



Transmittal – Phase 2A LCP Amendments

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

March 23, 2017

Ms. Barbara Carey, South Central Coast District Manager
c/o California Coastal Commission
89 S. California Street, 2nd Floor
Ventura, CA 93001

SUBJECT: County of Ventura Local Coastal Program Amendment No. LCP-4-VNT-16-0033-1 (Phase 2A)

Pursuant to a letter from Jacqueline Phelps dated December 20, 2016 (Attachment 5), the approval of Amendment No. LCP-4-VNT-16-0033-1 (Phase 2A) by the Coastal Commission on December 8, 2016 is not deemed final and effective until the Ventura County Board of Supervisors acknowledges receipt of, accepts, and agrees to the Commission's resolution of certification and the modifications included therein.

On March 14, 2017 the Ventura County Board of Supervisors decided, by a 4-0 vote, to adopt a resolution (Attachment 2) which acknowledges receipt of, accepts, and agrees to the Commission's resolution of certification of the Phase 2A amendments and the modifications included therein (Attachments 1, 3, 4, 5, 6 and 7). One public comment letter was received prior to the hearing (Attachment 8), but it did not result in changes to the proposed amendments during the public hearing. This transmittal provides the records from the Board of Supervisors' hearing, which was a legally noticed public hearing (Attachment 9).

Based on the information included in this transmittal, the County of Ventura kindly requests assistance from the South Central Coast District Office of Coastal Commission to proceed with final actions necessary to successfully implement the Phase 2A amendments, which include the following:

- a) Provide an Executive Director determination that the County's action and notification procedures are legally adequate.
- b) Report the determination to the Coastal Commission at its next regulatory scheduled public meeting.
- c) File a notice of certification of the Phase 2A amendment with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).
- d) Provide a written confirmation to the County with the dates when the Phase 2A amendments were officially certified and effective.

For your review, please find attached, the records from the hearing and the public notice, in the following order:

Attachment 1: Letter to the Ventura County Board of Supervisors

- Attachment 2:** Resolution 17-016: Approval of Coastal Commission's suggested modifications to the Phase 2A amendments
- Attachment 3:** Coastal Commission's suggested modifications to the Phase 2A amendments in legislative format with Planning Division staff explanations
- Attachment 4:** Coastal Area Plan, with the Coastal Commission's suggested modifications shown in legislative format
- Attachment 5:** Coastal Zoning Ordinance, with the Coastal Commission's suggested modifications shown in legislative format
- Attachment 6:** Coastal Commission action letter dated December 20, 2016
- Attachment 7:** Coastal Commission staff report dated December 7, 2016
- Attachment 8:** Letter from the Breakers Way Home Owners Association dated December 14, 2016
- Attachment 9:** Public Notice Published in the Ventura County Star on March 4, 2017, and copy of e-mail notice sent on March 1, 2017 to over 600 recipients

Attachment 1: Letter to the Ventura County
Board of Supervisors

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county of ventura

March 14, 2017

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

SUBJECT: Consideration of Resolution to Acknowledge Receipt of, Accept, and Agree to the California Coastal Commission's Suggested Modifications to the Phase 2A Amendments to the Ventura County Local Coastal Program (PL12-0158); All Supervisorial Districts.

RECOMMENDED ACTIONS:

1. **CERTIFY** that your Board of Supervisors (Board) has reviewed and considered this Board letter and all exhibits hereto, and has considered all comments received during the public hearing process;
2. **APPROVE** and **ADOPT** the Resolution attached as Exhibit 1, acknowledging the receipt, acceptance, and approval of the California Coastal Commission's (Coastal Commission) resolution of certification (Exhibit 6), which includes the Coastal Commission's suggested modifications (Exhibits 2, 3 and 4) to the Phase 2A amendments to the County's Local Coastal Program (No. LCP-4-VNT-16-033-1);
3. **DIRECT** the Planning Director or her designee, pursuant to the directive provided in the Coastal Commission action letter attached as Exhibit 5, to transmit your Board's Resolution to the Executive Director of the Coastal Commission; and
4. **SPECIFY** the Clerk of the Board of Supervisors, 800 S. Victoria Avenue, Ventura, CA 93009, as the custodian and location of the documents and materials that constitute the record of proceedings upon which these decisions are based.

FISCAL IMPACTS/MANDATES:

There is no fiscal impact associated with the recommended actions. The acceptance of the Coastal Commission's suggested modifications to the Phase 2A amendments has no immediate impact on the County General Fund, and the costs associated with implementation of the Phase 2A amendments are included within the Planning Division's FY 2016-17 budget.



DISCUSSION:

1. Board of Supervisors' Adoption of Phase 2A Amendments

The County's Local Coastal Program (LCP) consists of the Coastal Area Plan (CAP) and the Coastal Zoning Ordinance (CZO). The Phase 2A LCP text amendments (Phase 2A amendments) include modifications to both the CAP and CZO, and these modifications were adopted by your Board on June 21, 2016. The Phase 2A amendments address policy and implementation issues related to the following seven topics:

- Archaeological and Paleontological Resources
- Filming Production, Temporary
- Parking and Loading
- Public Noticing
- Signs
- Tree Protection
- Water Efficient Landscaping.

The adopted text amendments were subsequently forwarded to the Coastal Commission for review and action pursuant to Public Resources Code section 30514 (part of the California Coastal Act); title 14, California Code of Regulations, sections 13542, 13544 and 13544.5; and CZO section 8184-5.2.

2. California Coastal Commission Action Regarding Phase 2A Amendments

On December 8, 2016, the Coastal Commission heard, discussed and conditionally certified the Phase 2A amendments subject to the County's acceptance of the following suggested modifications which are now before your Board. There were also four public comments presented at the Coastal Commission hearing, which are discussed below.

Coastal Commission Suggested Modifications

For the Phase 2A amendments to take effect as conditionally certified by the Coastal Commission, your Board must acknowledge receipt of, accept and agree to the Coastal Commission's nine (9) suggested modifications, which are listed in legislative format (with staff explanations) in Exhibit 2. The Coastal Commission's suggested modifications are also shown, in legislative format, on the versions of the CAP (Exhibit 3) and CZO (Exhibit 4) approved by your Board.

The suggested modifications cover the topics of signs, temporary film production, parking and loading, tree protection, and water efficient landscaping. Four of the modifications apply to CAP policies, and five of the modifications apply to related CZO regulations. Following a review of the Coastal Commission's suggested modifications, Planning Division staff concluded that the modifications do not affect the purpose and intent of the Phase 2A amendments. In most cases, the proposed modifications are clarifications which improve the enforceability of the regulations or improve consistency with the California Coastal Act. Essentially, the Coastal Commission text edits implement state-mandated protections for public access, scenic and visual resources, and coastal access parking. The proposed modifications also refine defined terminology, explain undefined

terminology, and describe when alternative analyses and mitigation for impacts to coastal resources are required.

While the overall package of suggested modifications was classified by Coastal Commission staff as primarily minor clarifications to the large package of Phase 2A amendments, the following modifications should be noted, as they contain more substantive changes:

- Modifications 4 and 9 (Tree Protection): The suggested modifications to the CAP (Tree Protection Policy 3) and CZO (Section 8178-7.4.1 (a) – General Standards) include new text that specifies two additional circumstances under which a protected tree may be removed – specifically, when needed to establish “reasonable economic use” of the property and when the tree removal or alteration is part of an approved Habitat Restoration Plan. However, this modification also includes a requirement that impacts to protected trees only be allowed for “reasonable economic use” when the project is found to be the least damaging alternative and when permanent impacts are mitigated.
- Modification 7 (Parking and Loading): The suggested modifications to the CZO (Section 8176-2.7 (c) – Coastal Access) include new provisions that would allow parking restrictions necessary to maintain military security or to repair/upgrade public roads. This modification also includes a requirement that impacts to coastal access parking only be allowed when other alternatives are found infeasible and when permanent impacts are mitigated.

The notable modifications, listed above, would improve the overall package of Phase 2A amendments by providing greater clarity within the LCP regarding legal requirements associated with “reasonable economic use” of private property. These modifications also specify a wider range of practical circumstances under which coastal access parking can be altered. At the same time, these modifications would help ensure consistency with the Coastal Act by specifying procedural and mitigation requirements regarding the preservation of coastal resources and coastal access.

Public Comments

At the Coastal Commission hearing on December 8, 2016, there were four public comments, but only two of the comments were relevant to the Phase 2A amendments¹. Of the two comments relevant to the public hearing, one person expressed concerns about the public participation process. Coastal Commission and County staff responded by citing the extensive public participation process conducted by Ventura County, which included seven public outreach meetings.

The second public comment was related to the time allotted for the public to review the Coastal Commission's nine (9) suggested modifications to the Phase 2A amendments. Coastal Commission staff responded that there was sufficient time for the public to review

¹ Two public comments were made on subjects not on the Commission's agenda. The topics were wireless communication facilities and vacation rentals.

the suggested modifications, and they noted that the modifications were considered minor and consistent with the purpose and intent of the County's proposed regulations.

A letter was submitted prior to the hearing from Kenneth High, a representative of the Breakers Way Home Owners Association (HOA), that expressed concerns that the proposed modification to Sign Policy 1 could result in a prohibition of signs on private property that deter illegal trespass. The letter suggested a modification to Sign Policy 1 (North Coast Area Sign Policy 22, Central Coast Sign Policy 21, and South Coast Sign Policy 26), which is shown below in legislative format:

"Signs that adversely impact public access shall be prohibited located in areas that maintain coastal access except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be temporary and removed once the public safety issue is resolved."

Following the Coastal Commission hearing, Kenneth High submitted a letter (Exhibit 7) to the Ventura County Planning Division, which contains the following suggested additional language for inclusion in Sign Policy 1: "Nothing in this ordinance shall constitute a prohibition on signs on private property that deter illegal trespass onto private property."

In response to the concerns expressed by Mr. High, a member of the Coastal Commission stated that the purpose of the proposed policy is the protection of public access to the coastline. The Commissioner's response, which is quoted in Mr. High's letter (Exhibit 7), included a statement that the policy would not prohibit a property owner from erecting a "no trespassing" sign on private property unless the sign blocks or deters public access to public areas. Given the public record on this matter, it appears that the concerns expressed by Mr. High have been addressed. In the unlikely event that Sign Policy 1 is misinterpreted in the future, the HOA could rely on the public record from the December 6, 2016 Coastal Commission hearing to clarify the purpose and intent of the sign policy. Conversely, the additional text suggested by Mr. High would potentially result in a conflict with Coastal Act provisions regarding coastal access.

3. Board Action on Phase 2A Amendments Following Coastal Commission's Resolution of Certification

If your Board accepts all of the suggested Coastal Commission modifications, staff anticipates that the Coastal Commission will certify the Phase 2A amendments to the LCP pursuant to the following procedures: the revised set of Phase 2A amendments will be submitted to the Coastal Commission's Executive Director for a formal determination of legal adequacy. The Executive Director would then submit the determination to the Coastal Commission for concurrence, at which point the amendments would be certified and take effect.

In contrast, if your Board rejects or changes the Coastal Commission's suggested modifications, the Phase 2A amendments which were originally adopted by your Board

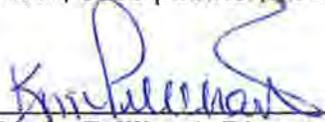
on June 21, 2016 would not be certified or take effect. Instead, the County would be required to submit a revised set of Phase 2A amendments to the Coastal Commission for consideration as though the amendments were being submitted to the Coastal Commission for initial review.

Given the minor nature of the modifications suggested by the Coastal Commission, the Planning Division recommends that your Board approve the Coastal Commission's suggested modifications as proposed and approve the Resolution attached in Exhibit 1. This would allow the Phase 2A amendments, as modified, to be certified by the Coastal Commission and take effect. Should your Board approve the proposed modifications, it is anticipated that they would be presented to the Coastal Commission for final certification at the next available Coastal Commission hearing.

4. PUBLIC NOTICE

The Planning Division provided public notice regarding this public hearing in accordance with the Government Code section 65091. Since the proposed LCP amendments could affect more than 1,000 property owners, a one-eighth page legal advertisement providing notice of this hearing was published in the Ventura County Star, which appeared on March 4, 2017. Information regarding this hearing was also e-mailed to all interested parties who requested notification, including community members, the cities of Ventura, Oxnard, Port Hueneme, and other government stakeholders (e.g., Ventura Harbor District, California Coastal Commission, Naval Base Ventura County). The LCP amendment project website was updated to include information about this hearing.

This letter was reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel's Office. If you have any questions regarding this item, please contact me at 654-2481, or Tricia Maier, Long Range Planning Manager, at 654-2464, or Jennifer Welch, case planner, at 654-2465 or jennifer.welch@ventura.org.



Kim L. Prillhart, Director
Ventura County Planning Division

EXHIBITS

- Exhibit 1:** Resolution approving Coastal Commission suggested modifications to the Phase 2A amendments
- Exhibit 2:** Coastal Commission suggested modifications to the Phase 2A amendments in legislative format with Planning Division staff explanations
- Exhibit 3:** Coastal Area Plan, with the Coastal Commission's suggested modifications shown in legislative format
- Exhibit 4:** Coastal Zoning Ordinance, with the Coastal Commission's suggested modifications shown in legislative format

Exhibit 5: Coastal Commission action letter dated December 11, 2016

Exhibit 6: Coastal Commission staff report dated December 7, 2016

Exhibit 7: Letter from the Breakers Way Home Owners Association dated December 14, 2016

Attachment 2: Resolution 17-016: Approval of Coastal Commission's Suggested Modifications to the Phase 2A Amendments.

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**BOARD MINUTES
BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA**

**SUPERVISORS STEVE BENNETT, LINDA PARKS,
KELLY LONG, PETER C. FOY AND JOHN C. ZARAGOZA
March 14, 2017 at 11:00 a.m.**

Public Hearing Regarding Adoption of Resolution Acknowledging Receipt of, Acceptance of, and Agreement to the California Coastal Commission's Suggested Modifications to the Phase 2A Amendments to the Ventura County Local Coastal Program (PL12-0158); All Supervisorial Districts. (Resource Management Agency - Planning)

- (X) All Board members are present, except Supervisor Foy is absent.
- (X) The Board holds a public hearing.
- (X) The following persons are heard: Jennifer Welch, and Sean Paroski.
- (X) Upon motion of Supervisor Bennett, seconded by Supervisor Zaragoza, and duly carried, the Board hereby approves recommendations as stated in the Board letter.

