

EXHIBIT 5

Proposed Ordinance amending Articles 2, 5, 7, 8 and 11 of the Non- Coastal Zoning Ordinance (clean version)

Proposed NCZO Amendments for Accessory Dwelling
Units and Junior Accessory Dwelling Units
(PL20-0023)

County of Ventura
Planning Commission Hearing
Case No. PL20-0023
Exhibit 5 - Proposed Ordinance amending
Articles 2, 5, 7, 8 and 11 of the Non-Coastal
Zoning Ordinance
(clean version)

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ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING DIVISION 8, CHAPTER 1, ARTICLES 2, 5, 7, 8, AND 11 OF THE VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

ARTICLE 2: DEFINITIONS

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by revising the following existing definition to read as follows:

Dwelling Unit, Accessory (ADU) - An attached or a detached residential *dwelling* unit, or a unit within the existing space of a primary *dwelling* unit, which provides complete independent living facilities for one or more persons and is located on a *lot* with a proposed or existing primary *dwelling*. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same *lot* as the proposed or existing *single-family or multifamily dwelling*. An accessory dwelling unit also includes the following:

- (a) An efficiency unit, as defined in section 17958.1 of the Health and Safety Code; and
- (b) A manufactured home, as defined in section 18007 of the Health and Safety Code.

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by adding the following definition:

Dwelling Unit, Junior Accessory (JADU) - A *dwelling* unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family *dwelling*. A JADU may include separate sanitation facilities, or may share sanitation facilities with the existing structure.

Section 2

ARTICLE 5:

USES AND STRUCTURES BY ZONE

Article 5, Section 8105-4 - Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones, of the Ventura County Ordinance Code, is hereby amended to read as follows with respect to the below-stated land uses relating to Accessory Dwelling Units and Junior Accessory Dwelling Units:

Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
DWELLINGS (43)											
Dwellings, Single-Family * (Mobilehomes - See Sec. 8107-1.3)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	
Mobilehome, Continuing Nonconforming (15)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		CUP	
Dwellings, Two-Family, Or Two Single-Family Dwellings							ZC	PD			
Dwellings, Multi-Family (42)(43)(44)								PD	ZC		
Accessory Dwellings											
Accessory Dwelling Unit (ADU)	Pursuant to Sec. 8107-1.7										
Junior Accessory Dwelling Unit (JADU)	Pursuant to Sec. 8107-1.7										
Employee Housing (55)	See Sec. 8107-26										
Agricultural Employee Housing											
Maximum of 4 dwelling units	ZC	ZC	ZC							ZC	
More than 4 dwelling units or not meeting standards established by Sec. 8107-26.3	PD	PD	PD							PD	
Other Employee Housing (6 or fewer employees)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	PD		ZC	

	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
<i>Farmworker Housing Complex (55)</i>	PD	PD	PD								
Farmworker Group Quarters (55)	PD	PD	PD								
Dwellings, Accessory Structures To											
Buildings For Human Habitation: (3, 19)											
temporary housing during construction/prior to reconstruction* (19, 42, 50)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	

**There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.*

E = Exempt ZC = Zoning Clearance unless specifically exempted	ZCW = Zoning Clearance with signed waivers PD = Planned <i>Development</i> Permit CUP = Conditional Use Permit	Not Allowed	Exempt	Approved by <i>Planning Director</i> or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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Section 3

ARTICLE 7:

STANDARDS FOR SPECIFIC USES

Article 7, Section 8107-1.7 – Accessory Dwelling Units, of the Ventura County Ordinance Code, is hereby repealed and reenacted to read as follows:

8107-1.7 – Accessory Dwelling Units and Junior Accessory Dwelling Units

Sec. 8107-1.7.1 – Purpose

The purpose of this Section 8107-1.7 is to allow and regulate *accessory dwelling units (ADUs)* and *junior accessory dwelling units (JADUs)* in compliance with Government Code sections 65852.2 and 65852.22, as may be amended. Pursuant to Government Code section 65852.2, an *ADU* permitted through this Section 8107-1.7 does not exceed the allowable density for the *lot* upon which the *ADU* is located; and an *ADU* is a residential use that shall be deemed consistent with the existing general plan and zoning designation for the *lot*. If any provision of this Section 8107-1.7 or the underlying zoning district standards conflicts with state law, the latter shall govern.

