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RECEIPT NUMBER:

01 — 12/18/2024 —

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

County of Ventura

LEAD AGENCY EMAIL

Franca.Rosengren@ventura.org

DATE

12/18/2024

COUNTY/STATE AGENCY OF FILING

Ventura

DOCUMENT NUMBER

PROJECT TITLE

Non-Coastal Zoning Ordinance Text Amendment; Case No. PL19-0021

PROJECT APPLICANT NAME

County of Ventura Planning Division

PROJECT APPLICANT EMAIL

Franca.Rosengren@ventura.org

PHONE NUMBER

(805)654-2045

PROJECT APPLICANT ADDRESS

800 S. Victoria Avenue

CITY

Ventura

STATE

CA

ZIP CODE

93009

PROJECT APPLICANT (Check appropriate box)



Local Public Agency



School District



Other Special District



State Agency



Private Entity

CHECK APPLICABLE FEES:



Environmental Impact Report (EIR)

\$4,051.25

\$

0.00



Mitigated/Negative Declaration (MND)(ND)

\$2,916.75

\$

0.00



Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,377.25

\$

0.00



Exempt from fee



Notice of Exemption (attach)



CDFW No Effect Determination (attach)



Fee previously paid (attach previously issued cash receipt copy)



Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00



County documentary handling fee

\$

50.00



Other

\$

PAYMENT METHOD:



Cash



Credit



Check



Other

TOTAL RECEIVED

\$

50.00

SIGNATURE

X

Franca

Rosengren

Digitally signed by: Franca Rosengren
DN: cn = Franca Rosengren email =
Franca.Rosengren@ventura.org C = AD
O = County of Ventura Planning Division
Date: 2024.12.19 09:58:29 -0800

AGENCY OF FILING PRINTED NAME AND TITLE

Franca A. Rosengren, Senior Planner

FILED

POSTED
DEC 20 2024

DATE: DEC 20 2024

MICHELLE ASCENCION

Ventura County Clerk-Recorder

By: GRACE McVICKER, Deputy By: _____, Deputy

MICHELLE ASCENCION

Ventura County Clerk and Recorder

Filed in County Clerk's Office
Michelle Ascencion
Ventura County Clerk-Recorder

2024100014677

12/20/2024

10:44 AM

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DocType: FISH

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Pages: 102

Fees: \$50.00





COUNTY of VENTURA

RESOURCE MANAGEMENT AGENCY
DAVE WARD
Planning Director

SUSAN CURTIS
Assistant Planning Director

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) **NOTICE OF EXEMPTION**

To: ☒ **County Clerk**
County of Ventura
800 South Victoria Ave., L#1260
Ventura, CA 93009

From: County of Ventura
RMA, Planning Division
800 South Victoria Ave., L#1740
Ventura, CA 93009

☐ **Office of Planning and Research**
1440 Tenth Street, Room 121
Sacramento, CA 95814
(Only if State discretionary approval is required)

A. Project Description:

1. **Entitlement:** Non-Coastal Zoning Ordinance (NCZO) Text Amendment; Case No. PL19-0021
2. **Applicant's Name:** County of Ventura, Resource Management Agency, Planning Division
3. **Applicant's Address:** 800 S. Victoria Avenue, L#1740, Ventura, CA 93009
4. **Location:** All non-coastal parcels in the unincorporated area of Ventura County.
5. **Project Title:** Phase I Amendments to NCZO (Ordinance 4639)
6. **Project Description:** The project consists of a county-initiated ordinance amending Articles 1, 2, 3, 4, 6, 7, 8, 9, and 11 of the NCZO to make minor changes pertaining to accessory bathrooms, landscape screening methods for parking areas, setbacks for sea cargo containers, temporary housing prior to reconstruction, advertisements for outdoor events requiring a Conditional Use Permit, public noticing requirements for proposed zoning ordinance amendments, and wholesale nurseries for propagation, to codify several Planning Director equivalency determinations and policy interpretations, to correct grammatical, typographical, and punctuation errors, to make holistic formatting and style changes, and to update regulations for clarity and consistency with current standards.

B. Lead Agency Contact:

1. **Public Agency Approving Project:** County of Ventura, Resource Management Agency, Planning Division
2. **Contact Person:** Franca A. Rosengren, Case Planner
3. **Telephone No.:** (805) 654-2045
4. **E-mail Address:** Franca.Rosengren@ventura.org

- C. **Exempt Status:** Categorical Exemption, CEQA section 15061(b)(3)
- D. **Justification for Exemption:** The NCZO text amendments are exempt from the CEQA pursuant to the CEQA Guidelines section 15061(b)(3) because there is no potential or possibility that the project may have a significant effect on the environment.

Project Approval: December 17, 2024

Prepared by: Franca A. Rosengren, Case Planner

Reviewed by:



Winston Wright, Manager
Permit Administration Section
Ventura County Planning Division

ORDINANCE NO.

4639

COUNTY OF VENTURA ORDINANCE AMENDING ARTICLES 1, 2, 3, 4, 6, 7, 8, 9, AND 11 OF THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE TO MAKE MINOR CHANGES TO REGULATIONS PERTAINING TO ACCESSORY BATHROOMS, LANDSCAPE SCREENING METHODS FOR PARKING AREAS, SETBACKS FOR SEA CARGO CONTAINERS, TEMPORARY HOUSING PRIOR TO RECONSTRUCTION, ADVERTISING OF OUTDOOR EVENTS REQUIRING A CONDITIONAL USE PERMIT, PUBLIC NOTICING REQUIREMENTS FOR ZONING ORDINANCE AMENDMENTS, WHOLESALE NURSERIES FOR PROPAGATION; TO IMPLEMENT PLANNING DIRECTOR EQUIVALENCY DETERMINATIONS AND POLICY INTERPRETATIONS; TO CORRECT GRAMMATICAL, TYPOGRAPHICAL AND PUNCTUATION ERRORS; TO MAKE HOLISTIC FORMATTING AND STYLE CHANGES; AND TO UPDATE REGULATIONS FOR CLARITY AND CONSISTENCY WITH CURRENT STANDARDS

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

Section 1

ARTICLE 1 – AUTHORITY, PURPOSE, AND APPLICATION OF CHAPTER

Article 1, Section 8101-1 – Purpose of Chapter, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8101-1 – Purpose of Chapter

The text (including tables and matrices) and references to the *Official Zoning Data* (See Article 18) contained in this Chapter constitute the comprehensive zoning regulations for the unincorporated area of Ventura County, excluding the *Coastal Zone*, and are adopted by the Board of Supervisors to protect and promote the public health, safety and general welfare; to provide the environmental, economic and social advantages which result from an orderly, planned use of resources; to establish the most beneficial and convenient relationships among land *uses* and to implement and be consistent with the County's *General Plan*.

Article 1, Section 8101-2.1 – Applicability to Uses and Structures, of the Ventura County Ordinance Code, pertaining to the applicability of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-2.1 – Applicability to Uses and Structures

The provisions of this Chapter apply to all *lots*, *structures* and *uses* of land or bodies of water created, utilized, established, constructed or altered by any person in the unincorporated areas of Ventura County over which the County possesses land use authority, excluding the *Coastal Zone*, and unless specifically exempted by the following subsections:

Article 1, Section 8101-2.1.1 – Exemption, Public Roads, of the Ventura County Ordinance Code, pertaining to the applicability of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-2.1.1 - Exemption, Public Roads

The provisions of this Chapter are not applicable to construction and maintenance of *public roads* and other improvements within *public road* rights-of-way.

Article 1, Section 8101-2.1.2 – Exemption, Preemption, of the Ventura County Ordinance Code, pertaining to applicability of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-2.1.2 – Preemption

The provisions of this Chapter are not applicable to any area of regulation preempted by federal or state law.

Article 1, Section 8101-2.2 – Applicability to Lots Split by the Coastal Zone Boundary, of the Ventura County Ordinance Code, pertaining to the applicability of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-2.2 – Applicability to Lots Split by the Coastal Zone Boundary

The *Coastal Zone* boundary does not, in most cases, follow property lines and there may be a *lot* which is split by the boundary. If development, as defined in Chapter 1.1 of the Coastal Zoning Ordinance Code, is proposed on that portion of the *lot* outside the *Coastal Zone* and has the potential to affect adversely any property or resource within the *Coastal Zone*, the policies and standards of the Ventura County Local Coastal Program and the California Coastal Act shall be used in formulating conditions or requirements for the proposed development.

Article 1, Section 8101-2.3 – Applicability to Uses and Structures within Old Town Saticoy, of the Ventura County Ordinance Code, pertaining to applicability of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-2.3 – Applicability to Uses and Structures within Old Town Saticoy

The Old Town Saticoy Development Code is set forth in Article 19 of this Chapter. Development or *uses* within the Old Town Saticoy boundary, as delineated in the Saticoy Zoning Map, shall be subject to the Old Town Saticoy Development Code, which includes applicable zoning and development standards. All other provisions of this Chapter apply to Old Town Saticoy for matters not addressed in the Old Town Saticoy Development Code. For ease of reference, cross-references have been added to specific articles in this Chapter and within the Old Town Saticoy Development Code. If there is a conflict between the Old Town Saticoy Development Code and other provisions of this Chapter, the former shall control.

Article 1, Section 8101-4.4 – Terms Not Defined, of the Ventura County Ordinance Code, pertaining to the general interpretation of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-4.4 – Illustrations

When there is a difference of interpretation between the text of any provision and any illustration in this Chapter, the text shall govern.

Article 1, Section 8101-4.6 – Quantity, of the Ventura County Ordinance Code, pertaining to the general interpretation of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-4.6 – Quantity

Unless the context otherwise clearly indicates, words used in the singular includes the plural, and the plural includes the singular.

Article 1, Section 8101-4.9 – Severability, of the Ventura County Ordinance Code, pertaining to the general interpretation of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-4.9 - Severability

If any provision of this Chapter is held to be invalid, that holding shall not invalidate any other portion of this Chapter.

Article 1, Section 8101-4.10 – Interpretation, of the Ventura County Ordinance Code, pertaining to the general interpretation to the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-4.10 - Interpretation

Because it is infeasible to compose legislative language which encompasses all conceivable land-use situations, the *Planning Director* shall have the power to interpret the regulations and standards contained in this Chapter, when such interpretation is necessitated by a lack of specificity in such regulations and standards.

Article 1, Section 8101-4.11 – Position of Planning Director, of the Ventura County Ordinance Code, pertaining to the general interpretation of the zoning ordinance, is hereby amended to read as follows:

Sec. 8101-4.11 - Position of Planning Director

Whenever the *Planning Director* position is unfilled for any reason, the Resource Management Agency Director automatically assumes the duties and powers of the position of *Planning Director*.

Article 1, Section 8101-4.12 – Abbreviations, of the Ventura County Ordinance Code, pertaining to the general interpretation of the zoning ordinance, is hereby added to read as follows:

Sec. 8101-4.12 – Abbreviations

In this Chapter, certain words may be abbreviated, such as: cubic yards (cu. yd.), inches (in.), feet (ft.), square feet (sq. ft.), acres (ac.), *gross floor area* (GFA), and section (sec.).

Section 2

ARTICLE 2: DEFINITIONS

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended by revisions, deletions, and additions of the following specific definitions in their appropriate alphabetical order.

Sec. 8102-0 - Application of Definitions

- a. Unless the provision or context otherwise requires as determined by the *Planning Director*, the definitions of words and terms as follows shall govern the construction of this Chapter.
- b. Words and terms defined in Section 8102-0 below are endeavored to be italicized for convenience whenever they appear in this Chapter. If a word or term defined below is not italicized where appearing in this Chapter, it shall nonetheless have the defined meaning unless from the context a different meaning is defined or otherwise clearly intended.
- c. Whenever any words or terms used in this Chapter are not defined herein but are defined in another Chapter of this Division, and the word or term is used in the same context in this Chapter or the *General Plan*, the word or term shall have the same meaning as defined in such other Chapter or the *General Plan*. If a conflict exists between a definition, the definition for a word or term in this Chapter and a definition for the same word or term in another Chapter of this Division or the *General Plan*, the definition herein shall control.
- d. Whenever a definition or other provision in this Chapter references a statute, regulation or provision of federal, state, or local law or regulation, the reference shall be to the current or successor version of the law unless expressly stated otherwise herein.

Definitions – A

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 Structures, Habitable: *Structures* intended for human occupancy or which are primarily used for human occupancy. Such *structures* include, but are not limited to, recreation rooms, artist studios, hobby rooms, and pool houses/cabanas. Non-habitable *accessory structures* include garages, workshops and storage sheds.

Agricultural Contractor Service and Storage Yard: An open area, which may legally establish buildings and structures, for the storage of vehicles, equipment and materials which are associated with an agricultural contracting business or operation, where sales, manufacturing and processing activities are specifically excluded. Agricultural contractor service and storage yards do not include landscape maintenance or groundskeeping businesses.

Air Quality Management Plan (AQMP): The Air Quality Management Plan for Ventura County, including all appendices thereto, as may be amended. See Article 12 of this Chapter.

Animal, Inherently Dangerous: A *wild animal* which poses an inherent danger to its keepers, the public, property, or the environment. Such *animals* include, but are not limited to, crocodiles, alligators and the like; all venomous reptiles; all constrictor snakes over 8 feet in length; large cats (mountain lions, cheetahs and all larger cats); wolves, foxes, and coyotes; venomous arachnids such as black widow spiders and scorpions; and insects (e.g., Africanized honeybees) meeting this definition.

Animal Keeping, Non-husbandry: 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, judgments and the like.

Apiculture: Apiculture means the keeping or maintenance of one or more *beehives*, but does not include honey houses, extraction houses, or warehouses. Also see definition of *Beekeeping, Backyard* and Section 8107-2.6.

Definitions - B

Base Zone: Any of the zones listed in Article 4 of this Chapter that are not identified as an *overlay zone* in Article 4.

Bathroom, Full: A room or location with a sink, a toilet, and a bathtub and/or shower.

Bathroom, Half: A room or location with a toilet with or without a sink, and without a bathtub and/or shower.

Biosolids: Shall have the same definition as set forth in the California Code of Regulations, title 14, section 17852(a)(9), as may be amended, which states: "Solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Biosolids includes, but is not limited to, treated domestic septage and scum or solids removed in primary, secondary, or advanced wastewater treatment processes. Biosolids includes the residue solids resulting from the co-digestion of anaerobically digestible material with sewage sludge. Biosolids does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during the preliminary treatment of domestic sewage in a treatment works."

Biosolids Composting Facility or Operation: A facility or operation that processes *biosolids* (treated sewage sludge), along with necessary additives and amendments, into compost and results in controlled biological decomposition.

Borrow Area: An area where soil, sand, gravel or rock is extracted and removed for use as fills, grades or embankments on property of a different ownership or noncontiguous property of the same ownership. (See Section 8107-9.)

Building Lot Coverage: The ratio of the area of land covered by *buildings* (i.e., the total "building area") to *gross lot area*, expressed as a percentage of *lot area*. For purposes of this definition, "building" is any *structure* having a roof supported by columns or walls, and "building area" is the area included within the surrounding exterior walls or columns of a *building*, exclusive of courts.

Definitions – C

California Environmental Quality Act (CEQA): Refers to the California Environmental Quality Act, which is set forth at Public Resources Code section 21000 et seq., and the CEQA Guidelines, which are set forth at California Code of Regulations, title 14, sections 15000 et seq.

Campground: A rural facility without permanent *structures* for overnight accommodation, but with limited *accessory structures* and *buildings*, which is used for temporary leisure or recreational purposes and provides opportunities for the enjoyment or appreciation of the natural environment. (See Section 8107-16.)

Caretaker, Animal: A person *employed full-time* on the same property for activities associated with *Animal Husbandry* or *Animal Keeping, Non-Husbandry*. (See Section 8105-4.)

Certificate of Appropriateness: Shall have the same definition as set forth in the Ventura County Cultural Heritage Ordinance, as may be amended, which states: "An authorization issued by the *Cultural Heritage Board* or its designee which generally indicates that the proposed subdivision, rezoning, maintenance, acquisition, *stabilization, preservation, reconstruction, protection, alteration, restoration, rehabilitation*, remodeling, addition, *change of use*, demolition, relocation, change, remodeling or other project affecting a potential or designated *Cultural Heritage Site* will not reduce its *cultural heritage* values, or prevent the eligibility of a *Potential Cultural Heritage Site* to become a designated *Cultural Heritage Site*."

Certificate of Review: Shall have the same definition as set forth in the Ventura County Cultural Heritage Ordinance, as may be amended, which states: "An action by the *Cultural Heritage Board* or its designee documenting its consideration of, and recommendations, regarding the effects, including environmental effects to historic resources, of permit actions on a potential or designated *cultural heritage site*, where a *Certificate of Appropriateness* is not required."

Chipping/Grinding Operation or Facility: Shall have the same definition as set forth in the California Code of Regulations (CCR), Title 14, Section 17852(a)(10), as may be amended, which states: "[A]n operation or facility, that does not produce compost, that mechanically reduces the size or otherwise engages in the handling, of compostable material and:

(A) The site does the following:

1. The site handles only material, excluding manure, allowed at a green material composting operation or facility as set forth in section 17852(a)(22); and
2. Each load of green material is removed from the site within 48 hours of receipt. The EA [enforcement agency] may allow a site to keep green material on-site for up to 7 days if the EA determines that the additional time does not increase the potential for violations of this Chapter.

(B) If the site fails to meet the definition of green material because it exceeds the contamination limits in section 17852(a)(21), the site shall be regulated as set forth in the Transfer/Processing Regulatory requirements (commencing at section 17400).

(C) If the site fails to meet the definition of this section because the green material remains on-site for a longer period of time that is allowed, then the site shall be regulated as a compostable material handling operation or facility, as set forth in this Chapter."

Chipping and grinding operations or facilities do not include the on-farm chipping or grinding of agricultural prunings or other agricultural organic discards. (See Section 8107-36.4.)

Commercial Vehicle: A vehicle, and any equipment accessory thereto, used to transport products or raw materials, or to provide services of a commercial nature. The vehicle may or may not have markings indicating its association with commercial activities.

Communications Facilities: Unstaffed facilities that transmit or receive electromagnetic signals for the purpose of operating telephone, radio, television, or data communication services. Such facilities include transmitting and receiving *antennas/dishes*, radar stations microwave towers, and other associated equipment and *structures* primarily designed to support the transmission of electromagnetic signals. *Non-commercial antennas* and *wireless communication facilities* are included in this definition. (See Section 8107-45.)

Correctional Institution: An institutional care facility operated by, or at the direction of, a legally constituted federal, state, or local government authority for the detention and treatment of public offenders, including ancillary uses and *structures* such as court facilities, classrooms, offices, *kitchens*, dining areas, laundry facilities, *communications facilities*, outdoor recreational yards, *gymnasiums*, utilities, and other necessary infrastructure. (See Section 8107-32.)

County: Means the County of Ventura, a political subdivision of the state.

Cultural Heritage Site: An improvement, natural feature, site or district that has completed the legally required procedures stipulated in the Ventura County Cultural Heritage Ordinance to have it designated by the Ventura County Cultural Heritage Board or the Ventura County Board of Supervisors as a *district*, *landmark*, *site of merit*, or *point of interest* and has received that designation.

Definitions - D

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

Disability: Shall have the same definition as set forth in Section 12926 of the California Fair Employment and Housing Act, and Section 12012 of the Federal Americans with Disabilities Act. (42 U.S.C. sec. 12012)

District: Shall have the same definition as set forth in the Ventura County Cultural Heritage Ordinance, as may be amended, which states: "A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, landscapes, *structures*, or objects, united by past events or aesthetically by plan or physical developments. A district may also be composed of individual elements separated geographically but linked by association or history."

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.

(See Section 8107-1.7.)

Dwelling Unit, Animal Caretaker: A *dwelling unit* occupied by one or more *animal caretakers*, employed full-time and working on-site where the dwelling unit is located, or employed on other land in Ventura County that is under the same ownership or lease as the subject *lot*. Members of the *animal caretaker's* household may also occupy said dwelling unit. (See Section 8107-41.)

Dwelling Unit, Farmworker: A *dwelling unit* occupied by one or more *farmworkers*, employed full-time and working on-site where the dwelling unit is located, or employed on other land that is under the same ownership or lease as the subject *lot*. *Farmworkers* who are *principally employed* offsite in activities associated with agricultural packing and storage facilities, and transportation of agricultural products to the market may not occupy

a farmworker dwelling unit. Members of the *farmworker's* household may also occupy said dwelling unit. (See Section 8107-41.)

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*. (See Section 8107-1.7.)

Dwelling, Multifamily: A building, or portion of a *building* containing three or more *dwelling units*. *Single Room Occupancy* units are included in this definition.

Dwelling, Single-Family: A *building* or a *mobilehome* or manufactured housing unit meeting the standards of Section 8107-1.3 of this Chapter, designed or used exclusively for occupancy by one *family* and containing one principal *dwelling unit*.

Dwelling Unit: One or more rooms with *internal access* between all rooms, which provide complete independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking, bathing, and sanitary facilities. (Also see definition of *Internal Access*.)

Definitions - E

Employed Full-Time: "Employed full-time" means that the person is working a minimum of 32 hours per week at a job for which they are employed.

Employee Housing: Shall have the same meaning as "employee housing" as defined in Section 17008 of the Health and Safety Code, as may be amended, and that is regulated by the California Department of Housing and Community Development. (See Section 8107-26.)

Employee Housing, Agricultural: Housing occupied by agricultural employees, which may include *permanent employee housing*, *seasonal employee housing* or *temporary employee housing*, and that is regulated by the California Department of Housing and Community Development. (See Section 8107-26.)

Employee Housing, Permanent: *Employee housing* which is not temporary or seasonal as defined in Health and Safety Code Section 17010(c), as may be amended, and that is regulated by the California Department of Housing and Community Development. (See Section 8107-26.)

Employee Housing, Seasonal: *Employee housing* which is operated annually on the same site and which is occupied for not more than 180 days in any calendar year, as defined in Health and Safety Code Section 17010(b), as may be amended, and that is regulated by the California Department of Housing and Community Development. (See Section 8107-26.)

Employee Housing, Temporary: *Employee housing* which is not operated on the same site annually and which is established for one operation and then removed, as defined in Health and Safety Code Section 17010(a), as may be amended, and that is regulated by the California Department of Housing and Community Development. (See Section 8107-26.)

Energy Production from Renewable Sources and Energy Storage: Any facility, *structure*, or installation as a *principal use* that produces energy from naturally replenished sources such as, but not limited to, wind, water, sunlight, geothermal heat, or biomass, and/or facilities that store energy primarily for off-site uses. (See Section 8107-49.)

Energy Storage: A specific type of land use under the definition "energy production from renewable sources and energy storage" that is limited to the storage of energy primarily for off-site use. (See Section 8107-49.)

Entitlement: A *ministerial* or *discretionary* Zoning Clearance, permit, variance or other *County* approval, including but not limited to those set forth in Sections 8111-1.1 and 8111-1.2 of this Chapter, authorizing a right to some type of *use*, development or project under this Chapter.

Farmworker Housing Complex: A residential development, distinct from a *farmworker dwelling unit*, where the units are rented to persons who are *principally employed* within Ventura County for activities associated with *agriculture*. Farmworker housing complexes may include studios, one-, two- or three-bedroom units within the complex. Members of the *farmworker's* household may also occupy said unit within the complex. (See Section 8107-41.3.3.)

Farmworker, Principally Employed: A *farmworker* whose income from activities associated with *agriculture* is at least 50 percent of their gross personal income, as reflected in documents cited in Section 8107-41.2.2(f). For temporary or seasonal *farmworkers*, gross personal income may be calculated on a quarterly basis to meet the employment criteria. (See Section 8107-41.)

Filming Activities: All uses, *structures* and activities related to the production of motion pictures, television programming music and corporate videos, advertisements, and commercial still photography. Said activities include, but are not limited to, preparation, filming, and strike time, and the ancillary functions accessory thereto. (See Section 8107-11.)

Filming Activities, Occasional: *Filming activities* which do not cumulatively exceed 90 days in any 180-day period, on a given *lot*. Such activities may involve facilities and *structures* that are to be removed upon the completion of a given scene, movie, video, or television series. (See Section 8107-11.)

Filming Activities, Permanent: On-going *filming activities* that occur at a fixed location intended primarily for such purposes and usually using facilities and *structures* that are permanent or intended to remain in place for an indefinite period of time. These facilities and *structures* may include, but are not limited to, components of film production such as studios, sound stages, production laboratories, equipment storage areas, fabrication shops, offices, accompanying food services, or permanent working sets. (See Section 8107-11.)

Filming Activities, Temporary: *Filming activities* on an individual *lot* which exceed 90 days in any 180-day period on that *lot* and which may involve the use of nonpermanent facilities and *structures* such as exterior sets or flats (pieces of scenery on portable wooden frames) that are not intended for *human habitation* and which do not require permanent foundations. (See Section 8107-11.)

Definitions - G

Garage and Yard Sales: Occasional sales of miscellaneous household goods or personal articles, open to the public, and conducted from or on a property with an approved residential use.

General Plan: Refers collectively to the Ventura County General Plan including all *County Area Plans*, and any *County Specific Plans*.

Geographic Information System (GIS): The digital data system which is the basis for zoning and other land use information.

Government Building: A *building, structure* or other facility operated by a legally constituted federal, state or local government authority, unless covered by a more specific land use category in Sections 8105-4 and 8105-5 of this Chapter.

Grade: Adjacent ground level. For purposes of *building height* measurement, grade is the average of the finished ground level at the center of all walls of a building, or other datum point established by the Public Works Agency. In the case where the walls are parallel to and within 5 feet of a sidewalk, the finished ground level is measured at the sidewalk.

Grading: The contouring of land through mechanical means. The movement, removal or deposit of earth materials (i.e., any rock, natural soil or unconsolidated material above bedrock or mixture thereof) by artificial means.

Gross Floor Area (GFA): Shall have the same definition as set forth in the California Residential Building Code, as may be amended, which states: "The area within the inside perimeter of the exterior walls of the building, exclusive of vent shafts and courts, without deduction for corridors, stairways, ramps, closets, the thickness of interior walls, columns or other features. The area of a building, a portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts."

Definitions - H

Hazardous Material: Shall have the same definition as set forth in Division 20, Chapter 6.95, Section 25501(n) of the California Health and Safety Code, as may be amended, which states in part that a "hazardous material" is a material, because of its quantity, concentration, physical or *chemical* characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment. Hazardous materials include, but are not limited to, hazardous substances, hazardous waste, and any material that the administering agency (CUPA) determines to be potentially injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

Hazardous Waste: Shall have the same definition as set forth in Division 20, Chapter 6.5, Section 25141 of the California Health and Safety Code, as may be amended, which states in part that a "hazardous waste" is a waste, or combination of wastes, which because of its quantity, concentration, physical, *chemical*, or infectious characteristics, may cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or may pose a substantial present or potential hazard to human health or environment due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bioaccumulative properties, or persistence in the environment, when improperly treated, stored, transported, or disposed of, or otherwise managed.

Historic Repository: A location where *structures*, facilities, equipment and the like, which are associated with the historic or cultural development of Ventura County, may be collected and displayed. (See Section 8107-39.)

Homeshare: A *dwelling* which is the *primary residence* of an owner who possesses at least a 20 percent ownership interest in the subject *parcel*, with any portion of the *dwelling* rented for a period less than 30 consecutive days when said owner is physically present in the same *dwelling*, with no meals or food provided to the renter or renters. A *homeshare* is not considered a *home occupation* under this Chapter. Use of a *dwelling* for occasional *home exchange* is not considered a *homeshare*. (See Section 8109-4.6.)

Household Hazardous Waste: Shall have the same definition as set forth in the California Code of Regulations, Title 22, Section 66260.10, as may be amended, which states:

"Any hazardous waste generated incidental to owning and/or maintaining a place of residence. Household hazardous waste does not include any waste generated in the course of operating a business at a residence."

Definitions - I-K

Inauguration: The lawful commencement of uses, activities, or construction of *structures* and facilities permitted by this Chapter or by a specific *entitlement* issued pursuant to this Chapter. Use *inauguration* occurs after the *Planning Director* or designee issues a Zoning Clearance, and other required local, state, and federal permits, such as finalized building permits and Certificates of Occupancy, have been obtained.

Interpretive Center: A site, with or without *structures*, for the display of architecture, art or other artifacts associated with the site and which may also depict the cultural and social history and prehistory of Ventura County. (See Section 8107-38.)

Kennel/Cattery: Any *lot* or premises, with or without *structures*, where *pet animals* such as dogs or cats are kept for limited periods of time, whether for compensation or not, for purposes of boarding, training, *animal* rescue and the like, and may include accessory veterinary services that are not available to the public.

