
- b. Description of the recommended device(s), along with the design wave analysis.
- c. Description of the anticipated wave attack and potential scouring in front of the structure.
- d. Depth to bedrock for vertical seawall.
- e. Hydrology of parcel, such as daylighting springs and effects of subsurface drainage on bluff erosion rates, as it relates to stability of the protective device.
- f. Plan view maps and profiles of device(s), including detailed cross-section through the structure.
- g. Type of keyway, location of tie backs or anchor devices, and depth of anchor devices.
- h. Bedrock analysis.
- i. Accessway for construction equipment.
- j. Use and type of filter fabric.

- k. Projected effect on adjacent properties.
- l. Recommendations on maintenance of the device.
- m. Use of wave deflection caps.

Article 5, Section 8175-5.14 – Temporary Building During Construction, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.14 - Temporary Building During Construction

A mobilehome, recreational vehicle or commercial coach may be used as a temporary dwelling unit or office on a construction site in accordance with Sec. 8174-5, provided that a building permit for such construction is in full force and effect on the same site. Said mobilehome or recreational vehicle shall be connected to a permanent water supply and sewage disposal system approved by the Ventura County Environmental Health Division, and shall be removed from the site within 45 days after a clearance for occupancy is issued by the Ventura County Division of Building and Safety.

Sec. 8175-5.14.1 - Temporary Dwellings During Reconstruction

A mobilehome, manufactured building or self contained travel trailer may be used as a temporary dwelling unit by the former resident(s) of dwellings involuntarily damaged or destroyed by natural disaster, as determined by the Planning Director, subject to the following provisions:

- a. The temporary dwelling is on the same lot on which the reconstruction is occurring and the lot is legal.
- b. The dwellings(s) to be reconstructed were legally established and inhabited at the time they were damaged or destroyed.
- c. The temporary dwelling is deemed habitable by the Building Official following the issuance of a Zoning Clearance by the Planning Division and the issuance of a Building Permit for the temporary dwelling by the Building and Safety Division.
- d. The temporary dwelling may remain on the site for six months, and the Planning Director may grant one additional six month extension if substantial progress toward reconstruction has occurred and a "temporary building during construction" cannot be authorized.
- e. The granting of a temporary dwelling does not serve to legalize an illegal lot, authorize subsequent permanent dwellings or supersede the permit process for permanent structures.
- f. The temporary dwelling shall be replaced as soon as practical by a "temporary building during construction", but no later than 45 days after the authorization of such a building during construction.
- g. Unless otherwise authorized by the Zoning Ordinance, the temporary building during reconstruction shall be removed within 45 days of the occupancy of the permanent dwelling undergoing reconstruction.

Article 5, Section 8175-5.15 – Caretaker Recreational Vehicle, Accessory, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.15 - Caretaker Recreational Vehicle, Accessory

In a park or recreation area owned or operated by the County of Ventura, the owner(s) of a recreational vehicle that is licensed and equipped for highway

travel may reside in the recreational vehicle for up to six months in any twelve-month period, in accordance with an approved Park Host program. Sewage disposal shall be provided by means of a system approved by the Environmental Health Division.

Article 5, Section 8175-5.17.11, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8175-5.17.11

The Ventura County Resource Conservation District and the State Department of Fish and Game shall be consulted for grading of hillsides and brush clearance in excess of one-half acre. In all cases, best accepted management practices shall be used.

Article 6, Section 8176-3.2(j), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- j. Where a nonresidential parking lot abuts R-zoned property, it shall be separated therefrom by a solid wall, fence or evergreen hedge six feet in height, provided said wall, fence or hedge from the street property line to a depth equal to the required front setback on the abutting R-zoned property shall be three feet in height. Where such parking lot is across the street from R-zoned property, it may be required to be separated therefrom by an opaque ornamental fence, wall, landscaped earth mound or compact eugenia or other evergreen hedge having a height of not less than three feet, and shall be maintained in good condition. Where the ground level adjoining the street is below street grade, the wall height may be reduced by the difference in levels.

Article 6, Section 8176-3.3 – Drive-In and Drive-Through Facilities, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8176-3.3 - Drive-In and Drive-Through Facilities

This section establishes supplementary standards for retail trade or service uses that conduct business while customers remain in their vehicles. Such uses may include drive-through facilities that are accessory to a principal building where business is conducted indoors, or that conduct all business by means of drive-through facilities. Such uses may include but are not limited to drive-in restaurants, fast food establishments with drive-through take-out windows, photofinishing services and bank services. These standards are not applicable to drive-in theaters or automobile service stations. Sites with drive-through facilities are to be provided internal circulation and traffic control devices as follows:

Sec. 8176-3.3.1 - Stacking Areas

An area that is physically separated from other traffic circulation on the site shall be provided for cars waiting for drive-through service. The stacking area for each drive-through window or station shall be at least 100 feet long, as measured from such window or station along the centerline of the stacking lane. Separation of the stacking area from other traffic shall be concrete or asphalt curbing on at least one side of the lane.

Sec. 8176-3.3.2 - Lane Separation

An on-site circulation pattern shall be provided for drive-through traffic that separates such traffic from that of parking customers. Separation should be

by paint-striped lanes from the point of site access to the stacking area. Such lanes shall be at least ten feet wide.

Sec. 8176-3.3.3 - Directional Signs

Signs are to be provided that indicate the entrance, exit and one-way path of drive-through lanes.

Article 6, Section 8176-3.4 – Private Streets, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8176-3.4 - Private Streets

Internal streets and accessways that are not part of the public right-of-way are private streets and shall be designed on the basis of the following minimum standards:

- a. Outside turning radius: 24 feet
- b. Parking space size: 9 feet by 20 feet
- c. Parallel parking space: 8½ feet by 24 feet
- d. A 36-foot width may be required when any street serves as the principal means of vehicular access to the buildings within a development.
- e. Cul-de-sac streets shall not be more than 800 feet in length.
- f. Lighting may be required along the internal roadways for the safety of pedestrians.

Article 6, Section 8176-3.5 – Off-Street Loading and Unloading Spaces, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8176-3.5 - Off-Street Loading and Unloading Spaces

Every use hereafter inaugurated that requires the receipt or distribution by vehicles of materials and/or merchandise, and every such building or structure hereafter erected, shall have permanently maintained off-street loading and unloading spaces as deemed appropriate for that use by the Planning Director, subject to the following minimum standards:

- a. Each loading and unloading space shall be located off the streets.
- b. Each space shall be at least 12 feet wide, 50 feet deep and 14 feet high, and shall be conveniently located near the service entrance(s) to the building(s).
- c. Such space shall not be located in any part of any required side setback.
- d. Such space shall be so designed that it will not interfere with vehicular or pedestrian circulation.

Article 6, Section 8176-3.6 – Standards for Off-Site Parking Spaces, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8176-3.6 - Standards For Off-Site Parking Spaces

- a. RB Zoned Property - Required parking for existing dwellings may be satisfied in an off-site accessory garage subject to the issuance of a Planned Development Permit if all of the following requirements are met:
 - (1) The lot with the principal dwelling is either too small to construct 2 covered parking spaces without approval of a variance, or there is no

room on the lot for 2 covered spaces because of the location of the existing, legally constructed principal dwelling;

- (2) The neighboring lot is smaller than the minimum lot area required for the RB zone, is not served by a community sewer system, is located within 1,000 feet of the lot with the principal dwelling, and owned by the same person(s) as the lot with the principal dwelling;
 - (3) Both lots must be held as one for as long as the off-site garage is standing pursuant to a recorded agreement with the County;
 - (4) Only an accessory garage, a maximum 800 square feet in size, may be built. Carports, or other open-type structures are not allowed;
 - (5) The garage may not be leased or rented separately from the principal dwelling to any other person(s);
 - (6) The garage must be constructed to look like a dwelling to the extent feasible, all RB zone setbacks must be met, the maximum height to any point must be no greater than 15 feet, and a paved driveway must be provided;
 - (7) No services except electrical are permitted inside the building; and
 - (8) Landscaping may be required for compatibility with the neighborhood.
- b. CM Zoned Property - Off-street parking may be provided on a lot other than the subject property or an abutting lot if all of the following apply:
- (1) Such off-street parking is located within 500 feet of the property to be served;
 - (2) The amount of off-site parking satisfies not more than 50 percent of the parking requirements of the activity for which the parking is provided;
 - (3) The site of the parking lot is in the same ownership as the principal use, or is under a recorded lease with the use that provides that the parking will exist as long as the use it serves, unless the parking is replaced with other spaces that satisfy the requirements of this Article; and
 - (4) The parking lot is not located in a residential zone.

Article 6, Section 8176-4.2(a) – Minimum Site Coverage, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- a. Minimum Site Coverage - Landscape percentages shall be computed on the basis of the net project site area that includes the area of all structures, drives, walks, and parking on the site, but not areas dedicated for public right-of-way. The required percentages of landscaping relative to site area are as follows:
 - (1) Industrial: 5%
 - (2) Commercial: 10%
 - (3) Residential, Institutional, and Other (as specified by Permit)

Article 6, Section 8176-4.2(e) – Screening, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- e. Screening - Landscaping should be used to screen exterior storage areas, trash enclosures, parking areas, public utilities, and other similar land uses

or elements that do not contribute to the enhancement of the surrounding areas. Landscape screening shall be of a height and density so that it provides the desired effect within three years growing time.