Sec. 8107-1.7.2 – Definitions

As used in this Section 8107-1.7, the following definitions shall apply:

Accessory Structure - A structure that is accessory and incidental to a *dwelling* located on the same *lot* as defined in Government Code section 65852.2(j)(2), as may be amended.

Existing - Space, units, or structures that are legally permitted or legal non-conforming.

Nonconforming Zoning Condition - A physical improvement on a property that does not conform with current zoning standards as defined in Government Code section 65852.2(j)(6), as may be amended.

Passageway - A pathway that is unobstructed clear to the sky and extends from a street to one entrance of the *accessory dwelling unit* as defined in Government Code section 65852.2(j)(7), as may be amended.

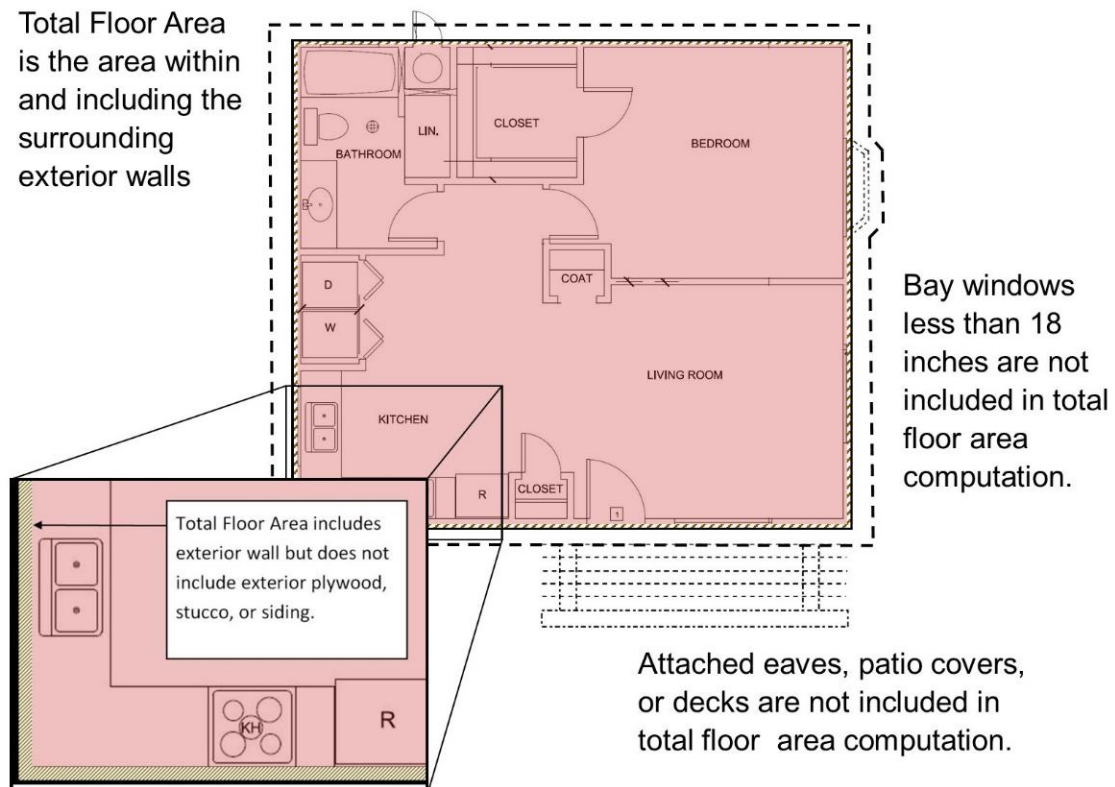
Proposed Dwelling - A *dwelling* that is the subject of a permit application and that meets the requirements for permitting as defined in Government Code section 65852.2(j)(8), as may be amended.