I hereby certify that the annexed instrument is a true and correct copy of the document which is on file in this office.

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

3/17/17

By: Lawrence
Deputy Clerk of the Board

By: Brian Palmer
Brian Palmer
Chief Deputy Clerk of the Board



RESOLUTION NO. 17-016

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA ACKNOWLEDGING RECEIPT OF, ACCEPTING, AND AGREEING TO THE CALIFORNIA COASTAL COMMISSION'S CONDITIONAL CERTIFICATION TO THE PHASE 2A TEXT AMENDMENTS TO THE VENTURA COUNTY LOCAL COASTAL PROGRAM (PL12-0158)

WHEREAS, the Board of Supervisors of Ventura County (Board of Supervisors), after considering all written and oral testimony on this matter, including County staff reports, exhibits, and Planning Commission recommendations, approved a Local Coastal Program (LCP) Amendment at a legally noticed public hearing on June 21, 2016;

WHEREAS, the California Coastal Commission (Coastal Commission), after considering all written and oral testimony, Coastal Commission staff reports and recommendations, approved and conditionally certified Amendment No. LCP-4-VNT-16-033-1 to the LCP with nine (9) suggested modifications by a unanimous vote of 10 to 0 at its December 8, 2016, meeting;

WHEREAS, the Board of Supervisors now desires to complete the certification of LCP Amendment No. LCP-4-VNT-16-033-1 by acknowledging receipt of, accepting and approving the modifications suggested by the Coastal Commission in accordance with title 14, California Code of Regulations, sections 13542, 13544, and 13544.5; and

WHEREAS, a legally noticed Board of Supervisors public hearing on this matter occurred in Ventura, California, on March 14, 2017.

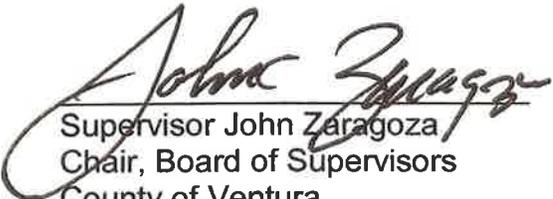
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby acknowledges receipt of, accepts, and approves of the Coastal Commission's approval and conditional certification of LCP Amendment No. LCP-4-VNT-16-033-1, with suggested modifications.

BE IT FURTHER RESOLVED that LCP Amendment No. LCP-4-VNT-16-033-1 shall become final, effective and operative upon the Coastal Commission's concurrence with its Executive Director's determination pursuant to California Code of Regulations, title 14, section 13544.

BE IT FURTHER RESOLVED, ORDERED, AND DETERMINED that the Board of Supervisors designates the Clerk of the Board, 800 South Victoria Avenue,

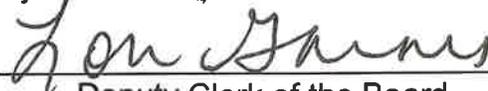
Ventura, California, as the custodian and location of the documents which constitute the record of proceedings upon which its above decisions are based.

Upon a motion by Supervisor Bennett, and seconded by Supervisor Zaragoza, duly carried, the foregoing Resolution was passed and adopted this 14th day of March, 2017.


Supervisor John Zaragoza
Chair, Board of Supervisors
County of Ventura

ATTEST:

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

By: 
Deputy Clerk of the Board



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Attachment 3: Coastal Commission's Suggested
Modifications to the Phase 2A Amendments in
Legislative Format with Planning Division Staff
Explanations.

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EXHIBIT 2

COASTAL COMMISSION SUGGESTED MODIFICATIONS TO PHASE 2A LOCAL COASTAL PROGRAM AMENDMENTS IN LEGISLATIVE FORMAT WITH STAFF EXPLANATIONS

All proposed text is shown in the following “legislative format”:

- Existing, Local Coastal Program (LCP) text that will be retained is shown as plain black text (not underlined). This includes text which was recently approved by the Board of Supervisors.
- Newly proposed text is shown as black underlined text.
- Text that is proposed for deletion is shown as “~~strike through~~” across the word/sentence.
- *Black italicized text* indicates that the term is defined in the Glossary of the CAP or in Article 2 of the Coastal Zoning Ordinance (CZO).
- Planning Division staff explanations are shown as *blue italicized text*.

Suggested Modifications to the Coastal Area Plan¹:

1. Suggested Modification Number One (1): Signs

Sign Policy 1 shall be modified as follows:

1. *Signs* shall be designed and located to in ~~in areas that~~ minimize impacts to *scenic resources*, including that protect views to and along the ocean and other scenic coastal areas.

[Staff explanation: The proposed modification is consistent with the purpose and intent of the previously adopted policy, which is the preservation of visual resources within the coastal zone. It includes a clarification that the design of signs should be considered when evaluating proposed signage in the coastal zone.]

North Coast Area Sign Policy 22, Central Coast Sign Policy 21, and South Coast Sign Policy 26 shall be modified as follows:

Signs that adversely impact public access shall be prohibited ~~located in areas that maintain coastal access~~ except where there is no *feasible* alternative to protect public safety. In such cases, the impact to *coastal access* shall be mitigated and, where *feasible*, the *sign* shall be temporary and removed once the public safety issue is resolved₇.

[Staff explanation: The proposed modifications to Sign Policy 1 are consistent with the purpose and intent of the previously adopted policy and do not constitute a substantial change

¹ The County’s Coastal Area Plan is referred to by the Coastal Commission as a “Land Use Plan”.

to the previous Board action, and staff agrees that the minor revisions are necessary to establish consistency with the Coastal Act.]

North Coast Area Sign Policy 24, central Coast Sign Policy 23, and South Coast Sign Policy 28 shall be modified as follows:

No signs shall be posted on a public beach unless authorized by a coastal development permit. Signs on a public beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

[Staff explanation: The proposed modification is a clarification of the previously adopted sign policy. Most portions of the beach are areas in which the Coastal Commission retains the authority to issue permits, and Coastal Commission staff enforce Coastal Act requirements related to signage on beaches.]

2. Suggested Modification Number Two (2): Temporary Film Production

Film Production Policy 1 in the North, Central, and South Coast area shall be modified as follows:

1. *Temporary film production activities shall not result in ~~substantial~~ adverse impacts to wetland, ESHA, or ESHA buffer, including indirect effects from outdoor lighting or noise.*

[Staff explanation: The proposed revision is consistent with the purpose and intent of the Board's previously adopted policy, and staff agrees that the minor revision is necessary to establish consistency with the Coastal Act. While wetlands are classified as ESHA, Coastal Commission staff recommend that wetlands be cited separately due to the different federal and state regulations for wetlands. The removal of the word "substantial" is recommended because that term is used during a CEQA process, and only impacts that exceed a threshold (which in this case is not defined) would be prohibited. The Coastal Act simply states that "adverse" impacts to ESHA are prohibited, not "substantial" adverse impacts.]

North Coast Area Film Production Policy 11, Central Coast Film Production Policy 10, and South Coast Film Production Policy 15 shall be modified as follows:

~~Temporary film production activities shall result in negligible impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual resources, and public coastal beach access to such facilities shall be minimized during temporary film production activities.~~

[Staff explanation: The proposed modification is consistent with the purpose and intent of the Board's previously adopted policy, which is to ensure that impacts to coastal resources are minimized during temporary film production. The updated language provides more detailed information on the types of coastal resources that should be considered. Also, the revised text states that impacts shall be "minimized", which is a term that can be more easily applied during a permitting process than the term "negligible", which would rely on an undefined threshold for "negligible" impacts.]

3. Suggested Modification Number Three (3): Parking and Loading

North Coast Area Parking Policy 17, Central Coast Parking Policy 16, and South Coast Parking Policy 21 shall be modified as follows:

Restrictions on public parking that would impede public *coastal access* shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.

[Staff explanation: This policy was revised to clarify that coastal access parking cannot be restricted without a review of potential alternatives. The proposed revisions are consistent with the purpose and intent of the Board's originally adopted parking policy and were deemed necessary to establish consistency with the Coastal Act.]

4. Suggested Modification Number Four (4): Tree Protection

Tree Protection Policy 3 shall be modified as follows:

3. The *removal* of a *protected tree* that is *ESHA*, or tree *alteration* that damages *ESHA*, shall be prohibited except where:
 - a. ~~¶~~The *tree* poses an imminent hazard to life, health, existing *structures*, or essential public services and where approved through an Emergency Permit; or
 - b. *Removal or alteration of the tree is necessary to allow for a principal use or structure, and its associated fuel modification, where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; or*
 - c. *Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.*

[Staff explanation: The proposed additions to Tree Protection Policy 3 will address two situations not addressed by the original policy: (b) where the removal of a tree classified as ESHA is necessary to allow reasonable use of the property and (c) habitat restoration. The "reasonable economic use" language is consistent with the draft ESHA regulations being developed for the Phase 2C amendments to the LCP.]

Tree Protection Policy 5 shall be modified as follows:

5. Fire Clearance: With the exception of *non-native heritage trees*, new *development* shall be located and designed to minimize fire clearance and *fuel modification* maintenance that requires the *removal* of a *protected tree*, or *alterations/protected zone encroachments* that *damage a protected tree*. New *accessory buildings* or *uses* that extend fire clearance and *fuel modification* maintenance in a manner that requires the *removal* of a *protected tree* shall be prohibited.

[Staff explanation: The proposed revisions to Tree Protection Policy 5 provide clarification regarding the requirements for altering a protected tree, not just the removal of such trees.

The proposed language is consistent with Board-adopted permitting requirements for tree alterations, which are in the Coastal Zoning Ordinance. The modification establishes consistency between the CAP policies and CZO implementation standards, as required by law.]

Suggested Modifications to the Coastal Zoning Ordinance:

5. Suggested Modification Number Five (5): Signs

Part I of Section 8175-5.13.1 – Purpose shall be modified as follows:

The following signs are prohibited:

- i. Any *sign* that is intended to deter, ~~without legitimate purpose,~~ public access to or along tidelands, shorelines, beaches and public waterways, public trails, public parks, public open space, or public access easements to any of the foregoing locations, except where necessary to direct public access to ensure safety, minimize erosion, and protect ESHA.

[Staff explanation: The proposed modification is consistent with the purpose and intent of the Board-adopted regulation. The phrase “without legitimate purpose” will be replaced by a clearly defined and limited set of situations that constitute a “legitimate purpose” for the use of signs that deter or block public access to the coastline. The deleted phrase was replaced because it could have been interpreted to allow signs that are not consistent with Coastal Act provisions related to coastal access.]

The definition of Recreational Area in Section 8172-1 – Application of Definitions shall be modified as follows:

Recreational Area – Areas designed for shoreline/beach, water oriented, passive, and commercial recreation, including but not limited to, multiple-use paths and trails, natural or wilderness parks, and developed parks. ~~active play, amusement or public assembly such as parks, sports fields, picnic grounds, amphitheaters or golf courses. Does not include private single family residential areas.~~ Recreational areas include “public” and “privately-operated” recreational opportunities that are available to the general public.

[Staff explanation: The proposed modification is consistent with the purpose and intent of the Board-adopted definition for a “recreation area”. It was revised to remove the list of examples of recreation areas in favor of general categories of recreation uses that occur in the coastal zone. The modification will also clarify that recreational areas can be owned and operated by public or private organizations.]

6. Suggested Modification Number Six (6): Temporary Film Production:

Part B of Section 8175-5.6.1 – Planned Development Permit shall be relabeled as number 5 and Part C shall be relabeled as Part B.

Sec. 8175-5.6.1.1 – Planned Development Permit

- a. A Planned Development Permit shall be required for *film production activities*, or access to a *film permit area*, that meets one or more of the following criteria:

1. *Film production activities* would last more than 14 days and less than 180 days in duration;
 2. May directly or indirectly impact an *environmentally sensitive habitat area (ESHA)*. For example, a direct impact could be the removal of *major vegetation* in order to construct a *film set*, and an indirect impact could be the introduction of loud and persistent noise or intense light that would harm animals with a low tolerance for these types of effects;
 3. Would include grading or landform *alteration*;
 4. Would restrict public access to public recreation areas; or
 - ~~b.~~ 5. Would result in inadequate *coastal access parking*. For the purpose of this subsection, inadequate *coastal access parking* would occur if a *base camp* or *temporary film production activities* occupy one or more public parking spaces used for coastal beach access.
- ~~e.~~ b. Planned Development Permits shall not be issued for *film production activities* located on a *sandy beach* within Ventura County's permit jurisdiction during weekends or holidays of the peak summer months (Memorial Day through Labor Day).

[Staff explanation: The proposed modification will correct an error in the original text. Item 'b' was renumbered as '5' on the list of actions in (a), which require a Planned Development Permit. The proposed modification is consistent with the original intent of Sec. 8175-5.6.1.1(a).]

7. Suggested Modification Number Seven (7): Parking and Loading

Section 8176-2.7 – Coastal Access shall be modified as follows:

Sec. 8176-2.7 – Coastal Access

- a. In order to minimize impacts on the availability of on-street parking for *coastal access* and recreation, new development shall be designed to include off-street parking spaces sufficient to serve the proposed use.
- b. Existing parking areas serving *coastal access* and recreational uses shall not be displaced, except where there is no feasible alternative and the loss of parking spaces is mitigated with a commensurate number of replacement spaces that serve a *coastal access* function in the same vicinity as the removed parking.

[Staff explanation: The proposed modification is consistent with the purpose and intent of the original, Board-adopted regulation. It was revised to require an alternatives analysis whenever restrictions are imposed on coastal access parking. The revised text is also consistent with policy modification number three (3) above.]

- c. Restrictions on public parking, including but not limited to red-curbing, no parking signs, and physical barriers, that would impede public *coastal access* are prohibited except as follows: ~~where such restrictions are necessary for the protection of public safety.~~

- i. The parking restriction is necessary to protect public safety or military security, and evidence is provided that demonstrates there is no feasible alternative;
- ii. A temporary parking restriction is necessary to repair, maintain, or upgrade public roads;
- iii. The parking restriction is removed once the public safety issue is resolved or the temporary road repair/maintenance activities are complete; and
- iv. Mitigation is required for permanent parking restrictions.

[Staff explanation: The proposed modifications to this regulation provide a more detailed list of situations where coastal access parking restrictions are allowed. In addition to provisions for public safety, the additional language addresses military security needs and temporary parking restrictions. Greater clarity is also provided regarding the removal of temporary parking restrictions and required mitigation for permanent parking restrictions.]