- (1) Setbacks Adjacent to Streets - Landscape screens located within setback areas adjacent to streets shall have a maximum height of three feet.
- (2) Interior Setback - Landscape screens installed along interior lot line(s) shall have a maximum height of six feet.

Article 6, Section 8176-4.2(h)2 – Trees and Shrubs, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- (2) Trees and Shrubs - Manufactured slopes shall have a mixture of trees and shrubs incorporated with groundcover to assure soil stabilization and to promote varying height and mass of landscaping. However, sloped areas within privately-owned single lots that are less than eight feet in height are not required to be planted with shrubs, and less than five feet in height are not required to be planted with trees.

There shall be a minimum one tree for every 500 square feet of slope area. If permanent groundcover is applied as hydromulch, there shall be a minimum of one shrub for every 125 square feet of slope area. If rooted cuttings are utilized as groundcover, there shall be one shrub for every 300 square feet of slope area. There should be a mix of one gallon to 15 gallon trees and shrubs to promote varying height and mass of landscaping.

Article 6, Section 8176-4.2(h)5 – Plan Preparation, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- (5) Plan Preparation - For projects that require landscaping plans, said plans shall be prepared by a California registered landscape architect, unless waived by the Planning Director.

Article 7, Section 8177-1 – Standards for C-R-PD Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8177-1 – Standards for Coastal Residential Planned Development (CRPD) Zone

Sec. 8177-1.1 - Subzones and Density Standards

See Section 8171-9.2.

Sec. 8177-1.2 - General Standards

The following design criteria shall to developments in the CRPD Zone:

- a. In order to develop a CRPD project, there shall be single ownership or unified control of the site, or written consent or agreement of all owners of the subject property for inclusion therein.
- b. The parking and landscaping standards of Article 6 shall apply in the CRPD zone, with the additional provision that a minimum of one visitor parking space for each two dwelling units, either on- or off-street, is required.

- c. Buildings and circulation systems shall be designed so as to be integrated with the natural topography where feasible, and to encourage the preservation of trees and other natural features.
- d. Mechanical heating and cooling equipment shall be screened from public view.
- e. Lighting may be required along internal roadways for the safety of pedestrians.

Sec. 8177-1.3 - Setback Regulations

The following regulations, in addition to the standards and exceptions set forth in Article 5, shall apply to the CRPD zone:

- a. Minimum setback from any public street: ten feet.
- b. Minimum setback from a rear lot line: ten feet.
- c. Minimum distance between structures that are separated by a side lot line and do not share a common wall: six feet.
- d. Sum of side setback distances on any lot: minimum six feet.
- e. Entrances to garages and carports shall be set back a minimum of 20 feet from any public street from which they take direct access in order to prevent vehicle overhang onto sidewalks.
- f. Detached accessory garages and carports may be constructed alongside and rear property lines on commonly-owned land, provided that required setbacks from public streets are maintained.
- g. Structural additions not shown on the originally approved site plan may extend up to 15 feet into common areas, provided that the other setback regulations of this section are adhered to.
- h. In the case of CRPD subdivisions involving townhouse developments, the setback distances shall be measured from the exterior property lines surrounding the project.

Sec. 8177-1.4 - Circulation

Circulation shall be designed as follows, where feasible:

- a. To minimize street and utility networks;
- b. To provide a pedestrian walking and bicycle path system throughout the common areas, which system should interconnect with circulation systems surrounding the development;
- c. To discourage through-traffic in neighborhoods by keeping intersections to a minimum and by the creation of discontinuities such as curvilinear streets, cul-de-sacs and the like; and
- d. To facilitate solar access by orienting neighborhood streets along an east/west axis, except where this is precluded by the natural topography and drainage patterns.

Sec. 8177-1.5 - Open Space Requirements

Open space shall be provided for the benefit and recreational use of the residents of each development as follows:

- a. In single-family projects where each dwelling has its own lot, at least 20 percent of the net area of the site shall be private or common open space, or a combination thereof. All open setback areas around dwellings, except for side setbacks, shall be counted toward the 20 percent requirement.
- b. In all other residential projects, at least 20 percent of the net area shall be preserved as common open space.
- c. Common open space shall be suitably improved for its intended purpose and generally accessible to all residential areas of the development.
- d. Among the land uses considered as common open space for the purposes of this section are parks, recreational facilities, greenbelts at least ten feet wide, bikeways and pedestrian paths.
- e. At least 50 percent of the area designated as common open space shall be comprised of land with slopes of ten percent or less.
- f. Seventy-five percent of the area of golf courses, lakes and reservoirs may be used in computing common open space.
- g. The following areas may not be used to fulfill the open space requirement:
 - (1) Streets and street rights-of-way;
 - (2) Paved parking areas and driveways;
 - (3) Improved drainage facilities with restricted recreational use.
- h. Appropriate arrangements shall be made, such as the establishment of an association or nonprofit corporation of all property owners within the project area, to ensure maintenance of all common open space.
- i. The minimum open space standards above may be modified by the decision-making authority if alternative amenities of comparable value are provided.

Article 7, Section 8177-2 – Standards for Coastal Commercial (C-C) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8177-2 – Standards for Coastal Commercial (CC) Zone

Sec. 8177-2.1 - Lighting

There shall be no illumination or glare from commercial sites onto adjacent properties or streets that may be considered either objectionable by adjacent residents or hazardous to motorists. Flashing lights are prohibited.

Sec. 8177-2.2 - Undergrounding of Utilities

All utility lines shall be placed underground by the developer. This requirement may be waived by the decision-making authority where it would cause undue hardship or constitute an unreasonable requirement, provided such waiver is not in conflict with California Public Utilities Commission regulations. Appurtenant structures and equipment such as surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets may be placed aboveground.

Sec. 8177-2.3 - Enclosed Building Requirement

All uses shall be conducted within a completely enclosed building unless the use is listed in Article 4 as an outdoor use, or one that must be outdoors in order to function.

Sec. 8177-2.4 - Building Coverage

No more than 40 percent of the area of any lot in the CC zone shall be covered with buildings.

Sec. 8177-2.5 - Construction Materials

Principal buildings constructed of metal are not permitted. Accessory buildings constructed of metal shall have exterior surfaces of a stainless steel, aluminum, painted or similar finish.

Article 7, Section 8177-3 – Standards for Coastal Industrial (C-M) Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8177-3 – Standards for Coastal Industrial (CM) Zone

Sec. 8177-3.1 - Use of Required Setback Areas

Setback areas may be used for driveways, walkways, landscaping and appurtenant fixtures, and similar uses. Off-street parking may also be located in required setback areas provided it is located at least ten feet from a street property line and separated by the street by appropriate walks, fencing, or landscaping.

Sec. 8177-3.2 - Undergrounding of Utilities

All utility lines shall be placed underground by the developer. This requirement may be waived by the decision-making authority where it would cause undue hardship or constitute an unreasonable requirement, provided such waiver is not in conflict with California Utilities Commission regulations. Appurtenant structures and equipment such as surface-mounted transformers, pedestal-mounted terminal boxes, and meter cabinets may be placed aboveground.

Sec. 8177-3.3 - Private Streets

Private streets may be built as part of an industrial development, in accordance with the private street policy adopted by the Board of Supervisors on May 6, 1966, and as may be amended.

Sec. 8177-3.4 – Exterior Storage

All areas used for exterior storage shall be fenced for security and public safety. All materials stored shall be accessory to the principal use conducted on the property.

Sec. 8177-3.5 - Construction Materials

All metal buildings shall be faced along any street side with masonry, stone, concrete, wood, or similar material. Such facing treatment shall extend along the interior side setbacks of such building a distance of at least ten feet. The metal portion of the principal building and all metal accessory buildings shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similar finished surface.

Sec. 8177-3.6 - Performance Standards

The following standards constitute the minimum permitted levels of operational characteristics for uses allowed in the CM zone. The point of measurement shall be at the lot or ownership line surrounding the use.

Sec. 8177-3.6.1 - Noise, Smoke, Dust, Odors, Etc.

Such forms of pollution shall be limited to levels determined to be appropriate for the area, and shall not be objectionable to surrounding properties.

Sec. 8177-3.6.2 - Hazards

Land or buildings shall not be used or occupied in any manner as to create any dangerous, noxious, injurious or otherwise objectionable fire, explosive or other hazard. All activities involving the use or storage of combustible or explosive materials shall comply with nationally recognized safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment in compliance with Ventura County Fire Prevention Regulations.

Sec. 8177-3.6.3 - Liquid and Solid Wastes

Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or ground water supply, or interfere with bacterial processes in sewage treatment. The disposal of solid wastes shall not be permitted on the premises.

Sec. 8177-3.6.4 - Exceptions

Exceptions to these regulations may be made during brief periods for reasonable cause, such as breakdown or overhaul of equipment, modification or cleaning of equipment, or other similar reason, when it is evident that such cause was not reasonably preventable. These regulations shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

Sec. 8177-3.7 - Compliance

The Planning Director is authorized to require that substantial compliance be carried out for any use of land subject to the performance standards of these regulations.