Public Transit - A location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public as defined in Government Code section 65852.2(j)(9), as may be amended.

Tandem Parking - A parking configuration where two or more automobiles are parked on a driveway or in any other location on a *lot*, lined up behind one another as defined in Government Code section 65852.2(j)(10), as may be amended.

Total Floor Area - Shall have the same definition as “building area” as set forth in Title 24, Part 2, Chapter 2 of the California Building Code, as may be amended, which states: “The area included within surrounding exterior walls, or exterior walls and fire walls, exclusive of vent shafts and courts. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.” However, the computation of total floor area for *ADUs* shall not include: any eave or architectural feature; attached covered patio or deck; an open deck constructed at or below the level of the first floor; a balcony or the space below a cantilevered balcony; the space below an open and unenclosed stairway; a garage that is below the *ADU* when there is no internal access from the garage to the *ADU*; or a bay window that does not extend to the floor or protrude more than 18 inches from the adjoining exterior wall, as illustrated in Figure 1.

Figure 1



Sec. 8107-1.7.3 – Types of Accessory Dwelling Units

An *ADU* may be created in the following forms:

- a. Detached: The *ADU* is separated from the primary residential structure.
- b. Attached: The *ADU* is attached to the primary residential structure. An attached *ADU* may include the conversion of existing partially enclosed spaces (such as a covered patio) to an *ADU* that is attached to the primary residential structure.
- c. Space within Primary Residential Structure: The *ADU* is created within the space (e.g., primary bedroom, attached garage, storage area, or similar use) of an existing or proposed primary residential structure.
- d. Space within an Existing Accessory Structure: The *ADU* is created within the space of an existing accessory structure that is located on the lot of the primary residence.

Sec. 8107-1.7.4 – ADUs and JADUs Allowed by Building Permit

A complete application for a building permit shall be ministerially approved to allow an *ADU* and/or *JADU* that meets applicable Building Code and Fire Code requirements and the standards set forth in Sections 8107-1.7.4(a), (b), (c) or (d).

- a. **Within Space of *Single-Family Dwellings* and Accessory Structures:** One *ADU* and one *JADU* per lot is allowed if all the following standards are met:
- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RA, RE, RO, or CPD/CBD.
 - (2) Location of *ADU* and/or *JADU*:
 - (a) The *ADU* or *JADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has exterior access from the proposed or existing *single-family dwelling*; or
 - (b) The *ADU* is created within the existing space of an accessory structure, such as the conversion of garages and other accessory structures, either attached or detached from the primary dwelling. An existing accessory structure may include an expansion of not more than 150 square feet beyond its same physical dimensions, but such expansion shall be limited to accommodating ingress and egress to the *ADU*.
 - (3) The side and rear *setbacks* comply with applicable Building and Fire Code requirements, even if the existing side and rear setbacks are legal non-conforming.
 - (4) The *JADU* complies with the requirements of Government Code section 65852.22 and Section 8107-1.7.6.
- b. **New Detached *ADU* with an Existing or Proposed *Single-Family Dwelling*:** One detached new construction *ADU* is allowed on a *lot* with a proposed or existing *single-family dwelling* and may be combined with a *JADU* if all the following standards are met:
- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RA, RE, RO, or CPD/CBD.
 - (2) The *ADU*'s side and rear yard *setbacks* are at least four feet.
 - (3) The *ADU* does not exceed 850 square feet.
 - (4) The *ADU*'s maximum building height above grade is 16 feet or less, as measured pursuant to Article 6 of this Chapter.
 - (5) The *JADU* complies with the requirements of Government Code section 65852.22 and Section 8107-1.7.6.
- c. ***ADUs* in Existing *Multifamily Dwelling* Structures:** *ADUs* within portions of existing *multifamily dwelling* structures are allowed, and may be combined with detached *ADUs* pursuant to Section 8107-1.7.4(d), if all the following standards are met, even if the *multifamily dwelling* is legal nonconforming:
- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, or CPD/CBD.
 - (2) Location of *ADU*:
 - (a) The *ADUs* are created within portions of the existing *multifamily dwelling* structures that are not used as livable space, including, but not limited to,