Definitions - L

Lighting, Security: A *luminaire* that is primarily intended to deter or detect intrusions or other unwanted activity. It can also be used to allow safe passage. *Security lighting* is a form of *essential luminaires*.

Lot: An area of real property with fixed boundaries depicted on or described by a final map, parcel map, or instrument of conveyance for the purpose of defining land to be held, actually or potentially, in fee title as a discrete unit; provided that streets, *alleys*, and similar rights-of-way, whether held in fee or otherwise, are not *lots*. Easements and licenses are not *lots* either. Alternatively, the *Planning Director* may determine that a permit area is a "lot" for purposes of this definition. Except as otherwise specified in this Chapter, references to lots are intended to include remainder *parcels* and *parcels* offered for dedication. "Lot" has the same meaning as "*parcel*" and the terms are synonymous.

Lot Area, Gross: The total area, measured in a horizontal plane, within the *lot lines* of a *lot*. For purposes of this Chapter, the terms "gross lot area" and "gross area" have the same meaning and are synonymous.

Lot Area, Net: The *lot area* less the area within any existing or proposed public or private street, road, or easement for ingress or egress, and less the area within any existing or proposed easement wherein the owner of the *lot* is prohibited from using the surface of the land. Included in the "*net area*" is the area lying within public utility easements (except as otherwise provided in the Ventura County Subdivision Ordinance), sanitary sewer easements, landscaping easements, public service and tree maintenance easements, and open space easements, flowage easements, subsurface drainage easements, subsurface flood control easements, and other such easements wherein the owner of the *lot* is not prohibited from using the surface of the land. For purposes of this Chapter, the terms "net lot area" and "net area" have the same meaning and are synonymous.

Lot, Corner: A *lot* situated at the intersection of two or more streets or highways, which streets or highways have an angle of intersection of not more than 135 degrees.

Lot, Legal: A *lot* that complies with the Subdivision Map Act and the Ventura County Subdivision Ordinance, and is either entitled to, or has been issued, a Certificate of Compliance. A *lot* that has been issued a recorded Conditional Certificate of Compliance is

a legal *lot* for purposes of sale, lease, and financing only, but is an illegal *lot* for all other purposes and is not eligible for the granting or issuance of land use permits or *entitlements* approving development thereon under the Zoning Ordinances or other *County* ordinances.

Lot, Flag: A *lot* generally configured in the shape of an "L" or "T," and that takes *access* from the street by means of a strip of land which is part of the *lot*.

Lot Line:

Front: A line separating an *interior lot* from a street, or a line separating the narrower street frontage of a *corner lot* from the street, except for *flag lots*.

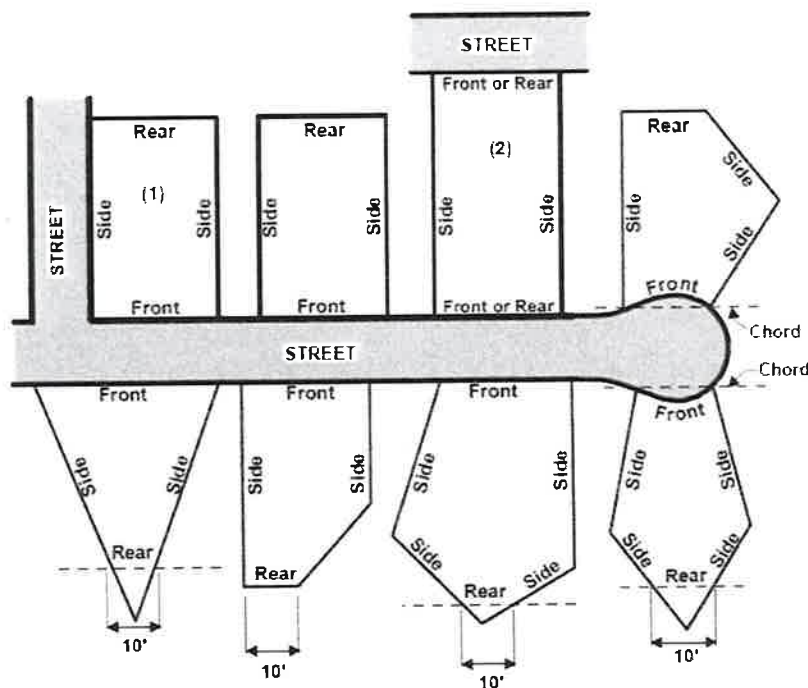
Side: Any *lot* boundary line that is not a *front lot line* or a *rear lot line*.

Rear:

a. Rectangular lots: A *lot line* that is opposite and most distant from the *front lot line*.

b. Triangular and irregularly-shaped lots: A line 10 feet long within the *lot*, opposite and most distant from the *front lot line* that is parallel to the *front lot line* or parallel to the chord of a curved *front lot line*, where such chord is drawn perpendicular to the mean direction of *lot depth*.

Types of Lot Lines



- (1) For *corner lots*, the narrower street frontage is the front yard.
- (2) For *through lots*, see Section 8106-4.4.
- (3) For *flag lots*, see Section 8106-4.3.

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.

Lot Width: The horizontal distance between the *side lot lines* measured at the *front setback*.

Luminaire, Outdoor: See definition of *Lighting, Outdoor*.

Definitions - M

Mining: A form of *mineral resource development* involving the extraction and removal of more than 1,000 cubic yards of material from the same site, or from separate *lots* within one mile of each other that are owned or mined by the same person, through such activities and *uses* as *borrow areas*, sand, gravel and rock quarries, etc. Mining does not include extraction and removal of material from construction sites or following floods, landslides or natural disasters where the land is being restored to its prior condition. (See Section 8107-9.)

Mining, Accessory Uses: Uses customarily incidental, appropriate and subordinate to *mining* located on the same site, such as stockpiling; sorting; screening; washing; crushing; and maintenance facilities. Other accessory uses include the following: ready mix concrete batching; asphalt concrete batching; recycling of concrete, asphalt and related construction materials; trucking operations associated with products from the site; and contractors' service and storage yards and concrete and asphalt concrete products manufacturing which make use of the products produced from the subject *mining* site. These *uses* may require separate permits as *principal uses* if not addressed under the primary *mining* permit. (See Section 8107-9.)

Mining, Agricultural Site: An area, or areas within a site where the *Planning Director* has determined that the excavation and/or removal of more than 1,000 cubic yards of earthen material is integral and beneficial to the development or enhancement of a bona fide farming operation on that site. (See Section 8107-9.)

Mixed Solid Waste: Shall have the same definition as "Mixed Material" as set forth in the California Code of Regulations, Title 14, Section 17852(a)(26), as may be amended, which states: "Any compostable material that is part of the municipal solid waste stream, and is mixed with or contains non-organics, processed industrial materials, mixed demolition or mixed construction debris, or plastics. A feedstock that is not source separated or contains 1.0 percent or more of physical contaminants by dry weight is mixed material." Mixed solid waste is "non-hazardous" solid waste discarded from homes, businesses, institutions, and manufacturing plants that has not been separated or sorted by type and usually contains unrecyclable residuals that shall be disposed of in a waste disposal facility.

Mobilehome: Shall have the same definition as set forth in Health and Safety Code, section 18008, as may be amended. For the purposes of Article 17 of this Chapter, a *recreational vehicle* located in a *mobilehome park* or trailer park shall be treated as a mobilehome, provided it has been used as a principal *dwelling unit* for nine consecutive months.

Motel: *Building(s)* that provide lodging in guest rooms primarily for those traveling through the area or that otherwise require short term accommodations. Motel *buildings* typically have direct *access* from the rooms to the outdoors. Motels include auto courts, motor lodges, and tourist courts.

Motocross/OHV (Off-Highway Vehicle) Park: An activity involving two-wheeled motorized vehicles (limited to two-engine cylinders or less), conducted on a closed course, laid out over natural terrain, that may include left and right turns, hills, jumps and irregular terrain, and which does not include high-speed sections. (See Section 8107-29.)

Definitions - N-O

Nonconforming Structure: A *structure*, or portion thereof, that was lawfully erected or altered and maintained, but that no longer conforms with development standards of this Chapter, including standards for *building lot coverage*, parking, *lot area per structure*, *height*, and *setbacks*, solely because of amendments to this Chapter or changes to other applicable law.

Nonconforming Use: A *use* that was lawfully established and maintained but that, because of amendments to this Chapter or other applicable law, 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.

Oil and Gas Exploration and Production: The drilling, extraction and transportation of subterranean fossil gas and petroleum, and necessary attendant *uses* and *structures*, but excluding refining, processing or manufacturing thereof. (See Section 8107-5.)

Outdoor Events: An outdoor event held in a stationary location on a privately owned *parcel* in the Open Space, Agricultural Exclusive, Rural Agricultural, or Commercial Planned Development zone at which the primary event activities occur outside of *structures*, such as harvest festivals; carnivals; historic re-enactments; *animal* events; art shows; athletic events; concerts; craft fairs; farmer's markets; receptions; ceremonies; fundraisers; social, political, spiritual or organizational gatherings; and similar events except for those that are either separately regulated under this Chapter, addressed by a permit or *entitlement* issued under this Chapter or that occur at a permitted school or college. (See Section 8107-46.)

Outdoor Recreational Facility: An outdoor area designed for active recreation, whether publicly or privately-owned, including, but not limited to, baseball and softball diamonds, soccer and football fields, golf courses, equestrian arenas, and sport courts.

Outdoor Sales and Services, Temporary: Such temporary outdoor *uses* as sidewalk sales (except *swap meets*), seasonal sales and auctions, but excluding *mobile food facilities*. (See Section 8107-12.)

Overlay Zone: Any zone listed in Section 8104-7, Article 4 of this Chapter. An *overlay zone* creates a special zoning district, placed over an existing *base zone(s)*, which identifies special provisions in addition to those in the underlying *base zone*. The overlay zone can share common boundaries with the *base zone* or cut across *base zone* boundaries.

Definitions - P-Q

Parcel: For the purposes of this Chapter, the word "parcel" shall have the same meaning as the word "*lot*" and the two terms are synonymous.

Park, Urban: An area of land available for public use predominantly located within the built environment. Typical amenities and *uses* may include, but are not limited to, landscaped areas, *athletic fields* and courts, areas for skateboarding and other nonmotorized conveyances, plazas, squares, picnic and/or sitting areas, natural areas, trails and walkways, and concessions. (See Section 8107-48.)

Parking Area: An area outside the public right-of-way containing five or more parking spaces and designed and used primarily for the parking of operable motor vehicles and bicycles. *Parking areas* may be located at *grade*, above ground, or below ground. *Parking areas* include *parking facilities*, *lots*, *structures* and underground parking. Elements of *parking areas* include parking spaces, drive aisles, loading areas and required landscaping and screening. *Parking areas* do not include: individual residential garages, parking

spaces/areas for *single-family* (including *caretaker* and *farmworker dwelling units*), or *two-family dwelling units*, or motor vehicle storage or inventory display areas.

Parking Facility: A type of *parking area* and/or *structure* that is a *principal use*.

Personal Services: Enterprises serving individual necessities, such as barber shops, beauty salons and spas, clothing rental, coin-operated laundromats, funeral homes, marriage bureaus, massage services by masseurs/masseuses, personal laundry and dry cleaning establishments, photographic studios, tattoo parlors, upholstery shops, and travel agencies.

Planning Commission: The Ventura County Planning Commission.

Planning Director: The Director of the Resource Management Agency, Planning Division, of the *County*, or designee.

Point of Interest: A designation applied to the site of a former improvement or event location pursuant to the Ventura County Cultural Heritage Ordinance.

Public Works Maintenance: Public Works maintenance means work performed to restore public facilities or *structures* to their original design capacity and any activities necessary for the preservation of public facilities or *structures* or to alleviate imminent threats to public health and safety. Said work and activities include, but are not limited to, removing material to avert potential landslides, the repair and/or maintenance of flood control facilities as defined by title 14, section 3505(a)(2) of the California Code of Regulations, and accessory processes such as stockpiling, sorting, and screening of material.

Definitions - R

R-Zone: A zone classification under this Chapter that contains the letter "R" in its abbreviation, excluding *overlay zones*.

Radio Studios: A staffed commercial facility used for the creation and production of AM/FM radio and other electronic media programming, which includes studios, stages, editing facilities, post-production facilities, associated *antennas* and accessory *antenna* equipment used for the transmission of radio and microwave signals. (See Section 8107-45.2.3.)

Recreational Vehicle: Shall have the same definition as set forth in Division 13, Part 2, section 18010 of the California Health and Safety Code, as may be amended, which states: "'Recreational Vehicle' means both of the following: (a) A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy, that meets all of the following criteria: (1) It contains less than 320 square feet of internal living room area, excluding built-in equipment, including, but not limited to, wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms. (2) It contains 400 square feet or less of gross area measured at maximum horizontal projections. (3) It is built on a single chassis. (4) It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit. (b) A park trailer, as defined in Section 18009.3." Recreational vehicles do not fall within the definition of *mobilehomes*.

Recreational Vehicle Park: Shall have the same definition as set forth in Division 13, Part 2.3, Chapter 2, section 8862.39, as may be amended, which states: "(a) Any area or tract of land, or a separate designated section within a mobilehome park where two or more *lots* are rented, leased, or held out for *rent* or lease, or were formerly held out for *rent* or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate owners or users of *recreational vehicles*, camping cabins, or tents. (b) Notwithstanding subdivision (a), employee housing that has obtained

a permit to operate pursuant to the Employee Housing Act (Part 1 (commencing with Section 17000)) and that both meets the criteria of Section 17021.6 and is comprised of two or more lots or units held out for lease or rent or provided as a term or condition of employment shall not be deemed a recreational vehicle park for the purposes of the requirement to obtain an initial or annual permit to operate or pay any fees related thereto required by this part." A "recreational vehicle park" is primarily for temporary use by *recreational vehicles* for which utility connections (sewer, water, electricity) are provided at the park.

Resource Recovery: Shall have the same definition as set forth in the California Code of Regulations, Title 14, section 17225.58, as may be amended, which states: "The reclamation or salvage of wastes for reuse, conversion to energy or recycling."

Retail Trade: Businesses engaged in the sale of merchandise, generally without transformation, and rendering services that include the incidental sale of merchandise. Examples of retail trade businesses are auto supply *stores*, book and stationery *stores*, camera shops, clothing and fabric *stores*, department and variety *stores*, drug *stores*, florists, food *stores*, furniture *stores*, gift and novelty shops, hardware and paint *stores*, home furnishings *stores*, household appliance *stores*, jewelry *stores*, liquor *stores*, music *stores*, newsstands, pet *stores*, shoe *stores*, sporting goods *stores*, toy and hobby shops and used merchandise *stores*.

Retreat: A facility which (a) provides opportunities for small groups of people to congregate temporarily on a site for such purposes as education, enlightenment, contemplation, renewal or solitude; and (b) by its nature, needs to be located in a quiet, sparsely-populated, natural environment. (See Section 8107-18.)

Reuse Salvage Facility: A facility or yard that accepts, salvages, and sells or distributes a variety of separated, nonhazardous discards including building materials, household fixtures, and furniture, and which requires some outdoor storage and which may conduct minor repair or upgrading of the materials. This definition does not apply to automobile salvage operations. (See Section 8107-36.3.5.)

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, residential satellite and digital T.V. dishes less than 1 meter in diameter and similar *structures*. (See Section 8106-7.2.)

Rooster: Shall have the same definition as set forth in Ventura County Ordinance Code, Division 4, Chapter 4, Article 9, Section 4494.2(g), as may be amended, which states: "Any male chicken that: (1) Is six months old or older; or (2) Has full adult plumage; or (3) is capable of crowing." (See Section 8107-2.3.7.)

Definitions - S

Setback: The minimum distance by which *structures* are to be separated from the boundary lines of the *lot* on which they are located, in order to provide an open yard area which is unoccupied and unobstructed from the ground upward. In the case of "*flag lots*," the *setbacks* shall be measured from the applicable front (F), rear (R) and sides (S) of the *lot* as set forth in Section 8106-4.3 of this Chapter.

Setback, Front: An open yard 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 yard area that extends across the rear of the *lot* between the inner site *lot lines* which is the required minimum horizontal distance between the *rear lot line* and a line parallel thereto on the *lot*.

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

Short-Term Rental: A *dwelling*, any portion of which is rented for a period less than thirty consecutive days when the owner is not physically present, with no meals or food provided to the renter or renters. A short-term rental is not considered a *home occupation* under this Chapter. Use of a *dwelling* for occasional *home exchange* is not considered a short-term rental. (See Section 8109-4.6.)

Small Utility Structures: Electrical boxes, traffic signal controllers, ventilation columns, transformers, valve apparatus, and telephone and cable TV vaults and boxes that have no covered floor area for human occupancy. Small utility structures do not include towers, *antennas*, satellite dishes and other communication equipment that fall under the definition of *Communications Facilities*.

SMARA: The Surface Mining and Reclamation Act (Public Resources Code § 2710 et seq.). (See Section 8107-9.)

Stockpiling of Construction Related Debris and/or Fill Material for Non-Agricultural Operations: The depositing of inert materials from offsite onto land for temporary storage in non-agricultural operations until such time as it can be removed to another site. Such materials include soil, sand, rock, and broken concrete removed from construction sites, debris basins, landslides and the like. (See Section 8107-22.)

Structural Alteration: 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. "Structure" does not include *fences*, or walls used as *fences*, 7 feet or less in *height*, or plant materials.

Definitions - T

Temporary: A period of 30 calendar days or less, unless otherwise specifically defined in this Chapter or in the conditions of a permit issued pursuant to this Chapter.

Temporary Collection Activity: An activity of short duration (not exceeding seven consecutive days and not occurring more frequently than twice in any 30-day period, and seven times per year at the same location) where *mixed solid wastes*, *hazardous wastes*, or *recyclable materials* are collected from the public at a central point and transported for recycling, processing, transformation, or disposal. This definition does not include individual refuse bins sited for the temporary collection of seasonal recyclables, such as Christmas trees and telephone books. (See Section 8107-36.3.4.)

Temporary Rental Unit: A *dwelling* which is used as a *short-term rental* or *homeshare*. (See Section 8109-4.6.)

Definitions - U-V

Vermiculture: A form of *animal husbandry* involving the raising of worms of the taxonomic phylum Annelida (segmented worms). Vermiculture is not included in *organic processing operations*. (See Section 8107-2.7.)

Definitions - W

Waste Collection and Processing Activities to Mitigate an Emergency: Any waste collection, sorting, storage, handling, or processing activity that must be established promptly in response to an emergency—as determined by the Planning Director—to prevent or mitigate loss of, or damage to, life, health, property, or essential public services, and to maximize recovery of *recyclable* and reusable *materials*. Such activities are often established in zones where they are not typically allowed.

Waste Processing Facility: A facility that receives, stores, transfers, and processes *mixed solid waste*, or recyclable, reusable or discarded materials, other than *hazardous waste*, for the purpose of preparation for shipment off site, and which generates more than 10 percent unrecyclable residuals that shall be disposed in a waste disposal facility. Processing may include separation, baling, crushing, cleaning, sorting, shredding, or chopping. Included in this category are *mixed solid waste composting operations*, which are facilities that specialize in the composting of *mixed solid waste*. This category does not include *organics processing operations*. (See Section 8107-36.)

Waste Transfer Station: A facility used to transfer *mixed solid wastes* directly from one vehicle to another, often smaller to larger vehicles, such as transfer vehicles, truck trailers, railroad cars, or barges, for transport elsewhere. (See Section 8107-36.)

Wholesale Nurseries for Propagation: Wholesale operations where plants, seeds, seedlings, trees and other horticultural materials, including *mulch*, bark, soil amendments, and inorganic mineral materials such as rocks, gravel, and decomposed granite, are sold to a wholesale distributor or to a retail outlet for resale to the public. This definition does not include landscape contracting operations, which are classified as *contractor service and storage yards*.

Wireless Communication Facility (or Facilities): A facility that transmits or receives signals for AM/FM radio, television, satellites, wireless phones and data, personal communication services, pagers, wireless internet, specialized mobile radio services, or other similar services. The facility may include, but is not limited to, *antennas*, radio transmitters, equipment shelters or cabinets, air vents, towers, masts, air conditioning units, fire suppression systems, emergency back-up generators with fuel storage, and *structures* primarily designed to support *antennas*. (See Section 8107-45.)

Wireless Communication Facility, Building-Concealed: A *wireless communication facility* designed and constructed as an architectural feature of an existing *building* in a manner where the *wireless communication facility* is not discernible from the remainder of the *building*. Standard *building* architectural features used to conceal a *wireless*



Examples of Building-Concealed Wireless Communication Facilities (ADD. ORD. 4470 - 3/24/15)

communication facility include, but are not limited to, parapet walls, windows, cupolas, clock towers, and steeples. (See Section 8107-45.)

Wireless Communication Facility, Collocation: The placement or installation of one or more *wireless communication facilities* on a single tower, mast/pole, *structure*, or *building* with one or more existing *wireless communication facilities*. Collocated *wireless communication facilities* may be separately owned and used by more than one public or private entity. (See Section 8107-45.)

Wireless Communication Facility, Faux Trees: A *stealth, ground-mounted wireless communication facility* camouflaged to resemble a tree, including mono-broadleaf, mono-pine, mono-palm, mono-elm, and mono-eucalyptus. (See Section 8107-45.)

Wireless Communication Facility, Flush-Mounted: A *wireless communication facility* with an *antenna* attached directly to the exterior of a *structure* or *building* and that remains close and is generally parallel to the exterior surface of the *structure* or *building*. Associated equipment for the *antenna* is not flush-mounted and is located inside an existing *building*, on a rooftop, at the ground level, or underground. (See Section 8107-45.)



Examples of Flush Mounted Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Ground-Mounted: A *wireless communication facility* that is placed on the ground, which consists of a *monopole*, *lattice tower*, or any other freestanding *structure* that supports an *antenna*. (See Section 8107-45.)

Wireless Communication Facility, Modification: Any physical change to a *wireless communication facility* or a change to operational characteristics for that facility that are subject to existing permit conditions. Modifications do not include *routine maintenance*. (See Section 8107-45.)

Wireless Communication Facility, Non-Stealth: A *wireless communication facility* that is not disguised or concealed and does not meet the definition of a *stealth facility* or *building-concealed facility*. (See Section 8107-45.)



Examples of Non-Stealth Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Prominently Visible: A *wireless communication facility* is considered to be prominently visible without the aid of any magnifying equipment such as cameras, binoculars, etc. if it stands out as an obvious or noticeable feature within its setting when seen from a *public viewpoint*. A *wireless communication facility* may be

prominently visible when its size, shape, color or material contrasts with other objects in the surrounding setting. (See Section 8107-45.)

Wireless Communication Facility, Public Viewpoint: *Public roads* and public recreational areas such as parks, beaches, state designated trails, and Ventura County regional and local trails/corridors that are accessible to the general public. (See Section 8107-45.)

Wireless Communication Facility, Roof-Mounted: A *wireless communication facility* that is mounted directly on the roof of a *building*. (See Section 8107-45.)



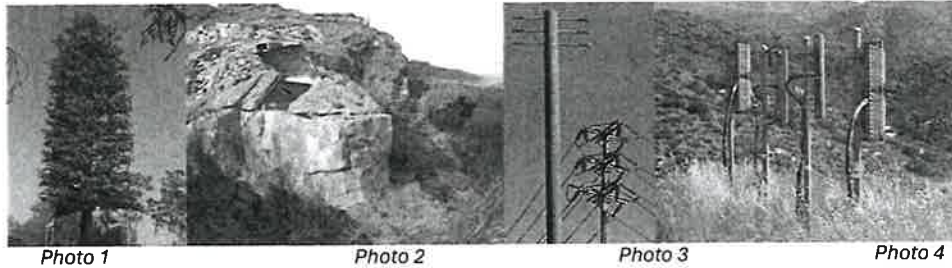
Examples of Roof-Mounted Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Wireless Communication Facility, Routine Maintenance: Work performed by the operator to restore a facility to its permitted condition, including the restoration or replacement of existing faux design elements, *antennas*, and equipment in equipment cabinets. In all cases, the replacement of *antennas* or faux design elements shall be limited to reproductions of the originally permitted equipment. Routine maintenance also includes testing and repair of operational features which do not alter the physical dimensions of the permitted *wireless communication facility* - such as backup generators, fire suppression systems, air ventilation systems, and cable modifications in cable conduits. (See Section 8107-45.)

Wireless Communication Facility, Section 6409(a) Modification: A *modification* of an existing wireless tower or base station that involves the *collocation*, removal or replacement of transmission equipment that does not substantially change the physical dimensions of such wireless tower or base station and that otherwise qualifies for approval pursuant to Section 6409(a) of the Federal 2012 Middle Class Tax Relief and Job Creation Act (codified at 47 U.S.C. §1455(a)), as may be amended. (See Section 8107-45.)

Wireless Communication Facility, Stealth: A *wireless communication facility* that blends into the surrounding visual setting. A stealth facility utilizes concealment elements such as design (size, *height*, color material, and *antenna* type) or siting techniques to camouflage, partially conceal, or integrate the *wireless communication facility* into the design of an existing facility, *structure* or its surrounding visual setting. Examples of *stealth facilities* include but are not limited to the following:

1. Facilities disguised as other objects typically found within a setting, such as *faux trees*, monorocks, and water tanks (photos 1 and 2);
2. Panel *antennas flush-mounted* on existing utility facilities, water tanks, and integrated with *building* facades (photos under *flush-mounted*);
3. Facilities that are camouflaged or partially concealed by objects within an existing setting, such as a cluster of trees or utility poles (photo 3); or,
4. Whip *antennas* and slim line poles that use simple camouflage techniques, such as size and color, and are located sufficient distance from *public viewpoints* to render them virtually unnoticeable (photo 4). (See Section 8107-45.)



Examples of Stealth Wireless Communication Facilities (ADD. ORD. 4470 – 3/24/15)

Section 3

ARTICLE 3:

ESTABLISHMENT OF ZONES, BOUNDARIES AND MAPS

Article 3, Section 8103-0 – Purpose and Establishment of Zones and Minimum Lot Areas, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8103-0 - Purpose and Establishment of Zones and Minimum Lot Areas

In order to classify, regulate, restrict, and segregate *uses* of land and *buildings*; to regulate the *height* and size of *buildings*; to regulate the area of yards and other open spaces around *buildings*; and to regulate the density of population, the following classes of *use base zones* are established along with their abbreviations and *minimum lot areas*. Alternative *minimum lot areas* may be established pursuant to Section 8103-1 et seq. of this Chapter. *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.

Base Zones	Abbreviations	Minimum Lot Area ¹
Open Space – Parks and Recreation	OS-REC	10 acres
Open Space	OS	10 acres
Agricultural Exclusive	AE	40 acres
Rural Agricultural	RA	1 acre
Rural Exclusive	RE	10,000 sq. ft.
Single-Family Estate	RO	20,000 sq. ft.
Single-Family Residential	R1	6,000 sq. ft.
Two-Family Residential	R2	7,000 sq. ft.
Residential High Density	RHD	0.80 acre ²
Commercial Office	CO	No Requirement
Neighborhood Commercial	C1	No Requirement
Commercial Planned Development	CPD	No Requirement
Industrial Park	M1	10,000 sq. ft.
Limited Industrial	M2	10,000 sq. ft.
General Industrial	M3	10,000 sq. ft.
Timberland Preserve	TP	160 acres
Specific Plan	SP	Established by Plan
Residential	RES	OTSDC ³
Residential Mixed Use	R/MU	OTSDC ³

Town Center	TC	OTSDC ³
Industrial	IND	OTSDC ³
Overlay Zones ⁴	Abbreviations	Minimum Lot Area ¹
Scenic Resource Protection	SRP	Not Applicable
Mineral Resource Protection	MRP	Not Applicable
Community Business District	CBD	Not Applicable
Temporary Rental Unit Regulation	TRU	Not Applicable
Dark Sky	DKS	Not Applicable
Habitat Connectivity and Wildlife Corridors	HCWC	Not Applicable
Critical Wildlife Passage Areas	CWPA	Not Applicable

1. See Sections 8103-1.1, 8103-1.2, and 8103-2 of this Chapter for exceptions to *minimum lot area*.
2. (ADD. ORD. 4436 – 6/28/11)
3. As specified in Article 19, Old Town Satcoy Development Code (OTSDC). (ADD. ORD. 4479 – 9/22/15)
4. Refer to Article 9 (Standards for Specific Zones and Zone Types) for development standards applicable in *overlay zones*.