Sec. 8177-3.7.1 - Required Data

The Director may require the owner or operator of a use to submit such data and information needed to make an objective determination of compliance or noncompliance with the standards of this Article. The data may include the following:

- a. A description of any machinery, process, and products;
- b. Measurements of the amount or rate of emission of any possibly objectionable elements;
- c. Methods or techniques that could be used in restricting the emission or generation of such elements.

Sec. 8177-3.7.2 - Failure to Submit Data

Failure to submit data required by the Planning Director within a reasonable amount of time shall constitute grounds for ceasing the processing of any permit request, or for revoking any previously issued entitlements, and requiring a cessation of operations until the violation is remedied.

Sec. 8177-3.7.3 - Report by Expert Consultants

During the course of an investigation, the Planning Director may require the owner or operator of the use in violation to direct an expert consultant or consultants to advise how the use in violation can be brought into compliance with the performance standards. Such consultant(s) shall be fully qualified to give the required information and shall be a person or firm mutually agreeable to the Planning Director and to the owner or operator of the use in question. The cost of the consultant's services shall be borne by the owner or operator of said use.

Sec. 8177-3.7.4 - Decision on Compliance

The Planning Director shall report in writing within a reasonable amount of time to the owner or operator of the use in violation concerning compliance with the performance standards. The Planning Director may require modifications or alterations in the construction or operational procedures to ensure that compliance with the performance standard is maintained. The owner or operator shall be given a reasonable length of time to effect any changes prescribed by the Planning Director.

Sec. 8177-3.7.5 - Revocation of Approvals

If, after the conclusion of the time granted for compliance with the performance standards, the Planning Director finds the violation still in existence, revocation of the permit may proceed.

Sec. 8177-3.7.6 - Effect of Other Regulations

Any use or process subject to these regulations shall comply with all other authorized governmental standards or regulations that are in effect in Ventura County. More restrictive performance standards or regulations enacted by any authorized governmental agency having jurisdiction in Ventura County on such matters shall take precedence over these regulations.

Article 7, Section 8177-4 – Standards and Procedures for Santa Monica Mountains (M) Overlay Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8177-4 – Standards and Procedures for Santa Monica Mountains (M) Overlay Zone

The standards and procedures found in this Article shall apply to all property in the Santa Monica Mountains whose zoning district carries the (M) suffix [example: COS(M)]. All other pertinent standards in this Chapter shall also apply.

Sec. 8177-4.1 - Development Standards

The following additional resource protection standards shall apply to developments proposed in the Santa Monica Mountains overlay zone (M).

Sec. 8177-4.1.1

New development, including all private and public recreational uses, shall preserve all unique vegetation such as Coreopsis gigantea (giant coreopsis) and Dudleya cymosa ssp. Marcescens (marcescent dudleya).

Sec. 8177-4.1.2

All new upland development shall be sited and designed to avoid adverse impacts on environmentally sensitive habitat areas.

- a. In cases where environmentally sensitive habitat areas are located on a project site where the impacts of development are mitigated consistent

with the LCP Land Use Plan, the County shall assure that all habitat areas are permanently maintained in open space through a recorded easement or deed restriction.

- b. When such impacts of development would be unavoidable, the County shall ascertain within the specified project review period whether any public agency or nonprofit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State Department of Parks and Recreation, County Property Administration Agency, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property that would be affected by the proposed development and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit is denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reasons.

Sec. 8177-4.1.3

Construction and/or improvements of driveways or accessways that would increase access to any property shall be permitted only when it has been determined that environmental resources in the area will not be adversely impacted by the increased access. Grading cuts shall be minimized by combining the accessways of adjacent property owners to a single road where possible. The intent is to reduce the number of direct ingress-egress points from public roads and to reduce grading. At stream crossings, driveway access for nearby residences shall be combined. Hillside roads and driveways shall be as narrow as is feasible and shall follow natural contours.

Sec. 8177-4.1.4

All proposals for land divisions in the Santa Monica Mountains shall be evaluated to assure that any future development will be consistent with the development policies contained in the LCP Land Use Plan. Where potential development cannot occur consistent with the LCP, the request for division shall be denied. Environmental assessments shall accompany tentative map applications and shall evaluate the ecological resources within and adjacent to the site and the consistency of the proposed division and development with the standards of the LCP. In addition, the following shall apply:

- a. Future building envelopes shall be identified on all applications and on the final subdivision map.
- b. All identified environmentally sensitive habitat areas and/or slopes over 30 percent shall be permanently maintained in their natural state through an easement or deed restriction that shall be recorded on the final map, or on a grant deed as a deed restriction submitted with the final map. Development shall not be permitted in areas over 30 percent slope.
- c. All offers of dedication for trail easements shall be recorded on the final map. Trail easements established by deed restriction shall be recorded on the deed no later than final map recordation.

Sec. 8177-4.1.5

New development shall be sited and designed to protect public views to and from the shoreline and public recreational areas. Where feasible, development on sloped terrain shall be set below road grade.

Sec. 8177-4.1.6

Development shall not be sited on ridgelines or hilltops when alternative sites on the parcel are available, and shall not be sited on the crest of major ridgelines.

Sec. 8177-4.1.7

Except within the existing South Coast community, as shown on the south coast subarea Land Use Plan map, all development proposals located within 1000 feet of publicly owned park lands shall be sited and designed to mitigate potential adverse visual impacts upon park lands. Appropriate mitigation measures include additional landscaping, use of natural materials, low building profiles, earth tone colors, and the like. Development shall not be sited within 500 feet of a park boundary unless no alternative siting on the property is possible consistent with the policies of the Plan.

Sec. 8177-4.1.8

Development shall neither preclude continued use of, nor preempt, the option of establishing inland recreational trails along routes depicted on the LCP Land Use Plan maps. A recorded offer of dedication or a deed restriction creating a trail easement shall be required as a condition of approval on property crossed by trails shown on the LCP Land Use Plan maps.

Sec. 8177-4.1.9

All new trail corridors shall be a minimum of 25 feet in width, with a larger corridor width for major feeder trails. The routing of trails shall be flexible in order to maintain an adequate buffer from adjacent development. Where feasible, development shall be sited sufficiently distant from the trail so as not to interfere with the trail route.

Sec. 8177-4.1.10

Before a permit for development of any lot is approved, the suitability of that lot for public recreational use shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service. If the County determines that the property may be suitable for such use, the County shall ascertain whether any public agency or nonprofit organization (see Sec. 8177-4.1.2b for examples) is planning or contemplating acquisition of any part of the subject property, or whether such agencies are specifically authorized to acquire any portion of the property that would be affected by the proposed development, or whether funds for the acquisition are available or could reasonably be expected to be available within one year from the date of application for permit. If a permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reasons.

Sec. 8177-4.1.11

Any areas within the Santa Monica Mountains used for private recreational purposes shall continue to be so used unless it becomes unfeasible to do so. These properties are subject to the following:

- a. The only principal permitted uses (not appealable to the Coastal Commission) on such properties are recreational uses. Planned Development Permits for new recreational uses, or the expansion of existing recreational uses, may be issued by the Planning Director in accordance with Article 11. Permits for all other uses shall be decided upon in accordance with Articles 4 and 11, and all other applicable provisions of this Chapter and the certified LCP Land Use Plan.
- b. Prior to the granting of a permit that allows a conversion of recreational uses to non-recreation uses, Sec. 8177-4.1.10 shall be followed.

Article 8, Section 8178-2 – Environmentally Sensitive Habitats, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8178-2 – Environmentally Sensitive Habitat Areas (ESHA)

The provisions of this section apply to all areas of the County's Coastal Zone that fall within the definition of "environmentally sensitive habitat areas," or within the designated buffer areas around such habitats.

Sec. 8178-2.1 - Permitted Uses

See Sec. 8174-4 for uses permitted within environmentally sensitive habitat areas and buffer areas.

Sec. 8178-2.2 - Identification of Environmentally Sensitive Habitat Areas (ESHA)

If a new ESHA is identified by the County on a lot or lots during application review, the provisions of this Article shall apply. The County shall periodically review and update its maps pertaining to environmentally sensitive habitat areas in the coastal zone.

Sec. 8178-2.3 - Recreational Projects

The applicant of a proposed recreational facility in environmentally sensitive habitat areas or buffer areas shall develop a management program to control the kinds, intensities, and locations of uses to preserve habitat resources to the maximum extent feasible. This program shall be a part of development approval.

Sec. 8178-2.4 - Specific Standards

The following specific standards shall apply to the types of habitats listed.