storage rooms, boiler rooms, passageways, attics, basements, or garages. If there is no existing non-livable space within a *multifamily dwelling* structure, an *ADU* cannot be created pursuant to this Section 8107-1.7.4(c).

- (b) The non-livable space used to create an *ADU* pursuant to this Section 8107-1.7.4(c) on a lot with mixed-uses shall be limited to the residential areas, and shall not include the areas used for commercial or other non-residential activities. Parking and storage areas for non-residential uses shall also be excluded from potential *ADU* development pursuant to this Section 8107-1.7.4(c).

- (3) The maximum number of *ADUs* that may be created pursuant to this Section 8107-1.7.4(c) shall be at least one or the number of *ADUs* equal to up to 25 percent of the existing *multifamily dwelling* units, whichever is greater.

- d. **Detached *ADUs* with Existing *Multifamily Dwelling*:** Up to two detached *ADUs* are allowed on *lots* with an existing *multifamily dwelling*, and may be combined with *ADUs* created within *multifamily dwellings* pursuant to Section 8107-1.7.4(c), if all the following standards are met, even if the *multifamily dwelling* is legal nonconforming:

- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, or CPD/CBD.
- (2) The *ADUs* maximum height above grade is 16 feet or less.
- (3) New construction *ADUs* shall not exceed 850 square feet.
- (4) The *ADU*'s side- and rear-yard *setbacks* are at least four feet.

- e. **No Zoning Clearance Required:** No Zoning Clearance or other land use entitlement is required pursuant to this Chapter for an *ADU* or *JADU* authorized under this Section 8107-1.7.4.

- f. **Not Subject to Development Standards in Section 8107-1.7.5:** *ADUs* that meet the requirements of Section 8107-1.7.4(a), (b), (c), or (d) and are entitled to a building permit are not subject to the development standards of Section 8107-1.7.5, including size, height, *setback*, parking and *lot* coverage requirements.

Sec. 8107-1.7.5 – Development Standards for *ADUs* Not Authorized under Section 8107-1.7.4

ADUs that do not meet the standards under Section 8107-1.7.4 for approval by building permit shall be approved with a ministerial Zoning Clearance if the *ADU* meets Building Code and Fire Code requirements, the standards in this Section 8107-1.7.5 and other applicable zoning standards.

a. Property Requirements:

- (1) The subject *lot* is zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CPD/CBD, OS, AE, or TP.
- (2) The *lot* has a proposed or existing *single-family* or *multifamily dwelling*.