Article 3, Section 8103-1.1 – Lot Area Suffix, of the Ventura County Ordinance Code, pertaining to establishment of alternative minimum lot area by suffix, is hereby amended to read as follows:

Sec. 8103-1.1 - Lot Area Suffix

The minimum area of *lots* created in each of the OS-REC, OS, AE, RA, RE, RO, R1, and R2 *base zones* may be determined by a suffix number following the *base zone* on a given zoning map. The application of said suffixes shall be consistent with the *General Plan* and Article 6 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* of less than 1 acre in area (i.e., RE-20 means: Rural Exclusive, 20,000-square foot minimum *lot area*), and in increments of 1 acre for *lots* of 1 acre or larger area (i.e., OS-160 means: Open Space, 160-acre *minimum lot area*). Unless designated as acres, suffix numbers from 1 through 43 are assumed to be in thousands of square feet. The application of suffix numbers shall not create *lot areas* less than the minimum area specified for the various *base zones* established by Section 8103-0. Where no suffix number appears, it is understood that the *minimum lot area* specified in Section 8103-0 for that zoning designation shall apply.

Article 3, Section 8103-1.3 – Suffix Designators and Maximum Density for the RPD Zone, of the Ventura County Ordinance Code, pertaining to establishment of alternative minimum lot area by suffix, is hereby amended to read as follows:

Sec. 8103-1.3 - Suffix Designators and Maximum Density for the RPD Zone

Minimum lot areas for the RPD Zone shall be established by a suffix designation. The requirements for the RPD Zone shall apply to the respective suffix designated RPD Zones except that the suffix for the RPD designation shall be the maximum number of *dwelling units* per acre followed by the letter "U" (example: RPD-25U). The suffix designated zones for the RPD Zone may be any number between RPD-1U and RPD-30U provided the

maximum allowable density specified in the RPD Zone is not exceeded. RPD without a suffix designator shall allow a maximum of 30 *dwelling units* per acre.

Article 3, Section 8103-2 – Exceptions to Minimum Lot Area, of the Ventura County Ordinance Code, pertaining to exceptions to minimum lot area, is hereby amended to read as follows:

Sec. 8103-2 - Exceptions to Minimum Lot Area

The following are exceptions to the *minimum lot area* regulations stated in Sections 8103-0, 8103-1, and 8106-1 of this Chapter:

Article 3, Section 8103-2.4 – Cultural Heritage Sites, of the Ventura County Ordinance Code pertaining to exceptions to minimum lot area for these types of facilities, is hereby amended to read as follows:

Sec. 8103-2.4 – Cultural Heritage Sites

Parcels designated a *cultural heritage site* may be granted a reduction from the *minimum lot area* requirements in accordance with Section 8107-37 of this Chapter.

Article 3, Section 8103-2.5 – Parcel Map Waiver/Conservation Subdivisions, of the Ventura County Ordinance Code, pertaining to exceptions to minimum lot area for these types of subdivisions, is hereby amended to read as follows:

Sec. 8103-2.5 - Environmental or Conservation Subdivisions:

Parcels created through the environmental or conservation subdivision process set forth in the Ventura County Subdivision Ordinance (Division 8, Chapter 2 of the Ventura County Ordinance Code), as may be amended, may be granted a reduction from the *minimum lot area* requirements.

Article 3, Section 8103-2.6 – Park and Recreational Facilities, of the Ventura County Ordinance Code, pertaining to exceptions to minimum lot area for these types of facilities, is hereby amended to read as follows:

Sec. 8103-2.6 - Park and Recreational Facilities

Any *lot* dedicated for park and recreational purposes pursuant to Government Code section 66477 of the Subdivision Map Act and as adopted by the Ventura County Subdivision Ordinance, as both may be amended, may be granted a reduction from the *minimum lot area* requirements.

Article 3, Section 8103-2.7 – Parcels for Farmworker Housing Complexes, of the Ventura County Ordinance Code, pertaining to exceptions to minimum lot area for these types of facilities, is hereby amended to read as follows:

Sec. 8103-2.7 – Farmworker Housing Complexes

Lots of less than the prescribed *minimum lot area* may be allowed for *farmworker housing complexes* on land in the AE Zone within or adjacent to a city sphere of influence, provided the remaining non-*farmworker housing complex parcel* is a minimum of 10 acres.

Article 3, Section 8103-3 – Adoption and Validity of the Official Zoning Data, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8103-3 - Adoption and Validity of the Official Zoning Data

A zoning designation has been established on all land in the unincorporated area of Ventura County. Said comprehensive zoning has been progressively effectuated by ordinance adopting and amending the *Official Zoning Data* pursuant to Article 18 of this Chapter. The zoning designations, locations, and boundaries therein are set forth and indicated in the *Official Zoning Data*. Said data, and all information shown therein for all land in the unincorporated areas of Ventura County, is hereby made a part of this Chapter as set forth in Article 18, section 8118, or may be made a part of this Chapter by the progressive amendment thereto. *Official Zoning Data* displays can be generated only by *County GIS* staff of the Resource Management Agency, or designated successor *County* agency.

Article 3, Section 8103-5 – Establishment and Changes of Zone Classifications, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8103-5 - Establishment and Changes of Zoning Designations

The establishment and changes of the zoning designation on land in the unincorporated area of Ventura County, excluding the *Coastal Zone*, shall be effectuated by ordinance adopting zoning data in the manner set forth in Article 15 of this Chapter. (AM. ORD. 4333 - 12/06/05)

Section 4

ARTICLE 4 – PURPOSES OF ZONES

Article 4, Section 8104-3.4 – Residential High Density (RHD) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of this zone, is hereby amended to read as follows:

Sec. 8104-3.4 – Residential High Density (RHD) Zone

The purpose of this zone is to make available *parcels* that are appropriate for *multifamily dwelling* projects at densities considered by state law to be affordable by design to lower-income households.

Article 4, Section 8104-3.5 – Residential (RES) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of this zone, is hereby amended to read as follows:

Sec. 8104-3.5 – Residential (RES) Zone

The purpose of this zone is primarily for construction of single-family and duplex residential development, with triplex and quadplex residential development allowed on larger *lots* within the zone. The regulatory provisions, including development standards that are applicable to the RES Zone are set forth in the Old Town Saticoy Development Code, Article 19, Section 8119-1.3.3.

Article 4, Section 8104-3.6 – Residential Mixed Use (R/MU) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of this zone, is hereby amended to read as follows:

Sec. 8104-3.6 – Residential Mixed Use (R/MU) Zone

The purpose of this zone is primarily for construction of *multifamily dwellings* with a maximum density of 20 *dwellings* per acre. Compatible commercial *uses* are also allowed

in the R/MU Zone and such *uses* are required in specific locations. The regulatory provisions, including development standards that are applicable to the R/MU Zone are set forth in the Old Town Saticoy Development Code, Article 19, section 8119-1.3.2.

Article 4, Section 8104-4.4 – Town Center (TC) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of this zone, is hereby amended to read as follows:

Sec. 8104-4.4 – Town Center (TC) Zone

The purpose of this zone is primarily for commercial *uses* with compatible light industrial *uses* and residential *uses* as allowed by the Saticoy Area Plan. The regulatory provisions, including development standards that are applicable to the TC Zone are set forth in the Old Town Saticoy Development Code, Article 19, section 8119-1.3.1.

Article 4, Section 8104-5.4 – Light Industrial (IND) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-5.4 – Light Industrial (IND) Zone

The purpose of this zone is to accommodate light industrial, manufacturing, and commercial *uses* that are compatible with adjacent residential and commercial *uses*. The regulatory provisions, including development standards that are applicable to the IND Zone are set forth in the Old Town Saticoy Development Code, Article 19, section 8119-1.3.4.

Article 4, Section 8104-6.1– Specific Plan (SP) Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-6.1 - Specific Plan (SP) Zone

The purposes of this zone are to:

- a. Provide for the unified planning and diversified urban communities which reflect modern site design standards and concepts and incorporate a variety of *uses*, while providing for the separation of incompatible *uses*;
- b. Encourage the provision of a broad range of community facilities, including recreational and commercial; and
- c. Provide for flexibility in the design and development of such communities.

Article 4, Section 8104-6.2 – Timberland Preserve (TP) Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8104-6.2 - Timberland Preserve (TP) Zone

The purposes of this zone are to:

- a. Maintain the optimum amount of the limited supply of timberland so as to ensure its current and continued availability for the growing and harvesting of *timber*, and *compatible uses*;
- b. Discourage premature or unnecessary conversion of timberland to urban and other *uses*;
- c. Discourage the expansion of urban services into timberland; and
- d. Encourage investment in timberlands based on reasonable expectation of harvest.

Article 4, Section 8104-7.1 – Scenic Resource Protection (SRP) Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.1 - Scenic Resource Protection (SRP) Overlay Zone

The purposes of this *overlay zone* are to:

- a. Preserve and protect the visual quality within the viewshed of selected *County* lakes, along the *County's* adopted scenic highways, and at other scenic resource locations as determined by an area plan.
- b. Minimize development that conflicts with the value of scenic resources.
- c. Provide notice to landowners and the general public of the location and value of scenic resources which are of significance in the *County*.

Article 4, Section 8104-7.2 – Mineral Resources Protection (MRP) Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.2 - Mineral Resources Protection (MRP) Overlay Zone

The purposes of this *overlay zone* are to:

- a. Safeguard future *access* to important mineral resources.
- b. Facilitate a long-term supply of mineral resources within the *County*.
- c. Minimize land *use* conflicts.
- d. Provide notice to landowners and the general public of the presence of significant mineral resource deposits.
- e. Not obligate the *County* to approve *use* permits for the development of the resources subject to the MRP *Overlay Zone*.

Article 4, Section 8104-7.3 – Deleted, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8104-7.3 – Reserved for Future Use

(DEL. ORD. 4390 - 9/09/08)

Article 4, Section 8104-7.4 – Community Business District (CBD) Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.4 - Community Business District (CBD) Overlay Zone

The purposes of this *overlay zone* are to:

- a. Identity community business *districts* with unique historic character which justify special permit requirements and standards so as to preserve or re-create the historic character of the *district*;
- b. Preserve the historic character of *buildings* and *structures* within the *district*; and
- c. Allow deviations of certain development standards, parking standards, landscape standards, and *sign* standards as required by this Chapter to permit the alteration or construction of *buildings* and *structures*, consistent with the design guidelines

adopted under the applicable area plan or specific plan, so as to preserve or re-create the historic character of the *district*.

- d. Encourage *mixed-use development* projects as a means to revitalize a community business *district*, encourage pedestrian circulation, maximize site development potential, create an active environment while promoting a traditional village-style mix of retail, restaurants, offices, civic *uses*, *multifamily dwellings* and other compatible land *uses*.

Article 4, Section 8104-7.5 - Temporary Rental Unit Regulation Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.5 – Temporary Rental Unit Regulation (TRU) Overlay Zone

The purposes of this *overlay zone* are to establish standards and requirements for the temporary rental of *dwellings* as *accessory uses* thereof within the *overlay zone* boundaries in order to:

- a. Ensure that the *use of dwellings as temporary rental units* does not adversely impact long-term housing opportunities in the Ojai Valley.
- b. Safeguard affordable housing opportunities for individuals working in service and other relatively low-wage sectors in the Ojai Valley so that such individuals can live in close proximity to their places of work.
- c. Preserve the residential, small-town community character of the Ojai Valley, and ensure that *temporary rental units* are compatible with surrounding land *uses*.
- d. Protect the health, safety and welfare of the *temporary rental units'* renters, occupants, neighboring residents, as well as the general public and environment.

Article 4, Section 8104-7.9 - Mobilehome Park (MHP) Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.9 – Mobilehome Park (MHP) Overlay Zone

The purposes of this *overlay zone* are to:

- a. Promote the continued use of *mobilehomes* and manufactured homes in the unincorporated *County* as an accessible housing option for households of all income levels.
- b. Respect the interests of tenants and owners of *mobilehome parks* in maintaining parks of desirable character, stable operation, and economic viability.
- c. Recognize *mobilehome parks* as communities in which residents are substantially invested, and to provide for security of tenancy comparable to that of other residential communities less vulnerable to redevelopment.
- d. Establish that for all land in the unincorporated *County* occupied by *mobilehome parks*, and as long as this ordinance is in effect, *mobilehome parks* shall be the primary land *use* allowed.
- e. Ensure a sufficient supply of land for this type of *use* in the future.
- f. Promote and preserve residential development that is high density and single family in character.

Article 4, Section 8104-7.10 - Senior Mobilehome Park (SMHP) Overlay Zone, of the Ventura County Ordinance Code, pertaining to the purpose of the zone, is hereby amended to read as follows:

Sec. 8104-7.10 – Senior Mobilehome Park (SMHP) Overlay Zone

The purposes of this *overlay zone* are to:

- a. Recognize *senior mobilehome parks* as walkable communities where seniors may live actively and independently among peers, the preservation of those qualities being central to residents' continued health, welfare and financial stability.
- b. Recognize that *senior mobilehome parks* provide one of the few housing options within Ventura County available to seniors that are affordable and allow for independent living in a detached *dwelling*.
- c. Preserve a significant source of affordable, senior housing by ensuring that *senior mobilehome parks* within the unincorporated area remain predominantly available to seniors and are not converted to allow occupancy by persons of all ages.
- d. Meet the purpose of the federal Housing for Older Persons Act of 1995 (42 U.S.C. § 3607.)
- e. Ensure a sufficient supply of land for this type of *use* in the future.

Section 5

**ARTICLE 6: LOT AREA AND COVERAGE, SETBACKS, HEIGHT
AND RELATED PROVISIONS**

Article 6, Section 8106-1.1 – Development Standards for Uses and Structures in Open Space, Agricultural Exclusive, and Residential Zones, of the Ventura County Ordinance Code is hereby amended to read as follows:

-see following page -

Sec. 8106-1.1 – Development Standards for Uses and Structures in Open Space, Agricultural Exclusive, and Residential Zones

Zone	Minimum Lot Area ¹	Maximum Percentage of Building Coverage	Required Minimum Setbacks ²				Maximum Structure Height ³		
			Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure
				Interior and Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				
OS - REC	10 acres	See Section 8106-1.4. <i>Building lot coverage depends on lot location.</i>	20 ft	10 ft	20 ft	15 ft	25 ft	<i>Height</i> may be increased above 25 ft (to maximum 35 ft) if each side yard <i>setback</i> is at least 15 ft or as specified by permit.	15 ft, except as noted in Section 8106-7.4.
OS	10 Acres								
AE	40 acres								
RA	1 acre								
RE	10,000 sq. ft.		5 ft	10 ft					
RO	20,000 sq. ft.								
R1	6,000 sq. ft.								
R2	7,000 sq. ft. ⁴								
RHD	0.80 acre ⁶								
					</				

1. *Minimum lot area* shall be determined by *lot area* suffix pursuant to Section 8103-1, which in some cases may be greater than the *minimum lot area* specified in Section 8106-1.1. For additional *lot area* exceptions see Section 8103-2.
2. Exceptions to required minimum *setback* requirements can be found in Sections 8106-5, 8106-6, 8107-1.7 and 8107-20. For minimum *setbacks* for flag and irregularly shaped lots see Section 8106-4.3.
3. Exceptions to *height* limits see Sections 8106-5, 8106-8 and 8107-1.7.
4. *Minimum lot area per dwelling unit*: 3,500 square feet.
5. Exceptions for "swing driveways" see Section 8106-5.11.
6. Section 65583.2(h) of the California Planning and Zoning Laws prescribes a minimum 16 units per site.
7. Minimum density of one *dwelling unit* per acre; maximum density of 30 *dwelling units* per acre.

Article 6, Section 8106-1.4 (b) – Building Lot Coverage, of the Ventura County Ordinance Code, pertaining to building lot coverage, is hereby amended to read as follows:

Sec. 8106-1.4 – Building Lot Coverage

- a. Purpose: The purpose of this Section 8106-1.4 et seq. is to provide the maximum percentage of *building lot coverage* for: (1) *lots* subject to an area plan; (2) *lots* within a mapped existing community designated area boundary and not subject to an area plan; (3) *lots* outside of a mapped existing community designated area boundary and not subject to an area plan; and (4) *lots* that meet certain exceptions and exclusions.

- b. Definitions: Definitions for all italicized terms in this Section 8106-1.4 et seq. are set forth in Article 2 of this Chapter. For terms not defined, refer to Section 8102-0(c).

Article 6, Section 8106-5.1 – Accessory Structures in Certain Setback Areas, of the Ventura County Ordinance Code, pertaining to exceptions to required setbacks and height, is hereby amended to read as follows:

Sec. 8106-5.1 – Accessory Structures in Certain Setback Areas

Detached *accessory structures* (e.g., gazebo, garages, storage shed), not used for *human habitation*, shall not be located closer than 3 feet from interior and *rear lot lines*, provided that:

- a. Any such *accessory structure(s)* shall not occupy more than 40 percent of the *rear setback* area. This standard does not apply to below-*grade*, uncovered swimming pools, spas, hot tubs, and similar *structures* (having a water depth of 18 inches or more).
- b. *Setback* areas adjacent to a street shall be maintained as set forth in Section 8106-1 of this Chapter.

Article 6, Section 8106-5.9 – Uncovered, Unenclosed Landings and Porches, of the Ventura County Ordinance Code, pertaining to exceptions to required setbacks and height, is hereby amended to read as follows:

Sec. 8106-5.9 – Uncovered, Unenclosed Landings and Porches

Uncovered porches, platforms or landings which do not extend above the level of the first floor of the *building* may extend into required *front setbacks* not more than 6 feet, and into required *side* and *rear setbacks* no closer than 3 feet from the property line. An open-work railing not more than 3 ½ feet tall may be installed or constructed on such porch, platform or landing.

Article 6, Section 8106-6.1 – Distance Between Structures on the Same Lot, of the Ventura County Ordinance Code, pertaining to exceptions to required setbacks and height, is hereby amended to read as follows:

Sec. 8106-6.1 – Distance Between Structures on the Same Lot

- a. The minimum distance between *structures* on the same *lot* shall be 6 feet, except that:
 - (1) Below-*grade*, uncovered swimming pools, spas, hot tubs and similar *structures* (having a water depth of 18 inches or more) shall be sited at least 3 feet from any other *structure*, and shall be structurally designed and engineered in compliance with the Ventura County Building Code. Gazebos, patio covers and similar above-*grade* shade *structures* that are part of the swimming pool, spa, and/or hot tub shall be sited at least 6 feet from any other *structure*;
 - (2) Detached *dwellings* shall be sited no closer than 10 feet from any other detached *dwelling*; and
 - (3) Prefabricated sea cargo/metal storage containers used solely for storage of non-hazardous materials, are not structurally modified, do not include any utilities, and are not used or converted to mechanical rooms may be located closer than 6 feet from each other. These containers shall not be stacked except when permitted in a discretionary *entitlement*.
- b. The *setback* requirements refer to minimum distances between exterior walls or other supports.

Article 6, Section 8106-6.4 – Buildings for the Growing of Crops, of the Ventura County Ordinance Code, pertaining to exceptions to required setbacks and height, is hereby amended to read as follows:

Sec. 8106-6.4 – Buildings and Structures for the Growing of Crops

Greenhouses, hothouses, shade/mist structures and similar buildings and structures shall be set back at least 20 feet from all lot lines (See Section 8107-20.).

Article 6, Section 8106-8.1.1(b)(4) – Fences, Gates, and Retaining Walls, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-8.1 - Fences, Gates, and Retaining Walls

Sec. 8106-8.1.1

- a. A maximum 7-foot-tall solid *fence* may be located on *lots*, including in the locations listed in Section 8106-8.1.1(b)(3) below, except that no solid *fence* over 3 feet tall may be placed in a:
 - (1) Required *sight triangle*,
 - (2) Required *setback* adjacent to a street, or
 - (3) 10-foot by 10-foot right triangle on each side of a *driveway* on a side property line. (See Sec. 8106-8.4.)
- b. Notwithstanding subsection (a) above, the following standards apply to the specified situations:
 - (1) A *see-through fence* of up to 5 feet tall may be located in a *front setback* or a required *setback* adjacent to a street.
 - (2) A *see-through fence* of up to 7 feet tall may be located anywhere on a *lot* of 20,000 square feet or more.
 - (3) A maximum 7-foot-tall solid *fence* may also be located:
 - i. In a *rear setback* adjacent to a street on a *through lot* (see Section 8106-4.4).
 - ii. In a *rear setback*, when a *lot* is bounded on three sides by a street, one of which is a *rear lot line*.
 - iii. In a *side setback* adjacent to a street of a *corner lot*.
 - iv. On a *reverse corner lot* within a *side setback* adjacent to a street provided that, at the *street-side setback* at the rear corner of the lot within a 10-foot by 10-foot – 45-degree triangle, a maximum 3 feet tall solid *fence* or 5 feet tall *see-through fence* is allowed.
 - v. In a *rear setback* adjacent to a street, when the *lot* is a *flag lot* or irregularly shaped *lot* that has no street frontage along the *front lot line*.
 - (4) A maximum 8-foot-tall solid *fence* may be located in the following locations except within a required *sight triangle* or *setback* adjacent to a street:
 - i. Anywhere on a vacant or developed *lot* zoned OS, AE, or RA, or on any vacant or developed *lot* in a commercial or industrial zone; or
 - ii. On any vacant or developed *lot* zoned RE, RO, R1, R2 or RPD that *abuts* or is across the street from a *lot* in a commercial or industrial zone or a

lot zoned OS, AE or RA, provided that such *fence* is located at or near the boundary line separating such *lots*.

Article 6, Section 8106-8.4 – Sight Triangle, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-8.4 – Sight Triangle

Where there are no traffic controls (i.e., stop signs or traffic signals) on either street at an intersection, a *sight triangle* must be provided on each corner adjacent to the intersection. No *structures* or landscaping over 3 feet tall that could block the view of approaching traffic on either street shall be located or constructed within any required *sight triangle*.

Article 6, Section 8106-8.6 – Light Fixtures, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8106-8.6 – Light Fixtures

The following regulations apply to *light fixtures*:

- a. A Zoning Clearance is required for freestanding *light fixtures* over 2 feet up to 20 feet tall on property with a zoning designation of open space, agricultural, or residential. Such *light fixtures* may be added to an existing developed *lot* in a commercial or industrial zone with a Zoning Clearance if the *Planning Director* or designee determines that the *light fixtures* are consistent with the existing approved *entitlement* for the property and otherwise meets all other standards of this Chapter; otherwise, a modification to the existing approved *entitlement* shall be required.
- b. A freestanding *light fixture* over 20 feet up to 35 feet tall requires a *Planning Director*-approved Planned Development Permit. In commercial and industrial zones, the maximum *height* of freestanding *light fixtures* shall be specified in a discretionary permit that approved the new development.
- c. Freestanding *light fixtures* shall not be placed in any *side setbacks*.
- d. Lights in excess of 150 watts (for incandescent light bulbs) or 2250 *lumens* shall be shielded, directed downward, and installed and maintained in such a manner to avoid *light trespass* beyond the *lot line*.

See Section 8109-4 of this Chapter for additional lighting regulations in *overlay zones*.

Section 6

ARTICLE 7: STANDARDS FOR SPECIFIC USES

Article 7, Section 8107-1.9 - Accessory Bathrooms, of the Ventura County Ordinance Code, pertaining to accessory bathrooms accessory to a dwelling, is hereby repealed and reenacted as follows:

Sec. 8107-1.9 – Accessory Bathrooms

Accessory bathrooms are allowed pursuant to Section 8105-4 of this Chapter if the following standards are met:

- (a) An accessory bathroom may be a freestanding *structure*, attached to, or within a *building* or *structure*.
- (b) *Full bathrooms* may be allowed within a maximum 200-square foot freestanding *building*. This *building* may include two *full* or *half bathrooms*. Each individual

bathroom may be combined with a changing room, not to exceed a combined total of 100 square feet.

- (c) *Full bathrooms* shall not be attached to, or located within, an enclosed *accessory structure or building*, except when the bathroom:
 - (1) has *internal access* to a *dwelling unit*.
 - (2) is permitted by a discretionary *entitlement* pursuant to Sections 8105-4 and 8105-5.
- (d) *Full bathrooms* may be attached to, or located within, an unenclosed *accessory structure or building* only if accessible by way of a door leading directly outside of the *accessory structure or building*.
- (e) Detached *accessory structures or buildings* may contain a *half bathroom* provided that the bathroom does not exceed 64 square feet in area and is not plumbed to allow for future bathing facilities (i.e., shower or tub).

Article 7, Section 8107-1.8 - Use of Structures for Human Habitation, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-1.8 – Use of Buildings and Structures for Human Habitation

Buildings or structures may not be used for *human habitation* unless specifically permitted as a *dwelling* or as allowed by an approved discretionary *entitlement*.

Article 7, Section 8107-2 - Standards Relating to Animal Keeping and Section 8107-2.1 - Purpose, of the Ventura County Ordinance Code, pertaining to animal keeping regulations, is hereby amended to read as follows:

Sec. 8107-2 – Animal Keeping Standards

Sec. 8107-2.1 – Purpose

The keeping of *animals* as a *principal use* (e.g., *animal husbandry/keeping*) or *accessory use* (e.g., *pet animals*) shall be permitted in accordance with this section and the requirements of other pertinent sections of this Chapter, particularly Articles 5 and 6. The purpose of this section is to establish *animal density* standards to regulate the keeping of *animals* for such purposes as "*animal husbandry*," "*animal keeping*" and as "*pet animals*" in a manner that will not endanger the health, peace, and safety of citizens and environment of Ventura County, and that will assure that *animals* are kept in safe and sanitary conditions.

Article 7, Section 8107-2.3.4 Applicability of Lot Area Requirements, of the Ventura County Ordinance Code, pertaining to animal keeping regulations, is hereby amended to read as follows:

Sec. 8107-2.3.4 – Applicability of Lot Area Requirements

Contiguous *lots* under unified control, either through ownership or by means of a lease, may be combined to meet minimum area requirements for *animal keeping*, but only for the duration of the common ownership or lease, and only in zones that allow the keeping of *animals* as a *principal use*. The keeper of the *animals* shall provide written proof to the satisfaction of the *Planning Director*, that he or she has unified control of the affected *parcels* and that the *animals* utilize all of the *lots* in question.

Article 7, Section 8107-2.3.5 Wild Animals, of the Ventura County Ordinance Code, pertaining to animal keeping regulations, is hereby amended to read as follows:

Sec. 8107-2.3.5 – Wild Animals

In addition to the requirements of this Chapter, the keeping of *wild animals* as pets, for *animal husbandry/keeping* purposes, or for rehabilitation/recovery projects, shall be subject to approvals by any, and all, other county, state, and federal regulatory agencies as applicable to the species in question.

Article 7, Section 8107-2.4.1 Pet Animals in Addition to Other Animal Keeping, of the Ventura County Ordinance Code, pertaining to pet animals, is hereby amended to read as follows:

Sec. 8107-2.4.1 – Pet Animals in Addition to Other Animal Keeping

The keeping of *pet animals* is permitted in all *base zones*, and is allowed in addition to other forms of *animal keeping*, such as *animal husbandry* pursuant to Section 8107-2.3.1 of this Chapter.

Article 7, Section 8107-2.4.2 Pet Animals and Assigned Animal Unit Factors, of the Ventura County Ordinance Code, pertaining to pet animals, is hereby amended to read as follows:

Sec. 8107-2.4.2 – Pet Animals and Assigned Animal Unit Factors

The range of *pet animal* species that may be kept is listed below in Table 1, "*Pet Animals*" of this Section 8107-2, but may be expanded by the *Planning Director* through the equivalency determination process in accordance with Section 8107-2.3.1 of this Chapter.

Article 7, Section 8107-2.4.3 – Allowed Number of Pet Animal Units, of the Ventura County Ordinance Code, pertaining to animal keeping regulations, is hereby amended to read as follows:

Sec. 8107-2.4.3 – Allowed Number of Pet Animal Units

Except as provided in Article 5, no more than a total of 3.00 *pet animal* units are allowed per principal *dwelling unit* including all its *accessory uses*. Occupied spaces in *mobilehome parks* and *multifamily dwellings* are allowed no more than 1.00 *pet animal* unit per *mobilehome* or *dwelling unit*.