Section 8176-4.4.3 – Fire Apparatus Access shall be modified as follows:

Sec. 8176-4.4.3 - Fire Apparatus Access

Approved fire apparatus access roads shall be provided when required by the Ventura County Fire Protection District in order to minimize risks to life and property. Fire access roads shall be located, designed and constructed such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Generally, this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.

[Staff explanation: The minor modification to this regulation is consistent with the purpose and intent of the previous, Board-adopted regulation. Language was added to ensure that impacts to coastal resources are considered when selecting the location for a new road . The modification also includes minor corrections that remove unnecessary text.]

8. Suggested Modification Number Eight (8): Water Efficient Landscaping

The definition of Fuel Modification Zone in Section 8172-1 – Application of Definitions shall be modified as follows:

Fuel Modification Zone – The area around a structure where the existing vegetation is altered (e.g. brush or vegetation removal, including thinning) pursuant to an approved fuel modification plan. The purpose of the fuel modification zone is to reduce fuel load for fire protection purposes.

[Staff explanation: The proposed modification provides examples of vegetation alteration for a fuel modification zone and uses revised language more appropriate for a definition. For example, the requirement that the fuel modification zone be included in a fuel modification plan was removed because that is a regulation, not a definition.]

Section 8178-8.4.2.5.1 – Revegetation of Disturbed Areas shall be modified as follows:

Grading activities pursuant to Sec. 8178-8.2(a)(43) that may require the revegetation of disturbed slopes shall be designed and maintained in compliance with the following revegetation measures:

[Staff explanation: The proposed modification corrects a section reference.]

9. Suggested Modification Number Nine (9): Tree Protection

Section 8178-7.4.1 – General Standards shall be modified as follows:

Sec. 8178-7.4.1 General Standards

- a. A new principal use or structure shall be sited and designed to avoid damage to a native, historic, and heritage protected trees to the maximum extent feasible, as evidenced through an alternatives analysis. If there is no feasible alternative that can avoid damage to a protected tree, then the project alternative that would result in the least damage to such a tree shall be selected, and damage to a protected tree that cannot be avoided through implementation of siting and design alternatives shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- b. A new principal use or structure shall be sited and designed to avoid damage to protected trees that are classified as ESHA pursuant to Sec. 8178-7.3.1. However, if there is no feasible alternative that can avoid all impacts to a protected tree designated as ESHA, and still allow a principal use or structure that is the minimum necessary to provide reasonable economic use of the property (as evidenced through an alternatives analysis), the project alternative that would result in the least damage to such a tree shall be selected. Impacts that cannot be avoided through implementation of siting and design alternatives, including reduction of the building footprint, shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.

[Staff explanation: The proposed modifications to this section provide a separate regulation for protected trees classified as ESHA and more clearly address situations where the removal of such trees is necessary to allow reasonable use of the property. The proposed language is consistent with draft ESHA regulations being developed for the Phase 2C amendments to the LCP. This provision also implements the CAP policy in suggested modification number four (4) above.]

- ~~c.~~ b. Once the original land use entitlement has been issued for a principally permitted use or structure, and the use has commenced or the structure has been built, an addition or expansion that would require the removal of a protected tree, or alteration/protected zone encroachments that damage of a protected ~~native or historical~~ tree, shall be prohibited (see Sec. 8178-7.6.1). A *heritage tree* is excluded from this prohibition.

[Staff explanation: The proposed modification is consistent with the purpose and intent of the previously adopted LCP amendments. Although it would expand the applicable situations to include alterations that damage a protected tree, the regulation is consistent with the permitting requirements for protected tree alterations. This CZO regulation would implement the CAP Tree Protection Policy 5 (see suggested modification number four (4) above).]

- d. e- Development shall be sited and designed to avoid *encroachment* into the *protected zone* of a *protected tree* to the maximum extent feasible ~~except when a *qualified tree consultant* demonstrates in writing that the encroachment will not damage the *protected tree*.~~ Encroachments shall be fully mitigated consistent with the mitigation requirements in Section 8178-7.6.

[Staff explanation: This regulation would be revised to remove the option to obtain authorization from a qualified tree consultant when encroaching into a protected tree zone. The proposed modification is consistent with the purpose and intent of the regulation, which is to avoid damage to protected trees when encroaching into the protected zone (e.g. root system) of such trees. Text was added to clarify that mitigation would be required for encroachments that damage a protected tree.]

- e. d- The removal of, ~~or substantial damage to,~~ a *protected tree*, ~~or alterations/protected zone encroachments that damage a *protected tree*,~~ shall be prohibited for accessory uses or structures ~~except for existing, legal when such structures (see Sec. 8178-7.6.1) were previously approved through a discretionary permit.~~ Notwithstanding the foregoing, a *heritage tree* may be removed for the purpose of constructing a second dwelling unit.

[Staff explanation: This proposed modification is limited to minor clarifications that do not change the regulation.]

- f. e- New discretionary development shall be sited and designed to comply with the following:
1. Irrigation and landscaping shall be prohibited within the *protected zone* except where the *protected tree* is tolerant of water, the landscape is comprised of shallow-rooted, herbaceous perennials, bulbs or *groundcover*, and a *qualified tree consultant* verifies the *protected tree* would not be adversely affected by the level of irrigation, compaction of soil, or root disturbance associated with the proposed landscaping.
 2. A minimum buffer of five feet from edge of the *tree protected zone* shall be provided to allow for future growth of a *protected tree* unless a *qualified tree consultant* provides justification in writing that the buffer may be decreased in size because the *protected tree* is regarded as "tolerant" due to the *tree* species, age, health or location.
 3. New drainage systems shall be directed away from all *root zones* of all *protected trees*, replacement offset *trees*, and *transplanted trees*.
- g. f- When a public works project includes the repair or maintenance of drainage devices and road-side slopes, the project may not result in the *alteration* or *removal* of a *protected tree* except as follows:

1. The development is the minimum design necessary to protect existing public roads;
2. The project avoids *removal* or *alteration* of *protected trees* to the maximum extent feasible, and
3. All impacts to *protected trees* are mitigated pursuant to Sec. 8178-7.6.

This provision shall not apply to trees classified as ESHA, which are subject to more protective requirements pursuant to Section 8178-2.

[Staff explanation: The proposed modification to (g) above would add a reference to existing ESHA standards in Section 8178-2, as trees classified as ESHA are subject to more stringent standards.]

Part a of Section 8178-7.4.2 – Tree Removal and Alteration shall be modified as follows:

Sec. 8178-7.4.2 - Tree Removal and Alteration

- a. The *alteration* or *removal* of a *tree* that is *ESHA* pursuant to Sec. 8178-7.3.1 shall only be permitted when:
 - i. ~~The tree~~ poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety; (See Sec. 8178-7.5.4 *Emergency Tree Alteration or Removal*) or;
 - ii. Tree alteration or removal is necessary to allow a new principal use that is the minimum necessary to provide a reasonable economic use of the property (See Sec. 8178-7.4.1 General Standards); or
 - iii. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.

[Staff explanation: The proposed addition of items (ii) and (iii) above is consistent with the modifications made to Tree Protection Policy 3 (see Modification #4). This change will address two situations not addressed by the original regulation – namely, situations where the alteration or removal of a tree classified as ESHA is necessary to allow reasonable use of the property or habitat restoration.]

Part d of Section 8178-7.7.4 – Planned Development Permit shall be modified as follows:

- d. A Tree Protection, Planting, and Monitoring Plan. A Tree Protection, Planting, and Monitoring Plan shall be prepared in the event that a *protected tree* is ~~approved~~ proposed for *removal, alteration, or encroachment* and replacement trees will be required or relocation of a *protected tree*. The Tree Protection, Planting, and Monitoring Plan shall be submitted prior to approval of the Planned Development Permit and shall include the following information:

[Staff explanation: The proposed modification would clarify that a Tree Protection, Planting and Monitoring Plan is required whenever a protected tree must be replaced or relocated. Tree replacement or relocation can occur due to tree alteration, not just tree removal. County staff also amended the text to correct a grammatical error.]

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Attachment 4: Coastal Area Plan, with the
Coastal Commission's Suggested Modifications
shown in Legislative Format

VENTURA COUNTY GENERAL PLAN

COASTAL AREA PLAN



Last Amended ____ - ____ - 2016
Ventura County Planning Division

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ACKNOWLEDGEMENTS

The following persons are acknowledged for their contribution to the preparation of the Ventura County Coastal Area Plan. Without their dedication and hard work, the preparation of this land use plan – and the implementation program – would not have been possible. Ventura County is grateful for their many hours of service and contribution to this planning effort.

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This Plan was prepared with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under provisions of the Federal Coastal Zone Management Act of 1972. The 2013 and 2016 amendments to the Local Coastal Program were prepared with financial assistance from the U.S. Department of the Interior Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) Coastal Impact Assistance Program (CIAP).

For Copies/More Information:

To purchase the Ventura County Coastal Area Plan:

Call 805/654-2805

or go to the Resource Management Agency receptionist
3rd floor of the Government Center Hall of Administration
800 S. Victoria Avenue, Ventura, CA

This Coastal Area Plan is also available on the Planning Division website:

<http://www.ventura.org/rma/planning/programs/local-coastal/index.html>

VENTURA COUNTY GENERAL PLAN

History of Federal and State Legislation

Date	Source and Statute	Description
October 27, 1972	U. S. Congress: Title 16 U.S.C. 1451-1464	Established a federal coastal zone management policy and created a federal coastal zone. Congress declares that it is a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone." Coastal states are provided a policy and source of funding for the implementation of federal goals.
November 7, 1972	Voter Initiative: California Coastal Zone Conservation Act (Proposition 20)	A temporary measure that set up six regional Coastal Commissions with permit authority and a directive to prepare the California Coastal Zone Conservation Plan to the California State Legislature for its adoption and implementation.
January 1, 1977,	California State Legislature: California Coastal Act (Public Resources Code Division 20)	Coastal Act establishes a permanent coastal management program for California. Permanent enacting law that establishes a set of policies that regulate land uses in the designated coastal zone. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the State, to local governments through adoption and certification of Local Coastal Programs (LCP) by the Coastal Commission.

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
November 18, 1980 Resolution 222		Adoption of the Land Use Plan (Coastal Area Plan) of the Local Coastal Program.
December 19, 1980		Ventura County Resource Management Agency (RMA) submits the Local Coastal Program (LCP) Land Use Plan (CAP) to the South Central Regional Commission.
	February 20, 1981 Regional Commission Hearing #1	Regional Commission raises ten specific issues with respect to the adequacy of the County's Plan.
March 3, 1981		Board postpones second Regional Commission hearing in order to provide time for County and Commission staffs to meet and negotiate the ten issues.
April 14, 1981 Resolution 222		Denial of that portion of the plan covering Channel Islands Harbor; Adopted amendments to the previously approved Land Use Plan (CAP) to address comments from Coastal

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
Amendment No. 1 to the LCP		Commission staff regarding housing and agricultural grading, adding energy facilities as a permitted use in Coastal Open Space (COS), deleting the Union Oil storage tank facility from the Central Coast subarea land use map and identification of all access points on the land use maps,
	May 16, 1981 Regional Commission Hearing #2	Disapproval of County's Local Coastal Program (LCP); All ten issues were not resolved, added a new issue, agricultural grading; Upheld County's recommendation to designate the Seacliff agricultural land (Hoffman Property) as Coastal Open Space (COS); the Cliff House as Coastal Commercial (CC) and the Coastal Lemon property Coastal Industrial (CM)
June 2, 1981		Board decides to appeal the Regional Commission's disapproved portions of the Plan to the State Coastal Commission.
	July 16, 1981 State Coastal Commission Hearing #1	Substantial Issues Raised: Planning for federal lands and questions regarding the need for new policies to address Santa Monica Mountains
	August 20, 1981 State Coastal Commission Hearing #2	Conditional Certification: Requested equivalent language for policies related to agriculture, environmentally sensitive habitats, grading ocean-front visitor-serving recreational facilities, access and recreation, housing and Santa Monica Mountains.
November 10, 1981 Resolution 222		Approval of Coastal Commission's Conditional Certification. Changes made to LCP Land Use Plan (LUP)/Coastal Area Plan (CAP). Two major issues still unresolved: Planning for federal lands and minimum lot size for non-prime agricultural land.
December 1, 1981 Resolution 222	January 19, 1982	Resolution approving Coastal Commission's conditional certification with modifications that required specific policy language and text changes to LCP Land Use Plan (LUP)/Coastal Area Plan (CAP).
March 30, 1982 Resolution 222 Amendment No. 2 to the LCP	Certified June 18, 1982 Certified April 28, 1983	Designate Mussel Shoals Cliff House Coastal Commercial (CC). Deletion of the "housing" sections in the north, central and south coast subareas. Authorize the Director of Resource Management Agency (RMA) to submit Local Coastal Program (LCP) Coastal Area Plan (CAP) to California Coastal Commission (CCC) for certification.
July 26, 1983 Ordinance 3654		Chapter 1 of Division 8 (Planning and Zoning) of the Ventura County Ordinance Code is hereby amended by adding 1.1 (to be known as the Zoning Ordinance for the Coastal Zone)
September 6, 1983 Ordinance 3656	October 26, 1983	Adoption of Ventura County official zoning maps for the coastal zone and rezoning all property in conformance with LCP Land Use Plan and Coastal Zoning Ordinance (CZO). County assumes permit authority in the coastal zone.