- b. **Maximum Number of ADUs and JADUs per Lot:** Each *lot* may have one *ADU* if the standards of this Section 8107-1.7.5 are met, and one *JADU* if the standards of Section 8107-1.7.6 are met.
- c. **Parking Standards:**
- (1) No Parking Requirements: No parking standards apply for an *ADU* in any of the following instances:
- (a) The *ADU* is located within one-half mile walking distance of public transit.
 - (b) The *ADU* is located within an architecturally and historically significant historic district.
 - (c) The *ADU* is part of the proposed or existing primary residence or an accessory structure.
 - (d) When on-street parking permits are required but not offered to the occupant of the *ADU*.
 - (e) When there is a car share vehicle, as defined by section 22507.1(d) of the Vehicle Code, located within one block of the *ADU*.
- (2) Required Off-street Parking: Except as provided in Section 8107-1.7.5(c)(1), the following off-street parking standards shall apply:
- (a) Number of Spaces. One covered or uncovered off-street parking space is required per *ADU* or per bedroom, whichever is less.
 - (b) Location of Spaces. Off-street parking may be provided as tandem parking on a driveway. Additionally, the parking space for an *ADU* may encroach into a required front and/or interior side *setback*, provided that:
 - i. The long dimension of the space is parallel to the centerline of the nearest driveway on the *lot*; and
 - ii. On *interior lots*, a minimum distance of three feet from the side *lot line* remains unobstructed by vehicles.
- (3) No Off-Street Replacement Parking Required for Primary Residential Structure: When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an *ADU* or converted to an *ADU*, those off-street parking spaces do not need to be replaced for the primary dwelling. Additionally, no parking is required for a newly created *ADU* pursuant to Section 8107-1.7.5(c)(1)(c) above.
- d. **Height:** The maximum height of an *ADU* is 16 feet above *grade* unless the *ADU* is set back at least 20 feet from all property lines in which case it may exceed 16 feet but shall not exceed the maximum allowed building height of the primary dwelling unit on the *lot*, as measured pursuant to Article 6 of this Chapter.
- e. **Setbacks:**
- (1) No additional *setbacks* are required if any of the following are converted to an *ADU* or portion of an *ADU*: (a) an existing living area; (b) an existing accessory

structure; or (c) a new structure constructed in the same building footprint and to the same dimensions as an existing structure. The provisions of Article 13 of this Chapter shall not apply in these situations. For purposes of this section, living area, as defined by Government Code section 65852.2(j)(4), means the interior habitable area of a *dwelling* unit, including basements and attics, but does not include a garage or any accessory structure.

(2) All other new attached and detached *ADUs* shall have four-foot *setbacks* from the rear and side *lot lines*.

f. **Minimum Lot Size:** There is no minimum *lot* size requirement for an *ADU* or *JADU*.

g. ***ADU* Size for Attached and Detached *ADUs*:**

(1) For *lots* that are 9,000 square feet or less, the maximum total floor area of an attached or detached *ADU* shall be 850 square feet if there is one bedroom or an efficiency unit; or 1,000 square feet if there is more than one bedroom; or

(2) For *lots* that are larger than 9,000 square feet, but less than 10 acres, the maximum total floor area of an attached or detached *ADU* shall be 1,200 square feet; or

(3) For *lots* that are 10 acres in size or larger, the maximum total floor area of an attached or detached *ADU* shall be 1,800 square feet.

(4) Covered patios, decks, and garages below the *ADU* are not included in the total floor area computation but are counted toward the maximum allowable square footage allowed for “accessory structures to dwellings” in Sec. 8105-4.

h. ***ADUs* Within Space of Single-Family Dwellings:** One *ADU* per *lot* is allowed within a proposed or existing *single-family dwelling* if the applicable standards of this Section 8107-1.7.5 and the following standards are met:

(1) The *ADU* is created within a portion of the existing or proposed space of a *single-family dwelling* and has independent exterior access;

(2) The *ADU* does not have internal access to the primary dwelling;

(3) The *ADU* does not exceed the size maximums for attached or detached *ADUs* set forth in Section 8107-1.7.5(g), as applicable; and

(4) The side and rear *setbacks* comply with applicable Building and Fire Code requirements.

i. **Accessory Structures:**

(1) No accessory structure shall be attached to a detached *ADU* unless the combined total floor area of the accessory structure and *ADU* does not exceed the allowable size of the *ADU* per Section 8107-1.7.5(g). This provision does not apply to *ADUs* built above a garage.

(2) An *ADU* attached to an accessory structure shall not have internal access to the accessory structure.

- j. **Limited Exception to Development Standards:** Notwithstanding any other minimum or maximum size for an *ADU*, size that may be limited based upon a percentage of the proposed or existing primary dwelling, or limits on *lot* coverage, floor area ratio, open space, and minimum *lot* size, for either attached or detached *ADUs*, an *ADU* that is up to 850 square feet and up to 16 feet in height with four-foot side and rear *setbacks* may be constructed in compliance with all other applicable development standards.