Article 7, Section 8107-2.4.2 – Table 1 – Pet Animals, of the Ventura County Ordinance Code is hereby amended to read as follows:

-see following page-

Table 1
(See Section 8107-2.4.2)

Pet Animals

ANIMAL TYPES ¹	ANIMAL UNIT FACTOR	MAXIMUM NO. ALLOWED PER PRINCIPAL DWELLING ²		METHOD OF CONTAINMENT	
CATS	0.25	4		Pursuant to Sec. 8107-2.2.1	
DOGS	0.25	4			
MINIATURE LIVESTOCK					
Pygmy Goats	0.25	3			
Small Equines	0.30	2			
BIRDS					
Chickens (hens only; no roosters)	0.10	5			
Birds, Small (weighing less than one-half pound)	0.015	40			
Birds, Medium (weighing between one half pound and one pound)	0.03	20			
Birds, Large (weighing over one pound)	0.10	8			
Ducks	0.10	5			
Geese, Turkeys	0.16	2			
Pigeons/Squab	0.10	10			
Pigeons – Homing/Racing	0.03	50			
FISH/AMPHIBIANS	N/A	UNLIMITED			
ANIMAL TYPES ¹	ANIMAL UNIT FACTOR	WITHIN PRINCIPAL DWELLING ²	OUTSIDE PRINCIPAL DWELLING ²		
RODENTS/FUR BEARERS					
Guinea Pigs	0.02	UNLIMITED	20		
Mice, Hamsters, Gerbils	0.01	UNLIMITED	20		
Rabbits	0.05	UNLIMITED	10		
Rats	0.02	UNLIMITED	20		
REPTILES					
Lizards	0.05	UNLIMITED	20		
Snakes	0.05	UNLIMITED	15		
Tortoises/Turtles	0.05	UNLIMITED	20		
INSECTS/SPIDERS ³	N/A	UNLIMITED	100		
WILD ANIMALS ¹	Accessory to Dwellings – Pursuant to Secs. 8107-2.3.1 and 8107-2.3.5				
SPECIES OF ANIMAL NOT LISTED	Pursuant to Sec. 8107-2.3.1				

1. *Inherently dangerous animals* may not be kept as *pet animals*.
2. See Sec. 8107-2.4.6 for the number of additional *pet animals* allowed as a part of *Animal Husbandry/Keeping*.
3. The keeping of *bees* shall be in accordance with Section 8107-2.6.

Article 7, Section 8107-2.5.1 – Table – 2 Animal Husbandry/Keeping, of the Ventura County Ordinance Code is hereby amended to read as follows:

Table 2
(See Section 8107-2.5.1)

Animal Husbandry/Keeping

ANIMAL TYPES	ANIMAL UNIT FACTOR	METHOD OF CONTAINMENT	SETBACK REQUIREMENTS (Sec. 8107-2.2.2 and Sec. 8107-2.3.7.3(f))
Alpacas	0.50	Pursuant to Secs. 8107-2.2.1 and 8107-2.3.7(f)	40 ft.
Bison, Buffalos, Beefalos	1.00		
Bovines (cows, bulls, oxen)	1.00		
Chickens: Hens, <i>Roosters</i>	0.10		
Deer	0.50		
Ducks	0.10		
Emus	0.30		
<i>Adult Equines</i>			
Small (under 36 inches at the withers)	0.30		
Medium (over 36-58 inches at the withers)	0.50		
Large (over 58 inches at the withers and including Donkeys and Burros)	1.00		
Goats	0.20		
Geese	0.16		
Guinea fowl	0.50		
Hogs/Swine	0.50		
Llamas	1.00		
Camels	2.00		
Ostriches, Rheas	0.50		
Peafowl	0.50		
Pheasants	0.16		
<i>Pigeons/Squabs/Quail</i>	0.10		
Rabbits, or other fur-bearing <i>animal</i> of similar size at maturity	0.05		
Sheep	0.20		
Turkeys	0.16		

Article 7, Section 8107-2.7 Vermiculture, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-2.7 – Vermiculture

The following standards apply to *vermiculture* operations:

- Vermiculture* operations shall only be allowed on *lots* of 20,000 square feet or larger.
- No worm beds, feedstock, bedding material, worm castings or similar related materials associated with the operation shall be located within 100 feet of a *dwelling* on a neighboring property.

- c. The area used for worm beds, feedstock, bedding material, castings, and related materials shall not, in the aggregate, exceed 6 feet in *height*. If a discretionary permit is issued pursuant to Section 8105-4 of this Chapter, these standards may be exceeded. The standards set forth in Section 8107-36.4.1 of this Chapter shall apply to all such *vermiculture* operations in excess of 5,000 square feet of open beds.
- d. The volume of raw or composted feedstock and the bedding materials shall not exceed that which is reasonably necessary to the production of the worms raised on the site.
- e. Prior to the issuance of a Zoning Clearance for any *vermiculture* operation, a "stockpile management plan" shall be approved by the Environmental Health Division. The *vermiculture* operation shall only be conducted in conformance with the approved plan and the limitations set forth in this section.

Article 7, Sections 8107-6.4.1 and 8107-6.4.2, of the Ventura County Ordinance Code pertaining to wholesale nurseries for propagation is hereby amended to read as follows:

Sec. 8107-6.4 - Wholesale Nurseries for Propagation

Sec. 8107-6.4.1

The *sales and display* area shall be limited to that described in Section 8105-4 and may be within and/or outside a *structure*. The standards for *lot* size and production areas for different sized sales facilities shall be the same as those set forth in Sections 8107-6.2.1 and 8107-6.3.1. While the public may roam throughout the site, only the designated *sales and display area* may contain priced merchandise or non-agricultural items for sale or display.

Sec. 8107-6.4.2

The non-agricultural items that may be sold at the site pursuant to Section 8105-4 shall not exceed 20 percent of the inventory, based on the square footage of the sale and display area. Non-agricultural items include those items that are customarily accessory to the agricultural commodities sold and serve to advance the sale of agricultural products, and/or educate the public about the agricultural industry in general, or the sale of products from the facility in particular. Such non-agricultural items shall be limited to garden implements, pots, garden furniture, irrigation supplies, garden books, and the like. For purposes of this Section, seeds, compost, *mulch*, manure, bark, soil amendments, and inorganic mineral materials such as rocks, gravel and decomposed granite, are agricultural products and are not subject to the 20 percent inventory limitation.

Article 7, Section 8107-10 – Veterinary Clinics, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-10 – Veterinary Clinics

Veterinary clinics shall be housed in a completely enclosed, soundproof *building*, except as provided in Section 8107-21 of this Chapter.

Article 7, Section 8107-14.1 – Temporary Offices During Construction, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-14.1 – Temporary Offices During Construction

Temporary *structures* acceptable to the Building and Safety Division may be used as temporary offices on a construction site, or on an adjoining *lot* if owned by the same

developer or same property owner, in accordance with Article 5, provided that a building permit for such construction is in full force and effect on the same site, or if a land use permit or subdivision has been approved on the site and a Zoning Clearance for *grading*, construction, or use *inauguration* has been issued. The temporary office(s) shall be connected to a water supply and sewage disposal system approved by the Environmental Health Division. The temporary office(s) shall be removed from the site within 45 days after a Certificate of Occupancy for the *permitted use* is issued by the Building and Safety Division or, in the case of a phased residential or commercial project, upon completion of the approved development.

Article 7, Section 8107-14.2 – Temporary Housing During Construction, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-14.2 – Temporary Housing During Construction

A Zoning Clearance authorizing the use of a habitable *recreational vehicle* (RV), or an existing *dwelling*, as temporary housing during construction or major remodeling of a principal *dwelling* may be issued, subject to the following criteria and requirements:

- a. One habitable RV may be used for temporary housing by the owner of the subject *legal lot*, or by a *caretaker/watchperson*, for up to 12 months during construction of a principal *dwelling*, or during major remodeling of a principal *dwelling* which precludes its use as a *dwelling*, provided that a building permit is in full force and effect authorizing said construction or major remodeling of the principal *dwelling* on the same *lot* or on an adjacent *lot* under common ownership. The continued use of the RV for up to two additional 12-month periods is authorized provided that substantial progress toward completion of the construction or major remodeling of the principal *dwelling* is being made.
- b. The term "RV" as used in this Section 8107-14.2 means a motor home, travel trailer, truck camper, or camping trailer that is self-contained and habitable, and that is either self-propelled, truck-mounted, or permanently towable on California roadways without a permit under the Vehicle Code.
- c. To be deemed "habitable" as the term is used in this Section- 8107-14.2, an RV shall meet all of the following criteria:
 - (1) The RV shall contain sleeping, cooking, bathing and sanitary facilities;
 - (2) The RV shall be connected to a permanent source of potable water;
 - (3) Wastewater from the RV shall be disposed of by either an Environmental Health Division-approved on-site wastewater disposal system or a sewer line connection approved by the Building and Safety Division; and
 - (4) The RV shall be connected to an approved electrical source. Acceptable electrical connections include the use of an existing permitted electrical source on the *lot* or a temporary power pole. Generators are not considered an approved electrical source.
- d. Prior to occupancy of the RV, all electrical and plumbing connections to the RV must be approved and inspected by the Building and Safety Division.
- e. Prior to the issuance of a Certificate of Occupancy by the Building and Safety Division for the principal *dwelling* under construction or major remodeling or when the Zoning Clearance authorizing use of the RV for temporary housing has expired, whichever occurs first, any such RV shall: (1) cease being used for temporary housing; (2) be disconnected from the utilities (e.g., water supply, electrical, and sewage disposal

system); and (3) either be removed from the *lot* or properly stored on the *lot* in conformance with this Chapter.

- f. Where a property owner has obtained a building permit issued by the Building and Safety Division to construct a replacement principal *dwelling*, an existing permitted *dwelling* on the same *lot* may be used for temporary housing during the construction of the replacement *dwelling*, provided that prior to the issuance of a Certificate of Occupancy by the Building and Safety Division for the replacement *dwelling* either: (1) the existing *dwelling* will be removed or (2) a Zoning Clearance is obtained by the owner of the *lot* to authorize the conversion of the existing *dwelling* to another *use* in conformance with the requirements of this Chapter (e.g., *farmworker dwelling unit*, *accessory dwelling unit*, non-habitable *structure*). Building permits for the demolition of existing *dwellings* and improvements necessary to convert an existing *dwelling* to another *use* must be finalized by the Building and Safety Division prior to occupancy of the replacement *dwelling*.

Article 7, Section 8107-14.3 – Temporary Housing Prior to Reconstruction, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-14.3 – Temporary Housing Prior to Reconstruction

A Zoning Clearance authorizing the use of a habitable *recreational vehicle* (RV) for temporary housing by the former resident(s) of each permitted *dwelling* involuntarily damaged or destroyed by natural disaster, as determined by the *Planning Director*, may be issued subject to all of the following criteria and requirements:

- a. The RV(s) shall be located on a *legal lot*. One RV per *dwelling* lost on the *lot* may be allowed for temporary housing, except as set forth in subsection (b) below. In the event more than one RV is authorized on a *lot*, including other RVs authorized under this Chapter, no more than one RV shall be rented, leased, or held out for lease on the *lot* as set forth in Section 18862.39 of the Health and Safety Code.
- b. The RV(s) shall be located on the same *lot* of the *dwelling(s)* that was involuntarily damaged or destroyed by natural disaster. Notwithstanding the foregoing, an RV occupied by a resident(s) who lost a *dwelling(s)* in a local, state, or federal-declared disaster may be located on a different *lot* in the unincorporated Ventura County if authorized in writing by the owner of the *lot* where the RV is located and provided all other applicable requirements of this Chapter are met. In this situation, only one RV is allowed per *lot*;
- c. The *dwelling(s)* to be reconstructed were legally established and inhabited at the time they were damaged or destroyed;
- d. The RV(s) shall be a motor home, travel trailer, truck camper, or camping trailer, that is self-contained and habitable, and that is either self-propelled, truck-mounted, or permanently towable on roadways without a permit under the Vehicle Code;
- e. The RV(s) shall be "habitable" as the term is used in this Section 8107-14.3 by meeting all of the following criteria:
 - (1) The RV(s) shall contain sleeping, cooking, bathing and sanitary facilities;
 - (2) The RV(s) shall either contain an adequate source of potable water for sanitation purposes through an internal tank, or be connected to a permanent source of potable water;
 - (3) Composting toilets are not allowed. The wastewater of the RV(s) shall be disposed of by one of the following means:

- i. Through a connection to an existing septic system;
 - ii. Through a connection to an existing sewer connection; or
 - iii. With a wastewater tank that is located within or outside the RV, provided that such tank is regularly serviced, for the duration of the RV's use as temporary housing, by a wastewater disposal provider permitted by the Environmental Health Division. The resident of the RV shall provide proof of such regular wastewater disposal service, in the form of a contract or receipts, to the Planning Division or Environmental Health Division upon request; and
- (4) The RV(s) shall be connected to an approved electrical source. Acceptable electrical connections include the use of an existing electrical source on the *lot* or a temporary power pole. Generators are not considered an approved electrical source;
- f. After the issuance of a Zoning Clearance authorizing use of the RV(s) as temporary housing under this Section 8107-14.3, all electrical and plumbing connections to the RV(s) must be approved and inspected by the Building and Safety Division prior to occupancy of the RV(s);
- g. Length of Time Allowed to Occupy an RV for Temporary Housing
 - (1) A Zoning Clearance to authorize the use of an RV(s) as temporary housing under this Section 8107-14.3 must be obtained within 12 months of the *lot* being cleared of disaster debris upon approval by the Environmental Health Division. The resident(s) who lost a *dwelling(s)* may reside in an RV(s) as temporary housing for up to 12 months on the *lot*.
 - (2) Notwithstanding Section 8107-14.3(g)(1) above, an RV(s) occupied by the resident(s) who lost a *dwelling(s)* in a local, state, or federal-declared disaster as of December 5, 2017, may be used for temporary housing under this Section 8107-14.3 for an initial term of up to 18 months. Upon written request of the property owner, the original resident(s) who lost a *dwelling(s)* may thereafter use the RV(s) for a subsequent term of up to 42 months for good cause shown, as determined by the Planning Director, provided that: (1) the RV(s) is connected to a permanent supply of potable water (e.g., well, public water purveyor); and (2) the RV(s) continues to comply with the wastewater disposal requirements of Section 8107-14.3(e)(3) above. Upon written request of the property owner, the original resident(s) who lost a *dwelling(s)* may continue to use the RV(s) for a second term of up to 5 years provided that the same criteria for the first 5-year term is met. Upon written request of the property owner, the original resident(s) who lost a *dwelling(s)* may continue to use the RV(s) for a third term of up to 5 years (not to exceed a total of 15 years from the date of the property being cleared of disaster debris as approved by the Environmental Health Division) provided that the criteria above, for the first and second 5-year terms are met and a complete building permit application has been submitted to the Building and Safety Division for the reconstruction of the replacement dwelling.
- h. The use of the RV(s) for temporary housing under this Section 8107-14.3 shall cease after issuance of the building permit for the replacement *dwelling(s)*, at which time the property owner may obtain a Zoning Clearance authorizing the continued use of the same RV(s) for temporary housing pursuant to Section 8107-14.2 above. If the property owner does not obtain a Zoning Clearance authorizing continued use of the same RV as temporary housing pursuant to Section 8107-14.2 above within 45 days of issuance of a building permit for the replacement *dwelling(s)*, or does not obtain a

building permit for the replacement *dwelling(s)* before the applicable deadline set forth in subsection (g) above, the RV(s) shall: (1) cease being used for temporary housing; (2) be disconnected from the utilities (e.g., water supply, electrical, and sewage disposal system); and (3) either be removed from the *lot* or properly stored on the *lot* in conformance with this Chapter.

Article 7, Section 8107-15 – Storage of Building Materials, Temporary, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-15 – Storage of Building Materials, Temporary

The temporary storage of *building* and construction materials is permitted on a *lot* adjacent to one on which an effective and operative Zoning Clearance and building permit have been issued to allow such construction, or on a project site within a recorded subdivision. Such storage is permitted during construction and for 45 days thereafter.

Article 7, Section 8107-32 through 8107-32.1 – Correctional Institutions, of the Ventura County Ordinance Code are hereby amended to read as follows:

Sec. 8107-32 – Correctional Institutions

Correctional institutions shall be developed on property with a *minimum lot area* of 30 acres.

Article 7, Section 8107-33.3.2, of the Ventura County Ordinance Code pertaining to agricultural promotional uses is hereby amended to read as follows:

Sec. 8107-33.3.2

The *use* shall meet the standards set forth in Section 8111-1.2.1.3 regardless of the zoning designation on the property.

Article 7, Section 8107-36.5 – Waste Hauling Yards, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-36.5 – Waste Hauling Yards

The following standards shall apply to all *waste hauling yards*:

- a. Any *mixed solid waste* or recyclables that are received, stored, or transferred shall only be incidental to the conduct of a refuse collection and disposal business.
- b. The *mixed solid waste* or recyclables shall remain within the original containers while onsite at all times, except for unforeseen circumstances, such as truck breakdown, which require transfer of materials to another container.
- c. The containers shall not be stored onsite for more than any 72-hour period.

Article 7, Section 8107-37.1 – Purpose, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

Sec. 8107-37 – Cultural Heritage Sites

Sec. 8107-37.1 – Purpose

The purpose of this designation is to promote the enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of sites and *structures* of historical or cultural heritage value through the imposition of design standards. Fulfillment of this purpose can be impeded by strict adherence to various standards in this Chapter, therefore, this section promotes the stated purpose by creating a

mechanism whereby appropriate deviations from the regulations of this Chapter can be granted.

Article 7, Section 8107-37.2 – Applicability, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

Sec. 8107-37.2 – Applicability

The deviations described in Section 8107-37.3 below may be applied to the following *cultural heritage sites* in accordance with the following limitations:

- a. *Landmarks* and designated *districts*: all allowed deviations;
- b. *Sites of merit*: all allowed deviations except “a”; and,
- c. *Points of interest*: all allowed deviations except “a”, “g” and “j”.

Sites that are eligible for designation as a *cultural heritage site* pursuant to the Cultural Heritage Ordinance may also receive deviations, conditioned on the eventual formal designation of the site.

Article 7, Section 8107-37.3 – Range and Approval of Allowed Deviations, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

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

To advance the purpose outlined in Section 8107-37.1 above, deviations from various standards and regulations of this Chapter may be granted as part of a Planned Development Permit. Deviations “a” and “k” below may only be granted by the *Planning Commission*. All other deviations may be granted by the *Planning Director* or designee.

- a. Minimum Lot Area: Section 8103-0 (Purpose and Establishment of Zones and *Minimum Lot Areas*), Section 8103-1 et seq. (Establishment of Alternative *Minimum Lot Area* by Suffix), Section 8106-1.1 and Section 8106-1.2;
- b. Permit Approval Level: Section 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: Section 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: Section 8106-1.1 (Development Standards for Uses and Structures in OS, AE, and R-Zones);
- e. General Development Standards: Section 8106-1.2 (Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones);
- f. Fences, Gates, and Retaining Walls: Section 8106-8.1 et seq.
- g. Accessory Dwelling Unit Standards: Section 8107-1.7 et seq. (*Accessory Dwelling Units* and *Junior Accessory Dwelling Units*);
- h. Parking Standards: Section 8108 et seq. (Parking and Loading Requirements);
- i. Landscaping Standards: Section 8106-8.2, Section 8108-5.14 and in Article 9;

- j. Signage: Section 8110-4a (Prohibited portable *freestanding signs*), Section 8110-4i (Prohibited *Projecting Signs*), Section 8110-5-2 et seq. (Location); and
- k. Non-conforming Uses and Structures: Section 8113-5.2 (*Uses Within Structures Subject to Amortization*), Section 8113-5.2.1 (*Expansion and Change of Use Prohibited*), Section 8113-5.3 et seq. (*Uses Not Amortized*), Section 8113-6.1 (*Destruction, Uses Not Amortized*), Section 8113-6.2 (*Destruction, Uses Amortized*), Section 8113-7 (Additional Use), Section 8113-8 (Use of Non-conforming Lots).

Article 7, Section 8107-37.4 – Planned Development Permit Approval Standards, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

Sec. 8107-37.4 – Planned Development Permit Approval Standards

Deviations pursuant to this Chapter as listed in Section 8107-37.3 above may be granted by the issuance of a Planned Development Permit only if the standards in Sections 8111-1.2.1 through 8111-1.2.1.8 and the following standards are met:

- a. The site is a designated *cultural heritage site*, or will be eligible for such designation through the imposition of, and compliance with, applicable conditions as part of the Planned Development Permit process;
- b. The deviation from standards is necessary for the enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of the site/*structure* and is consistent with subsection “c” that follows;
- c. Design and development standards for the site and related *structures* are adopted which ensure that the historic or cultural significance and character of the subject site and/or *structure* is perpetuated and adherence to said standards have been made a condition of the Planned Development Permit;
- d. The deviation(s) granted will not create a significant unmitigated adverse impact;
- e. The project associated with the subject *cultural heritage site* or designated *district* has received a *Certificate of Appropriateness* or *Certificate of Review*, where applicable, pursuant to the Ventura County Cultural Heritage Ordinance.

Article 7, Section 8107-37.5 – Permit Conditions, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

Sec. 8107-37.5 – Permit Conditions

While the precise conditions of the required Planned Development Permit will vary with each case, the following topical areas shall be addressed in the conditions of approval:

- a. Time frames within which to implement improvements to the site and/or *structures*;
- b. On-going maintenance of the site and/or *structures* in accordance with the approved Design and Development Standards as set forth in Section 8107-37.6 below;
- c. Prohibitions against the destruction, removal, delinquent treatment of the site and/or *structures*;
- d. Recordation of documents, satisfactory to the *County*, that provide notice to the subsequent property owners of possible conflict with adjoining land *uses* such as agricultural operations and/or deed restrictions found in the applicable Planned Development Permit to enforce provisions of the permit and the applicable provisions of the Ventura County Cultural Heritage Ordinance;

- e. Provisions that preclude the removal, destruction, alteration or deterioration through neglect of the site/*structure* unless a *Certificate of Appropriateness* or *Certificate of Review*, where applicable, has been issued by the Ventura County Cultural Heritage Board and modification to the Planned Development Permit has been granted.

Article 7, Section 8107-37.6 – Design and Development Standards, of the Ventura County Ordinance Code, pertaining to cultural heritage sites, is hereby amended to read as follows:

Sec. 8107-37.6 – Design and Development Standards

The design and development standards required pursuant to Section 8107-37.4(c) are intended to guide the property owner and the *County* in the long-term enhancement, preservation, rehabilitation, restoration, reconstruction and maintenance of the site and applicable *structures*. The standards shall be in adequate detail for the site and should address the following factors among others, as well as the Secretary of the Interior's Standards for Historic Properties:

- a. Range and description of architectural styles;
- b. Construction materials and techniques;
- c. Exterior finish/colors;
- d. Landscaping styles and materials;
- e. Range of historic *uses* of the site; and
- f. Density, scale and patterns of development.

Article 7, Section 8107-38.1 – Purpose, of the Ventura County Ordinance Code, pertaining to interpretative centers, is hereby amended to read as follows:

Sec. 8107-38 - Interpretive Centers

Sec. 8107-38.1 – Purpose

Interpretive Centers are intended to give the public an opportunity to experience and understand the *County's* past by exploring sites and the *structures* and improvements thereon that have played an important role in the cultural and social history and prehistory of the *County*. The purpose of this section is to allow the display of materials on site that have a direct connection to the site and to provide further standards by which *interpretive centers* can be developed and regulated.

Article 7, Section 8107-38.2 – Designated Site, of the Ventura County Ordinance Code, pertaining to interpretive centers, is hereby amended to read as follows:

Sec. 8107-38.2 – Designated Site

The site must be a designated *cultural heritage site*. The display of materials shall be limited to ones with a direct connection to the site.

Article 7, Section 8107-38.3 – Range of Allowed Uses and Structures, of the Ventura County Ordinance Code, pertaining to interpretative centers, is hereby amended to read as follows:

Sec. 8107-38.3 – Range of Allowed Uses and Structures

The following *uses* and *structures* are allowed as accessory to an *interpretive center* so long as they are found to be consistent with the definition of the *use* and applicable requirements of the Ventura County Cultural Heritage Ordinance, as may be amended:

- a. Those existing lawful *structures* and improvements on the site;
- b. Preserved, restored, relocated, or re-created *structures*, improvements, equipment or implements;
- c. Public tours and displays;
- d. Periodic festivals, fundraisers, charity events, receptions, ceremonies, and the like;
- e. Refreshment and gift sales of historically related items;
- f. Educational activities and meetings;
- g. *Accessory structures* and improvements to facilitate the purposes of the *interpretive center* such as storage *buildings*, rest rooms, *caretaker dwelling units*, *parking areas*, lighting, security measures and the like; and
- h. Improvements required by law such as handicapped *access* facilities.

Article 7, Section 8107-39.1 – Purpose, of the Ventura County Ordinance Code, pertaining to historic repositories, is hereby amended to read as follows:

Sec. 8107-39 - Historic Repositories

Sec. 8107-39.1 – Purpose

The purpose of *historic repositories* is to allow for the collection and display of *structures*, facilities, equipment and the like that are associated with the historic or cultural development of the *County*.

Article 7, Section 8107-39.2 – Development Standards, of the Ventura County Ordinance Code, pertaining to historic repositories, is hereby amended to read as follows:

Sec. 8107-39.2 – Development Standards

Historic Repositories may only be established in accordance with the following standards:

- a. *Historic Repositories* shall be designed so as to portray historic and cultural resources in a manner that best approximates their original setting and context while allowing for public *access* and viewing.
- b. The minimum *lot* size for an *historic repository* shall be the minimum required *lot* area for the applicable zone (Section 8103-0 of this Chapter).
- c. A plan for the ultimate development of the site shall be reviewed and granted a *Certificate of Appropriateness* by the Cultural Heritage Board.

Article 7, Section 8107-39.3 – Range of Allowed Uses and Structures, of the Ventura County Ordinance Code, pertaining to historic repositories, is hereby amended to read as follows:

Sec. 8107-39.3 – Range of Allowed Uses and Structures

The following *uses* and *structures* may be allowed as part of, or accessory to, an *historic repository* and, if allowed, shall be specifically addressed in the required discretionary entitlement:

- a. Preserved, restored, relocated, or re-created *structures*, improvements, facilities, equipment, implements and the like;
- b. Public tours and displays;
- c. Periodic festivals, fundraisers, charity events, receptions, ceremonies, and the like;

- d. Refreshment and gift sales of historically related items;
- e. *Filming activities*;
- f. Educational activities and meetings;
- g. *Accessory structures* and improvements to facilitate the purposes of the *historic repository* such as storage *buildings*, rest rooms, *caretaker dwelling unit*, *parking areas*, lighting, security measures and the like; and
- h. Improvements required by law such as handicapped *access facilities*.

Article 7, Section 8107-45.1 – Purpose, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45 – Wireless Communication Facilities

Sec. 8107-45.1 – Purpose

The purpose of this section is to provide uniform standards for the siting, design, monitoring, and permitting of *wireless communication facilities* in the unincorporated, non-public right-of-way, non-coastal area of the *County* consistent with applicable federal and state laws and regulations. These standards are intended to protect and promote the public health, safety, and welfare, including the aesthetic quality of the unincorporated areas of the *County*. More specifically, the purpose of this Section 8107-45 is to provide a consistent set of regulations to process permits for *wireless communication facilities*, and a comprehensive set of development standards that will protect visual resources and public views, in conformity with goals and policies of the *General Plan* and area plans, while providing for the communication needs of the community.

Article 7, Section 8107-45.2.2 – Wireless Communication Facilities on Government Buildings, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.2.2 – Wireless Communication Facilities on Government Buildings

Any *wireless communication facility*, including a *non-commercial antenna*, located on a *government building*, such as a police or fire station, shall be permitted as an *accessory use* if the *wireless communication facility* is used exclusively for the government operation located within that facility or if it substantially contributes to public safety (i.e. police, fire and *emergency management operations*). Such a *wireless communication facility* shall be processed as part of the underlying land use permit for the *government building* and shall be subject to the development standards in Section 8107-45.4, except as provided in Section 8107-45.2.4.

Article 7, Section 8107-45.2.3 – Wireless Communication Facilities on Radio Studios and for Permanent Filming Activities, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.2.3 – Wireless Communication Facilities on Radio Studios and for Permanent Filming Activities

Any *wireless communication facility* located on a *radio studio* or a facility for a *permanent filming activity* shall be permitted as an *accessory use* if the *wireless communication facility* is necessary to, and is used exclusively for, the *radio studio* or *permanent filming activity* operation. A *wireless communication facility* defined as an *accessory use* shall be processed as part of the underlying land use permit for the

building or facility but shall be subject to the development standards in Section 8107-45.4.

Article 7, Section 8107-45.2.4 – Wireless Communication Facilities for Public Safety or Emergency Services, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.2.4 – Wireless Communication Facilities for Public Safety or Emergency Services

The applicable *County decision-making authority* may waive or modify one or more of the development standards in Section 8107-45.4 for a *wireless communication facility* that is exclusively used for public safety when the application of such standards would effectively prohibit the installation of that facility. In order to waive or modify a development standard, the *applicant* shall demonstrate in writing that a waiver or modification of the standard is necessary for the provision of public safety services, and that such waivers or modifications do not exceed what is necessary to remove the effective prohibition.

Article 7, Section 8107-45.5 – Compliance with Federal, State and Local Law and Regulations, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.5 – Compliance with Federal, State and Local Law and Regulations

Wireless communication facilities shall comply with all current applicable federal, state and local law, all standards and regulations of the FCC, and all standards and regulations of any other local, state and federal government agency with the authority to regulate such facilities.