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
October 15, 1985 Ordinance 3745 GPA 85-3 Z-2755/2756		CZO Amendment. Rezone from Residential Beach Harbor (RBH) zone to Coastal Commercial (CC) zone; 0.43 acres on the east side of Ocean Drive, 70 feet south of the intersection of Los Altos Street and Ocean Drive
October 29, 1985 Ordinance 3743	LCP No. 1-85 (Major) December 19, 1985 (Minor) February 7, 1986	CZO Amendment. Regulations for satellite dish antennas in the Residential Beach Harbor (RBH) zone in response to Emergency Ord. 3732 which placed a 45-day moratorium on the construction of new satellite antennas in the RBH zone.
May 13, 1986 Ordinance 3772		CZO Amendment. Re-codification of the Coastal Zoning Ordinance (format and structure to be consistent with NCZO, addition of specific uses to certain coastal zones, clarification of permit requirements).
August 26, 1986 Ordinance 3787	LCP No. 1-86 (Major and Minor) July 8, 1986 LCP No. 2-86 (Minor) December 10, 1986 LCP No. 3-86 (Minor) January 14, 1987	CZO Amendment. Add and modify definitions in Article 2, provide detailed regulations for kennels and building height measured in the Residential Beach Harbor (RBH) zone, disallow athletic fields in the Coastal Open Space (COS) zone, clarify discretionary permits are appealable to the Coastal Commission, clarify most repair and maintenance is exempt from coastal development permit requirements, update provisions for lot mergers and the use of non-conforming lots.
December 20, 1988 Ordinance 3883 Z-2822 GPA 88-4	LCP No. 2-88 (Minor) January 11, 1989 LCP No. 1-89 (Major) May 10, 1989	CZO Amendment. Camp Hess Kramer (APN 700-0-060-14 and APN 700-0-060-30) developed camp areas rezoned from Coastal Open Space (COS) Santa Monica Mountains Overlay (M) to Coastal Rural Exclusive CRE-10 acres and CRE 20 acres. Solrmar (APN 700-0-070-05) rezone from COS (M) to Coastal Rural Exclusive (CRE) 5-acres.
June 20, 1989 GPA 89-1	LCP No. 2-89-A (Minor) October 10, 1989 LCP No. 2-89-B (Minor) October 11, 1989 LCP No. 2-89-C (Major) October 10, 1989	CAP Amendment. Correct clerical errors, clarifications, add tables that show intensity of land use permitted in each land use designation with total area, building intensity, population and employment capacity, and population and employment density for each subarea of the Coastal Plan as required by State law, add a land use designation/zoning classification compatibility matrix, replace four outdated appendices (The Guidelines for Orderly Development, State of California Interpretive Guidelines for Wetlands and Other Wet, Environmentally Sensitive Habitats, Guidelines for Implementation of the California Land Conservation Act of 1965 (aka Land Conservation Act Guidelines), and Conditional Use Permit Conditions for Oil Operations), and replace out-of-date material in the Local Coastal (Area) Plan. The amendments do not involve changes or redefinitions of coastal land use designations.
July 10, 1990 Ordinance 3946		CAP Amendment. Incorporating State mandated requirements for implementation of Ventura County's Hazardous Waste Management Plan.

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
Amended Ordinance 3964 December 11, 1990 Z-2843 GPA 90-4	LCP No. 1-90 (Minor) September 11, 1990 LCP No. 1-91 (Major and Minor) March 15, 1991	CZO Amendment. Silverstrand (APN 206-0-171-26) rezoned from Coastal Commercial (CC) to Residential Beach Harbor (RBH)
Adopted October 19, 1993 Ordinance 4042 Z-2857 GPA 93-3	LCP No. 1-93 (Major) February 16, 1994	CZO Amendment. Lazy-J Ranch Camp (APN 701-0-030-100) rezoned from Coastal Open Space (COS) Santa Monica Overlay (M) to Coastal Rural Exclusive (CRE) 40-acres.
Adopted February 1, 1994 Ordinance 4055		CZO Amendment. Clarify zone suffix designation, lot coverage per building, setbacks, off-street parking, recycling facilities, nonconformities and substandard lot, administrative penalties and procedures. minimum lot sizes per zoning designation, etc.
	LCP No. 1-95 (De-Minimis) December 13, 1995	Ventura County de Minimis LCP Amendment No. 1-95
Adopted December 10, 1996 Ordinance 4127 Z-2909 GPA 96-3	LCP No. 1-97 (Major) April 10, 1997 LCP No. 2-96 (Major) July 9, 1997	CZO Amendment. (Rural Intensity and La Conchita), La Conchita (APNs 060-0-050-090; -130; -155; -165; -180; -195; -205; -235; -255) rezoned from Coastal Rural (CR) 1-acre to Coastal Open Space (COS) 10-acres
	LCP No. 2-97 (Major) September 9, 1997	Approved Ventura County LCP Amendment No. 2-97 (Hollywood Beach) Designation of APN 206-0-233-165) from Residential Beach Harbor (RBH) to Coastal Residential, Planned Development (CRPD).
Adopted May 25, 1999 Ordinance 4186	LCP No. 1-99 (Minor) August 13, 1999	CZO Amendment. Addition of Section 8178-3.6 Standards for Off-Site Parking Spaces
Adopted December 5, 2000 Ordinance 4219		CZO Amendment. Add definitions and establish procedures for emergencies and divided jurisdictional authority, modernize standards relating to oil and energy facilities, change symbols in the use matrix
	Time Extension March 13, 2001	Extend time for action on Ventura County LCP Amendment No. VNT-MAJ-1-00 Time Extension: Text and appendices to County's LCP to achieve consistency with General Plan and NCZO
		Approval of Ventura County LCP Amendment No. VNT-MAJ-1-00 (Part A): Amendments to energy development

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
Adopted November 20, 2001 Ordinance 4249 GPA 00-3	LCP No. 1-00-A (Major) LCP No. 1-00-B (Major) January 11, 2002	County: CZO Amendment. Add definitions and establish procedures for emergencies and divided jurisdictional authority, modernize standards relating to oil and energy facilities, change symbols in the use matrix. CCC: Approval of Ventura County LCP Amendment No. VNT-MAJ-1-00 A & B Certification review
Adopted May 14, 2002 Ordinance 4263 Z-2943	LCP No. 1-02 (Minor) LCP No. 2-02 (Minor) July 11, 2002	CZO Amendment. Hollywood Beach (APN 206-0-254-210) rezone from Coastal Residential Planned Development (CRPD) to Residential Beach Harbor (RBH).
Adopted May 14, 2002 Ordinance 4264 Z-2943	LCP No. 1-02 (Minor) LCP No. 2-02 (Minor) July 11, 2002	CZO Amendment. Hollywood Beach (APN 206-0-254-200) rezone from Coastal Residential Planned Development (CRPD) to Residential Beach Harbor (RBH)
Adopted June 3, 2003 Ordinance 4283		CZO Amendment. Amend standards related to second dwelling units
	LCP No. 1-03 (De Minimis) January 14, 2004	Approved Ventura County LCP Amendment No. 1-03: Permitting secondary housing units
Adopted October 10, 2006 Ordinance 4351 ZN04-0002 GPA-06-1		CZO Amendment. Crown Pointe Estates Tract 5457: Subdivide Lot 10 of Tract 4483 to create five lots: four lots zoned Coastal Rural (CR) 1-acre and one commercial lot (Neptune's Net) zoned Coastal Commercial (CC).
	Time Extension August 8, 2007	Time Extension: County of Ventura LCP Amendment No. 1-2007 (Crown Pointe Estates) Time Extension: Rezone Residential and Neptune's Net
Adopted January 29, 2008 Ordinance 4378		LCP Amendment. Convert existing official zoning maps from hard copy to official zoning data, GIS format and to omit hyphens in existing zoning classification abbreviations.
	LCP No. 1-07 (Major) April 9, 2008	Approved with Modifications Ventura County LCP Amendment No. 1-07 (Crown Pointe Estates)
Amended September 16, 2008 LCP 1-2007		CZO Amendment. Crown Pointe Estates Tract 5457 Rezone from Coastal Commercial (CC) to Coastal Rural (CR) 1-acre and a required mitigation fee of \$557,084 to offset the loss of the 2.9 acres of commercial zoned property to residential.
Adopted September 23, 2008 Ordinance 4391	LCP No. 1-07 (Major) October 16, 2008	Approved Ventura County LCP Amendment No. VNT-MAJ-01-07 (Crown Pointe Estates) Certification Review

History of Ventura County's Local Coastal Program

Board of Supervisors' Action or Adoption	California Coastal Commission Certification	Amendment Description
Adopted June 28, 2011 Ordinance 4435		CZO Amendment. Amend sections related to special needs housing and reasonable accommodation
Adopted January 24, 2012 Ordinance 4443		CZO Amendment. Crown Pointe Estates Rezone APN 700-0-260-140 from Coastal Rural Exclusive (CRE); Santa Monica Mountains Overlay (M) to Coastal Rural Exclusive (CRE) 2-acres (M) Overlay.
	LCP No. 1-12 (Major) June 14, 2012	Approved Ventura County LCP Amendment No. MAJ-1-12: Crown Pointe Estates
	LCP No. 2-12 (Major) November 15, 2012	Approved with Modifications Ventura County LCPP Amendment No. MAJ-2-12 (Phase I Update): Amend CZO with code updates, land use clarifications, permit processing procedures, spelling and grammar corrections
Adopted December 11, 2012 Ordinance 4451		CZO Amendment. Adoption of a resolution to accept California Coastal Commission Modifications to County Coastal Zoning Ordinance ZN12-0002, Text Amendments
	LCP No. 2-12 (Major) February 7, 2013	Approved Ventura County LCP Amendment No. VNT-MAJ-2-12 (Phase I Update) Certification Review.

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Coastal Plan Appendices (Separate Document)

- Appendix 1 Statewide Interpretive Guidelines for Wetlands and Other Wet, Environmentally Sensitive Habitats (1981)
- Appendix 2 Archaeological Guidelines (1980)
- Appendix 3 Paleontological Guidelines (1980)
- Appendix 4 Guidelines for Implementation of the California Land Conservation Act of 1965 (The Williamson Act) (2000)
- Appendix 5 California Department of Navigation and Ocean Development, Survey of Ventura County Beaches (1977)
- Appendix 6 Policy for the Location of Onshore Oil Facilities (1968)
- Appendix 7 (T-1) Tree Removal, Alteration, and Planting Standards
- Appendix 8 (L-1) Landscape and Irrigation Plan Requirements

Ventura County Coastal Area Plan Digital Maps

Some of the maps in the Ventura County Coastal Area Plan (listed below) have been updated in digital format. Because these maps reflect more current data, they may not exactly reflect the corresponding map in the Coastal Area Plan. **These maps are not the official maps.** These maps are available for viewing at http://www.ventura.org/rma/planning/General_Plan/gallery.html

North Coast

- Figure 2: Rincon Creek
- Figure 6: Agricultural Preserves and Prime Soils
- Figure 7A: Hazards – Faults
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- Figure 7C: Hazards – Non-Earthquake Induced Landslides
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- Figure 16.2: Land Use Map

Central Coast

- Figure 18: Santa Clara River Mouth
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Figure 26.3: Land Use Map: Harbor

The following Central Coast figures are not part of the adopted Coastal Area Plan, however are provided for informational purposes:

Hazards – Faults

Hazards – Tsunami Inundation

Hazards – Liquefaction Areas

Hazards – Groundshaking Acceleration

South Coast

Figure 30: Agricultural Preserves and Prime Soils on the South Coast

Figure 31A: Hazards – Faults

Figure 31B: Hazards – Tsunami Inundation

Figure 31C: Hazards – Non-Earthquake Induced Landslides

Figure 31D: Hazards – Earthquake Induced Landslides

Figure 31E: Hazards – Liquefaction Areas

Figure 31F: Hazards – Groundshaking Acceleration

Figure 32.1: Land Use Map

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Abstract

The essence of Ventura County's Local Coastal Program, mandated by the California Coastal Act of 1976, is the Land Use Plan for the unincorporated portions of the coastal areas of Ventura County, which is known as the Coastal Area Plan (CAP). It addresses the County's significant coastal issues with a combination of land use designations, resource protection, and development policies.

Ventura County's coastal zone is approximately 43 miles long and is bounded on the north by Santa Barbara county line and to the south by Los Angeles county line and is further defined by the following geographical areas:

- North Coast Subarea (Figure 16.2, North Coast Planning Area): The steep slopes of the Ventura foothills abut the northern portion of the coastal zone between Rincon Point and the Ventura River. Within this subarea, there are approximately 2,265 acres designated agriculture, 1,257 acres designated Open Space, 350 acres designated industrial, and 0.54 acres designated commercial. Emma Wood State Beach, Faria and Hobson County Parks, six residential communities, Rincon Parkway, U.S. Highway 101 and the Southern Pacific Railroad occupy the narrow strip of land at the base of the mountains that forms this section of the coastal zone.
- Central Coast Subarea (Figure 26.2 Central Coast Planning Area): The central part of the coastal zone is situated between the cities of Ventura, Oxnard and Port Hueneme. Within this subarea, there is approximately 1,425 acres designated agriculture, 248 acres designated Open Space, and 3.0 acres designated commercial. McGrath State Beach, the wetlands of Ormond Beach, and the residential beach communities of Hollywood and Silverstrand are located along the coastline.
- South Coast Subarea (Figure 32.1 South Coast Planning Area): The southern portion of the coastal zone begins at the south end of Navy Base Ventura County. Within this subarea, there is approximately 710 acres designated agriculture, 13,545 acres designated Open Space, and 4.0 acres designated commercial. Within the Santa Monica Mountains is Point Magu and Leo Carrillo State Parks. The residential communities of Solrmar and Crowne Pointe Estates are located on the west and east side of Highway 1, respectfully.

Overall, the coastal zone comprises approximately 24,745 acres (or 39 square miles), not including the cities of Ventura, Oxnard and Port Hueneme, Channel Islands Harbor, and Naval Base Ventura County.

Specific issues evaluated in each sub-area include environmentally sensitive habitats, recreation and access, agriculture, hazards, beach erosion, energy and industrial facilities, public works, and locating and planning of new development. Objectives are offered for each issue along with County Policies to achieve each objective.

During the 2016 Local Coastal Program (LCP) Update, a reorganization of the CAP was initiated by consolidating the abstracts, objectives, policies and programs for general coastal resource issues under the heading "Coastal Zone Objectives, Policies and Programs". Within this new section, subjects may also be addressed by geographic subarea. This new format replaces the segregation of general costal resource issues by geographic subarea and will be utilized for future amendments to the CAP.

Preamble

In Ventura County, the coastal zone is governed by the terms and conditions of the Coastal Area Plan (CAP), the Coastal Zoning Ordinance (CZO), and the County's two adopted Categorical Exclusion Orders (i.e. Categorical Exclusion Order E-83-1 and amendment E-83-1A), all of which are subject to the California Coastal Act (Pub. Res. Code § 30000 et seq.) and corresponding Coastal Regulations (14 Cal. Code of Regs. § 13000 et seq.). These planning tools are used to guide development in the coastal zone and are further described below:

1. Ventura County's Coastal Area Plan is intended to serve as the County's "land use plan" and "local coastal element" applicable to the unincorporated portions of the coastal zone as required by the California Coastal Act of 1976, Public Resources Code Section 30000 et seq.

The Coastal Area Plan is also an Area Plan for the unincorporated coastal portions of Ventura County and, as such, is part of the County's General Plan. The purpose of the County's General Plan is to meet the local government General Plan requirements of Division I of the Planning and Zoning Law, Government Code Section 65000 et seq.