- a. Coastal Dunes - Activities leading to degradation, erosion or destruction of coastal dunes are not permitted. This includes, but is not limited to, use by off-road vehicles, sand mining, filling, or dumping.
- b. Tidepools and Beaches
 - (1) Placement of any fill or dredged material along beach intertidal areas shall be carried out in consultation with the State Department of Fish and Game, in order to ensure that the timing and location of such activities does not disrupt the life cycles of intertidal or sandy beach species.
 - (2) An applicant for any coastal development, including shoreline protective devices, must show that the proposal will not cause long-term adverse impacts on beach or intertidal areas. Impacts include, but are not limited to, destruction of the rocky substrate, smothering

of organisms, contamination from improperly treated wastewater or oil, and runoff from streets and parking areas. Findings to be made shall include proper wastewater disposal.

c. Creek Corridors

- (1) All developments on land either in a stream or creek corridor or within 100 feet of such corridor (buffer area), shall be sited and designed to prevent impacts that would significantly degrade riparian habitats, and shall be compatible with the continuance of such habitats.
- (2) Substantial alterations (channelizations, dams, etc.) to river, stream, or creek corridors are limited to: water supply projects necessary to agricultural operations or to serve developments permitted by the LCP Land Use Plan designations; flood control projects where no other method for protecting existing structures in the flood plain is feasible, and where such protection is necessary for public safety or to protect existing development; or developments where the primary function is the improvement of fish and wildlife habitat.
- (3) Developments allowed per the above policies shall incorporate the best mitigation measures feasible.

d. Wetlands

- (1) All developments on land either in a designated wetland, or within 100 feet of such designation, shall be sited and designed to prevent impacts that would significantly degrade the viability of the wetland. The purposes of such projects shall be limited to those in Section 30233(a) of the Coastal Act.
- (2) Where any dike or fill development is permitted in wetlands, mitigation measures shall, at a minimum, include those listed in Section 30607.1 of the Coastal Act. Other reasonable measures shall also be required as determined by the County to carry out the provisions of Sections 30233(b and c) of the Coastal Act.
- (3) Habitat mitigation shall include, but not be limited to, timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of native vegetation, reclamation or enhancement as specified in the California Coastal Commission "Interpretive Guidelines for Wetlands" and a plan for spoils consistent with paragraph (4) below. The Department of Fish and Game, as well as other appropriate agencies, shall be consulted as to appropriate mitigation measures.
- (4) Dredge spoils should not be used for beach replenishment unless it can be shown that the process would not adversely impact coastal processes or habitats, such as intertidal reefs, grunion spawning grounds, or marsh. The California Department of Fish and Game, as well as other appropriate agencies, must be consulted when spoils deposition on a beach is under consideration.

Article 8, Section 8178-4.2, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8178-4.2

If the available data indicates that a new development as proposed will not assure stability and structural integrity and minimize risks to life and property in areas of potential hazards, or will create or contribute significantly to erosion or geologic instability, then the County shall require the preparation of an engineering geology report at the applicant's expense. Such report shall be in accordance with all applicable provisions of this ordinance and of the Coastal Area Plan policies, and shall include feasible mitigation measures that will be used in the proposed development, as well as the following applicable information to satisfy the standards of Sec. 8178-4.1:

- a. Blufftop and 20% or Greater Slope Development - For these areas, the County may require the following information:
 - (1) Cliff geometry and site topography, extending the surveying work beyond the site as needed to depict unusual geomorphic conditions that might affect the site;
 - (2) Historic, current and foreseeable cliff erosion data, including an investigation of recorded land surveys and tax assessment records in addition to the use of historic maps and photographs, where available, and possible changes in shore configuration and sand transport;
 - (3) Geologic conditions, including soils, sediment and rock types and characteristics, in addition to structural features, such as bedding, joints, and faults;
 - (4) Evidence of past or potential landslide conditions, the implications of such conditions for the proposed development, and the potential effects of the development on landslide activity;
 - (5) Impact of construction activity on the stability of the site and adjacent area;
 - (6) Ground and surface water conditions and variations, including hydrologic changes caused by the development (i.e., introduction of sewage effluent and irrigation water to the ground water system; alterations in surface drainage);
 - (7) Potential erodibility of site;
 - (8) Effects of marine erosion on seacliffs;
 - (9) Potential effects of seismic forces resulting from a maximum credible earthquake;
 - (10) Any other factors that might affect slope stability.
- b. Shoreline Protective Devices - See Sec. 8175-5.12.

Article 9 – Zoning Maps, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

ARTICLE 9: ZONING MAPS

Sec. 8179 et seq. consists of the Ventura County Coastal Zoning Maps, on file in the Office of the Clerk of the Board of Supervisors.

Article 11, Section 8181-2 – Legal Lot Requirement, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-2 – Legal Lot Requirement

No permit shall be issued for construction on a lot that is not a legal lot.

Article 11, Section 8181-3.1 – Zoning Clearances, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-3.1 – Zoning Clearances

Zoning Clearances certify that a proposed structure and/or use of land or buildings meets all the requirements of this Chapter, and, if applicable, the conditions of any previously issued permit. Issuance of a Zoning Clearance is a ministerial decision by the Planning Director that is not appealable to the Coastal Commission and is required for development exempt or excluded from the requirement to obtain a Coastal Development Permit.

a. Issuance - A Zoning Clearance is required prior to the initiation of uses of land or structures, including a change of use where a new use replaces an existing one, the construction of structures requiring building permits, and the commencement of any activity authorized by a permit or subdivision granted in accordance with Division 8, Chapters 1, 1.1 and 2 of the County Ordinance Code. A Zoning Clearance shall be issued upon the request of an applicant, provided that the proposed use or structure:

- (1) Is permissible under the present zoning on the land;
- (2) Is compatible with the purpose, intent, goals, policies, programs and land use designations specified in the General Plan;
- (3) Complies with the applicable terms and conditions of the required discretionary permit granting the use in question, and the decision granting said permit is considered "effective" pursuant to Sec. 8181-7.4;
- (4) Is not located on the same lot where a violation exists of any Ventura County Ordinance regulating land use, such as the Ventura County Building Code or any grading ordinance, or of the terms of an existing permit covering the lot, unless the Zoning Clearance is necessary to the abatement of the existing violation;
- (5) Is not being requested by or for a person who owes the County outstanding fees; and
- (6) Is consistent with the portions of the County Hazardous Waste Management Plan that identify specific sites or siting criteria for hazardous waste facilities.

b. Expiration - Zoning Clearances shall expire 180 days after issuance, unless otherwise indicated on the clearance or unless the use of land or structures or building construction has commenced and is being diligently pursued.

Article 11, Section 8181-3.2 – Planned Development Permit, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-3.2 - Planned Development Permit

A Planned Development Permit or modification thereto may be granted by the Planning Director, or by the Planning Commission upon deferral, as a discretionary decision. For a listing of those uses that require a Planned Development Permit, refer to Article 4.

Article 11, Section 8181-3.5(a), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- a. The proposed development is consistent with the intent and provisions of the County's Certified LCP;

Article 11, Section 8181-3.5.1 – Additional Findings for Hazardous Waste Facilities, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-3.5.1 - Additional Findings for Hazardous Waste Facilities

In addition to the provisions of Section 8181-3.5, for any proposed development of a hazardous waste facility, the following additional finding must be made, or be capable of being made, through conditions and limitations placed on the use:

- a. That the proposed hazardous waste facility is consistent with the portions of the County Hazardous Waste Management Plan that identify specific sites or siting criteria for hazardous waste facilities.

Article 11, Section 8181-3.5.2 – Additional Findings for Development in the Santa Monica Mountains Overlay Zone, of the Ventura County Ordinance Code is hereby added as follows:

Sec. 8181-3.5.2 – Additional Findings for Development in the Santa Monica Mountains Overlay Zone

In addition to the provisions of Section 8181-3.5, for any proposed development in the Santa Monica Mountains overlay zone the following additional findings must be made through conditions and limitations placed on the use:

- a. Private services for each individual development requiring potable water will be able to serve the development adequately over its normal lifespan.
- b. When a water well is necessary to serve the development, the applicant shall be required to do a test well and provide data relative to depth of water, geologic structure, production capacities, degree of drawdown, etc. The data produced from test wells shall be aggregated to identify cumulative impacts on riparian areas or other coastal resources. When sufficient cumulative data is available to make accurate findings, the County must find that there is no evidence that proposed wells will either individually or cumulatively cause significant adverse impacts on the above mentioned coastal resources.
- c. All need for sewage disposal over the life span of the development will be satisfied by existing sewer service to the immediate area or by location of septic facilities on-site consistent with other applicable provisions of the LCP.
- d. Development outside of the established "Community" area shall not directly or indirectly cause the extension of public services (roads, sewers, water etc.) into an open space area.