Article 7, Section 8107-45.6 – Collocation, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.6 – Collocation

Any proposed *collocation* may be processed pursuant to a permit modification in Section 8107-45.10.1. *Collocations* which do not qualify for modification in Section 8107-45.10.1 may alternatively be processed pursuant to Section 8107-45.10.2 or Section 8107-45.10.3.

Article 7, Section 8107-45.7 – Maintenance and Monitoring, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-45.7 – Maintenance and Monitoring

- a. **Periodic Inspection:** The *County* reserves the right to undertake periodic inspection of a permitted *wireless communication facility* in accordance with Section 8111-8 of this Chapter.
- b. **Maintenance of Facility:** The *permittee* shall routinely inspect each *wireless communication facility*, as outlined in the approved maintenance and monitoring plan, to ensure compliance with the standards set forth in Section 8107-45.4 and the permit conditions of approval. The *permittee* shall maintain the facility in a manner comparable to its condition at the time of installation. If *routine maintenance* or repair is not sufficient to return the facility to its physical condition at the time of installation,

the *permittee* shall obtain all required permits and replace the facility to continue the permitted operation.

- c. **Graffiti:** The *permittee* shall remove graffiti from a facility within ten working days from the time of notification by the Planning Division.
- d. **Landscape and Screening:** All trees, foliage, or other landscaping elements approved as part of a *wireless communication facility* shall be maintained in good condition during the life of the permit, and the *permittee* shall be responsible for replacing any damaged, dead, or decayed landscape vegetation. The *permittee* shall maintain the landscaping in conformance with the approved *landscape plan*.
- e. **Hours of Maintenance:** Except for *emergency* repairs, backup generator testing and maintenance activities that are audible to an off-site, noise-sensitive receptor shall only occur on weekdays between the hours of 8:00 a.m. and 10:00 p.m.
- f. **Transfer of Ownership:**
 - (1) In the event that the *permittee* sells or transfers its interest in a *wireless communication facility*, the succeeding operator shall become the new *permittee* responsible for ensuring compliance with the permit for the *wireless communication facility*, including all conditions of approval, and all other relevant federal, state and local laws and regulations.
 - (2) The *permittee* (or succeeding *permittee*) shall file, as an initial notice with the *Planning Director*, the new *permittee's* contact information.
 - (3) The *permittee* shall provide the *Planning Director* with a final notice within 30 days after the transfer of ownership and/or operational control has occurred. The final notice of transfer shall include the effective date and time of the transfer and a letter signed by the new *permittee* agreeing to comply with all conditions of the *County* permit.

Article 7, Section 8107-45.8 – Technical Expert Review, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.8 – Technical Expert Review

The *County* may contract for the services of a qualified technical expert to supplement Planning Division staff in the review of proposed *wireless communication facilities* or in the review of the *permittee's* compliance with Section 8107-45.4, which may include the review of technical documents related to radio frequency emissions, alternative site analyses, propagation diagrams, and other relevant technical issues.

The use of a qualified technical expert shall be at the *permittee's* expense, and the cost of these services shall be levied in addition to all other applicable fees associated with the project. The technical expert shall work under a contract with and administered by the *County*. If proprietary information is disclosed to the *County* or the hired technical expert, such information shall remain confidential in accordance with applicable California laws.

Article 7, Section 8107-45.10 – Permit Modifications, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.10 – Permit Modifications

Proposed *modifications* to an existing *wireless communication facility* shall be processed in accordance with Article 11 of this Chapter except that the type of permit modification

required shall be a Zoning Clearance, Permit Adjustment, or Minor or Major Modification as provided below.

Article 7, Section 8107-45.10.1(h) – Facility Modifications Subject to a Zoning Clearance, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.10.1 – Facility Modifications Subject to a Zoning Clearance

One or more of the following *modifications* to an existing *wireless communication facility* may be processed with a Zoning Clearance:

- a. Replacement of *wireless communication facility* equipment when the design of equipment remains the same but the size of equipment decreases or remains the same.
- b. *Collocations* on an existing *wireless communication facility* that are included in and authorized by the existing permit.
- c. *Collocation* on an existing *building-concealed facility* that is subject to an existing County permit, or an increase to the size of existing *antennas* within a *building-concealed facility* that is subject to an existing County permit, when the proposed *modifications* do not result in changes to the external features of the *building-concealed facility* (such as a *building's* architectural features) and when the proposed *wireless communication facility* equipment remains hidden within the *building-concealed facility*.
- d. Additional equipment mounted onto an existing *wireless communication facility*, excluding *collocation*, that is attached behind and concealed by existing directional panel or dish *antenna*, or that is concealed by an existing stealth design feature. Photographic or other visual evidence shall be supplied that demonstrates the additional equipment will not be visible from any *public viewpoint*.
- e. *Modifications* to equipment located within, and visually hidden by, an existing equipment shelter or cabinet, such as replacing parts and other equipment accessories, increasing the size of the fuel tank and modifying or replacing an existing back-up generator in compliance with permitted noise levels.
- f. New or replacement equipment cabinets or shelters that are physically located within the existing, permitted site area, and when the new or replacement equipment is screened by existing *vegetation* or fencing if visible from a *public viewpoint*, and when the new or replacement equipment does not generate noise that exceeds permitted levels.
- g. *Non-commercial antenna* mounted on an existing commercial or public safety *wireless communication facility* when the *antenna* is not visible from a *public viewpoint* and would not increase the *height* of the *wireless communication facility*.
- h. *Modifications* that constitute a *Section 6409(a) Modification*, provided that each *modification* is in conformance with Section 8107-45.4(h). Decisions of the *Planning Director* (or designee) on requested *Section 6409(a) Modifications* are final when rendered and are not subject to appeal pursuant to Section 8111-7 of this Chapter.

Article 7, Section 8107-45.10.2 – Facility Modifications Subject to a Permit Adjustment, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.10.2 – Facility Modifications Subject to a Permit Adjustment

Modifications to a *wireless communication facility* that cannot be processed with a Zoning Clearance, pursuant to Section 8107-45.10.1 above, may be processed with a Permit Adjustment, provided that the *modifications* would not alter the findings made for the existing permit (see Sections 8111-1.2.1.1 through 1.2.1.8 of this Chapter), nor any findings contained in the environmental document, and further provided that the proposed *modifications* satisfy each of the following criteria as applicable:

- a. New or replacement equipment cabinets or shelters would not generate noise that would exceed originally permitted levels and are not *prominently visible* from a *public viewpoint*;
- b. Alterations to the approved landscaping plan are in compliance with the standards in Section 8107-45.4(q) and may result in replacement *vegetation* or additional *vegetation* for screening purposes;
- c. *Modifications* to the facility design and operation would be consistent with the facility's original design and permitted conditions of approval. Proposed changes to a *stealth facility* shall retain the necessary features to ensure the facility remains stealth, as stated in Section 8107-45.4(i);
- d. *Modifications* would only involve *grading* of a previously disturbed site; and
- e. *Modifications* would not result in a replacement, *modification*, or a series of replacements or *modifications* to a *wireless communication facility* that cumulatively constitute an increase in physical dimensions of 10 percent or more in any one or more of the following:
 - *Height* or width of the *antenna* or associated equipment;
 - Circumference of the *antenna*, mast, or pole;
 - Distance of the *antenna* array from the support *structure*;
 - Volume of equipment, including but not limited to boxes, equipment sheds, guy wires, pedestals and cables; or
 - Equipment area that is enclosed by structural elements or screening devices such as *fences* and walls.

Article 7, Section 8107-45.10.3 – Facility Modifications Subject to a Minor or Major Modification, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.10.3 – Facility Modifications Subject to a Minor or Major Modification

Modifications to an existing *wireless communication facility* shall be processed as either a Minor or Major Modification if the proposed *modification* cannot be processed as a Zoning Clearance (see Section 8107-45.10.1) or Permit Adjustment (see Section 8107-45.10.2).

Article 7, Section 8107-45.11 – Permit Period and Expiration, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.11 – Permit Period and Expiration

No Conditional Use Permit for a *wireless communication facility* shall be issued for a period that exceeds ten years. At the end of the permit period for all *wireless*

communication facilities, the permit shall expire unless the *permittee* submits, in accordance with all applicable requirements of this Chapter, an application for a permit modification to the Planning Division. An application that includes a request for a permit time extension shall be submitted prior to the permit expiration date, in which case the permit shall remain in full force and effect to the extent authorized by Section 8111-2.10 of this Chapter.

Article 7, Section 8107-45.12 – Permit Period and Expiration, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.12 – Permit Time Extensions

- a. **Time Extensions for Conditional Use Permits (CUP):** All permit time extension requests shall be processed as a Minor Modification or Major Modification pursuant to Section 8111-6.1 of this Chapter. No permit time extension for a *wireless communication facility* shall be issued for a period that exceeds ten years.
- b. **Wireless Communication Facility Technology Upgrades:** Whenever a permit time extension is requested for a *wireless communication facility*, the *permittee* shall replace or upgrade existing equipment when feasible to reduce the facility's visual impacts and improve the land use compatibility of the facility.

Article 7, Section 8107-45.13 – Nonconforming Wireless Communication Facilities, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.13 – Nonconforming Wireless Communication Facilities

Any *wireless communication facility* rendered nonconforming solely by the enactment or subsequent amendment of the development standards stated in Section 8107-45.4 shall be considered a legal nonconforming *wireless communication facility* subject to the following provisions.

Article 7, Section 8107-45.13.1 – Modifications to Nonconforming Wireless Communication Facilities, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.13.1 – Modifications to Nonconforming Wireless Communication Facilities

If a *modification*, other than a permit time extension, is proposed to a legal nonconforming *wireless communication facility*, the *modification* may be authorized through a permit modification processed pursuant to Section 8107-45.10 provided that both of the following apply:

- a. The *modification* itself conforms to current development standards in Section 8107-45.4; and
- b. The *modification* can be processed with a Zoning Clearance (see Section 8107-45.10.1), Permit Adjustment (see Section 8107-45.10.2) or Minor Modification (see Section 8111-6.1.2).

Article 7, Section 8107-45.13.2 – Permit Time Extension for Nonconforming Wireless Communication Facilities, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.13.2 – Permit Time Extension for Nonconforming Wireless Communication Facilities

An existing permit for a legal, nonconforming *wireless communication facility* may be granted a one-time time extension not to exceed ten years. The request must qualify for and shall be processed as a Minor Modification pursuant to Section 8111-6.1.2 and all of the following must apply:

- a. The facility was operated and maintained in compliance with applicable *County* regulations;
- b. The facility *height* (Section 8107-45.4(f)) and *setbacks* (Section 8107-45.4(g)) are within a 10 percent deviation from current standards; and
- c. The facility is stealth when required by Section 8107-45.4.

Permit modifications granted pursuant to this section may include, but are not limited to, conditions requiring the *permittee* to upgrade the legal nonconforming *wireless communication facility* in order to reduce the level of nonconformance with current development standards.

Article 7, Section 8107-45.14 – Abandonment, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.14 – Abandonment

A *wireless communication facility* that is not operated for a period of 12 consecutive months or more from the final date of operation shall be considered an abandoned facility. The abandonment of a *wireless communication facility* constitutes grounds for revocation of the land use *entitlement* for that facility pursuant to Section 8111-6.2.

Article 7, Section 8107-45.15 – Voluntary Termination, of the Ventura County Ordinance Code, pertaining to wireless communication facilities, is hereby amended to read as follows:

Sec. 8107-45.15 – Voluntary Termination

When the use of a *wireless communication facility* is terminated, the *permittee* shall provide a written notification to the *Planning Director* within 30 days after the final day of use. The *permittee* shall specify in the written notice the date of termination, the date the facility will be removed, and the method of removal.

Article 7, Section 8107-46.4 – Conditionally Permitted Outdoor Events, of the Ventura County Ordinance Code, pertaining to outdoor events regulations, is hereby amended to read as follows:

Sec. 8107-46.4 – Conditionally Permitted Outdoor Events; Venue Advertising

A Conditional Use Permit is required to authorize (1) an *outdoor event* that is not exempt from permitting pursuant to, or does not meet all requirements set forth in, Section 8107-46.1 or 8107-46.3; and (2) the advertising of a venue to host any such event requiring a Conditional Use Permit. A Conditional Use Permit may authorize up to 60 *outdoor events* per calendar year on a *lot* during an initial term. If the initial term is completed, a Conditional Use Permit may be renewed through a permit modification to allow up to 90 events per calendar year on the *lot* during each subsequent term. A Conditional Use Permit shall have a 5-year initial term, or such shorter term as requested by the *applicant*. If the initial term is completed, a Conditional Use Permit may be renewed through permit modifications with subsequent terms of 10 years each, or such shorter terms as requested by the *applicant*.

Article 7, Section 8107-46.5 – Processing and Consideration of Conditionally Permitted Outdoor Event Permit Applications, of the Ventura County Ordinance Code, pertaining to outdoor events regulations, is hereby amended to read as follows:

Sec. 8107-46.5 – Processing and Consideration of Conditionally Permitted Outdoor Event Permit Applications

- a. No application for a Conditional Use Permit pursuant to Section 8107-46.4 shall be accepted for processing if final violations (i.e., violations that were not timely appealed or were confirmed after timely appeal) have been issued for holding two or more *outdoor events* on the *parcel* within the previous 24 months without a Conditional Use Permit if required pursuant to Section 8107-46.4.
- b. Applications for all Conditional Use Permits under Section 8107-46.4, and applications for all *discretionary* modifications thereto, not involving legislative actions shall be processed in accordance with the time limits set forth in the Permit Streamlining Act (Gov. Code, § 65920 et seq.), regardless of whether or not the proposed *outdoor event use* constitutes "development" as defined by Government Code section 65927. Failure to comply with any time limit set forth in the Permit Streamlining Act shall not constitute a basis for the denial of any such permit application.
- c. The permit approval standards set forth in Section 8111-1.2.1.2 (Permit Approval Standards for *Outdoor Events and Assembly Uses*) and, if applicable to the proposed project, additional standards set forth in Section 8111-1.2.1.3 (Additional Standards for AE Zone), Section 8111-1.2.1.4 (Compliance with Other Documents), Section 8111-1.2.1.5 (Additional Standards for *Overlay Zones*), and Section 8111-1.2.1.8 (Additional Standards for *Cultural Heritage Sites*) shall be applied to all applications seeking a Conditional Use Permit pursuant to Section 8107-46.4 and applications for all *discretionary* modifications thereto.

Article 7, Section 8107-48.2.6(f) – Urban Parks Lighting, of the Ventura County Ordinance Code, is hereby amended to read as follows:

f. Allowable Light Trespass:

Outdoor lighting shall not exceed the Quantitative *Light Trespass* Limits shown in Table 1 below, measured from the property line illuminated by the light source, whenever the project site *abuts* one or more of the specified zones in Table 1. If the project site *abuts* more than one of the specified zones in Table 1, the more restrictive standard shall apply. For example, if a project site *abuts* both a single-family residential zone and a multifamily residential zone, the *light trespass* limit shall be 0.1 *foot-candles* at the property line.

**Table 1
(Section 8107-48.2.6(f))**

Quantitative Light Trespass Limits, by Zone

Quantitative Light Trespass Limits, by Zone	
Open Space, Agriculture and Special Purpose Zones (such as OS, AE, TP) and Rural Residential and Single-family/Two-family Residential Zones (such as RA, RE, RO, R1, R2)	
Horizontal-plane limit	0.1 <i>foot-candles</i> at property lines
Vertical-plane limit	
Multifamily Residential Zones (such as RPD)	
Horizontal-plane limit	0.2 <i>foot-candles</i> at property lines
Vertical-plane limit	

Article 7, Section 8107-50.4 – Conditionally Permitted Locally Grown Food Processing Facilities, of the Ventura County Ordinance Code, pertaining to locally grown food processing facilities regulations, is hereby amended to read as follows:

Sec. 8107-50.4 – Conditionally Permitted Locally Grown Food Processing Facilities

A Conditional Use Permit is required to authorize a locally grown food processing facility if it does not meet the provisions of Section 8107-50.3.2(b) above, if required by Section 8105-4 of this Chapter, or if it is in the RA Zone.

- a. In addition to complying with the requirements of Section 8111-2 et seq. of this Chapter, *applicants* shall provide all requested information that is required by the Planning Division to process and act upon the application based upon the applicable standards. This includes, but is not limited to, a written description of the proposed type, scale, net acreage (as calculated per Section 8107-50.2(c) above), and intensity of the locally grown food processing facility, including all existing and proposed *structures, buildings*, equipment, and other above- and below-ground improvements that would be utilized for the facility.
- b. A Conditional Use Permit authorizing a locally grown food processing facility, and any discretionary permit modification thereto, shall meet all of the general standards set forth in Section 8107-50.2 above, in addition to the applicable permit approval standards of this Chapter as set forth in Section 8111-1.2.1.1 (General Permit Approval Standards), Section 8111-1.2.1.3 (Additional Standards for AE Zone), Section 8111-1.2.1.4 (Compliance with Other Documents), Section 8111-1.2.1.5 (Additional Standards for *Overlay Zones*), and Section 8111-1.2.1.8 (Additional Standards for Cultural Heritage Sites).

Section 7

ARTICLE 8: PARKING AND LOADING REQUIREMENTS

Article 8, Section 8108-5.4.2 - Pedestrian Safe Access, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) and subsection 8108-5.4 (Circulation) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.4.2 - Pedestrian Safe Access

- a. *Parking areas* serving commercial, institutional, and *multifamily dwelling* land uses shall not impede safe and direct pedestrian access from the street or sidewalk to *building* entrances.
- b. At least one pedestrian pathway shall be provided from the street or sidewalk to the primary *building* entrance. If not completely separated from vehicular traffic, pedestrian pathways shall be clearly designated using a raised surface, distinctive paving, bollards, special railing, or similar treatment. Such pathways shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act. Pathways shall be designed to have minimal direct contact with traffic and prevent parked vehicles from overhanging the pathways. The use of pervious surface materials for pedestrian pathways is encouraged.
- c. Where feasible, parking rows shall be perpendicular to the main *building* entrance(s) or main pedestrian pathway(s) to assist safe pedestrian movement toward the *building*.

- d. Where *cross access* is provided, it shall be designed, established, and maintained so that internal *drive aisles*, parking spaces, and pedestrian paths assure safe pedestrian access to adjacent land uses, and adjacent *parking areas*.
- e. Where pedestrian routes cross *driveways* such crossings shall be clearly marked.
- f. If parking is designed to allow vehicle overhang into a pedestrian pathway, the pathway width shall be increased by at least 2 feet. Pedestrian pathways adjacent to a *building* shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act.

Article 8, Section 8108-5.14.3- Perimeter Landscaping and Screening, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) under subsection 8108-5.14 (Landscaping and Screening) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.14.3 - Perimeter Landscaping and Screening

- a. Adjacent to Streets: Where *parking areas* are not visually screened from any adjacent public or private street by an intervening *building* or *structure*, the following requirements apply:

- (1) Planter Width: A minimum 8-foot-wide (inside dimension, inclusive of any bumper overhang) landscape planter shall be provided between the street and the *parking area*, except at *driveways*, pedestrian pathways, and other pedestrian spaces.
- (2) Screening Materials and Height: Visual screens, measuring 3 feet in *height* from the top of the pavement, shall be provided. Where the ground level adjoining the street is below street *grade*, the visual screen *height* may be reduced by the difference in levels. Where the ground level adjoining the street is above street *grade*, the visual screen *height* may be reduced as determined appropriate by the *Planning Director* or designee.

The visual screen shall be composed of a berm or solid wall, plus plant material that softens the look and breaks up the expanse of the screen. Plant material may be used as the main screening element only if a minimum of 50 percent of the plants are of 15-gallon container size when planted, the rest are of 5-gallon container size, and the plants form a dense hedge. Where walls are used, the preferred location is in the middle of the 8-foot planter so that the planter may also serve as a bumper overhang and so that trees may be planted on both sides of the wall. Walls may also be placed behind the plant material, relative to the street.

Where earth berms are used, the berm slope shall be a maximum of 1 foot of rise for every 3 feet of linear distance (3:1 horizontal to vertical).

- (3) Trees and Shrubs: Trees shall be provided at a minimum rate of 1 for each 30 linear feet of landscape planter or fraction thereof, and at least one per planter. Shrubs shall be provided as needed to meet screening requirements, but no less than one for every five linear feet of landscape planter or fraction thereof. See Section 8106-8.2.3 for additional tree and shrub planting requirements.
- (4) Large Projects: *Parking areas* with more than 100 motor vehicle spaces shall provide a concentration of landscape elements at primary entrances, including specimen trees, flowering plants, and special design elements. Public art may be used, and is encouraged, in conjunction with these

elements. Such art should meet the provisions of Section 8108-5.14.2(a)(2)(ii) above.

- (5) Bus Shelters: Bus shelters may be located within the perimeter landscape planters, but shall not be placed so as to reduce the number of required trees.
- (6) Public Art: Public art may be provided in perimeter landscape planters that are viewable by the general public, in lieu of two required trees. Such art shall meet the provisions of Section 8108-5.14.2(a)(2)(ii) above.
- b. Adjacent to Residential Land Uses: Where *parking areas* and associated *driveways* adjoin residentially zoned property or ground-floor residential land *uses*, a solid masonry wall or other adequate barrier/screening measure that addresses the potential conflicts between the two *uses* (e.g., parking lot and adjacent residential land use), as determined by the *decision-making authority*, shall be installed and maintained along the common property line in accordance with the entitlement. The required barrier/screening shall be at least 6 feet in *height*, except that it shall not be more than 3 feet in *height* within the *front setback* of the *abutting* residentially zoned property.
- c. Side and Rear Property Lines: Perimeter planters are encouraged where a *parking area* or *driveway* adjoins a side or rear property line. Side and rear perimeter planters shall be a minimum of 2 feet wide (inside dimension) when the planters do not include trees and a minimum of 4 feet wide (inside dimension) when the planters include trees.

Article 8, Section 8108-5.14.4- Interior Landscaping, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) under subsection 8108-5.14 (Landscaping and Screening) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.14.4 - Interior Landscaping

Parking areas shall include interior landscaping as outlined below. *Parking structures* and *covered parking spaces* are exempt from these specific requirements but may be conditioned on a case-by-case basis to ensure that the purposes of this section are met.

- a. Amount Required: Interior landscaping shall account for 10 percent of the *parking area*, excluding the area of required perimeter landscaping.
- b. Tree Spacing: Trees shall be spaced out evenly throughout the *parking area* to maximize shading of pavement. At a minimum, one shade tree shall be provided in interior planters for every four adjacent motor vehicle parking spaces (eight total spaces in double-sided parking rows) or equivalent area of motorcycle spaces.
- c. Interior Planter Dimensions:
 - Finger Planters: Finger planters are planters adjacent to the long side of parking spaces. Finger planters shall measure at least 5 feet wide (inside dimension) by the length of the parking space, and shall contain one tree in single-sided rows and two trees (one per side) in double-sided rows.
 - Tree Wells: Tree wells shall be sized in accordance with Section 8106-8.2.3 (d)(3) and (4).

Strip Planters: Strip planters in front of or between rows of parking spaces shall measure at least 4 feet wide (inside dimension).

- d. Pedestrian-Orientated Design: Landscaping shall be designed so that pedestrians are not likely to cross landscape planters to reach *building* entrances from parked vehicles. This may be achieved through orientation of the landscape planters away from pedestrian pathways, use of pedestrian pathways or barriers to keep pedestrians out of planters.
- e. Preferred Layout: The preferred layout of interior landscaping of *parking areas* is set forth below. The *decision-making authority* shall consider this preferred layout, together with any site constraints, in approving *parking area landscape plans*.
 - (1) Ends of Parking Rows: The ends of each row of parking spaces should be separated from *drive aisles*, *driveways*, or *buildings* by a finger planter (as described in subparagraph (2) below) or sidewalk.
 - (2) Double-sided Parking Rows: One finger planter with two trees (one per row) per 12 adjacent spaces, or fraction thereof, should be provided. Between finger planters either two tree wells (one per eight spaces) or a continuous planter containing two trees (one per eight spaces) should be provided.
 - (3) Single-sided Parking Rows: One finger planter with one tree per 16 adjacent spaces, or fraction thereof, should be provided. Between finger planters either three tree wells (one per four spaces) or a continuous planter containing three trees (one per four spaces) should be provided.

Article 8, Section 8108-5.14.5- Stormwater Management Landscaping, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) under subsection 8108-5.14 (Landscaping and Screening) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.14.5 – Stormwater Management Landscaping

Stormwater management landscape planters in *parking areas* shall meet the following criteria:

- a. Their location shall not interfere with the movement of vehicles, pedestrians, or bicycles.
- b. The designed water flow shall not cause erosion of infrastructure or damage to other required *parking area* features.
- c. They may count toward required *parking area* landscaping if the following criteria are met:
 - (1) The *stormwater management landscaping* does not compromise the number, type, size, location, or health of the required trees. Required trees shall be planted well above the flow line of basins or channels.
 - (2) The *stormwater management landscaping* does not compromise the screening, shading, or other purposes of Section 8108-5.14.1 above.
 - (3) The stormwater management landscaping is consistent with Sections 8106-8.2.3 and 8106-8.2.7, where applicable.
 - (4) Planters containing trees shall be a minimum of 8 feet wide (inclusive of bumper overhang).

Article 8, Section 8108-5.14.6(e) - Trees, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) under subsection 8108-5.14 (Landscaping and Screening) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.14.6 – Trees

- a. Tree installation shall meet the requirements of Section 8106-8.2.3.
- b. The largest mature tree size shall be planted wherever feasible with respect to the current uses of the site, pedestrian circulation, vehicle circulation, safety, and standard *setbacks*. To the maximum extent feasible, native trees should be selected.
- c. Trees shall be a minimum 24-inch box size at planting.
- d. Trees shall be spaced to maximize distance from light poles to maximize the effectiveness of lighting.
- e. Trees shall be kept trimmed to maintain 8 feet 6 inches of ground clearance for parking spaces and pedestrian areas. Trees shall be kept trimmed to maintain 13 feet of ground clearance over *driveways* and *drive aisles*.
- f. Trees shall be installed according to the following diagrams:

Article 8, Section 8108-5.14.7 - Curbs, of the Ventura County Ordinance Code, under Section 8108-5 (Motor Vehicle Parking Design Standards) under subsection 8108-5.14 (Landscaping and Screening) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-5.14.7 - Curbs

All *parking area* or roadway landscape planters shall be protected from vehicular damage by providing a raised curb of at least 6 inches in *height* or wheel stop of at least 4 inches in *height* above paving. Where curbs around landscape planters function as wheel stops, plants and other landscape features in the outside 2 feet of these planters shall not extend more than 2 inches above the curb or wheel stop. Irrigation equipment should be placed outside of the bumper overhang. Curbs adjacent to landscape planters may contain cuts or notches to allow stormwater to pass into the planter if part of a landscaped stormwater management system.

Article 8, Section 8108-6.3- Location and Section 8108-6.3.1 – Proximity to Main Entrance, of the Ventura County Ordinance Code, under Section 8108-6 (Bicycle Parking Design Standards) under subsection 8108-6.3 (Location) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-6.3 - Location

All required *short-* and *long-term bicycle parking facilities* shall be located on site and provide safe and convenient bicycle *access* to the public right-of-way and pedestrian *access* to the main and/or employee entrance(s) of the *principal use*. Where *access* is via a sidewalk or pathway, or where the bicycle parking facility is next to a street, curb ramps shall be installed where appropriate. *Long-term employee bicycle parking facilities* may be separated from *short-term bicycle parking facilities*.

In addition, the following location criteria shall be met:

Sec. 8108-6.3.1 - Proximity to Main Entrances

Short-term bicycle parking facilities shall be conveniently located no more than 100 feet from the main *building* entrance(s) or no farther than the nearest non-disabled

motor vehicle parking space from the main *building* entrance(s), whichever is farther. Where there is more than one *building* on a site or where a *building* has more than one main entrance, the *short-term bicycle parking* shall be distributed to serve all *buildings* or main entrance(s). *Long-term bicycle parking facilities* shall be located no more than 400 feet from the *building* entrance. Bicycle parking shall not obstruct pedestrian access.

Article 8, Section 8108-6.4.4- Aisle Width, of the Ventura County Ordinance Code, under Section 8108-6 (Bicycle Parking Design Standards) under subsection 8108-6.4 (Layout) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-6.4.4 - Aisle Width

A 48-inch-wide *access aisle*, measured from the front or rear of the bicycle parking space, shall be provided beside each row or between two rows of bicycle parking. In high traffic areas where many users park or retrieve bikes at the same time, such as at schools or colleges, the recommended minimum aisle width is 6 feet.