2. The purpose of the County's CZO is to implement the policies of the County's Coastal Area Plan.
3. A Categorical Exclusion Order is an independent document adopted by the Coastal Commission in accordance with § 30610 of the Coastal Act. It exempts certain categories of development from Coastal Development Permit requirements because they have no possibility of causing environmental impacts. Categorical Exclusion Orders are adopted separately from the CZO, and the policies and specifics within those orders apply regardless of whether or not they are adopted by the local jurisdiction into its zoning ordinance. While the language of a Categorical Exclusion Order may be incorporated into a zoning ordinance, the order itself remains independent from the local zoning ordinance and cannot be amended or altered without approval of the Coastal Commission.

The Goals, Policies and Programs of the Ventura County General Plan are cumulative and, as such, individual goals, policies and programs should be used and interpreted in context of other applicable goals, policies and programs. In the case of overlapping goals, policies and programs, the more restrictive shall govern.

All components of the Ventura County General Plan (as they apply to the coastal zone), including the Coastal Area Plan, are intended to be consistent with the provisions of the California Coastal Act of 1976 as amended. Any ambiguities in the General Plan, as they apply to the coastal zone, including the Coastal Area Plan, shall be resolved in favor of the interpretation most likely to implement the mandated goals, policies and programs of the Coastal Act.

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Introduction

Legislative History

On October 27, 1972, the United States Congress passed the Coastal Zone Management Act (CZMA). The CZMA directed coastal states to develop and implement coastal management programs with the goal of preserving, protecting, developing and, where possible, restoring and enhancing valuable natural coastal resources. Passage of the CZMA was a recognition of the importance of balancing competing uses of and impacts to the environment. The U.S. Congress found that it was a national policy “to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and aesthetic values as well as to the need for compatible economic development (16 U.S.C. 1452b).”

On November 7, 1972 the state of California enacted The Conservation Act (also referred to as Proposition 20). The Conservation Act of 1972 established the California Coastal Zone Conservation Commission and six regional commissions. Their purpose was to prepare a comprehensive coastal plan that was to be adopted into law by the State Legislature. The commissions were also granted permit authority over coastal development. Four years later, the commissioners presented a plan that was passed into law called the California Coastal Act.

The California Coastal Act of 1976 (Public Resources Code (PRC), Division 20) established a set of policies, a coastal boundary line, and a permit procedure. It also directed the transfer of permitting authority to local governments through adoption and certification of local coastal programs (LCPs). For areas with certified LCP's, the Coastal Commission retains permit authority over developments occurring on tidelands, submerged lands, and public trust lands. The Coastal Commission also retains appeal jurisdiction over local government coastal development permits approved by the County, and is responsible for reviewing amendments to a local agency's LCP. Under the CZMA, the Commission is also responsible for federal consistency reviews of federal agency, federally permitted, and federally funded activities.

Pursuant to Coastal Act Section 30001.5, the State's fundamental goals for coastal management are as follows:

- (a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

To accomplish its goals the Coastal Act details a comprehensive set of policies in Chapter 3 - Coastal Resources Planning and Management Policies. Other chapters

provide definitions, address the composition and authority of the Coastal Commission and regional commissions, detail development controls, enforcement and penalty procedures, and, in general, set forth specific criteria to be met by all LCPs. Together, the goals and policies of the Coastal Act provide a framework for protection of coastal lands and the orderly management of development. As stated in Coastal Act Section 30222, some types of development have priority over others, with primary consideration given to agriculture and coastal-dependent industry.

Federal Lands and Activities

The Federal Coastal Zone Management Act (CZMA) authorizes states with federally approved coastal management programs (CCMPs) to review for consistency federal license and permit activities that affect land or water uses in the coastal zone. The CZMA regulations governing the federal consistency review process define "Federal license and permit activity" as "any authorization, certification, approval, or other form of permission which any Federal agency is empowered to issue to an applicant". Under the regulations, in order to review federal licenses and permits, a state must either include a list of such licenses/permits in its approved program or, for other federal licenses and permits, must request and obtain permission from the National Oceanic and Atmospheric Administration's (NOAA) Office of Ocean and Coastal Resources Management (OCRM) to review the activity.

The California Coastal Commission's CCMP (approved by NOAA, 1978) includes a list of Federal Licenses and Permits. In Ventura County, federal agency licenses and permits subject to the certification process for consistency with the State CCCMP (approved by NOAA in 1978) includes the Department of Defense (i.e. Navy Base Ventura County) and the Environmental Protection Agency (i.e. Santa Monica Mountains National Recreation Area). For activities on this list, the Federal agency may not issue the license/permit until the applicant for the license/permit submits a consistency certification to the California Coastal Commission and receives Commission concurrence with that certification. If the California Coastal Commission objects, the Federal agency may not issue the license/permit unless the applicant appeals the objection to the Secretary of Commerce, and the Secretary overrides the Commission's objection.

The County is responsible for reviewing and commenting, in an advisory capacity, on federal activities which affect the coastal zone. Policies are provided in this CAP to assist the County in this advisory role and to advise the Coastal Commission and federal agencies of the County's policy positions. Examples of such activities for which the County may review and comment upon any consistency determinations include the following:

- Purchases or disposition of land
- New development which could significantly increase the amount of water usage or the disposal of waste water
- Changes in use of the Mugu Lagoon
- Major flood control measures
- Institution of dual civilian/military use of the Point Mugu airport
- Recreational development in the Santa Monica Mountains (e.g., development of a General Management Plan for the Santa Monica Mountains National Recreation Area)
- Major changes in Natural Resources Conservation Service programs.

Relationship to Other County General Plan Documents

The Ventura County General Plan is the general land use plan by which the unincorporated portions of Ventura County may develop in the future.

The Ventura County General Plan consists of:

- (a) Countywide Goals, Policies and Programs
- (b) Technical appendices which contain background information and data in support of the Countywide Goals, Policies and Programs, and
- (c) Area Plans, including the CAP, which contain Goals, Policies and Programs for specific geographic areas of the County.

The Coastal Area Management Act requires that the 61 cities and 15 counties in coastal California have a certified local land use plan in accordance with Chapter 3 of the Coastal Act and guidelines established by the California Coastal Commission. The County's CAP is a collection of Goals, Policies, and Programs that focus on the coastal zone within unincorporated Ventura County. The CAP also includes land use maps that define the type and intensity of allowable development within the coastal zone. It is therefore amended, by resolution of the Board of Supervisors, as an amendment to the Ventura County General Plan. All Objectives, Policies and Programs set forth in the Coastal Area Plan must be consistent with the Ventura County General Plan.

The following general statements provide, in part, the framework for the CAP, and for the more specific objectives and policies found at the end of each section. These statements or requirements apply to all areas of the County's coastal zone:

General Statements

1. The Coastal Area Plan has been developed with brevity and clarity so that everyone can understand what the Plan entails.
2. The maximum amount of prime agricultural land is preserved for agricultural use.
3. Development within environmentally sensitive areas, archaeologically sensitive, and hazardous areas is discouraged.

Existing County procedures and ordinances are not adequate to protect environmentally sensitive habitats to the extent required by the Coastal Act. Consequently, an overlay designation will be developed as part of the Open Space zone with additional requirements for the protection of such habitats. This overlay will cover areas designated in the Plan as "Environmentally Sensitive Habitats" and buffer areas where necessary. Permitted uses within such habitats will be limited to those consistent with the Coastal Act. Examples of such uses include nature study, habitat enhancement and restoration, and other uses dependent on habitat values. Also, uses allowed in buffer areas will be more limited those allowed in the "COS" (Coastal Open Space) zone, and feasible mitigation measures will be required consistent with Sections 30230 and 30231 of the Act.

4. While recreational opportunities in the Ventura County coastal zone are sufficient, the County encourages the California Department of Parks and Recreation to acquire those coastal areas currently proposed for acquisition. The County also encourages the State to consider additional coastal areas for acquisition, or less-than-fee acquisition.
5. Additional studies, initiation of new programs, or the acquisition of land or easements required by Coastal Area Plan policies will only be developed as staff and funding are available.

Energy Facilities

6. For all new oil and gas development activities within areas covered by existing Conditional Use Permits which do not contain specified time limits for expiration, a permit is required. However, if the applicant has been granted a claim of vested rights on the subject property by the California Coastal Commission, no such permit is required.
7. All oil operators with existing Conditional Use Permits are expected to follow best available oil field safety practices for all existing well operations and new wells drilled under the existing permits.
8. All drilling/production facilities, oil and gas transportation facilities, access roads, as well as all accessory facilities, will be consolidated to the maximum extent feasible.
9. Major oil and gas processing facilities and electrical generating facilities, which require a "Coastal Industrial" (C-M) zone, are restricted to locations within areas designated as "Industrial" by this Plan.

Industrial Facilities

10. All industrial facilities which require a "Coastal Industrial" (C-M) zone are restricted to locations within areas designated "Industrial" by this Plan.

Commercial Facilities

11. All commercial facilities which require a "Coastal Commercial" (C-C) zone are restricted to locations within areas designated "Commercial" by this Plan.

Access Management

12. The County will accept offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.
13. The County will actively encourage other private or public agencies to accept offers of dedication, to assume liability and maintenance responsibilities, and initiate legal action to pursue beach access.
14. The County will continue to seek funding sources to improve existing access points.
15. The County will coordinate and supervise programs with other private and public organization to improve existing access, provide additional access, provide signing, parking, pedestrian and bicycle facilities, and the like.
16. Consistent with the availability of staff and funds, the County will initiate action to acquire easements to and along beaches and along access corridors for which potential prescriptive rights exist.

Grading Operations

17. Grading plans shall minimize cut and fill operations. If it is determined a project is feasible with less alteration of the natural terrain than is proposed, that project shall be denied.
18. All development shall be designed to minimize impacts and alterations of physical features and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.

19. For permitted grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. All measures for removing sediments and stabilizing slopes shall be in place prior to or concurrent with any on-site grading activities.
20. Where appropriate, best management practices (BMPs) for erosion control (including, but not limited to, sediment basins, debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading operations and maintained by the applicant through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate approved dumping location.
21. Where construction will extend into the rainy season, temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion. The appropriate methods shall be prepared by a licensed landscape architect, and approved by the County.
22. Cut and fill slopes shall be stabilized at the completion of final grading. To the greatest extent feasible, planting shall be of native grasses and shrubs or appropriate non-native plants using accepted planting procedures. Such planting shall be adequate to provide 90% coverage within 90 days, and shall be repeated if necessary to provide such coverage. This requirement shall apply to all disturbed soils.
23. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Where feasible and appropriate, water runoff shall be retained on-site to facilitate groundwater recharge, unless to do so would require significant grading or brush removal not otherwise necessary and the cumulative impacts of such on-site retention would be greater than the cumulative impacts of not facilitating recharge, within the same drainage area.
24. Degradation of the water quality of groundwater basins, nearby streams, wetlands or coastal waters shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and stormwater runoff that has not met the requirements of the State and County NPDES permits/regulations and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.
25. The Soil Conservation Service (SCS) and the State Department of Fish and Game shall be consulted for grading of hillsides and brush clearance in excess of 1/2 acre. In all cases best management practices shall be used.

Grading (Hillside)

26. Hillside (defined as land with slopes over 20%) grading and brush clearance shall be regulated to maintain the biological productivity of coastal water, protect environmentally sensitive areas and park and recreation areas, and to minimize the alteration of natural land forms.
27. For all substantial hillside grading (over 50 cu. yds. of cut or fill) or brush clearance (greater than 1/2 acre), including that related to agricultural activities, a development permit shall be required. The application for the permit shall contain an erosion control plan. Such plan shall be prepared by a licensed engineer qualified in soil mechanics and hydrology and approved by appropriate County agencies to ensure compliance with this Coastal Area Plan and all other County

ordinances. Additionally, for agricultural related activities such plan shall also be reviewed by the Resource Conservation District.

Environmentally Sensitive Habitats

Buffer Areas

28. Within a buffer zone, no new principal structures will be permitted unless prohibition of the structure from the buffer will preclude the utilization of the larger parcel for its designated use. When it is necessary to allow structures within the buffer they shall be located as far from the habitat resources as possible and mitigations shall be required to eliminate or reduce their impacts to an insignificant level. If a principal structure exists as of the adoption of this Plan, it may be rebuilt within the buffer zone if it is destroyed by fire or a natural disaster. If it is an otherwise non-conforming use it shall not be rebuilt within the buffer.
29. New development in buffer zones shall be limited to access paths, fences, necessary to protect environmentally sensitive areas, and similar uses which have either beneficial effects on wildlife or no significant adverse effects.

Land Use Plan Designations

The land use designations in the Coastal Area Plan are designed to reflect the policies, existing and proposed land uses, existing General Plan land use designations, and zoning categories. This was done to preclude a significant amount of changes to the General Plan and Zoning Code. In some cases only one or two zoning categories are consistent with a land use designation (see [Figure 33](#)). All existing zoning categories applied to the coastal zone have been modified as necessary to meet the policies in the Plan.

The land use categories listed below describe the type and intensity of land use permitted within each category. Summary Tables ([Figures 16.1, 26.1 & 32](#)) list each land use designation and its total area, building intensity, population and employment capacity, and population and employment density. The purpose of each of the land use categories is described below.

The following are descriptions of each land use designation and the principal permitted uses for each.

- **Open Space** - The purpose of this designation is to provide for the preservation and enhancement of valuable natural and environmental resources while allowing reasonable and compatible uses of the land. Also to protect public safety through the management of hazardous areas such as flood plains, fire prone areas, or landslide prone areas. Principal permitted uses are one dwelling unit per parcel, agricultural uses as listed as principal permitted uses in "Agricultural" designation, and passive recreational uses that do not alter physical features beyond a minimal degree and do not involve structures. Minimum lot size in the "Open Space" designation is 10 acres.
- **Agriculture** - The purpose of this designation is to identify and preserve agricultural land for the cultivation of plant crops and the raising of animals. Lands placed in this designation include those in existing agricultural use, existing agricultural preserves (Land Conservation Act Contracts), and land with prime soils. Principal permitted uses are: crops for food and fiber; orchards and vineyards; field or row crops; drying and storage of crops, hay, straw, and seed; growing and harvesting of flowers, ornamentals, and turf; and animal breeding, pasturing, or ranching. Minimum lot size in the "Agriculture" designation is 40 acres.