Article 11, Section 8181-3.6(a), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- a. The application request that was submitted was not in full, true and correct form; or

Article 11, Section 8181-3.7 – Emergency Coastal Development Permits, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-3.7 - Emergency Coastal Development Permits

In the event of an emergency, an application for an Emergency Coastal Development Permit ("emergency permit") shall be made to the Planning Director. The Planning Director may issue an emergency permit in accordance with Section 30624 of the Public Resource Code and the following:

- a. Applications in cases of emergencies shall be made to the Planning Director by letter or facsimile during business hours if time allows, and by telephone or in person if time does not allow.
- b. The information to be included in the application shall include the following:
 - (1) The nature of the emergency;
 - (2) The cause of the emergency, insofar as this can be established;
 - (3) The location of the emergency;
 - (4) The remedial, protective, or preventive work required to deal with the emergency; and
 - (5) The circumstances during the emergency that appeared to justify the course(s) of action taken, including the probable consequences of failing to take action.
- c. The Planning Director shall verify the facts, including the existence and nature of the emergency, insofar as time allows.
- d. Prior to the issuance of an emergency coastal development permit, when feasible, the Planning Director shall notify, and coordinate with, the South Central Coast District Office of the California Coastal Commission as to the nature of the emergency and the scope of the work to be performed. This notification shall be in person or by telephone.
- e. The Planning Director shall provide public notice of the proposed emergency action, with the extent and type of notice determined on the basis of the nature of the emergency itself. The Planning Director may grant an emergency permit upon reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, if the Planning Director finds that:
 - (1) An emergency exists and requires action more quickly than permitted by the procedures for administrative permits, or for ordinary permits administered pursuant to the provisions of Section 30600.5 of the Public Resources Code, and the development can and will be completed within 30 days unless otherwise specified by the terms of the permit;
 - (2) Public comment on the proposed emergency action has been reviewed if time allows; and

- (3) The work proposed would be consistent with the requirements of the County's certified LUP/CAP.
 - (4) The Planning Director shall not issue an emergency permit for any work that falls within the provisions of Section 30519(b) of the Public Resources Code.
- f. The emergency permit shall be a written document that includes the following information:
- (1) The date of issuance;
 - (2) An expiration date;
 - (3) The scope of the work to be performed;
 - (4) Terms and conditions of the permit;
 - (5) A provision stating that within 90 days of issuance of the emergency permit, a follow-up, regular coastal development permit application shall be submitted;
 - (6) A provision stating that any development or structures constructed pursuant to an emergency permit shall be considered temporary until authorized by a follow-up coastal development permit, and that the issuance of an emergency coastal development permit shall not constitute an entitlement to the erection of permanent structures; and
 - (7) A provision stating that the development authorized in the emergency permit must be removed unless a complete application for a regular coastal development permit for the development is filed within 90 days of approval of the emergency permit is approved. If a regular coastal development permit authorizing permanent retention of the development, or a portion of the development, is denied, then the development that was authorized in the emergency permit, or the denied portion of the development, must be removed.

g. Reporting

- (1) The Planning Director shall report in writing to the Ventura County Board of Supervisors and to the California Coastal Commission at each meeting the emergency permits applied for or issued since the last report, with a description of the nature of the emergency and the work involved. Copies of the this report shall be available at the meeting and shall have been mailed at the time that application summaries and staff recommendations are normally distributed to all persons who have requested such notification in writing.
- (2) All emergency permits issued after completion of the agenda for the meeting shall be briefly described by the Planning Director at the meeting and the written report required by subparagraph (1) shall be distributed prior to the next succeeding meeting.
- (3) The report of the Planning Director shall be informational only; the decision to issue an emergency permit is solely at the discretion of the Planning Director.

Article 11, Section 8181-4 – Variances, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-4 – Variances

Variances are adjustments in the regulations and development standards contained in this Chapter. Variances are discretionary, and are granted to permit deviations from regulations governing such factors as setbacks, height, lot coverage, lot area and width, signs, off-street parking and wall, fencing and screening standards. The procedures of Sec. 8181-6 shall be followed. Variances may not be granted to authorize a use or activity that is not otherwise expressly authorized by the zone regulations governing the property.

Sec. 8181-4.1 - Purpose

The sole purpose of any variance shall be to enable a property owner to make reasonable use of his property in the manner in which other property of like character in the same vicinity and zone can be used. For the purposes of this section, vicinity includes both incorporated and unincorporated areas if the property in question is within the sphere of influence of such incorporated area.

Sec. 8181-4.2 - Required Findings for Variances

The granting authority must find that the following standards are met by the application:

- a. There are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography and location, that do not apply generally to comparable properties in the same vicinity and zone within the coastal zone; and
- b. Granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and zone within the coastal zone; and
- c. Strict application of the zoning regulations as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations; and
- d. The granting of such variance will not be detrimental to the public health, safety or general welfare, nor to the use, enjoyment or valuation of neighboring properties; and
- e. All development authorized by the variance is consistent with all applicable standards of the LCP; and
- f. That the granting of a variance in conjunction with a hazardous waste facility will be consistent with the portions of the County's Hazardous Waste Management Plan (CHWMP) that identify specific sites or siting criteria for hazardous waste facilities.

Sec. 8181-4.3 - Burden of Proof

The applicant shall have the burden of proving to the satisfaction of the appropriate decision-making authority that the above standards can be met.

Sec. 8181-4.4 - Administrative Variances

Applications for routine and minor adjustments in certain types of zoning regulations may be approved by the Planning Director as administrative variances, if the standard of Section 8181-4.2 are met. The procedures of Section

8181-6 shall be followed. An administrative variance may be granted only in the following situations:

- a. To allow a decrease not exceeding 20 percent in required minimum setbacks, or ten percent in the parking aisle width requirement or other such related dimensions;
- b. To allow walls, fences or hedges to exceed the height limit regulations by a maximum of one foot, except in the clear sight triangle;
- c. To allow an increase not exceeding ten percent in maximum building coverage, or sign area of height; and
- d. To allow required parking for single-family dwellings to be provided in tandem.

Sec. 8181-4.5 - Planning Commission Approval

In all cases not covered in Section 8181-4.4, variances shall be considered by the Planning Commission. The procedures of Section 8181-6 shall be followed.

Sec. 8181-4.6 - Duration

Any variance is considered to run with the land; however, a time limit may be placed on the variance, in which case the variance shall expire at the end of the specified period unless an extension is granted.

Article 11, Section 8181-5.3 – Applicant’s Responsibilities, of the Ventura County Ordinance Code is hereby deleted.

Article 11, Section 8181-5.4 – Vested Rights, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.3 - Vested Rights

No person obtains any right or privilege to use land or structures for any manner described in an application request merely by virtue of the County's acceptance of an application or granting of the subject request. See also Section 8171-7.

Article 11, Section 8181-5.6 – Deferral of Applications, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.5 - Deferral of Applications

Sec. 8181-5.5.1

The Planning Director may defer any decision on a Planned Development Permit or modification, suspension, or revocation thereto, to the Planning Commission at any time prior to 30 days after the close of the public hearing if the project:

- a. May result in significant environmental impacts that cannot be mitigated to insignificant levels.
- b. Involves significant public controversy.
- c. May be in conflict with County policies, or would necessitate the establishment of new policies.
- d. May be precedent-setting.
- e. Should be deferred for any other cause deemed justifiable by the Planning Director.

Sec. 8181-5.5.2

The Planning Commission may defer a decision on an entitlement to the Board of Supervisors in cases where two entitlements regarding the same property or site are being processed concurrently, and the Board is the decision-making authority for one of the entitlements.

Article 11, Section 8181-5.7 – Continuance of Permit During Renewal Process, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.6 - Continuance of Permit During Renewal Process

If an application for renewal of permit has been filed prior to the expiration date of that permit, and is being diligently pursued, the activities for which the permit was granted may continue during the renewal process, unless otherwise provided for in the conditions of the permit. All the terms and conditions of the original permit must be followed at all times.

Article 11, Section 8181-5.8 – Compliance with Conditions, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.7 - Compliance with Conditions

It shall be the responsibility of the property owner, and the permittee when the property owner is not the applicant, to ensure that all conditions placed on a permit are met.

Article 11, Section 8181-5.9 – Securities, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-5.8 - Securities

Except as otherwise specified in this Chapter, the decision-making authority may impose a penal and/or performance security on any discretionary entitlement as a condition of such entitlement. The security(s) shall be filed in a form acceptable to the County Counsel and certified by the County Clerk.

- a. The required amount of the security(s) may be increased periodically by the Planning Director in order to compensate for inflation (based on the applicable regional Consumer Price Index) or other factors, so that the same relative value of the security is maintained over the life of the permit, and to assure that performance securities continue to reflect the actual anticipated costs for completing a required task. No security shall be released until after all of the applicable conditions of the permit have been met.
- b. In the event of any failure by the permittee to perform or comply with any term or condition of a discretionary entitlement, the decision-making authority may, after notice to the permittee and after a public hearing, determine by resolution the amount of the penalty, and declare all or part of the security forfeited. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, nor from expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of the permit or of any applicable ordinance or of the security.

- c. The permittee shall maintain the minimum specified amount of a penal security throughout the life of the entitlement. Within 30 days of any forfeiture of a penal security, the permittee shall restore the security to the required level.

Article 11, Section 8181-7.1 – Decision Options, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-7.1 - Decision Options

The decision-making authority hearing a discretionary matter may approve, deny or modify, wholly or partly, the request being reviewed. The authority may impose such conditions and limitations as it deems necessary to assure that all applicable policies and specific requirements as well as the general purpose and intent of the LCP, including its land use plan and this Chapter, will be carried out, and further that the public interest, health, safety, and welfare will be secured. In the absence of any provision to the contrary in a decision granting a request, said request is granted as set forth in the application. All conditions and restrictions applied to an application request not appealed from shall automatically continue to govern and limit the subject use or structure unless the action of the decision-making authority clearly indicates otherwise.