Where a public sidewalk or pathway serves as an aisle of a bicycle parking facility and the doors of bicycle lockers open toward that sidewalk or pathway, the lockers shall be set back so an open door does not encroach onto the main travel width of the sidewalk or pathway.

Article 8, Section 8108-7.2 - Directional Signs, of the Ventura County Ordinance Code, under Section 8108-7 (Drive-Through Facilities) under subsection 8108-7.2 (Directional Signs) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-7.2 - Directional Signs

Directional signs shall be provided to indicate the entrance, exit, and one-way path of drive-through lanes.

Article 8, Section 8108-8.2.3- Location and Design, of the Ventura County Ordinance Code, under Section 8108-8 (Loading Areas) under subsection 8108-8.2 (Materials Loading Area) as it pertains to parking and loading requirements, is hereby amended to read as follows:

Sec. 8108-8.2.3 - Location and Design

Commercial and industrial *parking areas* with materials loading spaces shall be designed to accommodate *access* and circulation movement for on-site truck circulation.

- a. Location: Loading spaces shall be located on site, outside of any required *front* or *side setback*, near the service entrance(s) to the *building(s)*, and either to the rear or side of the *building* to alleviate unsightly appearances often created by loading facilities. Loading spaces shall also be located as far away as possible from residential land uses.
- b. Screening: See Section 8108-5.14.8.
- c. Dimensions: Spaces serving single-unit trucks and similar delivery vehicles shall be at least 10 feet wide, 30 feet long, and 14 feet high. Spaces serving larger freight vehicles, including semi-trailer trucks, shall be at least 12 feet wide, 55 feet long, and 15 feet high.

- d. Maneuvering: A minimum of 30 feet of maneuvering area for spaces serving single-unit trucks and similar delivery vehicles shall be provided. A minimum of 50 feet of maneuvering area for spaces serving larger freight vehicles shall be provided. Maneuvering areas for loading spaces shall not conflict with parking spaces or with the maneuvering areas for parking spaces. All maneuvering shall be contained on site.
- e. Driveways: Industrial developments shall include at least one *driveway* approach capable of accommodating a 48-foot wheel track turning radius.
- f. Safe Design: Loading spaces shall be designed and located to minimize intermixing of truck traffic with other vehicular, bicycle and pedestrian traffic on site. Such facilities shall be located off the main access and parking aisles and away from all pedestrian pathways.

Section 8

ARTICLE 9: STANDARDS FOR SPECIFIC ZONES AND ZONE TYPES

Article 9, Section 8109-0.2 – Sewage Disposal, of the Ventura County Ordinance Code, under Section 8109-0 (Standards for All Zones), is hereby amended to read as follows:

Sec. 8109-0.2 - Sewage Disposal

Sewage disposal for all applicable *uses* and *structures* shall be provided by means of a system approved by the Environmental Health Division and the Building and Safety Division.

Article 9, Section 8109-0.5 – Stormwater Quality Protection, of the Ventura County Ordinance Code, under Section 8109-0 (Standards for All Zones), is hereby amended to read as follows:

Sec. 8109-0.5 - Stormwater Quality Protection

Development shall be undertaken in accordance with conditions and requirements established by the Ventura Countywide Stormwater Quality Management Program, Los Angeles Regional Phase I Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System (Los Angeles Regional Phase I MS4 NPDES) Permit No. CAS004004 and the Ventura Stormwater Quality Management Ordinance No. 4450, as these permits and regulations may be amended.

Article 9, Section 8109-4.4 – Mineral Resource Protection Overlay Zone, of the Ventura County Ordinance Code, under Section 8109-4 (Standards for Overlay and Special Purpose Zones), under subsection 8109-4.4 (Mineral Resource Protection Overlay Zone), is hereby amended to read as follows:

Sec. 8109-4.4 - Mineral Resource Protection (MRP) Overlay Zone

Article 9, Section 8109-4.4.1 – Application, of the Ventura County Ordinance Code, under Section 8109-4 (Standards for Overlay and Special Purpose Zones), under subsection 8109-4.4 (Mineral Resource Protection Overlay Zone), is hereby amended to read as follows:

Sec. 8109-4.4.1 - Application

The abbreviated reference for this zone when applied to a *base zone* shall be "MRP". The suffix "MRP" is added to a *base zone* (e.g., OS-160 ac/MRP), but has no effect on the provisions of the *base zone*, except as provided herein.

Article 9, Section 8109-4.4.2 – Permit Standards, of the Ventura County Ordinance Code, under Section 8109-4 (Standards for Overlay and Special Purpose Zones), under subsection 8109-4.4 (Mineral Resource Protection Overlay Zone), is hereby amended to read as follows:

Sec. 8109-4.4.2 - Permit Standards

Discretionary development is prohibited in the MRP *Overlay Zone* if the *use* or *structure* will significantly hamper or preclude *access* to, or the extraction of, a mineral resource, except when one or more of the following findings can be made:

- a. The *use* is primarily intended to protect life or property.
- b. The *use* provides a significant public benefit.
- c. The mineral resource is not present at the site.
- d. Extraction of the mineral resource is not technically or economically feasible.
- e. Extraction of the mineral resource is not feasible due to limitations imposed by the *County*.

Article 9, Section 8109-4.5 – Community Business District Overlay Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.5 - Community Business District (CBD) Overlay Zone

Article 9, Section 8109-4.5.1 – Application, of the Ventura County Ordinance Code, under Section 8109-4 (Standards for Overlay and Special Purpose Zones), under subsection 8109-4.5 (Community Business District Overlay Zone), is hereby amended to read as follows:

Sec. 8109-4.5.1 - Application

The abbreviated reference for this zone when applied to a *base zone* shall be "CBD". The suffix "CBD" is added to a *base zone* (e.g., CPD/CBD), but has no effect on the provisions of the *base zone*, except as provided in Sections 8109-4.5 through 4.5.5 of this Chapter.

Article 9, Section 8109-4.5.3 – Permit Standards, of the Ventura County Ordinance Code, under Section 8109-4 (Standards for Overlay and Special Purpose Zones), under subsection 8109-4.5 (Community Business District Overlay Zone), is hereby amended to read as follows:

Sec. 8109-4.5.3 – Discretionary Permit Standards

Before the *decision-making authority* approves a new discretionary permit or a modification to an existing discretionary permit in the CBD *Overlay Zone*, the *decision-making authority* shall make findings that the following standards, in addition to those set forth in Sections 8111-1.2.1.1 through 1.2.1.8 (as applicable), will be met:

- a. The alteration or construction of the *building, structure* or feature for which the discretionary permit or permit modification is to be granted is consistent with the purposes of the CBD *Overlay Zone* as set forth in Section 8104-7.4 of this Chapter.
- b. The alteration or construction of the *building, structure* or feature for which the discretionary permit or permit modification is to be granted is consistent with the design guidelines adopted under the applicable area plan or specific plan.

Article 9, Section 8109-4.6 – Temporary Rental Unit Regulation Overlay Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.6 – Temporary Rental Unit Regulation (TRU) Overlay Zone

The abbreviated reference for this *overlay zone* when applied to a *base zone* shall be "TRU". The suffix "TRU" is added to a *base zone* (e.g., RA-20ac/TRU), but has no effect on the provisions of the *base zone*, or on the provisions of any other *overlay zone* that applies to the same land, except as provided herein.

Article 9, Section 8109-4.6.1 – Temporary Rental of Dwelling Must Be Expressly Authorized, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.6.1 – Temporary Rental of Dwelling Must Be Expressly Authorized

- a. Except as expressly authorized by this Section 8109-4.6 or otherwise expressly authorized by this Chapter, no *dwelling*, property or any portion thereof shall be rented for a term of less than 30 consecutive days in the TRU *Overlay Zone*. Renting for periods of less than 30 days pursuant to purported longer-term leases or by other means intended to evade compliance with this section is prohibited.
- b. *Short-term rentals* are not authorized for permitting and operation in the TRU *Overlay Zone* unless located on a property designated by the *County* as a "landmark" as of June 19, 2018, as this term is defined in Section 8102-0.
- c. *Homeshares* are authorized for permitting and operation in the TRU *Overlay Zone* in accordance with this Section 8109-4.6.

Article 9, Section 8109-4.6.2 – Definitions, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.2 – Definitions

Refer to Section 8102-0 of this Chapter, for the definitions of the terms *home exchange*, *homeshare*, *short-term rental*, and *rent* as used in this Chapter. For purposes of this section only, the following definitions shall apply:

- a. Owner: A person with a full or partial fee title ownership interest in the subject property. For a property held in a trust, each trustee (but no trust beneficiary) is considered an owner.
- b. Primary Residence: A *dwelling* which is the owner's main living location as evidenced by the owner's address-of-record for official documents such as the property's title, income tax returns, voter registration, or a current property tax bill.

Article 9, Section 8109-4.6.3 – Application, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.3 – Application

Unless otherwise specifically stated in this section, the applicable operational standards of Section 8109-4.6.8 and property management requirements of Section 8109-4.6.9 below are automatically imposed and made a part of every permit issued or renewed for a *homeshare* or *short-term rental* pursuant to this section.

Article 9, Section 8109-4.6.4 – Permit Requirement, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.4 – Permit Requirement

- a. A valid permit issued by the *County* pursuant to this section is required for any person that seeks or receives any rent, payment, fee, commission or compensation in any form, to rent, offer for rent, advertise for rent, or facilitate the rental of a *homeshare* or *short-term rental* located in the TRU Overlay Zone.
- b. A Zoning Clearance authorizing a *homeshare* or *short-term rental* shall be issued or renewed by the *Planning Director* or designee if the standards and requirements of this section and those of Section 8111-1.1.1(b) of this Chapter are met.

Article 9, Section 8109-4.6.5 – Permit Eligibility, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.5 – Permit Eligibility

Permits may only be issued under this section for *homeshares* and *short-term rentals* that meet each of the applicable authorization and eligibility requirements stated in Sections 8109-4.6.1 and 8109-4.6.5 of this Chapter.

Article 9, Section 8109-4.6.5.1 – Owner Requirements and Limitations, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.5.1 – Owner Requirements and Limitations

- a. Permits may only be issued to the owner(s) of the *homeshare* or *short-term rental* property, and shall automatically expire upon sale or transfer of ownership of the property, in whole or in part. All permits shall include the following provision: "This permit shall automatically expire upon sale or transfer of the property, in whole or in part, or as stated in Section 8109-4.6.4.1, whichever comes first."
- b. A permit may only be issued for a *homeshare* or *short-term rental* property if no owner of the subject *homeshare* or *short-term rental* property is also the owner of another *homeshare* or *short-term rental* property that is currently permitted under this section. In addition, if a property contains multiple *dwelling units* (e.g., a duplex, cottages or apartments), only one *dwelling unit* on the property is eligible for permitting as a *homeshare* or *short-term rental* under this section.

Article 9, Section 8109-4.6.5.2 – Ineligible Dwellings and Structures, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.5.2 – Ineligible Dwellings and Structures

No permit for a *homeshare* or *short-term rental* shall be issued for any of the following dwellings:

- a. A *dwelling* that was permitted as a second *dwelling unit* or an *accessory dwelling unit*;
- b. A *dwelling* subject to a County-imposed covenant, condition or agreement restricting its *use* to a specific purpose including but not limited to an affordable housing unit, *farmworker* housing, a *superintendent* or *caretaker dwelling*;
- c. A *dwelling* on property subject to a Land Conservation Act (Gov. Code § 51200 et seq.) contract;
- d. A *dwelling* on property fully or partially owned by a corporation, partnership, limited liability company, or other legal entity that is not a natural person, except in the event every shareholder, partner or member of the legal entity is a natural person as established by documentation (which shall be public record) provided by the permit *applicant*. In the event this exception applies, every such natural person shall be deemed a separate owner of the subject *dwelling* and property for purposes of this section;
- e. A *dwelling* on property owned by six or more owners, unless each owner shares common ancestors; or
- f. A *dwelling* or *structure* that has not, if legally required, obtained a full building final inspection or been issued a valid Certificate of Occupancy by the County Building Official.

Article 9, Section 8109-4.6.5.3 – Limitation on Short-Term Rentals, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.5.3 – Reserved for Future Use

Article 9, Section 8109-4.6.6 – Pre-Permitting Inspection, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.6 – Pre-Permitting Inspection

Prior to the initial issuance and each renewal of a permit under this section, the County Building Official or designee shall conduct an inspection to determine the number of bedrooms within the unit and ensure the *dwelling* and site are in compliance with the provisions of this section and other applicable building and zoning codes and regulations regarding parking, access, fire, and other relevant health and safety standards. If any violation is identified during the inspection, no permit shall be issued under this section until the violation(s) is abated.

Article 9, Section 8109-4.6.7 – Permit Application, Processing and Fees, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.7 – Permit Application, Processing, and Fees

- a. Applications for the initial issuance and renewal of permits under this section shall meet the application filing requirements and the documents and project plans requirements as established by the *Planning Director* or designee pursuant to Sections 8111-2.1 through 8111-2.3 of this Chapter. As part of each application, the *applicant* shall submit documentation, as specified by the *Planning Director* or

designee, needed to determine permit eligibility and compliance with all other requirements of this section.

- b. Each application shall include a site plan depicting the location and describing the use of all existing *structures*.
- c. Each application shall include an affidavit in a form provided by the *Planning Director* or designee, signed by each owner of the subject property, agreeing to comply with the operational standards of Section 8109-4.6.8 below and the property management requirements of Section 8109-4.6.9 below should the permit be issued. The affidavit form shall also include the following statement: "The County considers the temporary rental of *dwelling*s to be businesses that are operated in residential zones. Temporary rentals are not a by-right use. Instead, they are only allowed if operated in strict compliance with the rules and requirements of Section 8109-4.6. Violations are grounds for permit revocation, fines, and/or criminal prosecution."
- d. For a *homeshare* only, annually provide to the Planning Division proof of a homeowner's exemption from the County Assessor and a fully-executed statement that the property is owner occupied.
- e. An annual permit fee, in accordance with the Board-adopted Fee Schedule, may be collected upon the filing of an application to cover the *County's* costs of administering this section.
- f. Prior to permit issuance under this section, the *applicant* shall: (i) pay all applicable *County* fees; (ii) submit a code compliance review deposit in accordance with Section 8109-4.6.10.2; (iii) provide contact information for the owner of a *homeshare*, or designate and provide contact information for one or two property managers of a *short-term rental*, pursuant to Section 8109-4.6.9.1; (iv) provide a fully-executed affidavit pursuant to Section 8109-4.6.7(c); (v) provide proof of compliance with the applicable business tax and licensing, and transient occupancy tax, requirements pursuant to Section 8109-4.6.9.5; (vi) for a *homeshare* only, proof of homeowner's exemption and statement that property is owner occupied pursuant to Section 8109-4.6.7(d); (vii) provide proof of insurance pursuant to Section 8109-4.6.9.6; and (viii) provide the fully-executed defense and indemnification agreement pursuant to Section 8109-4.6.9.7.
- g. Notwithstanding any other provision of this Chapter, no public hearing shall be conducted regarding permit applications under this section. Decisions of the *Planning Director* or designee on permit applications are final when rendered and are not subject to appeal.

Article 9, Section 8109-4.6.8.1 – Occupancy Limits, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.8.1 – Occupancy Limits

- a. *Short-term rental* overnight occupancy shall be limited to a maximum of two persons per bedroom occupying up to five bedrooms, plus two additional persons, up to a maximum of ten persons.
- b. *Homeshares* shall have a maximum of two bedrooms available for rental. Overnight occupancy shall be limited to a maximum of five rental guests.
- c. Inclusive of the owner(s) in the case of *homeshares*, the maximum number of persons allowed on the property at any time shall not exceed the maximum overnight occupancy plus six additional persons. No person who

is not staying overnight at the *homeshare* or *short-term rental* shall be on the property during the quiet hours stated in Section 8109-4.6.8.3(b).

- d. *Homeshares* and *short-term rentals* shall not be rented to more than one group at a time; no more than one rental agreement shall be effective for any given date.

Article 9, Section 8109-4.6.8.2 – Parking Requirements, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.8.2 – Parking Requirements

- a. Parking shall be provided on the property as follows: a minimum of one parking space for *short-term rentals* in a studio or with one bedroom; a minimum of two parking spaces for *homeshares* and *short-term rentals* with two to four bedrooms; and a minimum of three parking spaces for *homeshares* and *short-term rentals* with five bedrooms.
- b. Permitted garages and *driveways* on the property shall be unobstructed and made available for renter parking, if such location(s) are needed to satisfy the parking requirements of subsection (a) above.

Article 9, Section 8109-4.6.8.3 – Noise, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.8.3 – Noise

- a. No *use* or activity associated with a *homeshare* or *short-term rental* shall at any time create unreasonable noise or disturbance.
- b. Quiet hours shall be observed from 10:00 p.m. to 7:00 a.m.
- c. No outdoor amplified music or sound shall be allowed during quiet hours when a property is being rented as a *homeshare* or *short-term rental*.

Article 9, Section 8109-4.6.8.4 – Events and Activities, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.8.4 – Events and Activities

Unless allowed under an approved Conditional Use Permit, no *homeshare* or *short-term rental* property shall be rented or used for any event or activity attended by more persons than are allowed on the property pursuant to Section 8109-4.6.8.1, that violates any noise standard of Section 8109-4.6.8.3, or that violates any other standard or requirement of this section or any other local, state or federal law.

Article 9, Section 8109-4.6.8.5 – Refuse and Recycling, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.8.5 – Refuse and Recycling

Adequate refuse and recycling collection facilities and services shall be provided for a *homeshare* or *short-term rental* at all times. Refuse and recycling bins shall not be left within public view, except in proper containers for the purpose of collection on the scheduled collections day(s). The refuse and recycling collection schedule and information about recycling and green waste separation and disposal shall be included in the rental agreement and posted conspicuously in the rental unit.

Article 9, Section 8109-4.6.9.1 – Owner/Property Manager Requirements, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.1 – Owner/Property Manager Requirements

- a. At all times a *homeshare* is rented out, a *homeshare* owner shall be on site between the hours of 10:00 p.m. and 7:00 a.m., and within 40 miles of the property at all other times, to ensure compliance with the standards and requirements of this section.
- b. At all times a *short-term rental* is rented out, the *short-term rental* shall have one or two designated property managers, one of whom shall be available at all times and within 40 miles of the property, to ensure compliance with the standards and requirements of this section. An owner may serve as one of the property managers.
- c. Each application under this section shall include the name, address, and telephone number(s) at which the property manager(s) can be reached at all times, along with the signature of each property manager. Any requested change to a designated property manager shall be made through a formal written request to the *Planning Director* or designee, and shall include the signature of the proposed property manager and the desired effective date of the change. No change to a *short-term rental's* designated property manager shall take effect unless and until approved in writing by the *Planning Director* or designee.

Article 9, Section 8109-4.6.9.2(b) – Posting Outside of Units; Permit Notification, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

- a. At all times a *dwelling* is in use as a *short-term rental* or *homeshare*, the designated property manager's contact information and the contact information for the Code Compliance Division shall be printed legibly on a sign no larger than 8.5 x 11 inches and posted on an outside wall readily visible from the main entrance to the *dwelling*, or adjacent to the main entry gate where property access is limited.
- b. The Planning Division shall provide a mailed notice of permit issuance, and of each permit renewal, in accordance with Section 8111-3.1.3 of this Chapter. At a minimum, the notice shall include: (i) a copy of this section; (ii) the name and contact information for the designated property manager of a *short-term rental*, or owner of a *homeshare*; and, (iii) contact information for the Code Compliance Division.

Article 9, Section 8109-4.6.9.3 – Information in Rental Agreements, Advertisements and Listings, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.3 – Information in Rental Agreements, Advertisements and Listings

- a. Each rental agreement, advertisement, and online listing for a *short-term rental* or *homeshare* shall prominently display the following information:
 - (1) The permitted occupancy and guest limits for both day and night;

- (2) Notification that quiet hours shall be observed between 10:00 p.m. and 7:00 a.m.;
 - (3) Notification that no outdoor amplified music or sound is allowed during quiet hours;
 - (4) Notification that the property cannot be used for events that exceed the applicable occupancy or guest limits, or that violate the quiet hours, *County* noise standards, any other standard or requirement of this section, or any other local, state or federal law;
 - (5) The available number of on-site parking spaces, and notification discouraging use of on-street parking;
 - (6) The *County*-issued land use permit number authorizing the *homeshare* or *short-term rental* under this section;
 - (7) The current *County*-issued Business License Tax Certificate identification number, if required for the operation; and
 - (8) All advertisements for *homeshares* shall state that the unit is an owner-occupied *dwelling*, and the owner will be present in the home.
- b. No advertisements or notices regarding the availability of a *dwelling* for *homeshare* or *short-term rental use* shall be posted on the property.

Article 9, Section 8109-4.6.9.4 – Posting Inside of Dwellings, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.4 –Posting Inside of Dwellings

The following information, as well as all information required by Section 8109-4.6.9.3, shall be posted in a conspicuous location inside the *dwelling* within 6 feet of the main entrance of the *homeshare* or *short-term rental*:

- a. The name and contact information for the designated property manager of a *short-term rental* or owner of a *homeshare*, and the telephone number(s) at which the person can be reached at all times;
- b. The refuse and recycling collection schedule and information about recycling and green waste separation and disposal;
- c. Notification that the property owner, renter, and occupants are subject to criminal citation and fines, civil penalties and/or permit revocation for violations of the occupancy limits, *County* noise standards and other operational standards.

Article 9, Section 8109-4.6.9.6 – Insurance, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.6 – Insurance

The owner shall maintain an insurance policy that includes coverage for commercial/business general liability with a minimum limit of \$500,000 per occurrence for claims of personal injury or property damage. Proof of such insurance coverage shall be provided with each permit application under this

section, and shall be made available to the *Planning Director* or designee upon request.

Article 9, Section 8109-4.6.9.7 – Defense and Indemnification, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.7 – Defense and Indemnification

All owners of a *homeshare* or *short-term rental* shall be jointly and severally responsible to defend and indemnify the *County* and all of its officials, employees and agents from and against all third-party claims, causes of actions, fines, damages and liabilities of whatever nature arising from or related to the processing and issuance of a permit under this section and/or from the operation of the *homeshare* or *short-term rental*. Upon submittal of a permit application under this section, all owners of the *homeshare* or *short-term rental* shall execute a written agreement on a form provided by the *Planning Director* or designee implementing this defense and indemnification requirement.

Article 9, Section 8109-4.6.9.8 – Record-Keeping, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.9.8 – Record-Keeping

The owner of a *homeshare* or *short-term rental* shall keep and preserve all records as may be necessary to demonstrate compliance with the standards and requirements of this section. These records shall include, but are not limited to, all rental agreements entered into, advertisements and online listings. The records shall be maintained during the term of the permit issued under this section, and shall be made available in electronic format for the *County's* review upon request of the *Planning Director* or designee.

Article 9, Section 8109-4.6.10.1 – Inspections, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.10.1 – Inspections

In addition to the pre-permitting inspection of a *homeshare* or *short-term rental* pursuant to Section 8109-4.6.6 above, upon reasonable notice, *County* staff shall be given access to the *dwelling* and site to conduct an inspection during the term of the permit to ensure continued operation of the *homeshare* or *short-term rental* in compliance with the provisions of this section and other applicable building and zoning codes and regulations regarding parking, access, fire, safety, and other relevant issues.

Article 9, Section 8109-4.6.10.2 – Monitoring, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.10.2 – Monitoring

County monitoring shall be required for each *homeshare* and *short-term rental* operation issued a permit. The *permittee* shall be responsible for all monitoring costs associated with the operation. Each *application request* for a permit under this section shall be accompanied by payment of a code compliance review deposit in accordance with the Board-adopted Fee Schedule. If the *County* bills against the deposit, the *permittee* shall replenish the deposit within seven calendar days after the *County's* written request to the *permittee*.

Article 9, Section 8109-4.6.11.1 – Complaints, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.11.1 – Complaints

- a. Complaints regarding the condition, operation or conduct of the renters, occupants or visitors of a *homeshare* or *short-term rental* shall be directed to the *short-term rental* property manager or *homeshare* owner for investigation and resolution. The property manager or owner shall be available by phone at all times the *dwelling* is rented out as a *homeshare* or *short-term rental*.
- b. Upon receipt of a complaint that any renter, occupant or visitor of a *homeshare* or *short-term rental* has created unreasonable noise or disturbance and/or potentially violated any other operational standard of this Section, the property manager or owner shall take all necessary actions to promptly resolve the issue, including by initially contacting the renter to correct the problem within 30 minutes, or within 15 minutes during the quiet hours between 10:00 p.m. and 7:00 a.m., after the complaint is first received.
- c. Within 24 hours after first receiving a complaint pursuant to subsection (b) above, the property manager or owner shall complete the online reporting form provided by the *Planning Director* or designee to: (1) report and describe the complaint, including the time the complaint was first received; (2) describe all actions taken to resolve the issue, including the time each action was taken; and, (3) describe the resolution or current status.
- d. A property manager's or owner's failure to promptly resolve a complaint pursuant to subsection (b) above which the Planning Division deems to be valid, or to timely and fully report the complaint to the *Planning Director* or designee on the online reporting form, shall each constitute a separate violation of this section.

Article 9, Section 8109-4.6.11.2 – Violations, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby amended to read as follows:

Sec. 8109-4.6.11.2 – Violations

Each of the following acts or omissions related to the operation or *use* of a *homeshare* or *short-term rental* is unlawful and constitutes a violation of this section. Owners are jointly and severally responsible and liable, along with any other responsible person, for each violation committed with respect to their *homeshare* or *short-term rental*. Each day a violation occurs constitutes a separate, additional violation:

- a. Engaging in an act in violation of the permitting requirement of Section 8109-4.6.4(a);
- b. Failure to comply with an operational standard of Section 8109-4.6.8;
- c. Failure to comply with a property management requirement of Section 8109-4.6.9;
- d. Failure to comply with the complaint investigation, resolution and/or reporting requirements of Section 8109-4.6.11.1; and
- e. Failure to timely remit to the *County* any cost or fee pursuant to this section.

Article 9, Section 8109-4.6.12 – Legal Nonconforming Short-Term Rentals and Homeshares, of the Ventura County Ordinance Code, pertaining to temporary rental unit regulations, is hereby deleted in its entirety.

Article 9, Section 8109-4.7 – Dark Sky Overlay Zone (DKS), of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.7 – Dark Sky (DKS) Overlay Zone

The abbreviated reference for the Dark Sky *Overlay Zone* when applied to a *base zone* shall be "DKS". The suffix "DKS" is added to a *base zone* (e.g., RA-20 ac/DKS). The standards and procedures in this Section 8109-4.7 shall apply to all property in the DKS *Overlay Zone* in addition to those of the *base zone*. Where a property is subject to the standards of more than one *overlay zone*, the more restrictive standards shall apply.

Article 9, Section 8109-4.7.1 – Applicability, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.7.1 – Applicability

Except for *outdoor lighting* that is exempt pursuant to Section 8109-4.7.5 (Exempt Lighting), or authorized pursuant to Section 8109-4.7.6 (Deviation from Standards and Requirements), this Section 8109-4.7 shall apply as follows:

- a. The standards and requirements of Section 8109-4.7.3 (Prohibited Lighting) and Section 8109-4.7.4 (General Standards) shall apply to all *outdoor luminaires*, and night lighting within translucent or transparent enclosed *structures* for agricultural operations, installed or replaced after November 1, 2018.
- b. Any *outdoor luminaire* installed as of November 1, 2018, that does not comply with any standard or requirement of Section 8109-4.7.4 (General Standards) shall be subject to the applicable requirements of Section 8109-4.7.2 (Existing Lighting).
- c. The use of any *outdoor luminaire* installed as of November 1, 2018, that is prohibited by Section 8109-4.7.3 (Prohibited Lighting) shall be discontinued as of November 1, 2019.

Article 9, Section 8109-4.7.2 – Existing Lighting, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.7.2 – Existing Lighting

Any *outdoor luminaires* installed as of November 1, 2018, that do not comply with any standard or requirement of Section 8109-4.7.4 are subject to the following requirements, as applicable:

- a. The provisions of Article 13 of this Chapter shall not apply to any lighting subject to this Section 8109-4.7.
- b. Non-Essential Luminaires: Except for lighting subject to subsection (d) below, existing non-essential *luminaires* may remain in use until replaced, but shall comply with the following requirements as of November 1, 2019:
 - (1) *Luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties; and
 - (2) The lighting shall be turned off during dark hours as described in Section 8109-4.7.4(d).