- **Recreation** - This designation identifies those facilities in the Coastal Zone which provide recreational opportunities or access to the shoreline. Principal permitted uses are active and passive recreation including parks with facilities for picnicking, camping, riding, and hiking, on a day use or longer use basis. Structures or other facilities are limited to those necessary to support the recreational uses.
- **Residential Designations** - The building intensities listed below indicate the maximum number of dwelling units allowed on a given parcel of land. These intensities are reflective of existing lot sizes and zoning categories. Principal permitted uses in all residential areas, in addition to those listed below, are churches, fire stations, public parks and playgrounds, and home occupations.
 - Rural Intensity** - The lowest intensity residential designation with one dwelling unit per two acres. Principal permitted uses are a single-family dwelling and those uses listed under "Agriculture" except animal breeding, pasturing, or ranching.
 - Low Intensity** - Principal permitted use is single-family dwelling. The intensity is 1 - 2 dwelling units per acre.
 - Medium Intensity** - Again, the principal permitted use is a single-family dwelling. The intensity is 2.1 to 6 dwelling units per acre.
 - High Intensity** - The majority of residential development in the unincorporated Coastal Zone is within this intensity. Principal permitted uses are one- and two-family dwellings per parcel. The intensity is 6.1 to 36 dwelling units per acre.
- **Commercial** - Mainly used for neighborhood commercial uses, but because of certain locations close to beach or other recreational areas this land use designation may also serve visitor needs. Generally, property under this designation contains small lots suitable only for small neighborhood-serving uses. Principal permitted uses are grocery stores, delicatessens, meat markets, bakeries, drug stores, fruit and vegetable stores, hardware stores, restaurants and cafes, shoe repair shops, and other uses normally considered as neighborhood serving. Also, dwelling units above the stores occupied only by the proprietor are permitted if the entire ground floor is retail business.
- **Industrial** - The main intent of this designation is to recognize industrial uses found in the unincorporated Coastal Zone or areas where expansion of existing industrial uses is logical. Most of the uses now found in this designation are coastal-dependent such as the Rincon and La Conchita oil and gas processing facilities that service offshore oil. Any vacant parcels shown as "Industrial" should be annexed prior to any development. Principal permitted uses are oil processing facilities or expansion of said facilities, associated administrative or executive offices, and oil and gas exploration, production, and temporary storage.
- **Stable Urban Boundary Line** - This line on the land use maps generally separates areas intended for agricultural use from areas intended for uses more urban in nature.

Zoning Compatibility

The specific land use regulations are established by zoning. The Zoning Compatibility Matrix ([Figure 33](#)) identifies which zones are compatible with the various Land Use Designations.

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Summary of Coastal Act Policies

Integrating the Coastal Act policies with County needs is an important aspect of developing the Coastal Area Plan (CAP). County policies must be aligned with mandated State policies so the course of coastal development is clear, balanced, and in concert with the intent of the Act as stated below.

In order to ensure that policies in the CAP are interpreted in a manner consistent with the Coastal Act, the policies of the Coastal Act (Sections 30200 through 30265.5) are incorporated herein by this reference as policies of the CAP. Relevant sections of the Coastal Act, as may be amended from time to time by the State, are provided on the following pages for informational purposes. Note that, in many instances, Coastal Act policies apply to more than one coastal issue area, and all applicable policies should be taken into consideration during the review of a proposed development. For purposes of this CAP, the definitions found in the Coastal Act and/or the CZO apply. In this regard, terms stated below that are italicized are specifically defined in the CZO; these definitions can be found in Article 2 of the CZO.

The California legislature recognized that there is a potential for conflicts between the Coastal Act policies. Section 30007.5 states that when conflicts do arise, they will be resolved by taking a balanced direction that is most protective of significant coastal resources.

Locating and Planning New Development

§ 30001.5 Legislative Findings and Declarations; Goals

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

§ 30250 Location; Existing Developed Area

- (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

§ 30251 Scenic and Visual Qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

§ 30255 Priority of Coastal-Dependent Developments

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

Environmentally Sensitive Habitats

§ 30230 Marine Resources; Maintenance

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

§ 30231 Biological Productivity; Water Quality

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

§ 30233 Diking, Filling, or Dredging; Continued Movement of Sediment and Nutrients

- (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:
 - (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
 - (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
 - (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
 - (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
 - (6) Restoration purposes.
 - (7) Nature study, aquaculture, or similar resource dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.
- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.

For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.

- (d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

§ 30236 Water Supply and Flood Control

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

§ 30240 Environmentally Sensitive Habitat Areas, Adjacent Developments

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

§ 30607.1 Wetlands Dike and Fill Development; Mitigation Measures

Where any dike and fill development is permitted in wetlands in conformity with Section 30233 or other applicable policies set forth in this division, mitigation measures shall include, at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or the replacement site shall be purchased before the dike or fill development may proceed. The mitigation measures shall not be required for temporary or short-term fill or diking if a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.

Archaeological and Paleontological Resources

§ 30244 Archaeological and Paleontological Resources

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Shoreline Access

§ 30210 Access, Recreational Opportunities; Posting

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

§ 30211 Development Shall Not Interfere with Coastal Access

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

§ 30212 New Development Projects

- (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.
- (b) For purposes of this section, "new development" does not include:

- (1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.
- (2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.
- (3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.
- (4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.
- (5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

- (c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.

§ 30212.5 Public Facilities; Distribution

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

§ 30213 Lower Cost Visitor and Recreational Facilities; Encouragement and Provision; Overnight Room Rentals

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

§ 30214 Implementation of Public Access Policies, Legislative Intent

- (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
 - (1) Topographic and geologic site characteristics.
 - (2) The capacity of the site to sustain use and at what level of intensity.

- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
 - (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.
- (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.
- (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs.

§ 30252 Maintenance and Enhancement of Public Access

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

§ 30530 Legislative Intent

It is the intent of the Legislature, consistent with the provisions of Chapter 9 (commencing with Section 31400) of Division 21, that a program to maximize public access to and along the coastline be prepared and implemented in a manner that ensures coordination among and the most efficient use of limited fiscal resources by federal, state, and local agencies responsible for acquisition, development, and maintenance of public coastal accessways. There is a need to coordinate public access programs so as to minimize costly duplication and conflicts and to assure that, to the extent practicable, different access programs complement one another and are incorporated within an integrated system of public accessways to and along the state's coastline. The Legislature recognizes that different public agencies are currently implementing public access programs and encourages such agencies to strengthen those programs in order to provide yet greater public benefits.

Recreation

§ 30220 Protection of Certain Water-Oriented Activities

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

§ 30221 Oceanfront Land; Protection for Recreational Use and Development

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

§ 30222 Private Lands; Priority of Development Purposes

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

§ 30223 Upland Areas

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

§ 30234.5 Economic, Commercial, and Recreational Importance of Fishing

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

Agriculture

§ 30222.5 Oceanfront Lands; Aquaculture Facilities; Priority

Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

§ 30241 Prime Agricultural Land; Maintenance in Agricultural Production

The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

§ 30241.5 Agricultural Land; Determination of Viability of Uses; Economic Feasibility Evaluation

- (a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:
 - (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.
 - (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.
- (b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

§ 30242 Lands Suitable for Agricultural Use; Conversion

All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.

§ 30411 Wildlife Fishery and Management Programs; Wetlands; Aquaculture

- (a) The Department of Fish and Game and the Fish and Game Commission are the principal state agencies responsible for the establishment and control of wildlife and fishery management programs and the commission shall not establish or impose any controls with respect thereto that duplicate or exceed regulatory controls established by these agencies pursuant to specific statutory requirements or authorization.
- (b) The Department of Fish and Game, in consultation with the commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in subdivision (a) of Section 30233. Any such study shall include consideration of all of the following:
 - (1) Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.

- (2) Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project.
 - (3) Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasibly be achieved and maintained in conjunction with a boating facility or whether there are other feasible ways to achieve such values.
- (c) The Legislature finds and declares that salt water or brackish water aquaculture is a coastal-dependent use which should be encouraged to augment food supplies and to further the policies set forth in Chapter 4 (commencing with Section 825) of Division 1. The Department of Fish and Game may identify coastal sites it determines to be appropriate for aquaculture facilities. If the department identifies such sites to the commission, it shall do so by October 1, 1980, and shall by the same date transmit information identifying such sites to the commission and the relevant local government agency. The commission, and where appropriate, local governments shall, consistent with the coastal planning requirements of this division, provide for as many coastal sites identified by the Department of Fish and Game for any uses that are consistent with the policies of Chapter 3 (commencing with Section 30200) of this division.
- (d) Any agency of the state owning or managing land in the coastal zone for public purposes shall be an active participant in the selection of suitable sites for aquaculture facilities and shall make the land available for use in aquaculture when feasible and consistent with other policies of this division and other provision of law.

Hazards

§ 30232 Oil and Hazardous Substance Spills

"Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur."

§ 30253 Minimization of Adverse Impacts

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Energy

§ 30001.2 Legislative Findings and Declarations; Economic Development

The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state.

§ 30260 Location or Expansion

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

Oil and Gas Development

§ 30232 Oil and Hazardous Substance Spills – See Hazards section.

§ 30262 Oil and Gas Development

- a) Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:
- (1) The development is performed safely and consistent with the geologic conditions of the well site.
 - (2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.
 - (3) Environmentally safe and feasible subsea [sic] completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of those structures will result in substantially less environmental risks.
 - (4) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, as determined in consultation with the United States Coast Guard and the Army Corps of Engineers.
 - (5) Such development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.
 - (6) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control

Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.

- (7) (A) All oil produced offshore California shall be transported onshore by pipeline only. The pipelines used to transport this oil shall utilize the best achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems.
- (B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline.
- (C) The following guidelines shall be used when applying subparagraphs (A) and (B):
- (i) "Best achievable technology," means the technology that provides the greatest degree of protection taking into consideration both of the following:
- (I) Processes that are being developed, or could feasibly be developed, anywhere in the world, given overall reasonable expenditures on research and development.
- (II) Processes that are currently in use anywhere in the world. This clause is not intended to create any conflicting or duplicative regulation of pipelines, including those governing the transportation of oil produced from onshore reserves.
- (ii) "Oil" refers to crude oil before it is refined into products, including gasoline, bunker fuel, lubricants, and asphalt. Crude oil that is upgraded in quality through residue reduction or other means shall be transported as provided in subparagraphs (A) and (B).
- (iii) Subparagraphs (A) and (B) shall apply only to new or expanded oil extraction operations. "New extraction operations" means production of offshore oil from leases that did not exist or had never produced oil, as of January 1, 2003, or from platforms, drilling island, subsea completions, or onshore drilling sites, that did not exist as of January 1, 2003. "Expanded oil extraction" means an increase in the geographic extent of existing leases or units, including lease boundary adjustments, or an increase in the number of well heads, on or after January 1, 2003.
- (iv) For new or expanded oil extraction operations subject to clause (iii), if the crude oil is so highly viscous that pipelining is determined to be an infeasible mode of transportation, or where there is no feasible access to a pipeline, shipment of crude oil may be permitted over land by other modes of transportation, including trains or trucks, which meet all applicable rules and regulations, excluding any waterborne mode of transport.
- (8) If a state of emergency is declared by the Governor for an emergency that disrupts the transportation of oil by pipeline, oil may be transported by a waterborne vessel, if authorized by permit, in the same manner as required by emergency permits that are issued pursuant to Section 30624.
- (9) In addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned, the best achievable technology shall be used.

- b) Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.
- c) Nothing in this section shall affect the activities of any state agency that is responsible for regulating the extraction, production, or transport of oil and gas.

§ 30265 Legislative Findings and Declarations; Offshore Oil Transportation

The Legislature finds and declares all of the following:

- (a) Transportation studies have concluded that pipeline transport of oil is generally both economically feasible and environmentally preferable to other forms of crude oil transport.
- (b) Oil companies have proposed to build a pipeline to transport offshore crude oil from central California to southern California refineries, and to transport offshore oil to out-of-state refineries.
- (c) California refineries would need to be retrofitted if California offshore crude oil were to be used directly as a major feedstock. Refinery modifications may delay achievement of air quality goals in the southern California air basin and other regions of the state.
- (d) The County of Santa Barbara has issued an Oil Transportation Plan which assesses the environmental and economic differences among various methods for transporting crude oil from offshore California to refineries.
- (e) The Governor should help coordinate decisions concerning the transport and refining of offshore oil in a manner that considers state and local studies undertaken to date, that fully addresses the concerns of all affected regions, and that promotes the greatest benefits to the people of the state.

§ 30265.5 Coordination of Activities Concerning Offshore Oil Transport and Refining

- (a) The Governor, or the Governor's designee, shall coordinate activities concerning the transport and refining of offshore oil. Coordination efforts shall consider public health risks, the ability to achieve short- and long-term air emission reduction goals, the potential for reducing California's vulnerability and dependence on oil imports, economic development and jobs, and other factors deemed important by the Governor, or the Governor's designees.
- (b) The Governor, or the Governor's designee, shall work with state and local agencies, and the public, to facilitate the transport and refining of offshore oil in a manner which will promote the greatest public health and environmental and economic benefits to the people of the state.
- (c) The Governor, or the Governor's designee, shall consult with any individual or organization having knowledge in this area, including, but not limited to, representatives from the following:
 - (1) State Energy Resources Conservation and Development Commission
 - (2) State Air Resources Board
 - (3) California Coastal Commission
 - (4) Department of Fish and Game
 - (5) State Lands Commission

- (6) Public Utilities Commission
 - (7) Santa Barbara County
 - (8) Santa Barbara County Air Pollution Control District
 - (9) Southern California Association of Governments
 - (10) South Coast Air Quality Management Districts
 - (11) Oil industry
 - (12) Public interest groups
 - (13) United States Department of the Interior
 - (14) United States Department of Energy
 - (15) United States Environmental Protection Agency
 - (16) National Oceanic and Atmospheric Administration
 - (17) United States Coast Guard
- (d) This act is not intended, and shall not be construed, to decrease, duplicate, or supersede the jurisdiction, authority, or responsibilities of any local government, or any state agency or commission, to discharge its responsibilities concerning the transportation and refining of oil.

Tanker Facilities

§ 30261 Tanker Facilities; Use and Design

Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for oil spills, and (4) have onshore deballasting facilities to receive any fouled ballast water from tankers where operationally or legally required.

Refineries and Petrochemical Facilities

§ 30263 Refineries or Petrochemical Facilities

- (a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.
- (b) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from in plant processes where feasible.

Beach Erosion and Shoreline Structures

§ 30235 Construction Altering Natural Shoreline

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible.