Sec. 8107-1.7.6 – JADU Requirements

A *JADU* must comply with the following requirements:

a. **Number and Location:**

- (1) The subject *lot* is within one of the following single-family residential zones: R1; R2; RES; RPD; RA; RE; or RO.
- (2) One *JADU* is allowed per *lot*.
- (3) The *JADU* must be created within the walls of a proposed or existing *single-family dwelling*, including attached garages, which are considered within the walls of the existing *single-family dwelling*.
- (4) *Lots* with multiple detached *single-family dwellings* are not eligible to have a *JADU*.
- (5) A *JADU* is not allowed in a *multifamily dwelling*.
- (6) A *JADU* is not allowed in an accessory structure.

b. **Size:** The *JADU* shall not be larger than 500 square feet in total floor area.

c. **Kitchen:** The *JADU* must contain an efficiency *kitchen* that includes:

- (1) Cooking facility with appliances, and
- (2) A food preparation counter and storage cabinets.

d. **Entrance:** The *JADU* shall have a separate entrance from the main entrance to the proposed or existing *single-family dwelling*. An interior entry into the *single-family dwelling* is not required unless the *JADU* shares sanitation facilities with the *single-family dwelling*.

e. **Parking:**

- (1) When a *JADU* is created by the conversion of an attached garage, replacement parking for the primary residential structure is required to be provided. The replacement parking can be uncovered onsite parking and can be located in the *setbacks*, provided that:
 - (a) The long dimension of the space is parallel to the centerline of the nearest driveway on the *lot*; and
 - (b) On *interior lots*, a minimum distance of three feet from the side *lot line* remains unobstructed by vehicles.
- (2) Except as provided in Section 8107-1.7.6(e)(1), no additional parking is required for a *JADU*.

- f. **Sanitation:** A *JADU* must either include separate sanitation facilities or share sanitation facilities with the *single-family dwelling*.

Sec. 8107-1.7.7 – ADU and JADU Application Processing and General Requirements

a. Ministerial Permit Approval:

- (1) Permit applications for an *ADU* or *JADU* that meet the requirements of this Section 8107-1.7 shall be considered and approved ministerially without discretionary review or a hearing.
- (2) Except for deviations processed and granted in accordance with Section 8107-37.3 (Deviations for Cultural Heritage Sites) and Section 8111-9 (Reasonable Housing Accommodations), or as required by state law, no variance to the standards or requirements of this Chapter is available for an *ADU* or *JADU*.

b. Type of Permit:

- (1) Applications pursuant to Sections 8107-1.7.4 and 8107-1.7.6 shall be reviewed and approved with a building permit, if the applicable standards are met.
- (2) Applications pursuant to Section 8107-1.7.5 shall be reviewed and approved with a Zoning Clearance, if the applicable standards are met.

c. Nonconforming Zoning Violations: Correction of nonconforming zoning conditions shall not be a condition to ministerial approval of an *ADU* or *JADU* application.

d. Rentals, Owner Occupancy and Transfers:

- (1) Rentals: An *ADU* and *JADU* may each be rented separately from the primary residence.
- (2) Rental Term: All *ADUs* and *JADUs*, and any portion thereof, that are rented shall be rented for terms that are longer than 30 consecutive days.
- (3) Owner Occupancy
 - (a) Lot with ADU: For a *lot* with an *ADU*, the owner of the *lot* does not have to occupy the primary residence or *ADU*. However, if a *single-family dwelling* has an *ADU* and a *JADU*, then the owner must occupy either the *JADU* or the remaining portion of the *single-family dwelling* in accordance with Section 8107-1.7.7(d)(3)(b).
 - (b) Lot with JADU: At the time of application for a *JADU*, the owner of the *lot* must reside in the *single-family dwelling*. Upon completion of construction of the *JADU*, the owner must occupy either the remaining portion of the *single-family dwelling* or the *JADU*. For purposes of this Section 8107-1.7.7(d)(3)(b), owner includes a beneficial owner when the property is owned by a trust or legal entity. Owner-occupancy, however, is not required if the owner is a governmental agency, land trust, or housing organization.