Article 11, Section 8181-7.2(b), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- b. All required findings have been adopted, including specific factual findings supporting the legal conclusion that the proposed development is, or is not, in conformity with the certified LCP, and

Article 11, Section 8181-7.3, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-7.3 - Notice of Final Decision

(This section shall not apply to exempt or categorically excluded developments.) Within seven calendar days of a final decision on an application for any development, the County shall provide notice of its action by first class mail to the applicant, the Coastal Commission, and any persons who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the County. Said notice shall contain a brief project description, name and address of the applicant, any conditions of approval and written findings, and the procedures for appeal of the local decision to the Coastal Commission (for developments subject to appeal).

Article 11, Section 8181-7.4(a), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- a. The appropriate appeal period (pursuant to Sec. 8181-9.2) has expired and no appeal has been filed, or

Article 11, Section 8181-7.5 – Notice After County Fails to Act, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-7.5 - County Failure to Act

- a. If the County fails to provide public notice or hold a hearing on a proposed development as required by law, the applicant or their representative may either:
 - (i) file an action to compel the County to provide the public notice or hold the hearing, or both, pursuant to Government Code Section 65956(a); or
 - (ii) file an appeal pursuant to section 8181-9.2 below.
- b. In the event that the County fails to act to approve or to disapprove a development project within the time limits required by Article 5 (commencing with Section 65950) of Chapter 4.5 of Division 1 of Title 7 of the Government Code, the failure to act shall be deemed approval of the permit application, as long as the County (or the applicant) provides the public notice required by law and, if the notice is provided by the applicant, the County is given 60 days to address its failure to act by acting on the application before it can be deemed approved. If the County has failed to provide public notice by the date 60 days prior to the expiration of the time limit established by section 65950 or 65952, the applicant may provide the required public notice in accordance Government Code Section 65956(b), which requires, among other things, that the applicant have first provided the County with seven days advance notice of the applicant's intent to provide such notice.
- c. Notification by the County - When a development is deemed approved pursuant to this Section, the County shall, within seven calendar days of such approval, notify any person entitled to receive notice that it has taken final action by operation of law pursuant to Government Code Section 65956(b). The appeal period for projects approved by operation of law shall begin only upon receipt of the notice in the Coastal Commission office.

Article 11, Section 8181-9.1(d), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- d. Appeals of Board of Supervisor's decisions on developments subject to appeal shall be heard by the Coastal Commission.

Article 11, Section 8181-9.2 – Appeal Period, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-9.2 – County Appeal Period

The appeal period for appeals to County decision-making authorities shall end ten calendar days after the decision being appealed is rendered pursuant to Section 8181-7.3, or on the following workday if the tenth day falls on a weekend or holiday.

Article 11, Section 8181-9.5 – Appeals to the Coastal Commission, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-9.5 - Appeals to the Coastal Commission

- a. For developments that are subject to the appeals jurisdiction of the Coastal Commission under Section 30603 of the Public Resources Code, appeal of an action on a Permit may be filed with the Coastal Commission. Prior to filing an appeal with the Coastal Commission, all local appeals on the County's action must have been exhausted, unless the exhaustion of local appeals is not required according to Section 13573 of Title 14 of the California Code of Regulations. Second dwelling unit applications subject to the appeals

jurisdiction of the Coastal Commission shall be appealed directly to the Coastal Commission.

- b. In accordance with subdivision (a) of Section 30603 of the Public Resources Code, an action taken by the County of Ventura on a permit application for any of the following may be appealed to the Coastal Commission:
 - (1) Developments approved by the County between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
 - (2) Developments approved by the County not included within paragraph (1) of this section located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.
 - (3) Any development approved by the County that is not designated as the principally-permitted use under this Ordinance.
 - (4) Any development that constitutes a major public works project or a major energy facility.
- c. The grounds of appeal for any development that is subject to appeal under Section 8181-9.5b(1) shall be limited to one or more of the following:
 - (1) The development fails to provide adequate physical access for public or private commercial use, or interferes with such uses.
 - (2) The development fails to protect public views from any road or from a recreation area to, and along, the coast.
 - (3) The development is not compatible with the established physical scale of the area.
 - (4) The development may significantly alter existing natural landforms.
 - (5) The development does not comply with shoreline erosion and geologic setback requirements.
 - (6) The development is not in conformity with the LCP.
- d. The grounds of appeal for any development that is subject to appeal pursuant to Sections 8181-9.5b(2), (3), and (4) shall be limited to whether the development is in conformity with the LCP.
- e. The appeal period for decisions is based on the Coastal Commission's review of the Notice of Final Decision sent by the County pursuant to Sec. 8181-7.3.
 - (1) Deficient Notice - If the Coastal Commission determines the notice to be deficient, the Commission shall notify the County within five calendar days of receipt of said notice, and shall explain the reasons for the deficiency.
 - (2) Sufficient Notice - Once the Coastal Commission determines the notice to be sufficient, it shall, within five calendar days, notify the County of the appeal period expiration date, which is ten working days from the date of receipt by the Coastal Commission of a sufficient Notice of Final Decision.

Article 11, Section 8181-11 – Compliance with Special Studies Zone, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-11 – Compliance With Special Studies Zone

The approval of any application proposing an activity that is defined as a "project" in the Alquist-Priolo Special Studies Zone Act (Chapter 7.5 (commencing with Section 2621) of Division 2 of the Public Resources Code) shall be in accordance with the requirements of said Act and the policies and criteria established by the State Mining and Geology Board pursuant to said Act, and the certified LCP.

Article 11, Section 8181-13 – Second Dwelling Unit Procedures Pursuant to Government Code Section 65852.2(j), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-13 – Second Dwelling Unit Procedures Pursuant to Subdivision (j) of Section 65852.2 of the Government Code Section

Notwithstanding Any Other Provision of this Article:

- a. No public hearings shall be conducted on applications for second dwelling units under Sections 8174-5 and 8175-5.1(g). After public notice, interested persons may submit written comments to the Planning Director prior to the Planning Director's decision.
- b. The Planning Director shall not defer decisions on applications for second dwelling units to the Planning Commission or the Board of Supervisors.
- c. Decisions of the Planning Director on applications for second dwelling units are final County decisions with no County appeals and shall, upon being rendered, be appealable to the Coastal Commission in accordance with Section 8181-9.5.

Article 12, Section 8182-1 – Purpose, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-1 – Purpose

The purpose of this Article is to provide for the continuation, alteration, conversion or termination of certain classes of lawful, nonconforming uses and structures (other than signs and billboards) under certain conditions, and to regulate substandard lots. These provisions apply to uses and structures that deviate from the regulations of this Chapter.

Article 12, Section 8182-4 – Nonconforming Uses Due Only To Changes In Parking Requirements, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-4 – Nonconforming Uses Due Only To Changes In Parking Requirements

Uses that have been rendered nonconforming due only to revisions in parking requirements shall be subject to the following regulations:

Sec. 8182-4.1 - Expansion and Conformance

Expansion of the particular use shall be permitted if the current parking requirements for the use can be met, and the addition or enlargements otherwise conform to the regulations in effect for the zone in which it is located.

Sec. 8182-4.1.1 - Exception

A single-family dwelling may be expanded when the proposed expansion does not meet current parking requirements, if all of the following conditions exist:

- a. The dwelling has at least one covered parking space;
- b. The existing lot configuration does not allow for a second covered space, or does not allow for access to a second covered space;
- c. The proposed addition otherwise conforms to the provisions of this Chapter.

Sec. 8182-4.2 - Changes of Use

Changes of use to a similar use, with the same or less parking requirements and type of permit allowed in the same zone, shall be allowed provided that current requirements for parking can be met. Where parking cannot meet the current requirement for the new use, the required permit under this Chapter must be obtained. In such cases, the parking requirements shall be determined to the satisfaction of the Planning Division and be specified by the permit. The parking specified under the permit shall not be considered conforming.

Article 12, Section 8182-6 – Other Nonconforming Uses (No Longer Permitted), of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-6 – Other Nonconforming Uses (No Longer Permitted)

All nonconforming uses that are no longer permitted in the zone in which they are located shall be regulated according to the following provisions:

Sec. 8182-6.1 - Uses Not Involving Permanent Structures

The nonconforming use of land where no permanent structure is involved shall be terminated not later than three years after such use becomes nonconforming.

Sec. 8182-6.2 - Uses Within Structures Subject to Amortization

All nonconforming commercial uses in Residential (R), Open Space or Agricultural zones, within conforming or nonconforming structures, shall be amortized from the effective date of this Chapter or a later amendment that renders the use nonconforming, based on the square footage of the structure at the time the use is rendered nonconforming, as follows: Ten years for 1,000 square feet, plus 1.25 years for each additional 100 square feet over 1,000 square feet; maximum 60 years. At the end of the amortization period, the use shall be brought into conformance with this Chapter or terminated, unless a continuance is obtained pursuant to Section 8182-6.2.4.