Public Works

§ 30254 Public Works Facilities

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Coastal Zone Objectives, Policies and Programs

Introduction: The section below, titled “Coastal Zone Objectives, Policies and Programs”, was added to the Coastal Area Plan (CAP) in 2016. This section contains information organized by topic, and the coastal-resource based topics contained within this section include: Archaeological and Paleontological Resources, Coastal Tree Protection, Visual Resources (Signs), and Water Efficient Landscaping. The original CAP, adopted in 1980, was organized by geographic area (north, central and south) rather than by topic. However, that organizational structure frequently resulted in the same objectives, policies and programs repeated within each of the three geographic areas. The format established within the “Coastal Zone Objectives, Policies and Programs” section will therefore serve as a model for future CAP amendments.

“Coastal Zone Objectives, Policies and Programs” is a new section in the CAP. Currently the Coastal Area Plan (CAP) is organized by geographic areas, specifically the north, central and south coasts. The abstracts, objectives and policies developed for coastal resources are repeated in each geographic area creating redundancy to the plan. The 2016 LCP amendments initiate a new format for the CAP, consolidating the abstracts, objectives and policies by coastal resource instead of by geographic area. Archaeological and Paleontological Resources introduces this new format under the heading Coastal Resource Policies. Coastal Tree Protection, Visual Resources, and Water Efficient Landscaping, have been added under this new section. As funds become available, the remaining coastal resources will be consolidated following the new format that will improve the Plan’s readability.

A. Archaeological Resources

The Ventura County coast is archaeologically and culturally significant to a variety of different groups. Earlier, it was the site of one of the densest Native American populations in North America. The native people of the Central Coast from Malibu to just west of Ventura were the Ventureño Chumash (Grant 1978a; King 1984; Landberg 1965). The archaeological record in Chumash territory reflects cultural continuity over a long span of time, possibly indicating that people ancestral to the Chumash arrived in the area as early as 13,000-10,000 years ago.

Chumash subsistence relied primarily on fishing, hunting, and gathering vegetal foods, notably acorns. In the spring, groups harvested grasses, roots, tubers, and bulbs. Hunting marine mammals became important during the times when seals and sea lions congregated at their rookeries. In late summer, coastal groups harvested large schooling fish such as tuna. During the fall, acorns were harvested and pine nuts were collected in the mountains. Winter months were spent in villages, where residents relied primarily on stored foodstuffs as well as occasional fresh fish (Landberg 1965:102-104; Grant 1978b, 1978c, 1978d; Hudson and Blackburn 1982, 1983).

Later came active maritime and mission periods. Contact with early Spanish and Portuguese explorers began with the expedition of Cabrillo and Ferrello in A.D. 1542-1543. Old World diseases such as small pox, measles, typhoid fever, malaria, dysentery, and many others, ravaged native populations in Southern California during two centuries or more before Spanish occupation began in the 1770s (Erlandson and Bartoy, 1995, 1996; Preston, 1996). Drastic changes to Chumash lifeways resulted from the Spanish occupation that began with the Sacred Expedition, led by Gaspar de Portolà and Junípero Serra, in A.D. 1769-1770. Mission history was established between 1772 through 1804 with nearly the entire Chumash population incorporated into the mission system (Grant 1978c). Beginning in 1782, coastal Ventureño Chumash from Malibu to Carpinteria were

removed from their traditional settlements and relocated to the San Buenaventura mission facilities. In 1821, the Mexican Revolution brought an end to Spanish rule and the emerging government moved immediately to establish control in the provinces, including the modern American states of California, Nevada, Arizona, Utah, western Colorado and southwestern Wyoming. The territory passed to American control after the Mexican–American War and ceased to exist with the creation of the State of California in 1850.

In the 21st century, Native American communities exhibited continual growth and revival, playing a larger role in the American economy. Tribal cultural resources are an important part of the lives of Native Americans. The County recognizes that tribes that are traditionally and culturally affiliated with Ventura County have expertise with regard to their tribal history and practices. Early consultation on discretionary projects with Native American representatives should occur with regard to scope of required environmental review, the status of tribal cultural resources, the potential of a project to impact tribal cultural resources, and the identification of project alternatives and mitigation measures that may be recommended by the tribe.

Much of the County's coastal zone, while archaeologically sensitive, has not been well surveyed (S. Callison, pers. comm.). Research indicates that knowledge of the distribution and location of earlier human habitation sites will add yet another dimension to our understanding of climatic and environmental cycles (Euler et al. 1979) since villages throughout the southwest were closely associated with water sources, many of which are now dry (Euler et al. 1979).

Objective

To recognize archaeological sites in the County's *coastal zone* as important to an understanding of human history and prehistoric societies and to protect archaeological resources from disturbance by human activities.

Policies

1. Discretionary *development* shall be reviewed to identify potential locations for sensitive archaeological resources.
2. New *development* shall be sited and designed to avoid adverse impacts to archaeological resources to the maximum extent *feasible*. If there is no *feasible* alternative that can eliminate all impacts to archaeological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to archaeological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to archaeological resources cannot be avoided, mitigation shall be required and shall be designed in accordance with established federal, state and/or County standards and shall be consistent with the policies and provisions of the LCP.
3. Archaeological, historical and ethnographic interpretation of native peoples in Ventura County should be incorporated into existing interpretive programs at public recreation facilities as *feasible* and into future interpretive programs as funds become available.
4. The location of all *coastal zone* archaeological sites shall be kept confidential to avert disturbance or destruction of the resource.
5. Native American tribal groups approved by the Native American Heritage Commission for the area shall be consulted when *development* has the potential to adversely impact archeological resources.

6. Protect and preserve archaeological resources from destruction, and avoid impacts to such resources where *feasible*.
7. The unauthorized collection of archaeological artifacts is prohibited.

B. Paleontology

The geological and biological history of the Ventura County coast is significant. The *coastal zone* contains areas of marine fossils that are among the best in Southern California (Bruce J. Welton, personal communication, then Assistant Curator of Vertebrate Paleontology, Los Angeles County Museum of Natural History, 1980). Records in the Los Angeles County Museum of Natural History show extensive fossil sites in Ventura County. The *coastal zone* has yielded many "type" specimens, which are used as the example specimens against which all other finds of the same animal are compared. Groups of fossils in the marine terraces are used by geologists to unravel patterns of seismic and sea level movement in the area (J. Valentine, personal communication).

Except for geologic formations that are visible at the surface, paleontological resources typically are buried beneath the surficial deposits of the Quaternary Period (11,500 years to the present). However, fossil productivity of most Quaternary units should still be evaluated for each project, based on grain size, fossil record from the surrounding region, and proposed depth of earthwork. Many quaternary units, even those regarded as Holocene in age, were demonstrated to be highly productive elsewhere, especially at comparatively shallow depths, where many such units are of Pleistocene age (Bruce Lander, Paleontologist, 2014).

Unlike archaeological sites that can be destroyed by grading and construction, grading can uncover subterranean formations with the potential to reveal additional rock layers and increase the potential for new finds.

Objective

To recognize the importance of coastal fossils and prehistoric organism evolution, to protect *important paleontological resources* from human activities, to preserve significant paleontological sites to the fullest extent possible, and to take steps to preserve the information a site may yield.

Policies

1. Discretionary *development* shall be reviewed to determine the geologic unit(s) to be impacted and paleontological significance of the geologic rock units containing them.
2. New *development* shall be sited and designed to avoid adverse impacts to paleontological resources to the maximum extent *feasible*. If there is no *feasible* alternative that can eliminate all impacts to paleontological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to paleontological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to paleontological resources cannot be avoided, mitigation shall be required that includes procedures for monitoring grading and handling fossil discoveries that may occur during development.
3. Protect and preserve paleontological resources from destruction, and avoid impacts to such resources where *feasible*.
4. The unauthorized collection of paleontological artifacts is prohibited.

C. Coastal Tree Protection

Trees are an important component of coastal biological *habitats*. *Trees* also contribute to the visual beauty of coastal areas, serve as windscreens to reduce erosion within agricultural areas, and provide historic landmarks that recall important eras or events in Ventura County's history. *Trees* are part of our living heritage and provide multiple benefits. They can sooth and relax us and help us connect to nature and our surroundings. They provide color, flowers, fruit, and interesting shapes and visual forms. They also play a crucial role in life. *Trees* absorb carbon dioxide and release oxygen, provide a canopy and *habitat* for wildlife, and reduce *runoff* and erosion. *Trees* increase real property values by preserving and enhancing the aesthetic qualities of residential or commercial areas. They screen unattractive views and provide shade that breaks up urban "heat islands" and glare. Flowering *trees* announce the arrival of different seasons or help define the character of a particular residential area.

The multiple benefits provided by *trees* are lost when unnecessary *tree removal* takes place or when we fail to plant new replacement *trees*. For example, *tree* reductions can result in an increase in carbon dioxide release. As *tree* coverage declines and impervious surfaces increases, average temperatures rise. Taken together, the loss of *trees* in Ventura County can influence global warming and extreme weather events.

Conversely, *invasive trees* displace *native vegetation* thus reducing native wildlife *habitat* and altering ecosystem processes. *Invasive trees* owe their success by being able to tolerate a variety of adverse *habitat* conditions, reproduce via multiple pathways, release chemicals that inhibit the growth or kill surrounding native plants, and outcompete native plants for water and sunlight. Only in instances where an *invasive tree* is historic, provides a butterfly, colonial bird roosting or *raptor* nesting site and/or provides *habitat* for other sensitive wildlife species, would it require protection.

Objectives and policies within the CAP are designed to retain the important functions of *trees* and avoid adverse effects that result from *tree removal*, certain types of *tree alteration*, and the planting of *invasive trees*. More specifically, policies within the CAP identify when existing *trees* must be preserved and when *tree removal* or alteration must be mitigated through the planting of replacement *trees* or through another form of mitigation.

Objective

The protection of *trees* that function as important biological, watershed, visual and *historic resources* within coastal areas of Ventura County.

Policies

C.1 All Trees

1. With the exception of *emergency tree removal*, the *alteration* or *removal* of any *tree* in the *coastal zone* shall not be conducted during the designated bird *breeding and nesting season* (i.e. January 1 through September 15) unless the County receives a bird survey prepared by a *qualified biologist* or *ornithologist* indicating that no breeding or nesting birds were found within the *tree* to be *altered* or *removed*, that no *raptor* breeding or nesting activities are present within 500 feet of the subject *tree*, and that no breeding or nesting behaviors are present within 300 feet of the subject *tree* for all other types of birds.

C.2 Protected Trees

2. The following types of *trees* shall be classified as *protected trees* when located

within the *coastal zone* of Ventura County:

- *Trees* that contribute to the function and *habitat* value of an *Environmentally Sensitive Habitat Area* (referred to as *ESHA*);
- *Native trees*;
- *Historical trees*; and
- *Heritage trees*.

Unless a *tree* is classified as one of the groups listed above, *non-native trees* shall not be classified as a *protected tree*.

3. The *removal* of a *protected tree* that is *ESHA*, or *tree alteration* that damages *ESHA*, shall be prohibited except where:
 - a. ~~€~~The *tree* poses an imminent hazard to life, health, existing *structures*, or essential public services and where approved through an Emergency Permit; or
 - b. Removal or alteration of the tree is necessary to allow for a principal use or structure, and its associated fuel modification, where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; or
 - c. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.
4. For *protected trees* not classified as *ESHA*, new *development* shall be sited and designed to avoid the *removal* of the *protected tree* or *alteration* that damages a *protected tree*. If there is no *feasible* project alternative that avoids such impacts to *protected trees*, then the project alternative shall be selected that would minimize damage to *protected trees* in the following order of priority: *native trees*, *historical trees*, and *heritage trees*. *Protected tree removal or alteration* shall be undertaken in the following manner:
 - i. *Principal Permitted Use/Structure*. *Protected tree removal* or damage may be permitted where no *feasible* alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; and
 - ii. *Accessory Uses/Structures*: With the exception of *non-native heritage trees*, removal of a *protected tree* shall be prohibited to increase the footprint of an existing *use/structure* or the placement of a new *use/structure* not previously approved with the original discretionary permit. Any approved *development* (e.g. paving, *fence posts*), including grading or excavation, that *encroaches* into the *tree's protected zone* shall be the minimum necessary to provide *access*, utility service, security, or privacy to the property.
5. Fire Clearance: With the exception of *non-native heritage trees*, new *development* shall be located and designed to minimize fire clearance and *fuel modification* maintenance that requires the *removal* of a *protected tree*, or alterations/protected zone encroachments that damage a protected tree. New accessory *buildings* or *uses* that extend fire clearance and *fuel modification* maintenance in a manner that requires the *removal* of a *protected tree* shall be prohibited.

6. Pruning: Pruning of a *protected tree* may be conducted in accordance with the Tree Ordinance Appendix T-1, provided that such actions are taken to protect public safety, maintain *access*, or maintain the health of the *tree*.
7. Mitigation Measures: When new *development* will result in the loss or degraded health of a *protected tree*, mitigation measures shall be required that include (but are not limited to) the planting of replacement *native trees* in the following manner:
 - Replacement *tree* planting shall occur within suitable, onsite areas at ratios that ensure success of the planted species; and
 - A monitoring program shall be implemented to ensure the successful establishment of replacement *trees*.

Offsite mitigation, or contribution to an established in-lieu fee program, may be permitted when on-site mitigation is not *feasible*.

8. Discretionary *development* shall be conditioned to ensure *tree* protection during construction, including but not limited to measures such as protective fencing, flagging, *use* of hand tools, and biological monitors to avoid damage to the *protected zone of protected trees*.

C.3 Non-Native Invasive Trees

9. The planting of *invasive trees* shall be prohibited.
10. During the discretionary *development* process, encourage the removal of existing, *non-native invasive trees* except when such *trees* are classified as a *protected tree*.

Programs

1. Prepare regulations within the CZO that implement *tree* protection provisions for offsite mitigation and in-lieu fees to ensure compensatory *native tree* mitigation on a project-by-project basis. Implementation standards shall be treated as an LCP amendment and shall be subject to the approval of the Coastal Commission.
2. Periodically review and update existing regulations or standards related to *protected trees* in order to bring them into alignment with new advances in *tree* protection and management, pursuant to a LCP amendment.

D. Visual Resources

The Ventura County *coastal zone* contains *scenic resources* of regional and national importance.

Objective

Maintain and enhance the County's scenic and visual resources for the future enjoyment of its residents and visitors, and maintain and enhance public safety.