- (4) Sales and Transfers: Except as provided in Government Code section 65852.26, an *ADU* may not be sold or otherwise conveyed separately from the primary residence. *JADUs* may not be sold or transferred separately from the *single-family dwelling*.

e. **Deed Restriction:**

- (1) For ADUs: Upon approval of an *ADU*, a deed restriction running with the land in a form provided by the County must be recorded with the County Recorder at the property owner's expense. The deed restriction must include the following:
- (a) Rentals of the *ADU* must be for a term that is longer than 30 consecutive days; and
 - (b) Except as provided in Government Code section 65852.26, the *ADU* may not be sold or otherwise conveyed separately from the primary residence.
- (2) For JADUs: Upon approval of a *JADU*, a deed restriction running with the land in a form provided by the County must be recorded with the County Recorder at the property owner's expense. The deed restriction must include the following:
- (a) Rentals of the *JADU* must be for a term that is longer than 30 consecutive days;
 - (b) A prohibition on the sale of the *JADU* separate from the sale of the *single-family dwelling*, including a statement that the deed restriction may be enforced against future purchasers; and
 - (c) A restriction on the size and attributes of the *JADU* that conforms with Section 8107-1.7.6 and Government Code section 65852.22.

Article 7, Section 8107-37 – Cultural Heritage Sites, of the Ventura County Ordinance Code, is hereby amended to read as follows:

Sec. 8107-37 – Cultural Heritage Sites

Sec. 8107-37.3 – Range and Approval of Allowed Deviations

To advance the purpose outlined in Sec. 8107-37.1, deviations from various standards and regulations of this chapter may be granted as part of a Planned Development permit. Deviations "a" and "k" may only be granted by the Planning Commission. All others may be granted by the Planning Director or their designee. (AM. ORD. 4282 - 5/20/03; AM. ORD. 4577 – 3/9/21 (grammar))

- a. Minimum Lot Area - Sec. 8103-0 (Purpose and Establishment of Zones and Minimum Lot Areas), Sec. 8103-1 et seq. (Establishment of Alternative Minimum Lot Area by Suffix), Sec. 8106-1.1 and Sec. 8106-1.2;

- b. Permit Approval Level - Sec. 8105-4 (Permitted Uses in Open Space, Agricultural, Residential and Special Purpose Zones). Where the square footage or gross floor area of structures on a lot requires a given permit to be issued, the square footage of significant historic structures on a Cultural Heritage Site shall not be counted towards the total square footage of structures;
- c. Permit Approval Level - Sec. 8105-5 (Permitted Uses in Commercial and Industrial Zones). Where the square footage or gross floor area of structures on a lot requires a given permit to be issued, the square footage of structures on a Cultural Heritage Site shall not be counted towards the total square footage of structures;
- d. General Development Standards - Sec. 8106-1.1 (Development Standards for Uses and Structures in OS, AE, and R Zones); (AM. ORD. 4377 – 1/29/08)
- e. General Development Standards - Sec. 8106-1.2 (Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones);
- f. Fences, Walls and Hedges - Sec. 8106-8.1 et seq.
- g. Accessory Dwelling Unit Standards - Sec. 8107-1.7 et seq. (*Accessory Dwelling Units and Junior Accessory Dwelling Units*); (AM. ORD. 4519-2/27/18)
- h. Parking Standards - Sec. 8108 et seq. (Parking and Loading Requirements); (AM. ORD. 4407 – 10/20/09)
- i. Landscaping Standards - Section 8106-8.2, Section 8108-5.14 and Section 8109-0.6 (Landscaping); (AM. ORD. 4407 – 10/20/09; AM. ORD. 4577 – 3/9/21)
- j. Signage - Sec. 8110-4a (Prohibited portable freestanding signs), Sec. 8110-4i (Prohibited Projecting Signs), Sec. 8110-5-2 et seq (Location); and
- k. Non-conforming Uses and Structures - Sec. 8113-5.2 (Uses Within Structures Subject to Amortization), Sec. 8113-5.2.1 (Expansion and Change of Use Prohibited), Sec. 8113-5.3 et seq (Uses Not Amortized), Sec. 8113-6.1 (Destruction, Uses Not Amortized), Sec. 8113-6.2 (Destruction, Uses Amortized), Sec. 8113-7 (Additional Use), Sec. 8113-8 (Use of Non-conforming Lots).