Sec. 8182-6.2.1 - Expansion and Change of Use Prohibited

Nonconforming uses under Section 8182-6.2 above shall not be changed to another use or be expanded or extended in any way on the same or any adjoining land nor into any other portion of a structure or lot during the

amortization period, except that structural alterations may be made therein as required by law. Furthermore, such nonconforming uses shall not be expanded or extended beyond the scope of specific conditions to a continuance of nonconformity granted pursuant to Sec. 8182-6.2.4 of this Article, and subsequent to the period of amortization.

Sec. 8182-6.2.2 - Notice of Amortization

The Planning Director shall give notice by certified mail of the date upon which an amortization period will end to each owner of record whose property, or use of property, is not in conformance with the regulations of this Chapter, in those instances where the Planning Director has knowledge of such nonconformity. Such notice shall be sent in a timely manner. If the amortization period ends before or less than six months after such knowledge of the nonconformity, notice shall be given that the amortization period in each instance shall be not less than six months from the date the notice is sent. The notice shall set forth all pertinent provisions of this Article, including the declared purposes thereof. Failure to send notice by mail to any such owner where the address of such owner is not a matter of public record shall not invalidate any proceedings under this Article.

Sec. 8182-6.2.3 - Notice of Termination and Order to Comply

Notice of Termination of a nonconforming use and order to comply shall be served by the Planning Director at the end of the amortization period upon the owner of record whose property contains such nonconforming use. In those instances, where the Planning Director is unable with reasonable effort to serve such notice to the property owner, such notice and order shall be served within 30 days of the end of the amortization period by delivering same to an occupant of the structure containing the nonconforming use.

Sec. 8182-6.2.4 - Request for a Continuance of Nonconformities Beyond Period of Amortization

A request for a continuance of nonconformities beyond the period of amortization may be granted as follows:

- a. Grounds for Continuance - A nonconforming use or structure may be maintained for a reasonable time beyond its period of amortization as specified in this Article if the Planning Director makes the following determinations:
 - (1) Special Circumstances - that special circumstances apply to any such use or structure that do not apply generally to others affected hereby; and
 - (2) Compatibility with Public Welfare - that such a continuance for a prescribed period of additional time is in the public interest and will be reasonably compatible with, and not detrimental to, the use of adjacent properties.
- b. Application Process for Continuance - Any application for a continuance of a nonconforming use or structure must be filed with the Planning Division no later than 30 days following the service of a Notice of Termination and Order to comply, or within 30 days following the continued termination date. An application for a continuance may be filed by the owner of the property, a person with a power of attorney from the owner of the property, or a lessee, if the terms of the lease permit the existing use. Fees shall be required in accordance with Section 8181-5.4.

- c. Determination by Planning Director - Upon filing of a complete application, the Planning Director shall investigate the matter, give proper notice, hold an administrative hearing and make a decision thereon based on the criteria set out in this Section and supported by written findings of fact within 75 days from the date the application is filed, or within such extended period of time as may be mutually agreed upon by the applicant and the Planning Director. The Planning Director may impose such conditions, including time limitations, as may be deemed necessary for the compatibility of such nonconformity with adjacent properties.
- d. Appeals - Appeals shall be filed in accordance with Section 8181-9.

Sec. 8182-6.3 - Uses Not Amortized

Upon the effective date of this Chapter or a later amendment thereto, any nonconforming use within a structure not otherwise identified in Section 8182-6.2, may continue, subject to the following:

Sec. 8182-6.3.1 – Expansion

No additions or enlargements shall be made to such nonconforming use or the structure in which it is located, except for alterations that may be required by law, expansions within the existing structure if no structural alterations are made, or additions to existing churches and principal dwelling(s) in residential zones, that otherwise conform to the specific development standards of the zone in which the use is located. In the case of principal dwellings in excess of the number permitted per lot, only one such dwelling may be expanded.

Sec. 8182-6.3.2 - Change of Use

The nonconforming use may be changed to a use that is similar in accordance with Section 8181-10.4.1, except that the nonconforming use may not be changed to a use that requires a Conditional Use Permit under this Chapter.

Article 12, Section 8182-7.1 – Uses Not Amortized, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-7.1 - Uses Not Amortized

The following provisions shall apply to non-amortized, nonconforming structures and structures containing nonconforming uses not subject to amortization:

Sec. 8182-7.1.1

Whenever any such structure is voluntarily removed, damaged or destroyed to the extent of 50 percent or less of its floor or roof area that existed before destruction, or is involuntarily damaged or destroyed in whole or in part, the structure may be restored to its original state existing before such removal, damage or destruction.

Sec. 8182-7.1.2

Whenever any such structure is voluntarily removed, damaged or destroyed to the extent of more than 50 percent of its floor or roof area that existed before destruction, no structural alterations, repairs or reconstruction shall be made unless every portion of such structure and the use are made to conform to the regulations of the zone classification in which they are located.

Article 12, Section 8182-12.1 – On Authorized Uses Under Discretionary Permits, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-12.1 - On Authorized Uses Under Discretionary Permits

Any construction, expansion or alteration of a use of land or structures, and any required Zoning Clearance therefor, that is authorized by an approved discretionary entitlement on or before the effective date of an ordinance amendment may be completed as authorized in the entitlement and in accordance with Section 8181-7.7 of this Chapter.

Article 12, Section 8182-12.2 – On Uses Requiring a Ministerial Decision, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-12.2 - On Uses Requiring a Ministerial Decision

All uses involving construction, expansion or alteration of a use of land or structures that require a ministerial decision only shall be required to comply with the new regulations on the effective date of the ordinance amendment. If the required Zoning Clearance has been issued and the change of regulation is such that the Zoning Clearance no longer conforms to the provisions of this Chapter, a new Zoning Clearance that conforms with the newly adopted regulations must be obtained before a building permit or other necessary entitlement is issued by any agency.

Article 13, Section 8183-2 – Pending Violations, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8183-2 – Pending Violations

No prosecution or action resulting from a violation of zoning regulations heretofore in effect shall be abated or abandoned by reason of the enactment of any ordinance amendment, but shall be prosecuted to finality under the former provisions, the same as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated. Any violation that occurred prior to the effective date of the amendment, for which prosecution or legal action has not been instituted prior to the effective date of the amendment, may be hereafter subject to prosecution or action as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated.

Article 13, Section 8183-5 – Enforcement, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8183-5 – Enforcement

The Planning Director or the Planning Director's designee is hereby designated as the enforcing agent of this Chapter. Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by Section 836.5 of the California Penal Code, the Planning Director or the Planning Director's designee shall have the power of arrest without warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed in their presence a misdemeanor, misdemeanor/infracton, or infracton, consisting of a violation of the provisions of this Code or any other ordinance or statute that the Planning Director has a duty to enforce.

Sec. 8183-5.1 – Procedure

In any case in which a person is arrested pursuant to this Section and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on the person's promise to appear as prescribed by Chapter 5C (commencing with Section 853.5) of Chapter 5 of Title 3 of the California Penal Code. The provisions of that Chapter

shall thereafter apply with reference to any proceedings based upon the issuance of a written notice to appear pursuant to this Section.

Sec. 8183-5.2 - Rights of Entry Upon Land

In the performance of their functions, designated personnel may, with either the consent of the occupant or other authorized person, or with a valid inspection warrant, enter upon property and make examinations and surveys in a manner consistent with the consent or the inspection warrant. In cases where no inspection warrant is obtained, designated personnel in the performance of their functions may enter upon property open to the general public and may enter upon property by way of a route normally accessible to visitors or tradespeople, or other persons having legitimate business with the occupants, in order to seek consent to inspect the property.

Sec. 8183-5.3 - Enforcement of Performance Standards

Following the initiation of an investigation, the Planning Director may require the owner or operator of any use that may be in violation of performance standards to submit, in a reasonable amount of time, such data and evidence as is needed by the Planning Director to make an objective determination. Failure to submit data required shall constitute grounds for revoking any previously issued approvals or permits and ceasing of operations until the violation is remedied, as provided for in Section 8181-8 of this Chapter.

Sec. 8183-5.4 - Monitoring and Enforcement Costs

The County may impose fees and charges on permittees as established by resolution adopted by the Board of Supervisors, or as established by conditions of the entitlement to cover the full costs incurred by the County or its contractors for the monitoring of permits issued pursuant to this Chapter to ensure compliance with permit conditions and the requirements of this Chapter. Enforcement activities shall be in response to confirmed violations and may include such measures as drafting and implementing compliance agreements, inspections, public reports, penalty hearings, forfeiture of sureties and suspension or modification of permits. The recovery of costs for the abatement of confirmed violations shall be in accordance with the provisions of this Chapter, adopted charge rates, applicable compliance agreement terms and other authorized means such as, but not limited to, small claims court and liens on property.

Sec. 8183-5.5 - Frequency of Monitoring Inspections

To ensure compliance with permit conditions and the provisions of this Chapter, all permits issued pursuant to this Chapter may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. The Planning Director may institute a more frequent monitoring schedule when he/she determines that the intensity of the use or failure to comply with applicable requirements could have a significant effect on the environment, surrounding properties and the public; or there have been violations that suggest the permittee is not assuming responsibility for monitoring his/her own compliance.