- c. Essential Luminaires: Except for lighting subject to subsection (d) below, existing *essential luminaires* may remain in use until replaced, including during dark hours as described in Section 8109-4.7.4(d). As of November 1, 2019, existing *essential luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties.
- d. Existing Outdoor Lighting for Commercial and Industrial Uses in Commercial and Industrial Zones: Existing *outdoor lighting* installed for commercial and industrial uses in a commercial or industrial zone are subject to the following:
 - (1) Non-Essential Luminaires: Non-*essential luminaires* shall comply with the following requirements as of November 1, 2019:
 - i. *Luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties; and
 - ii. The lighting shall be turned off during dark hours as described in Section 8109-4.7.4(d).
 - (2) Essential Luminaires: As of November 1, 2019, *essential luminaires* that have adjustable mountings with the ability to be redirected shall be directed downward, to the extent feasible, to reduce *glare* and *light trespass* onto adjacent properties.
 - (3) All Luminaires: All *luminaires* shall either comply with the standards and requirements of Section 8109-4.7.4 below as of November 1, 2021, or shall be turned off during dark hours as described in Section 8109-4.7.4(d) after this date. An extension of this November 1, 2021, deadline may be sought by submitting a written request to the Planning Division. Non-compliant, non-*essential luminaires* shall remain turned off during dark hours while the request is pending. Upon demonstration of good cause for providing additional time to comply with the applicable standards and requirements of Section 8109-4.7.4 below, the *Planning Director* may extend the time to comply and/or may require a plan for compliance that requires partial compliance in advance of full compliance. For purposes of this section, the term "good cause" shall mean a significant financial or other hardship which warrants an extension or conditional extension of the time limit for compliance.
 - (4) Permitted Facilities: Notwithstanding subsection (d)(3) above, all existing lighting approved in conjunction with a *use* and/or *structure* authorized by a discretionary permit granted pursuant to this Chapter may remain in use past November 1, 2021, subject to the applicable requirements of subsections (d)(1) and (d)(2) above. Upon approval of a minor or major modification to the subject discretionary permit, all such lighting shall be required to be modified or replaced so that the lighting conforms to the standards and requirements of Section 8109-4.7.4 below, with the replacement lighting to be phased in within a reasonable time period past November 1, 2021.

Article 9, Section 8109-4.7.3 – Prohibited Lighting, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.7.3 – Prohibited Lighting

No *outdoor luminaire* prohibited by this Section 8109-4.7.3 shall be installed or replaced after November 1, 2018. In addition, the use of any existing *outdoor luminaire* that is prohibited by this Section 8109-4.7.3 shall be discontinued as of November 1, 2019. The following *luminaires* are prohibited:

- a. *Luminaires* located along the perimeter of a *lot*, except those used for security/safety purposes that comply with all other applicable standards and requirements of Section 8109-4.7.4 below.
- b. Permanently installed *luminaires* that blink, flash, rotate, have intermittent fading, or strobe light illumination.

Article 9, Section 8109-4.7.4 – General Standards, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.7.4 – General Standards

All *luminaires* installed or replaced after November 1, 2018, shall comply with the following standards and requirements:

- a. Shielding and Direction of Luminaires: All *outdoor luminaires* shall be *fully shielded*, directed downward, and installed and maintained in such a manner to avoid *light trespass* beyond the *lot line* in excess of those amounts set forth in subsection (i) below. Lights at *building* entrances, such as porch lights and under-eave lights, may be partially shielded.
- b. Lighting Color: The *correlated color temperature* of each *outdoor luminaire*, except those used for *security lighting* (see Section 8109-4.7.4(e)), shall not exceed 3,000 *Kelvin*.
- c. Maximum Lumens Per Luminaire: Each *outdoor luminaire*, except those used for *security lighting* and *outdoor recreational facility* lighting, shall have a maximum output of 850 *lumens*. (See subsection (e) below for standards regarding *security lighting*, and subsection (g) below for standards regarding *outdoor recreational facility lighting*.)
- d. Dark Hours: All *outdoor luminaires*, other than an *essential luminaire*, shall be turned off from 10:00 p.m., or when people are no longer present in exterior areas being illuminated, or the close of business hours, whichever is latest, until sunrise.
- e. Security Lighting:
 - (1) *Outdoor luminaires* used for *security lighting* shall not exceed a maximum output of 2,600 *lumens* per *luminaire*.
 - (2) Where the light output exceeds 850 *lumens*, motion sensors with timers programmed to turn off the light(s) no more than 10 minutes after activation shall be used between 10:00 p.m. and sunrise. The foregoing does not apply to *security lighting* used for agricultural operations conducted on *parcels* within the AE, OS, and RA Zones.
 - (3) Where security cameras are used in conjunction with *security lighting*, the lighting color may exceed 3,000 *Kelvin* but shall be the minimum necessary for effective operation of the security camera.

- f. Parking Area Lighting: *Parking area* lighting shall comply with the standards set forth in Section 8108-5.12 of this Chapter, and is not subject to any other standard set forth in this Section 8109-4.7.4.
- g. Outdoor Recreational Facility Lighting:
- (1) *Outdoor recreational facility lighting* may exceed 850 *lumens* and 3,000 *Kelvin* per *luminaire*. Lighting levels for these facilities shall not exceed those recommended in the Lighting Handbook available online by the Illuminating Engineering Society of North America (IESNA) for the class of play (Sports Class I, II, III or IV).
 - (2) In cases where *fully-shielded luminaires* would cause impairment to the visibility required for the intended recreational activity, *partially-shielded luminaires* and *directional lighting* methods may be utilized to reduce *light pollution*, *glare* and *light trespass*.
 - (3) With the exception of *security lighting* as specified in subsection (e) above, and *parking area* lighting as specified in Section 8108-5.12 of this Chapter, *outdoor recreational facilities* shall not be illuminated between 10:00 p.m. and sunrise, except to complete a recreational event or activity that is in progress as of 10:00 p.m.
 - (4) See subsection (j) below for additional lighting requirements for *outdoor recreational facilities*, by zone.
 - (5) The lighting system design (including *lumens*, *Kelvin*, etc.) shall be prepared by a qualifying engineer, architect or landscape architect, in conformance with this Section 8109-4.7.
 - (6) The proposed lighting design shall be consistent with the purpose of this section and minimize the effects of light on the environment and surrounding properties.
- h. Service Station Lighting: All *luminaires* mounted on or recessed into the lower surface of the service station canopies shall be *fully shielded* and utilize flat lenses. No additional lighting is allowed on the columns of the service station.
- i. Allowable Light Trespass: *Outdoor lighting* shall conform to the quantitative *light trespass* limits shown in Table 1 below, measured from the property line illuminated by the light source. The more restrictive zone will apply. For example, when a commercial zone *abuts* a single-family residential zone, the *light trespass* limit shall be 0.1 *foot-candles* at the property line.

Table 1
Quantitative Light Trespass Limits, by Zone

Open Space, Agriculture and Special Purpose Zones (such as OS-REC, OS, AE, TP)	
Horizontal-plane limit	0.1 <i>foot-candles</i> at property lines
Vertical-plane limit	
Rural Residential and Single-family/Two-family Residential Zones (such as RA, RE, RO, R1, R2)	
<i>Horizontal-plane</i> limit	0.1 <i>foot-candles</i> at property lines

Vertical-plane limit	
Multifamily Residential Zones (such as RPD)	
Horizontal-plane limit	0.2 foot-candles at property lines
Vertical-plane limit	
Commercial and Industrial Zones (such as CO, C1, CPD, M1, M2, M3)	
Horizontal-plane limit	0.25 foot-candles at property lines, unless otherwise approved by a discretionary permit
Vertical-plane limit	

j. Maximum Height Allowance:

- (1) *Luminaires* affixed to *structures* for the purpose of lighting *outdoor recreational facilities* (such as for equestrian arenas, batting cages, sport courts, etc.) shall not be mounted higher than 15 feet above ground level. In cases where *luminaires* are affixed to *fences*, the top of the fixture shall not be higher than the *height* of the *fence*.
- (2) Freestanding *light fixtures* used to light walkways, *driveways*, or hardscaping shall utilize *luminaires* that are no higher than 2 feet above ground level. Freestanding *light fixtures* used for commercial and industrial uses shall comply with subsection (j)(3) below.
- (3) All other freestanding *light fixtures* shall not be higher than 20 feet above ground level, unless specifically authorized by a discretionary permit granted under this Chapter.

k. Night Lighting for Translucent or Transparent Enclosed Agriculture Structures:
All night lighting within translucent or transparent enclosed *structures* used for ongoing *agriculture* or agricultural operations (e.g., greenhouses for crop production) shall use the following methods to reduce *sky glow*, beginning at 10:00 p.m. until sunrise:

- (1) *Fully- or partially-shielded directional lighting*; and
- (2) Blackout screening for the walls and roof, preventing interior night lighting from being visible outside the *structure*.

Article 9, Section 8109-4.7.5 – Exempt Lighting, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.7.5 - Exempt Lighting

The following *outdoor lighting* is exempt from all regulations and requirements of this Section 8109-4.7.

- a. Temporary lighting for construction.
- b. Temporary *emergency* lighting.
- c. Lighting for *wireless communication facilities* to the extent required by the Federal Aviation Administration. This lighting is subject to the development standards set forth in Section 8107-45.4 of this Chapter.
- d. Temporary or intermittent outdoor agricultural lighting consistent with usual or customary agricultural practices, including during weather events.

- e. Lighting for signage permitted in accordance with Article 10 of this Chapter.
- f. *Seasonal or festive lighting.*
- g. *Luminaires* with a maximum output of 60 *lumens* or less, including solar lights.
- h. Temporary lighting associated with a *use* authorized by this Chapter or a permit granted pursuant to this Chapter.
- i. Lighting on public and private streets.
- j. Lighting required to comply with preemptive state or federal law.

Article 9, Section 8109-4.7.6(a) – Deviation from Standards and Requirements, of the Ventura County Ordinance Code, pertaining to the dark sky overlay zone regulations, is hereby amended to read as follows:

- a. The *Planning Director* may authorize deviations from any standard or requirement of this Section 8109-4.7 during the processing of an application for a discretionary permit or approval. The decision to authorize each deviation shall include written findings of fact supported by substantial evidence in the record establishing that the *applicant's* proposed *lighting* will be the functional equivalent, with regard to the strength and duration of illumination, *glare*, and *light trespass*, of the lighting that would otherwise be required by the applicable standard or requirement.

Article 9, Section 8109-4.10 – Mobilehome Park Overlay Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.10 – Mobilehome Park (MHP) Overlay Zone

Article 9, Section 8109-4.10.1 – Application, of the Ventura County Ordinance Code, pertaining to the mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.10.1 - Application

The abbreviated reference for this zone when applied to a *base zone* shall be "MHP". The provisions of this *overlay zone* are intended to apply to all *mobilehome parks* in the unincorporated area of Ventura County. The suffix "MHP" shall be added to the *base zone* (e.g., RPD-8 du/ac/MHP), but shall have no effect on the provisions of the *base zone*, except for the limitations provided herein. In this MHP *Overlay Zone* the permit requirements of Articles 5, 11, 13 and 17 of this Chapter shall apply.

Article 9, Section 8109-4.10.2 – Allowed Uses, of the Ventura County Ordinance Code, pertaining to the mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.10.2 – Allowed Uses

Only the following *uses*, as authorized in this Chapter and with appropriate permits, are allowed in the MHP *Overlay Zone*:

- a. *Principal Use: Mobilehome parks.*
- b. *Accessory Uses: Accessory structures and uses* customarily incidental and subordinate to the operation of *mobilehome parks*, and for the exclusive noncommercial *use* of the *mobilehome park* residents and their guests, such as a clubhouse or community center, community pool, *recreational vehicle* storage, or common laundry facility.

- c. *Accessory Uses to Dwellings*, in accordance with Section 8105-4 of this Chapter.
- d. *Uses* exempt from obtaining permits, in accordance with Section 8105-4 of this Chapter.
- e. *Uses* not listed or referenced above to which owners and residents of *mobilehome parks* have reasonable expectancy, consistent with applicable permit conditions and Section 8101-4.10 of this Chapter, and which do not interfere with the operation of *mobilehome parks* or their use and enjoyment by residents. Examples of such *uses* include *occasional filming activities* and *wireless communications facilities*.

Article 9, Section 8109-4.11 – Senior Mobilehome Park Overlay Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8109-4.11 – Senior Mobilehome Park (SMHP) Overlay Zone

Article 9, Section 8109-4.11.1 – Application, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.1 – Application

The abbreviated reference for this zone when applied to a *base zone* shall be "SMHP". The provisions of this *overlay zone* are intended to apply to all *mobilehome parks* in the unincorporated area of Ventura County where, as of the operative date of the ordinance enacting this Section 8109-4.11, such *mobilehome parks* meet the definition of *senior mobilehome park* and are rezoned to the SMHP *Overlay Zone*. The suffix "SMHP" shall be added to the *base zone* (e.g., RPD-8 du/ac/MHP/SMHP), but shall have no effect on the provisions of the *base zone*, except for the limitations provided herein. In this SMHP *Overlay Zone* the permit requirements of Articles 5, 11, 13 and 17 of this Chapter shall apply.

Article 9, Section 8109-4.11.2 – Allowed Uses, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.2 – Allowed Uses

Only the following *uses*, as authorized in this Chapter and with appropriate permits, are allowed:

- a. *Principal Uses*: *Senior mobilehome parks*.
- b. *Accessory Uses*: *Accessory structures* and *uses* incidental to the operation of *senior mobilehome parks*, and for the exclusive noncommercial use of the *senior mobilehome park* residents and their guests, such as a clubhouse or community center, community pool, *recreational vehicle* storage, or common laundry facility.
- c. *Accessory Uses to Dwellings*, in accordance with Section 8105-4 of this Chapter.
- d. *Uses* exempt from obtaining permits, in accordance with Section 8105-4 of this Chapter.
- e. *Uses* not listed above to which owners and residents of *mobilehome parks* have reasonable expectancy, consistent with applicable permit conditions and Section 8101-4.10 of this Chapter, and which do not interfere with the operation of *mobilehome parks* or their use and enjoyment by residents. Examples of such *uses* include *occasional filming activities* and *wireless communications facilities*.

Article 9, Section 8109-4.11.3 – Land Use Regulations, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.3 – Land Use Regulations

All owners, operators, and occupants, as applicable, located within the SMHP *Overlay Zone* shall comply with all of the requirements and limitations described below.

Article 9, Section 8109-4.11.3.1 – Signage, Advertising, Rental Agreements and Leases, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.3.1 – Signage, Advertising, Rental Agreements and Leases

- a. Signage, advertising, park rules, regulations, rental agreements and leases for units in a *mobilehome park* in the SMHP *Overlay Zone* must state that the park is a "*Senior Mobilehome Park*."
- b. Any advertisement for a rental or vacancy in a *senior mobilehome park* must state that the vacancy is intended for occupancy by at least one person 55 years of age or older.

Article 9, Section 8109-4.11.3.2 – Occupancy Limitations & Rentals, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.3.2 – Occupancy Limitations and Rentals

At least 80 percent of the occupied units in a *senior mobilehome park* must be occupied by at least one person 55 years of age or older. *Senior mobilehome park* occupancy satisfies the requirements of this section even if:

- a. There are unoccupied *mobilehomes*, provided that at least 80 percent of the occupied *mobilehomes* are occupied by at least one person 55 years of age or older.
- b. To the extent permitted by applicable law, for a period of no more than two consecutive years fewer than 80 percent of the occupied units are occupied by at least one person 55 years of age or older, provided the *senior mobilehome park* has reserved all unoccupied *mobilehomes* for occupancy by at least one person 55 years of age or older.

Article 9, Section 8109-4.11.4 – Age Verification & Compliance Procedures, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.4 – Age Verification and Compliance Procedures

- a. The *County* shall determine, and maintain summary documentation establishing, that at least 80 percent of the *mobilehomes* in a *senior mobilehome park* are occupied by at least one resident who is 55 years of age or older. The occupancy verification documentation shall be made available by park owners for inspection by *County* upon reasonable notice and request.
- b. At least once every two years owners and operators of *senior mobilehome parks* shall submit documentation confirming that at least 80 percent of all occupied *mobilehomes* are occupied by at least one resident 55 years of age or older to the Planning Division.

- c. The *County* shall consider government-issued identification to be reliable documentation of the age of the residents of the *mobilehome park*, provided that it contains specific information about current age or date of birth (e.g., driver's license).
- d. Reliable documentation shall also include a certification in a lease, application, affidavit, or other document signed by any member of the household age 18 or older asserting that at least one person in the unit is 55 years of age or older.
- e. If the occupant(s) of a particular *mobilehome* refuse or are unable to comply with these age verification procedures, the *County* may, if it has sufficient evidence, consider the unit to be occupied by at least one person 55 years of age or older. Such evidence may include:
 - (1) Government records or documents;
 - (2) Prior forms or applications; or
 - (3) A statement from an individual who has personal knowledge of the age of the occupants. The individual's statement must set forth the basis for such knowledge and be signed under penalty of perjury.

Article 9, Section 8109-4.11.4.1 – Duty of Mobilehome Park Residents to Comply with Age Verification Request, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.4.1 – Duty of Mobilehome Park Residents to Comply with Age Verification Request

Upon the operative date of this Section 8109-4.11.4.1, and no later than 30 days after request for age verification by a *mobilehome park* owner or operator or an employee or agent of the *County*, all owners and residents of all *mobilehomes* located, or proposed to be located, within the SMHP Overlay Zone shall provide to the *mobilehome park* operator and to the Planning Division the requested age verification documents.

Article 9, Section 8109-4.11.4.2 – Duty of Mobilehome Park Owners/Operators to Comply With Age Reporting Requirement and Certification, of the Ventura County Ordinance Code, pertaining to the senior mobilehome park overlay zone regulations, is hereby amended to read as follows:

Sec. 8109-4.11.4.2 – Duty of Mobilehome Park Owners/Operators to Comply With Age Reporting Requirement and Certification

- a. Within 60 days of the passage (12/10/2019) of this Section 8109-4.11.4.2, and then every two years thereafter, the owner or operator of each *senior mobilehome park* shall report to the *Planning Director* confirmation that at least 80 percent of all occupied *mobilehomes* are occupied by at least one resident 55 years of age or older. The owners or operators of each *senior mobilehome park* shall maintain procedures for verifying the age of park residents.
- b. The *senior mobilehome park* owner or operator shall provide to the *County* a certification substantially in the following form:

“I [name] hereby certify that there is at least one occupant 55 years of age or older living in ____ [number of such mobilehomes] mobilehomes out of a total number of ____ [total number] mobilehomes located in this mobilehome park.

This certification is based on my personal knowledge of the residents, evidence provided to me in the form of official government documents containing specific information about the current age of the residents, resident affidavits, or age certifications made by residents."

Section 9

ARTICLE 11: ENTITLEMENTS – PROCESS AND PROCEDURES

Article 11, Section 8111-1.1 – Ministerial Entitlements and Modifications, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.1 - Ministerial Entitlements and Modifications

These *entitlements*, and modifications thereto, are granted based upon determinations, arrived at objectively and involving little or no personal judgment, that the request complies with established standards set forth in this Chapter. Such will be issued by the *Planning Director* or designee without a public hearing.

Article 11, Section 8111-1.1.1 – Zoning Clearance: Purpose Of, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.1.1 - Zoning Clearance: Purpose Of

A Zoning Clearance certifies that a proposed *use* of land or *structures*, or construction or demolition of *structures*, is consistent with the provisions of this Chapter and any applicable conditions of any previously issued *entitlement*, and the *use* or *structure* may be inaugurated. Where no other Planning Division-issued *entitlement* is required, a Zoning Clearance also serves as an *entitlement* granted for as long as the subject *use* or *structure* is in compliance with the applicable requirements of this Chapter. More than one Zoning Clearance may be required and issued for the same property and one Zoning Clearance may be issued for multiple purposes.

- a. **Zoning Clearance, Applicability Of:** A Zoning Clearance is required prior to any of the following actions occurring. To be valid, it shall specify for which of the following purposes it is being issued:
 - (1) *Inauguration* of construction or demolition of a *structure*, unless exempted pursuant to Sections 8105-4 and 8105-5 of this Chapter;
 - (2) *Inauguration* of a *use* of land, *structures*, or facilities, including a *change of use* where a new *use* replaces an existing one, unless exempted pursuant to Sections 8105-4 and 8105-5 of this Chapter;
 - (3) Issuance of a Certificate of Occupancy pursuant to the Ventura County Building Code; and
 - (4) Maintenance, alteration, demolition, improvement, construction, and the like of any *landmark* or component of a historic *district*. Such work would include *building* exterior surface modifications, re-roofing, installation of new windows, and the like for which a Zoning Clearance is not otherwise required. Prior to the issuance of a Zoning Clearance pursuant this Section 8111-1.1.1(a)(4), a *Certificate of Appropriateness shall be issued pursuant to the Ventura County Cultural Heritage Ordinance*.

- (5) Construction or demolition activities and the like at any *site of merit*, or any site which is potentially eligible to become a designated *cultural heritage site*, as described in the Ventura County Cultural Heritage Ordinance. Prior to the issuance of a Zoning Clearance pursuant to Section 8111-1.1.1(a)(5), a *Certificate of Appropriateness* or *Certificate of Review*, as appropriate, shall be issued pursuant to the Ventura County Cultural Heritage Ordinance.
- b. Zoning Clearance, Issuance of: A Zoning Clearance shall be issued if the proposed use of land, *structures*, or construction:
- (1) Is permissible under the present zoning on the land and complies with the standards of Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code;
 - (2) Is compatible with the policies and land use designations specified in the *General Plan*;
 - (3) Complies with the applicable terms and conditions of any applicable permit or other *entitlement* granting the *use* in question, and the decision granting said permit is considered "effective" pursuant to Section 8111-4.4;
 - (4) Is not located on the same *lot* where a violation exists of standards found in said Chapters 1 and 2 or 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 for the abatement of the existing violation or authorizes an ADU or JADU pursuant to Section 8107-1.7 of this Chapter;
 - (5) Is not being requested by or for the same party that owes the *County* fees or billings, fines, civil penalties, or forfeitures associated with this Chapter;
 - (6) Is consistent with the *General Plan*, Hazards and Safety Element, Policy HAZ-5.8 (Siting Criteria for Hazardous Waste Generators), as may be amended;
 - (7) Is located on a *legal lot*; however, a Zoning Clearance may be issued on an illegal *lot* but only in situations when issuing the Zoning Clearance would not constitute an "approval for development" or otherwise require the *County's* subsequent issuance of a Certificate of Compliance for the illegal *lot* under the Subdivision Map Act pursuant to Government Code sections 66499.34 and 66499.35 (see Chapter 2, Section 8214-3 of the Ventura County Ordinance Code for guidance);
 - (8) Is being undertaken by an owner and/or tenant, who, along with the associated contractors and agents, are in compliance with the Ventura County Business License Tax Ordinance;
 - (9) Is determined to be consistent with conditions and requirements established by the Ventura Countywide Stormwater Quality Management Program, Los Angeles Regional Phase I Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System (Los Angeles Regional Phase I MS4 NPDES) Permit No. CAS004004 and the Ventura Stormwater Quality Management Ordinance No. 4450, as these permits and regulations may be amended; and
 - (10) Has, in the case of a designated or potentially eligible *cultural heritage site* been issued a *Certificate of Appropriateness* or *Certificate of Review*, or is otherwise authorized to proceed with the project in compliance with the Ventura County Cultural Heritage Ordinance. Any Zoning Clearance requested for a designated *cultural heritage site* issued a Planned

Development Permit pursuant to Section 8107-37 et seq. shall also comply with the provisions of that permit.

- c. Zoning Clearance, Expiration and Extensions of: Zoning Clearances shall expire and may be extended in accordance with the following provisions unless specifically indicated otherwise on the Zoning Clearance or specifically indicated elsewhere in this chapter:

- (1) Zoning Clearances for which a Building Permit is Required: Zoning Clearances issued to authorize the *inauguration* of construction or demolition of *structures*, certificates of occupancy, *uses* of land, and/or other development (collectively, "Development") for which a building permit is required pursuant to the Ventura County Building Code are valid for 180 days following issuance of the Zoning Clearance during which time a complete building permit application(s) for all *structures* and other Development that are subject of the Zoning Clearance (hereafter, "Building Permit Application") must be submitted to the Building and Safety Division ("Effective Period"). The Effective Period may be extended pursuant to subsection (3) below. If a Building Permit Application is not submitted on or before expiration of the Effective Period for any or all of the *structures* and other Development requiring a building permit, the Zoning Clearance shall expire with respect to those *structures* and other Development. If a Building Permit Application is submitted prior to expiration of the Effective Period for any or all of the *structures* and other Development requiring a building permit, the Zoning Clearance shall thereafter expire with respect to those *structures* and Development if the Building Permit Application expires or requires renewal (i.e., Zoning Clearance shall expire 360 days from submittal of Building Permit Application even if Building Permit Application is renewed), is withdrawn, or is terminated without the finalized building permit being issued. If a Building Permit Application is timely submitted and a finalized building permit is issued, the Zoning Clearance shall remain valid authorizing the subject *structures* and other Development that have received all other required local, state, or federal permits, *entitlements*, and licenses so long as the Development remains consistent with the Chapter or the conditions of a previously issued *entitlement*. Notwithstanding the foregoing, if only a portion of a Zoning Clearance's *structures* and other Development receive a finalized building permit that is applied for during the Effective Period, the Zoning Clearance shall only authorize and be effective as to those specific *structures* and Development, and shall not authorize or be effective as to any other *structure* or other Development requiring a building permit.
- (2) Zoning Clearances for which a Building Permit is not Required: Zoning Clearances issued to authorize the *inauguration* of construction or demolition of *structures*, *uses* of land, and/or development (collectively, "Development") for which a building permit is not required pursuant to the Ventura County Building Code are valid for 180 days following issuance of the Zoning Clearance ("Effective Period"). The Effective Period may be extended pursuant to subsection (3) below. If the Development has not received all other required local, state, or federal permits, *entitlements*, and licenses and/or the Development has not been completed on or before expiration of the Effective Period, the Zoning Clearance shall expire. If the Development has received all other required local, state, or federal permits, *entitlements*, and licenses and the Development has been completed on or before expiration of the Effective Period, the Zoning Clearance shall remain valid to authorize the specific Development so long as it remains consistent with this Chapter or the

conditions of a previously issued *entitlement*. Notwithstanding the foregoing, if only a portion of a Zoning Clearance's Development has been completed during the Effective Period, the Zoning Clearance shall only authorize and be effective as to the completed Development, and shall not authorize or be effective as to any other Development that has not been completed. For purposes of this section, "completed" shall mean when the Development is completed to the point where the property owner and/or *permittee* can use it for its intended purpose without further work to be done or permits, *entitlements*, or licenses to be obtained.

- (3) **Zoning Clearance Extensions:** An *applicant* may file an application requesting an extension of the 180-day Effective Period with the Planning Division on the form provided. The application shall not be accepted for processing and decision unless accompanied by the required fees in accordance with the Board-adopted Fee Schedule, and may only be submitted within 30 days of expiration of the Effective Date. A one-time extension may be granted by the Planning Division for good cause shown extending the Effective Period for up to 180 days (i.e., the total, extended Effective Period may be up to 360 days), provided that (a) there are no material changes to the project or its constituent *structures* or development, (b) the project is consistent with all applicable *General Plan* policies, *entitlements*, and development standards of this Chapter in effect at the time the extension is sought, and (c) the project remains subject to the Zoning Clearance permitting requirement, as opposed to a newly enacted discretionary permitting requirement, at the time the extension is sought.

Article 11, Section 8111-1.1.2 – Zoning Clearance with Waivers, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.1.2 - Zoning Clearance with Waivers

Various *uses* and *structures* as noted in Sections 8105-4 and 8105-5 may be allowed with a Zoning Clearance if the surrounding property owners and/or residents sign "waivers" agreeing with the proposed *use* or *structure*. The wording of the waiver shall be determined in accordance with good planning practices by the *Planning Director*, unless otherwise specified in this Chapter, and shall address such issues as the nature and operation of the *use* or *structure*, ordinance provisions to be waived, duration of the waiver, extensions, revocation provisions, and the number of parties required to be notified and to sign. Unless otherwise specified in the waiver, a waiver shall be considered completely signed when signatures have been obtained from all of the property owners of the affected property(s) or their authorized agents, and one adult resident from each legal *dwelling unit* on the affected property(s).

Article 11, Section 8111-1.2.1(c) – Discretionary Permits, of the Ventura County Ordinance Code regarding the process and procedures for an Emergency Use Authorization is hereby amended to read as follows:

Sec. 8111-1.2.1 - Discretionary Permits

- (c) **Emergency Use Authorization (EUA):** The *Planning Director* may authorize, by letter and without a hearing, a *use* or *structure* in an *emergency* situation where delay incident to the normal processing of an application would be physically detrimental to the health, safety, life, or property of the *applicant* or

the public. An Emergency Use Authorization may only be granted in accordance with the following standards:

- (1) If directly related to an earthquake, flood, tsunami, landslide, *chemical* spill, collision, explosion, or similar disaster or catastrophic physical change that has occurred or is imminent. An Emergency Use Authorization may also be granted under other circumstances if the magnitude of the impacts on the public or the *applicant* are, or can be expected to be, comparable to those attributed to the disasters and catastrophic changes referenced above.
- (2) An Emergency Use Authorization shall be valid for a period for no more than 180 days. Where the *use* or *structure* is intended to continue beyond 180 days, application for the appropriate permit shall be made to the appropriate *decision-making authority* in the usual manner within 30 days after issuance of the Emergency Use Authorization.
- (3) The standards of Sections 8111-1.2.1.1 through 8111-1.2.1.8 of this Chapter as applicable to the location and *use*.