Section 4

ARTICLE 8:

PARKING AND LOADING REQUIREMENTS

Article 8, Section 8108-4.7 – Table of Parking Space Requirements by Land Use of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated residential land uses:

Sec. 8108-4.7 – Table of Parking Space Requirements by Land Use

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land uses. For non-residential land uses, the number

of motor vehicle parking spaces set forth in the table, plus or minus 10 percent of the total, represents the minimum required and the maximum allowed number of spaces, unless varied pursuant to Section 8108-4.8 below.

For residential land uses the number of motor vehicle parking spaces set forth in the table represents the minimum required number of spaces, unless varied pursuant to Section 8108-4.8 below. The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses; storage of vehicle inventory; or other specialty parking needs related to the operation of specific land uses.

The Director has the authority to determine the parking space requirements for any land use not specifically listed based on the requirements for the most comparable land use.

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
RESIDENTIAL LAND USES	MINIMUM REQUIRED	
Accessory Dwelling Units	1 covered/uncovered space (in addition to the spaces required for the primary dwelling unit) No additional parking is required for accessory dwelling units that meet the provisions of Sec. 8107-1.7.4 or Sec. 8107-1.7.5(c)(1).	
Junior Accessory Dwelling Units	No parking is required for a Junior Accessory Dwelling Unit Replacement parking for the primary residential structure is required pursuant to Sec. 8107-1.7.6(e)(1), if applicable.	
Single Family and Two-Family Dwellings ¹		
1-4 Bedrooms (per unit)	2 covered ² spaces	
5 Bedrooms (per unit)	3 spaces (2 shall be covered ²)	
6 or More Bedrooms (per unit)	4 spaces, (2 shall be covered ²)	

¹ Pursuant to Sec. 8107-1.7.5(c)(3), when a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces do not need to be replaced.

² Except that on parcels larger than 1 acre located in OS, AE, RA, RE, RO, and TP zones, parking may be uncovered.

Section 5

ARTICLE 11: ENTITLEMENTS – PROCESS AND PROCEDURES

Article 11, Section 8111-7.6 – Accessory Dwelling Unit Procedures within Sec. 8111-7 - Appeals of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-7.6 - Accessory Dwelling Unit and Junior Accessory Dwelling Unit Procedures

Notwithstanding any other provisions of this Article:

- a. No public hearings shall be conducted on applications for *accessory dwelling units* or *junior accessory dwelling units* under Sections 8105-4, 8107-1.7, and 8108-4.7. (AM. ORD. 4407 – 10/20/09)
- b. Decisions on *accessory dwelling units* and *junior accessory dwelling units* are final County decisions when rendered and are not subject to appeal.

Section 6

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The Ventura County Board of Supervisors hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 7

This ordinance shall become effective and operative 30 days after adoption.

PASSED AND ADOPTED this ___ day of _____, 2022, by the following vote:

AYES: Supervisors _____

NOES: Supervisors _____

ABSENT: Supervisors _____

CHAIR, BOARD OF SUPERVISORS

ATTEST:

SEVET JOHNSON

Interim Clerk of the Board of Supervisors
County of Ventura, State of California

By _____
Deputy Clerk of the Board