Sec. 8183-5.6 - Notice of Noncompliance

Whenever the Planning Director determines, pursuant to the provisions of Sections 8183-5.3 and 8183-6 of this Chapter, that violations of the Ventura County Ordinance Code exist or that permit conditions are not being complied with, the Planning Director shall notify the permittee, lessee, and/or owner of the

property, on which such violations are alleged to exist, of the Director's intent to record a Notice of Noncompliance. If the violations are not corrected within 30 days after such notification, the Director may record a Notice of Noncompliance with the Office of the County Recorder. The permittee, lessee, and/or property owner shall be notified of the recordation of the Notice of Noncompliance. The Notice shall describe the property, specify the Ordinance section or permit conditions violated, and state the date of the most recent notification to the permittee, lessee, and/or property owner of said violation(s). The Planning Director shall record a Release of Notice of Noncompliance with the County Recorder when it is determined that the violations have been corrected or abated and the costs incurred by the County in abating the violations have been paid. A fee as set forth in the adopted schedule of fees and charges will be charged the permittee, lessee, and/or property owner for recordation of a Release of Notice of Noncompliance.

Sec. 8183-5.7 - Administrative Civil Penalties

In case of any failure by a permittee to perform or comply with any term or provision of a land use permit authorizing a given use or structure, or, in the case of the failure by any person to comply with the provisions of this Chapter 1.1, or Chapter 2 of this Division, an administrative civil penalty may be imposed upon the permittee by the Resource Management Agency Enforcement Coordinator after notice to the permittee or person and a public hearing before the said Enforcement Coordinator, and upon a finding by the Enforcement Coordinator of a failure to perform or comply. The amount of the civil penalty assessed shall be determined by the Enforcement Coordinator after considering all relevant circumstances including, but not limited, to the following: a) the extent of the harm caused; b) the nature and persistence of the failure to perform or comply; c) the length of time over which the failure occurred; d) the frequency of past violations; and e) the financial burden to the permittee or person. The decision of the Enforcement Coordinator may be appealed to the Planning Commission. The decision of the Planning Commission may be appealed to the Board of Supervisors. Any appeals shall follow the procedures established in Article 11.

Said penalty shall be paid within 30 days after its imposition and the completion of any appeals. Failure to pay the penalty within the allotted time period shall be grounds for suspension of the subject use, pursuant to Sec. 8181-10.1, until such time as the penalty is paid. The payment of a civil penalty shall not insulate the permittee or person from liability in excess of the sum of the penalty for damages or injury or expense or liability suffered by the County of Ventura from any failure to perform or comply by a permittee or person of any term or condition of said permit or of any provision of the Chapter 1.1 or Chapter 2 of Division 8.

Unless otherwise specified in the terms of the permit authorizing a use or structure, the maximum civil administrative penalty that can be assessed against a permittee or person for each failure to perform or comply shall be an amount equal to twice the initial deposit or fixed application fee for the permit that would authorize the use or structure or \$2,000.00, whichever is greater.

Article 14, Section 8184-1 – Purpose, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8184-1 – Purpose

The purpose of this Article is to establish procedures for amending the Ventura County Coastal Zoning Ordinance, which is part of the LCP. These procedures shall apply to all proposals to change any property from one zone to another (i.e.

to amend the zoning map) or to amend the text of this Chapter. The Coastal Zoning Ordinance may be amended by the Board of Supervisors whenever the public health, safety, or general welfare, good zoning practice, and consistency with the Coastal Act, the County General Plan, or the Coastal Area Plan justify such action.

For amendment(s) to this chapter in conjunction with a hazardous waste facility, the Coastal Zoning Ordinance may be amended by the Board of Supervisors whenever such amendments are consistent with the portions of the County Hazardous Waste Management Plan (CHWMP) that identify specific sites or siting criteria for hazardous waste facilities.

Amendments to the Coastal Zoning Ordinance are not effective until and unless certified by the California Coastal Commission.

Article 14, Section 8184-4.2 – Planning Commission Denial, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8184-4.2 - Planning Commission Denial

Amendment requests to the Coastal Zoning Ordinance initiated by private parties, the Planning Commission, or the Planning Director that the Planning Commission has denied shall not be forwarded to the Board of Supervisors, and the action of the Planning Commission shall be final unless an appeal is filed in accordance with Article 11. The sole exception is amendment requests initiated by the Board of Supervisors for which the Planning Commission has recommended denials; such requests shall be forwarded to the Board of Supervisors within 40 days following the close of the Planning Commission hearing.

Article 14, Section 8184-4.3 – Board of Supervisors Action, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8184-4.3 - Board of Supervisors Action

- a. Following a public hearing, the Board of Supervisors may approve, modify or disapprove any Planning Commission recommendation regarding an amendment request to the Coastal Zoning Ordinance, provided that any modification of the proposed amendment by the Board of Supervisors not previously considered by the Planning Commission during its hearing shall first be referred back to the Planning Commission for a report and recommendation. In addition, the public hearing shall be continued to allow sufficient time for the Planning Commission to report back to the Board of Supervisors. The Planning Commission shall not be required to hold a public hearing prior to reporting back to the Board of Supervisors. Failure of the Planning Commission to report back within 40 days after such referral, or within a period of time designated by the Board of Supervisors, shall be regarded as approval by the Commission of the proposed modification. A modification shall be deemed "previously considered" by the Planning Commission if the modification of the proposed amendment by the Board of Supervisors is based upon the issues and evidence initially heard by the Planning Commission.
- b. The Board of Supervisors may impose reasonable conditions that must occur prior to the effective date of any amendment request for the protection of public health, safety, and general welfare.

- c. The Board of Supervisors action to approve, in whole or part, an amendment request shall not be deemed effective until after the Coastal Commission has reviewed and approved the request.

Article 14, Section 8184-5 – Submittal to Coastal Commission, of the Ventura County Ordinance Code is hereby added as follows:

Sec. 8184-5 - Submittal to Coastal Commission

All amendments to the certified LCP approved by the Board of Supervisors must be reviewed and approved by the Coastal Commission.

Sec. 8184-5.1 - Contents of Submittal

All of the following shall be submitted to the Coastal Commission for an amendment:

- a. A Board of Supervisors resolution that states that the amendment is intended to be carried out in accordance with the Coastal Act and the certified LCP. The resolution must state that the amendment will either, 1) take effect automatically upon Coastal Commission approval, or 2) require formal County adoption after Coastal Commission approval. The resolution shall be accompanied by an exact copy of the adopted amendment.
- b. A summary of the measures taken to provide the public and affected agencies and districts maximum opportunity to participate in the LCP amendment process, a listing of members of the public, organizations, and agencies appearing at any hearing or contacted for comment on the LCP amendment; and copies or summaries of significant comments received and of the local government response to the comments.
- c. All policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act. Written documents should be readily reproducible.
- d. A discussion of the amendment's relationship to and effect on the other sections of the certified LCP.
- e. An analysis that demonstrates the amendment's conformity with the requirements of Chapter 6 of the Coastal Act (beginning with Section 30500).
- f. Any environmental review documents, pursuant to the California Environmental Quality Act, required for all or any portion of the amendment to the LCP.
- g. An indication of the zoning measures that will be used to carry out the amendment to the LCP Land Use Plan (unless submitted at the same time as the amendment to the Land Use Plan).

Sec. 8184-5.2 - Coastal Commission Action

After the Coastal Commission, in accordance with its own regulations, reviews and takes action on an amendment request submitted by the County, the Commission will transmit its decision to the County after such review. The Board of Supervisors must acknowledge receipt of the Coastal Commission's resolution, including any terms and conditions; accept and agree to any such terms and conditions; and take whatever formal action is required to satisfy those terms and conditions. If the Board does not agree to the Coastal Commission's terms and conditions, the following options are available to the County:

- a. Resubmit the request with additional reasons or evidence to indicate why such terms and conditions are unnecessary.
- b. Modify the amendment request in such a manner as to render the terms and conditions unnecessary, and resubmit if appropriate.
- c. Propose alternative terms and conditions that still meet the Coastal Commission's intent.
- d. Withdraw the request.

Sec. 8184-5.3 – LCP Amendments Do Not Alter Categorical Exclusion Orders

An amendment of the Coastal Zoning Ordinance shall not:

- a. Alter an approved Categorical Exclusion Order;
- b. Authorize the exclusion of any category of development not excluded by a Categorical Exclusion Order; or
- c. Alter the geographic boundaries of the exclusion areas.

In the event an amendment of the Coastal Zoning Ordinance is certified by the Coastal Commission, development shall comply with the amended Ordinance, except where the terms and conditions of an approved Categorical Exclusion Order specify more restrictive development criteria. In such cases the Categorical Exclusion Order shall prevail.

PASSED AND ADOPTED this 11th day of December, 2012 by the following vote:


Ayes: Supervisors Bennett, Long, Foy and Zaragoza

Noes: None

Absent: Supervisor Parks


Chair, Board of Supervisors

ATTEST: MICHAEL POWERS,
Clerk of the Board of Supervisors,
County of Ventura, State of California

By 
Deputy Clerk of the Board