Article 11, Section 8111-1.2.1.1a – General Permit Approval Standards, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.1 – General Permit Approval Standards

Planned Development and Conditional Use Permits shall be granted if all billed fees and charges for processing the *application request* that are due for payment have been paid, and if all of the following standards are met, or if such conditions and limitations, including time limits, as the *decision-making authority* deems necessary, are imposed to allow the standards to be met. The *applicant* shall have the burden of proving to the satisfaction of the appropriate *decision-making authority* that the following standards can be met. Specific factual findings shall be made by the *decision-making authority* to support the conclusion that each of these standards, if applicable, can be satisfied.

- a. The proposed development is consistent with the intent and provisions of the *General Plan* and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code;
- b. The proposed development is compatible with the character of surrounding, legally established development;
- c. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or *uses*;
- d. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare;
- e. For Conditional Use Permits only, the proposed development is compatible with existing and potential land *uses* in the general area where the development is to be located;
- f. The proposed development will occur on a *legal lot*; and
- g. The proposed development is approved in accordance with *CEQA* and all other applicable laws.

In analyzing whether the above standards have or have not been met, the *decision-making authority* shall consult and consider the relevant factors identified in Article 9, section 8109-0, et seq. of this Chapter. If all applicable

standards cannot be satisfied, specific factual findings shall be made by the *decision-making authority* to support that conclusion.

Article 11, Section 8111-1.2.1.1b – Permit Approval Standards for Outdoor Events and Assembly Uses, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.2 – Permit Approval Standards for Outdoor Events and Assembly Uses

Conditional Use Permits authorizing *outdoor events* and *assembly uses* shall be granted if all billed fees and charges for processing the application that are due for payment have been paid and if all of the following standards are met. An application for a Conditional Use Permit shall not be denied on the basis of the content of protected expression associated with the proposed *use*. The *applicant* shall have the burden of proving to the satisfaction of the appropriate *decision-making authority* that the following standards can be met. Specific factual findings shall be made by the *decision-making authority* to support the conclusion that each of these standards, if applicable, can be satisfied.

- a. The proposed *use* is compliant with applicable provisions of the *General Plan* and of Division 8, Chapter 1 of the Ventura County Ordinance Code;
- b. The proposed *use* can coexist in relative proximity, and is not expected to unduly interfere with, the existing land *uses* of the surrounding area as determined based on the following land use factors:
 - (1) Whether the proposed *use* would generate off-site noise louder than ambient noise levels by considering: (i) the volume and times of day such noise would be generated; (ii) the proximity of the proposed *use* to the nearest off-site noise sensitive receptors such as *dwellings*, schools, *hospitals*, nursing homes and libraries; (iii) the topography of the surrounding area likely to affect how noise travels; and (iv) the existence of other nearby uses likely to generate off-site noise at similar times; and
 - (2) Whether the proposed *use* would generate vehicular traffic affecting the level of service of a road segment or intersection located within one mile of the proposed *use* as determined pursuant to Section 27a(1), "Transportation & Circulation – Roads and Highways – Levels of Service (LOS)," of the *County's* Initial Study Assessment Guidelines (ISAG), as such section may be amended or renumbered;
- c. The proposed *use* would not be detrimental to public health and safety as determined based on the following land use factors:
 - (1) Whether public and private roads and *driveways* used to *access* the site of the proposed *use* can safely accommodate all vehicular traffic associated with the proposed *use*, including *emergency* vehicles, and meet all applicable requirements of the Ventura County Fire Code; and
 - (2) Whether the proposed *use* or site of the proposed *use* would create risk of harm to persons, nearby properties, or the environment based on fire hazards, geologic hazards, flood hazards, *hazardous materials*, or increased risk of vandalism or trespass that cannot be controlled through reasonable event security.
- d. The proposed *use* will occur on a *legal lot*; and

- e. The proposed *use* is approved in accordance with *CEQA* and all other applicable laws.

If all standards cannot be satisfied, specific written factual findings shall be made by the *decision-making authority* to support that conclusion.

Article 11, Section 8111-1.2.1.2 – Additional Standards for Agricultural Exclusive (AE) Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.3 - Additional Standards for Agricultural Exclusive (AE) Zone

In addition to the general permit approval standards of Section 8111-1.2.1.1, before any permit is issued for any *structure* or land *use* which requires a discretionary permit in the AE Zone, the following standards shall be met or be capable of being met with appropriate conditions and limitations being placed on the use:

- a. That the establishment or maintenance of this *use* will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area;
- b. That *structures* will be sited to minimize conflicts with *agriculture*, and that other *uses* will not significantly reduce, restrict or adversely affect agricultural activities on site or in the area, where applicable; and
- c. That the *use* will be sited to remove as little land from agricultural production (or potential agricultural production) as possible.

Article 11, Section 8111-1.2.1.3 – Compliance with Other Documents, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.4 - Compliance with Other Documents

When necessary to ensure consistency with other Planning Division documents such as area plans, conditions which are more restrictive than the standards of this Chapter may be imposed on discretionary permits.

Article 11, Section 8111-1.2.1.4 – Additional Standards for Overlay Zones, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.5 - Additional Standards for Overlay Zones

In addition to the general permit approval standards of Section 8111-1.2.1.1, development within any *overlay zone* having specific development standards, pursuant to Article 9 of this Chapter, shall comply with such standards.

Article 11, Section 8111-1.2.1.5 – Additional Standard for Hazardous Waste Collection, Treatment and Storage Facilities and Hazardous Waste Disposal Facilities, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.6 - Additional Standard for Hazardous Waste Collection, Treatment and Storage Facilities and Hazardous Waste Disposal Facilities

In addition to the general permit approval standards of Section 8111-1.2.1.1 and permit approval standards for the AE Zone of Section 8111-1.2.1.3, the following additional finding must be made or be capable of being made with conditions and limitations being placed on any proposed development of a *hazardous waste collection, treatment and storage facility* or a *hazardous waste disposal facility*:

- a. That the proposed *hazardous waste collection, treatment and storage facility* or *hazardous waste disposal facility* is consistent with the *General Plan*, Hazards and Safety Element, Policy HAZ-5.8 (Siting Criteria for Hazardous Waste Generators), as may be amended.

Article 11, Section 8111-1.2.1.6 – Additional Standards for Residential Planned Development (RPD) Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.7 - Additional Standards for Residential Planned Development (RPD) Zone

In addition to the general permit approval standards of Section 8111-1.2.1.1, the standards of this section shall apply to any Planned Development Permit for any *use* or development in the RPD Zone that contemplates a subdivision of the property to which the permit applies. Such a Planned Development Permit may be granted only if an application for the subdivision is approved simultaneously with the granting of the permit.

Article 11, Section 8111-1.2.1.7 – Additional Standards for Cultural Heritage Sites, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.1.8 - Additional Standards for Cultural Heritage Sites

Where a proposed project requiring a discretionary permit is located on the same *lot* as a designated *cultural heritage site*, a *Certificate of Appropriateness* or *Certificate of Review* shall have been issued pursuant to the Ventura County Cultural Heritage Ordinance for the project in question prior to its approval.

Article 11, Section 8111-1.2.2.2 – Standards for Variances, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.2.2 - Standards for Variances

Before any variance may be granted, the *applicant* shall establish, and the *decision-making authority* must determine, that all of the following standards are met:

- a. That there are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography, location or surroundings, which do not apply generally to comparable properties in the same vicinity and zone; and
- b. That granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and zone; and
- c. That 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. That 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.

Article 11, Section 8111-1.2.2.4 – Administrative Variances by Planning Director Approval, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.2.2.4 - Administrative Variances by Planning Director Approval

A request for a minor variance from certain types of zoning regulations may be approved by the *Planning Director* as an administrative variance, if the standards of Section 8111-1.2.2.2 above are met. The procedures of Section 8111-3 of this Chapter 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*; (AM. ORD. 4407 – 10/20/09)
- b. To allow walls, *fences* or hedges to exceed *height* limit regulations by a maximum of one foot in *setback* areas, except in a *sight triangle*; and
- c. To allow an increase not exceeding 10 percent for maximum *building lot coverage*, or *sign area* or *height*.

Article 11, Section 8111-1.3.1 – Tree Permit, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.3.1 - Tree Permit

A ministerial or discretionary Tree Permit is required, pursuant to Section 8107-25 et seq., for the *alteration* of *protected trees*, in all applicable *base zones* and *overlay zones*; see also Article 9 of this Chapter. Ministerial Tree Permits shall be processed in the same manner as Zoning Clearances, and discretionary Tree Permits shall be processed in the same manner as Conditional Use Permits. A Tree Permit may be issued for the *alteration* of one or more *protected trees* as appropriate.

Article 11, Section 8111-1.3.2 – Film Permit, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8111-1.3.2 - Film Permit

A ministerial or discretionary Film Permit is required, pursuant to Sections 8105-4 and 8105-5 and is subject to the standards of Section 8107-11. Ministerial Film Permits shall be processed in the same manner as Zoning Clearances, and discretionary Film Permits shall be processed in the same manner as Conditional Use Permits.

Article 11, Section 8111-2.5.1 – Earthquake Fault Zones, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.5.1 - Earthquake Fault Zones

Any *application request* proposing an activity which is defined as a "project" in the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code, Chapter 7.5, section 2621 et seq.) shall be reviewed by the County Geologist 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.

Article 11, Section 8111-2.5.2 – Abandoned Oil/Gas Wells, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.5.2 - Abandoned Oil/Gas Wells

All projects will be reviewed for location over or near any abandoned or idle-deserted

oil or gas well, based on maps provided by the California Geologic Energy Management (CalGEM). In addition, *applicants* shall notify the *County* and CalGEM immediately when such wells are encountered in site preparation or construction. *Applicants* shall bear the cost of reabandonment if required prior to project approval. The *County* will notify CalGEM of the location of any proposed project that is found to be over or near any such well(s).

Article 11, Section 8111-2.5.3 – Abandoned Water Wells, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.5.3 - Abandoned Water Wells

All projects will be reviewed for location over or near any abandoned water wells in conjunction with Division 4, Chapter 8, Article 1, of the Ventura County Ordinance Code. *Applicants* shall immediately notify the Public Works Agency, Groundwater Resources Section, when such wells are encountered in site preparation or construction. *Applicants* shall bear the cost of abandonment, if required, prior to project approval. The Planning Division will notify the Public Works Agency of the location of any proposed project that is found to be over or near any such well(s).

Article 11, Section 8111-2.7 – Nullification, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.7 - Nullification

Zoning Clearances and all licenses issued therefrom, and all other *entitlements*, shall be null and void for any of the following causes, once the *applicant* has been notified of such nullification:

- a. The *application request* that was submitted was not in full, true and correct form. Examples of such inadequate submittals are failures to show all existing *uses, structures, facilities and improvements*, which have been authorized by Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code, or which were commenced without required authorization.
- b. The *entitlement* issued does not comply with the terms and conditions of the permit originally granting the *use* under Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code.
- c. The *entitlement* was issued erroneously.

Article 11, Section 8111-2.8 – Sureties, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.8 - Sureties

Except as otherwise specified in this Chapter, the *decision-making authority* may impose a penal and/or performance surety requirement on any discretionary *entitlement* as a condition of approval of such *entitlement*. The sureties shall be provided in a form acceptable to the County Counsel.

- a. The required amount of the surety(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 surety is maintained over the life of the permit, and to assure that performance sureties continue to reflect the actual anticipated costs for completing a required task. No

surety 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 or other surety forfeiture, and declare all or part of the surety 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 surety shall not insulate the *permittee* from liability in excess of the sum of the surety 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 surety.
- c. The *permittee* shall maintain the minimum specified amount of a surety throughout the life of the *entitlement*. Within 30 days of any forfeiture of a surety, the *permittee* shall restore the surety to the required level.

Article 11, Section 8111-2.9 – Fees, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.9 - Fees

Each *application request* for any purpose subject to the regulations of Division 8, Chapters 1 and 2 of the Ventura County Ordinance Code, except appeals, shall be accompanied by payment of all required processing fees and all outstanding fees, charges, and penalties billed by and owed to the *County* under Division 8, Chapters 1 and 2 of said Code by the *applicant* or by persons, partnerships, corporations or other entities owned or controlled by the *applicant* or owning or controlling the *applicant*. Furthermore, each *application request* for any purpose, including appeals and requests for presubmittal review, shall be accompanied by the fee specified in the Board-adopted Fee Schedule before it is accepted for filing and processing.

Article 11, Section 8111-2.9.1 – Exemptions, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.9.1 - Exemptions

Exemptions, in whole or in part, from application filing fees may be authorized as set forth in the Board-adopted Fee Schedule.

Article 11, Section 8111-2.9.2 – Late Filing Fees, of the Ventura County Ordinance Code, pertaining to the process and procedures of entitlements, is hereby amended to read as follows:

Sec. 8111-2.9.2 - Late Filing Fees

Where a *use* actually commences, or construction to that end is commenced, prior to the granting of required *County entitlements*, a late filing fee for said *entitlements* shall be collected, in addition to the required processing fees, provided that the *County* has given written notification to the property owner of the violation. If applications for the *entitlements* needed to remedy the violation have been filed within 30 days of the issuance of said notification and deemed complete within 90 days of said notification, the late filing fee shall be waived. However, if applications for the required *entitlements* needed to remedy the violation have not been filed within 30 days of the issuance of said notification, the late filing fee shall be paid by

the *applicant* prior to or at the time of the submittal of the application for the required *entitlements*. The late filing fee shall be equal to the filing fee or initial deposit of each *application request* necessary to legalize the violation as set forth in the Board-adopted Fee Schedule, but shall not individually exceed \$1,000.00. Payment of a late filing fee does not constitute a vested right and shall not relieve persons from fully complying with the requirements of this Chapter, nor from any other penalties prescribed herein.

Article 11, Section 8111-2.9.3 – Billing Method, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-2.9.3 - Billing Method

Once a project has been acted upon and inaugurated or the application is either withdrawn or closed, the *applicant* shall be billed for the balance of fees and charges up to the ceiling amount as specified by the Board-adopted Fee Schedule. Should final costs be less than the deposit fee, the unused portion of the deposit shall be refunded to the *applicant*. Upon written request to the Operations Division of the Resource Management Agency, 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 5 percent of the unpaid balance will be added to the balance due. Each month thereafter, an interest charge of 2 percent of the unpaid balance shall be added and compounded until the bill is paid in full. Whenever fees and charges are not paid as prescribed, the *County* shall pursue collection of said fees and charges in a diligent manner, and the permit/*entitlement* is subject to revocation.

Article 11, Section 8111-2.9.4 – Failure to Pay, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-2.9.4 - 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. Such fees and charges shall include those costs associated in processing any environmental documents that might be required as a result of an application.

Article 11, Section 8111-2.11 – Consolidation of Discretionary Entitlement Applications, of the Ventura County Ordinance Code, pertaining to process and procedures for entitlements, is hereby added to the Ventura County Ordinance Code:

Sec. 8111-2.11 – Consolidation of Discretionary Entitlement Applications

If an application requesting a discretionary *entitlement* under Chapter 1 or Chapter 2 of the Ventura County Ordinance Code, and/or a *County* legislative action, and/or any other *County* discretionary permit or approval (collectively, "discretionary approval") is required for a project that includes a request for one or more other discretionary approvals, all applications seeking the discretionary approvals for the project as a whole shall be consolidated for CEQA review, public noticing, public hearing, and/or final decision in accordance with all substantive and procedural requirements applicable to each of the project's constituent discretionary approvals to the extent not in conflict with state law. All discretionary approvals shall be

consolidated and considered for final decision by the highest-ranking *County decision-making authority* (i.e., *Planning Director, Planning Commission, or Board of Supervisors*) as designated for any of the project's discretionary approvals. If a conflict exists between the procedural or substantive requirements applicable to the project's discretionary approvals, such conflicts shall be harmonized and resolved at the discretion of the *Planning Director* in consultation with County Counsel in accordance with state law.

Article 11, Section 8111-3.1 of the Ventura County Ordinance Code, pertaining to the processing and procedures for entitlements under Section 8111-3 (Notice and Hearing Procedures), is hereby amended to read as follows:

Sec. 8111-3.1 - Notice

Sec. 8111-3.1.1

All hearing notices prepared pursuant to this Article shall include the date, time and place of the hearing, the identity of the hearing body or officer, a general explanation of the matter to be considered, and a general description, in text or by diagram, of the subject property.

Sec. 8111-3.1.2

Whenever a hearing is required under this Article before an application can be acted upon, the Planning Division shall set a date, time and place for the matter to be heard, and shall give public notice of the hearing by publication in a newspaper of general circulation at least 20 days prior to the hearing of a zoning ordinance amendment and ten days prior to all other required hearing, and adding a day for each County-recognized holiday that falls within the public hearing notification period.

Sec. 8111-3.1.3

In addition, if the hearing involves an application for a discretionary *entitlement* (other than an Emergency Use Authorization) or modification thereto, an appeal regarding any discretionary *entitlement*, or a zone change, zoning ordinance or *General Plan* amendment which affects the permitted *uses* of property, then a written notice, postage prepaid, shall be mailed to all of the following at least 20 days before the hearing of a zoning ordinance amendment and at least ten days before any other required hearing in accordance with Section 8111-3.1.2 above:

- a. The owner of the subject property, or the owner's duly authorized agent;
- b. The *applicant*, if different from the owner of the subject property;
- c. Each local agency whose ability to provide essential services or facilities to the project may be significantly affected by the project; and
- d. The owners of all real property situated within a radius of 300 feet of the exterior boundaries of the Assessor's Parcel(s) which is the subject of the application. If the 300-foot radius does not include 15 or more *parcels* of real property, the radius shall be expanded until the owners of at least 15 *parcels* will be notified. Names and addresses shall be obtained from the latest equalized assessment roll. If the number of owners exceeds 1,000, a one-eighth page advertisement published at least 20 days prior to the hearing of a zoning ordinance amendment and at least ten days prior to any other required hearing in a newspaper of general circulation may be substituted for the direct mailing.

Sec. 8111-3.1.4

Notification shall also be mailed or delivered, at least 20 days prior to the hearing of a zoning ordinance amendment or at least ten days prior to any other required hearing in accordance with Section 8111-3.1.2, to any person who has filed a written

request for such notice with the *Planning Director* or the Clerk of the Board of Supervisors.

Sec. 8111-3.1.5

In the case of appeal hearings, notice shall also be provided to the appellant and, if applicable, to the County official, department, board or commission whose order, requirement, permit, decision or determination is the subject of the appeal.

Article 11, Section 8111-3.2 – Hearing Procedures, of the Ventura County Ordinance Code pertaining to the processing and procedures for entitlements under Section 8111-3 (Notice and Hearing Procedures), is hereby amended to read as follows:

Sec. 8111-3.2 - Hearing Procedures

The *decision-making authority(s)* shall hold at least one public hearing on any duly filed application that requires a *discretionary decision* except for Permit and Variance Adjustments, requests for a Fair Housing Reasonable Accommodation, or as otherwise specifically provided in this Chapter. Public hearings shall be conducted in such a manner as to allow the *applicant* and all other interested parties to be heard and present their positions on the case in question, and shall have a record of the decision kept, along with the findings made which supported the decision. Administrative hearings shall be conducted by the *Planning Director* or designee.

Article 11, Section 8111-3.3 – Public Hearing Quorum, of the Ventura County Ordinance Code, pertaining to the processing and procedures for entitlements under Section 8111-3 (Notice and Hearing Procedures), is hereby amended to read as follows:

Sec. 8111-3.3 - Public Hearing Quorum

A quorum for a hearing before the *Planning Commission* or Board of Supervisors shall consist of three members. The approval of any discretionary *entitlement*, or other matters brought before either body, requires the concurrence of at least three of its members. The secretary for the appropriate *decision-making authority* shall enter the decision in the minutes or records of the meeting.

Article 11, Section 8111-4 – Decisions, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-4 - Decisions

Not more than 40 calendar days following the termination of hearings on an *application request* requiring a *discretionary entitlement or decision*, the final *decision-making authority* shall render its decision either by the adoption of a Resolution (for applications decided by the *Planning Commission*) or by the issuance of a Determination Letter (for applications decided by the *Planning Director* or designee). A Resolution or Determination Letter rendering a decision on an *application request* shall recite such conditions and limitations deemed necessary by the *decision-making authority* and shall require that all conditions requiring recordation of an interest in property, and other conditions as appropriate, shall be satisfied prior to issuance of a Zoning Clearance for the *inauguration* of any discretionary *entitlement*.

Article 11, Section 8111-4.1.2 of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-4.1.2

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 of Supervisors is the *decision-making authority* for one of the *entitlements*.

Article 11, Section 8111-4.2 – Decision Options, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-4.2 - Decision Options

The *decision-making authority* hearing a discretionary matter may approve, deny or modify, wholly or partly, the request being reviewed. The *decision-making authority* may impose such reasonable conditions necessary to ensure that the project satisfies the applicable standards of permit approval. 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 a decision on an *application request* not appealed 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 8111-4.3 – Notice of Final Decision, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-4.3 - Notice of Final Decision

Not later than four calendar days following the effective date of a decision, the Planning Division shall cause the *decision-making authority's* decision to be mailed to the *applicant* or appellant in resolution or letter form, in care of the address appearing on the application or such other address designated in writing by the *applicant* or appellant. In addition, the authority and/or agency whose decision is the subject of an appeal shall also be notified of the decision.

Article 11, Sections 8111-4.5 – Effect of an Appeal, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-4.5 - Effect of an Appeal

The filing of an appeal shall automatically stay all proceedings in furtherance of the subject request. Neither the *applicant* nor any enforcement agency may rely on an authority's decision until the expiration of the decision's appeal period or until the appeal has been resolved, whichever occurs later. (See also Section 8111-7 of this Chapter.)

Article 11, Sections 8111-5 – Reapplication, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-5 - Reapplication

An *application request* may be *denied with prejudice* on the grounds that two or more similar *application requests* have been denied by the appropriate *decision-making authority* in the past two years, or that other good cause exists for limiting the filing of applications with respect to the property. If such denial becomes effective, no further application for the denied request shall be filed in whole or in part for the ensuing 18

months except as otherwise specified at the time of the denial, or unless there is a substantial change in the application.

Article 11, Sections 8111-6.1.1– Permit or Variance Adjustment, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby repealed and reenacted as follows:

Sec. 8111-6.1.1 - Permit or Variance Adjustment

Any change that would not alter any of the required approval findings stated or referenced in Sections 8111-1.2.1.1 through 1.2.1.8 or Section 8111-1.2.2.2, nor any findings contained in the environmental document prepared for the *entitlement*, and would not have any adverse impact on surrounding properties, may be deemed a permit or variance adjustment and acted upon by the *Planning Director* or designee without a hearing. Such changes may include, but are not limited to, the following:

- a. A cumulative increase or decrease of not more than 10 percent in *gross floor area*; permit area; the area of walls, *fences*, or similar *structures* used as screening; *height*; *parking area*; *landscaping area*; or total area of on-site *identification signs*; provided that any resulting increase in parking space requirements will be accommodated onsite or offsite as described in Section 8108-3.3.1.
- b. Internal remodeling or minor architectural changes or embellishments involving no change in basic architectural style.
- c. A *change in use* where the new *use* requires the same or a lesser permit than the existing *use*; or the establishment of a new *use* in an unoccupied *building* that has been granted a permit; provided, in both cases, that any resulting increase in parking space requirements will be accommodated onsite or offsite as described in Section 8108-3.3.1.

Article 11, Section 8111-6.2 Modification, Suspension and Revocation for Cause, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-6.2 - Modification, Suspension and Revocation for Cause

Any *ministerial* or *discretionary entitlement* heretofore or hereafter granted may be modified or revoked, or its *use* suspended, by the same *decision-making authority* and procedure which would normally approve the *entitlement* under this Chapter. An application for such modification, suspension or revocation may be filed by any person or entity listed in Section 8111-2.2(c) or by any other aggrieved person. The *applicant* for such modification, suspension or revocation shall have the burden of proving one or more of the following causes:

- a. That any term or condition of the *entitlement* has not been complied with;
- b. That the property subject to the *entitlement*, 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 *entitlement* was granted has not been exercised for at least 12 consecutive months, has ceased to exist, or has been abandoned;
- d. That the *use* for which the *entitlement* was granted has been so exercised as to constitute a public nuisance;
- e. That the *permittee* has failed to pay any fees, charges, fines, or penalties associated with processing or enforcing a violation associated with the *entitlement*; or

- f. That the *permittee* has failed to comply with any enforcement requirement established in Article 14 of this Chapter.

Article 11, Section 8111-6.2.1 - Modification for Violations, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-6.2.1 - Modification for Violations

Whenever a violation of this Chapter or permit condition is determined to exist on a *lot* subject to a discretionary permit, the conditions of approval of said permit shall be automatically modified to include the following additional condition:

- a. The *permittee* shall be required to submit to the Planning Division, and thereafter maintain for the duration of the permit, a deposit equal to the applicable amount specified in the current Board-adopted Fee Schedule to cover the *County's* cost for periodic condition compliance reviews of the operation and site pursuant to Section 8114-3.4 of this Chapter.

A copy of the modified permit shall be provided to the *permittee* by the *Planning Director* or designee after the *permittee* has exhausted his or her administrative appeal remedies associated with the determination that a violation exists.

Article 11, Section 8111-6.2.3 - Prohibition, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-6.2.3 - Prohibition

No person shall carry on any of the operations authorized to be performed under the terms and conditions of any *ministerial* or *discretionary entitlement* during any period of suspension thereof, or after the revocation thereof, or pending a judgement 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 *entitlement*; provided, however, that nothing herein contained shall be construed to prevent the performance of such operations as may be necessary in connection with a diligent and bona fide effort to cure and 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.

Article 11, Section 8111-7.3 - Appeal Period, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements under Section 8111-7 (Appeals), is hereby amended to read as follows:

Sec. 8111-7.3 - 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 8111-4 of this Chapter, or on the following workday if the tenth day falls on a weekend or holiday.

Article 11, Section 8111-7.5 - Appellate Decision, of the Ventura County Ordinance Code pertaining to the process and procedures for entitlements under Section 8111-7 (Appeals), is hereby amended to read as follows:

Sec. 8111-7.5 - Appellate Decision

The *decision-making authority* shall either approve, deny, or approve with modifications, the *entitlement* application or other matter on appeal.

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

Sec. 8111-7.6 - Accessory Dwelling Unit Procedures

Notwithstanding any other provisions of this Article:

- a. No public hearings shall be conducted on applications for *accessory dwelling units* under Sections 8105-4, 8105-5, 8107-1.7, 8108-4.7, and Section 8119-1.2 (Old Town Saticoy Development Code).
- b. Decisions of the *Planning Director* or designee on *accessory dwelling units* are final *County* decisions when rendered and are not subject to appeal.

Article 11, Section 8111-8.1– Responsibility for Compliance with Regulations and Permit Conditions, of the Ventura *County* Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-8.1 - Responsibility for Compliance with Regulations and Permit Conditions

The *permittee* and successors in interest shall be initially responsible for compliance with all applicable regulations and permit conditions. Should the *permittee* fail to comply with applicable requirements of this Chapter and permit conditions, the property owner and successors in interest shall be responsible for such compliance.

Article 11, Section 8111-8.3– Recording Notice of Responsibilities, of the Ventura County Ordinance Code, pertaining to the process and procedures for entitlements, is hereby amended to read as follows:

Sec. 8111-8.3 - Notice of Land Use Entitlement

As a condition of approval for all discretionary *entitlements*, prior to issuance of a Zoning Clearance for construction and/or use *inauguration* of the subject permit, a "Notice of Land Use Entitlement" form provided by the Planning Division along with the applicable permit conditions shall be recorded in the chain of title for the subject property with the County Recorder to provide constructive notice of the permit and its conditions of approval.

Section 10

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 11

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

PASSED AND ADOPTED this 17 day of December 2024, by the following vote:

AYES: Supervisors LaVere, Lopez, and Long

NOES: Supervisors Parvin

ABSENT: Supervisors Gorell

Kelly Long
CHAIR, BOARD OF SUPERVISORS

ATTEST:
DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California

By Ron Kuy
Deputy Clerk of the Board