Policies

Signs

1. *Signs* shall be designed and located ~~to in areas that~~ minimize impacts to *scenic resources*, including that protect views to and along the ocean and other scenic coastal areas.
2. *Signs* shall be visually compatible with surrounding areas.
3. Off-site commercial advertising signs are prohibited.

E. Water Efficient Landscaping

Objective

Require landscape design, installation, maintenance and management to be water efficient.

Policies

1. Landscaping shall be sited and designed to protect *coastal resources*, including *environmentally sensitive habitat areas* (ESHA), *scenic resources*, water quality, and water supply.
2. Landscaping shall be used to screen views of utilities, *trash enclosures*, large blank walls or *building facades*, and parking areas as seen from *public viewing areas*. Screening shall not be used as a substitute for project alternatives such as re-siting or reducing *height* or bulk of *structures*.
3. Residential projects that include a model home(s) shall provide at least one model home with landscaping and irrigation that demonstrates the principles of water conservation.
4. Landscaping adjacent to ESHA, designated open space and parkland areas shall preserve, protect and, where *feasible*, enhance such areas.
5. Landscape design shall be compatible with the character of the surrounding rural, urban, and environmental setting. Compatibility shall be established by minimizing landform alterations and by utilizing new vegetation that is similar in type, size and scale to the surrounding environment.
6. Landscaping visible from *public viewing areas*, including eligible or designated *scenic highways* shall not obstruct public views of *scenic resources* and shall not detract from the area's scenic value.
7. Landscaping shall not encroach or block *coastal access* or *access* to roads, water supplies, or *emergency* facilities.
8. When a *landscape plan* is required for a discretionary project, the plant palette shall be limited to native, drought-tolerant vegetation except as follows:
 - Non-native, non-invasive vegetation may be used when located within the approved *building envelope*.
 - Drought tolerant and *fire resistant non-native plants*, as approved by the Ventura County Fire Protection District, may be used in the *fuel modification zone*, except when the *fuel modification zone* is within an ESHA buffer.
 - When located in areas not conducive to native plant establishment.
9. Irrigation for landscaping shall incorporate water conservation measures such as low water usage plumbing fixtures, emitters, *micro-spray*, and other measures designed to reduce water usage.
10. Temporary vegetation, seeding, *mulching*, or other suitable stabilization methods shall be used to protect soils subject to erosion that were disturbed during grading or development. Any plants or seeds used in these stabilization efforts shall be non-invasive.
11. Projects that include large areas of landscaping, such as maintained parks, shall use *recycled/reclaimed water* for irrigation when such systems are available.

12. In order to protect the *scenic resources* in the coastal zone, landscaping, when mature, shall not impede public views of *scenic resources*. Existing natural features shall remain undisturbed to the maximum extent *feasible*.

Programs

1. Every five years, the Planning Division will review and, if needed, update existing regulations or standards within the Local Coastal Program (LCP) related to water efficient landscaping in order to incorporate new advances in water conservation and climate-appropriate plants. The primary purpose of regulatory updates is to ensure that the County's water efficient landscape regulations comply with State requirements, including the Water Conservation in Landscaping Act (Government Code §§ 65591 et seq.) and its implementing regulations and requirements such as the model Water Efficient Landscape Ordinance (see Cal. Code Regs. tit. 23, §§ 490 et seq.).

The North Coast

Area Summary

The North Coast spans 12 miles from the northern County line at Rincon Point southward to the Ventura River. It encompasses coastal cliffs, formed by eroding marine terraces, a portion of the Santa Inez Mountains, narrow sandy beaches, rocky tidepools, and a perennial *stream*.

Approximately 90 percent of the area inland of Highway 101 is open space or *agriculture*. Most of the land is owned in large *parcels* of 20 to 40 acres, or more. Oil wells and related facilities are scattered throughout the area. U.S. Highway 101 and the tracks of the Southern Pacific Railroad wind along the narrow strip of land at the base of the mountains.

Six residential (1-6 below) and two (7 and 8 below) industrial "Existing Communities," as designated by the County in 1978, are located on the North Coast (Figure 1). The purpose of the "Existing Community" designation is to recognize the existing urban *development* along the coast, and to allow those specific areas to infill using prevailing zoning categories. The communities are:

1. Rincon Point - A 9.4 acre residential area with controlled *access*. It is zoned "C-R-1" (Coastal *One-Family* Residential, 7,000 square foot minimum *lot* size).
2. La Conchita - An older residential community, about two miles south of the Santa Barbara-Ventura County Line, east of U.S. Highway 101, that encompasses 19.0 acres and is zones "R-B" (Residential-Beach) and "C-C" (Coastal Commercial).
3. Mussel Shoals - A 5.6 acre mixed-density residential area. It is located west of U.S. Highway 101 and the Old Coast Highway, and is zoned "R-B" (Residential-Beach) and "C-C" (Coastal Commercial).
4. Seacliff - An area of 11.34 acres bounded on the north by freeway right-of-way, east by the Old Coast Highway, and to the south by Hobson County Park. The homes are *single-family* and zoning is "R-B".
5. Faria - A residential area west of U.S. Highway 101 and about 5.5 miles north of the City of San Buenaventura. It encompasses 20.7 acres. The area is zoned "R-B".
6. Solimar - Also zoned "R-B", this residential community is located between Old Coast Highway and the beach, approximately 3.75 miles north of the City of San Buenaventura.
7. Rincon - One of two industrial communities on the North Coast, it is approximately 395 acres in size, with 158 acres still potentially developable. It contains two processing facilities: the Rincon oil and gas processing facility and, what has been historically called, the Chanslor-Western/Coline facility. The major portion of *development* is inland of the freeway, and is zoned "C-M" (Coastal Industrial).
8. La Conchita - The oil and gas processing plant at La Conchita is the second industrial community. It encompasses 9.8 acres that are fully developed under "C-M" (Coastal Industrial) zoning.

Portions of the North Coast are set aside for recreation. Emma Wood State Beach, about seven miles south of Solimar, has 150 overnight campsites and also includes the popular surfing area at Rincon Point, Hobson County Park Faria County Park, and the Rincon Parkway have additional opportunities for camping and beach *access*. A

fire station is located north of, and immediately adjacent to, the community of Seacliff.

Policies

1. All zoning and *development* shall be in conformance with the Land Use Plan map (Figure 16.2), which has been designed to reflect these goals and policies. The Zoning Compatibility Matrix (Figure 33) indicates the zones which are consistent with the various land *use* categories.
2. In case of reasonable doubt as to the precise alignment of land *use* boundaries on the Land Use Plan Maps, the *Planning Director* is authorized to determine the precise boundary locations. Such determinations must comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:
 - a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
 - b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Section 13569.

Environmentally Sensitive Habitats

A. Tidepools and Beaches

Tidepools occur at Faria, Mussel Shoals, Seacliff and Emma Wood State Beach (Figure 1). Subtidal rock outcrops provide anchorage for kelp, which in turn provides *habitat* for a multitude of organisms. Intertidal and subtidal diversity creates feeding *habitat* for a variety of water birds. The sandy beach adjacent to the rocky areas serves as resting *habitat* for shorebirds, and is important for shellfish and as grunion spawning grounds.

Objective

The protection of tidepools.

Policies

1. Shoreline interpretive programs will be coordinated by all appropriate agencies for existing recreation sites, including Hobson and Faria County Parks, and Emma Wood State Beach. Coastal ecology should be included into interpretive programs as they are developed for new State recreation areas and parks.
2. Provisions will be made for the proper disposal of recreation generated wastewater effluent and solid waste at public sites along the North Coast. County Service Area (CSA) 29 will help provide an acceptable wastewater disposal system for portions of the North Coast.

3. Shoreline protection *structures*, such as revetments, seawalls, groins, or breakwaters, are allowed when they are necessary to protect existing developments, coastal-dependent land *uses*, and public beaches. Any *structures* built under these conditions will incorporate mitigation measures that reduce intertidal or nearshore *habitat* losses and impacts on local shoreline and sand supply.
4. Placement of any *fill* or dredged material along the North Coast beach intertidal area shall be carried out in consultation with the State Department of Fish and Game, in order to ensure that the timing and location of such activities does not disrupt the life cycles of intertidal or sandy beach species.
5. An applicant for any coastal project, including *shoreline protective devices*, will show that their proposal will not cause long-term adverse impacts on beach or intertidal areas. Impacts include, but are not limited to, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated waste water or oil, and *runoff* from streets and parking areas. Findings to be made will include, but not be limited to, proper waste water disposal.
6. Policies 2 through 5 are also applicable to projects involving alterations to existing shoreline protection *structures*.
7. The adopted State "Guidelines for Wetlands and Other Wet, *Environmentally Sensitive Habitats*" will be used when analyzing any projects that may impact or alter tidepools.

B. Creek Corridors

Rincon Creek is the only perennial riparian corridor on the North Coast (Figure 2). However, other *stream* or creek corridors are considered to be watercourses, either perennial or intermittent, as shown on USGS quadrangle maps, as measured between the high water mark, or the break in each bank. Maintenance of *native vegetation* will help diffuse floods and *runoff*, minimize soil erosion, and retard sedimentation.

Objective

To maintain creek corridors in as natural a state as possible while still accommodating the needs of public health and safety.

Policies

1. All projects on land either in a *stream* or creek corridor or within 100 feet of such corridor (buffer area), shall be sited and designed to prevent impacts which would significantly degrade *riparian habitats*, and shall be compatible with the continuance of such *habitats*.
2. Substantial alterations (channelizations, dams, etc.) to river, *stream*, or creek corridors are limited to:
 - a. necessary water supply projects;
 - b. flood control projects where no other method for protecting existing *structures* in the flood plan is *feasible*, and where such protection is necessary for public safety or to protect existing development; or
 - c. developments where the primary function is the improvement of fish and wildlife *habitat*.

3. Projects allowed per the above policies will incorporate the best mitigation measures *feasible*.
4. Criteria set forth in the adopted Coastal Commission's "Statewide Interpretive Guidelines for Wetlands and Other *Environmentally Sensitive Wet Habitats*" will be used in evaluating projects proposed within the Rincon Creek corridor.

C. Film Production, Temporary

Policies

1. *Temporary film production activities* shall not result in ~~substantial~~ adverse impacts to wetland, *ESHA*, or *ESHA* buffer, including indirect effects from outdoor lighting or noise.

D. Signs

Policies

1. *Signs* are prohibited within *ESHA* except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within *ESHA* or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent *feasible*.

Recreation and Access

A. Recreation

There are several developed, accessible recreation areas on the North Coast. [Figure 3](#) is a chart depicting both developed and undeveloped recreation and parking facilities, and [Figure 4](#) is a map showing the location of these facilities. A *parking lot* and broad accessway, maintained as an extension of Emma Wood State Beach, is located at Rincon Point. The area's waves attract a large number of surfers. Excellent rocky tidepools are another of the Point's attractive resources. The major segment of Emma Wood State Beach is found between Solimar and the Ventura River. The County maintains two park areas, Hobson and Faria County Parks. Both Hobson and Faria have sanitation difficulties and an acceptable way of disposing liquid waste from *recreational vehicles* must be found. Other popular North Coast recreation sites include the beach along Mussel Shoals and segments of U.S. Highway 101. There are no public conveniences or parking at Mussel Shoals, and many popular sections of U.S. 101 are not officially designated for *use* and therefore are not maintained. Trash and sanitation are major problems, and illegal camping and parking are frequent.

Parking and camping facilities are more than adequate for only 12 shoreline miles. Day *use* facilities, both marked and unmarked but now utilized, are sufficient to accommodate over 850 vehicles. Also, over 500 camping spaces are now available with the recent addition of 289 overnight spaces along the Rincon Parkway.

Over 70 percent of the shoreline (8.6 miles) is now owned and controlled by either the State (8.3 miles) or the County (0.3 miles). All the developed facilities shown on [Figure 3](#) have adopted *development* plans which have already been carried out or are being carried out. The State should augment existing facilities as deemed necessary and provide new facilities when and where appropriate.

Objective

To provide direction to the State, and local agencies as appropriate, for improving and increasing public recreational opportunities on the North Coast

consistent with public health and safety, and the protection of private property rights.

Policies

General

1. Any state plans to augment existing facilities or develop new recreational facilities in unincorporated territory must first be submitted to the County for review and approval.

U.S. Highway 101

2. Camping should be restricted to areas where proper facilities are available.
3. Caltrans should provide trash cans where needed, and increase the frequency of trash pick-up along areas of the highway being used for recreational *access* to the beach.
4. Caltrans should provide at least one portable toilet along the segment of the highway that extends from Rincon Point to Punta Gorda.

Rincon Point State Surfer Access

5. Encourage the California Department of Fish and Game to work with State Parks to place a modest interpretive tidepool exhibit and collection prohibition *sign* in the *parking lot* or along the accessway at Rincon Point.

Hobson County Park and Faria County Park

6. Both parks are in County Service Area 29, but at this time are not scheduled for connection to the sewer system. Future consideration should be given to connecting to the sewer if on-site or self-contained systems prove infeasible.
7. Because of their extensive *use* by non-County residents, the County will continue to pursue transfer of both parks to the State Parks system.

Old Coast Highway (Rincon Parkway)

8. The State should continue to implement the Rincon Parkway Plan as adopted by the Board of Supervisors.

Emma Wood State Beach

9. The Property Administration Agency will continue to work with State Parks toward an agreement that extends the boundaries of Emma Wood State Beach to include the Rincon Parkway.
10. State Parks should construct additional camping spaces as planned in the Emma Wood State Beach General Plan.

B. Access

The narrowness of the North Coast shoreline, its vulnerability to coastal processes, plus consideration of private rights, prescribe public *access* to the area. People make their way to the beach primarily through Hobson and Faria County Parks, Emma Wood State Beach, the State-managed *parking lot* and accessway at Rincon Point, and the Rincon Parkway.

Public shoreline *access* is considerable on the North Coast. [Figure 5](#) is an inventory of *access*. Again, over 70 percent of the shoreline (8.6 miles) is now accessible via State or County-owned land. Additionally, good *vertical access* (within 1/2 mile)

exists to the shoreline in front of all residential areas. These residential areas have very tight boundaries and cannot be expanded without an amendment to this Plan.

The County has received two grants through the Coastal Conservancy Accessway Program to improve *access* on the north coast. The first was for the purchase and installation of six galvanized steel ladders over the two seawalls along the Old Coast Highway, and one concrete stairway over the riprap at the edge of one of the seawalls. The second grant was for construction of another concrete stairway over the riprap at the edge of the other seawall.

As other necessary improvements to existing accessways are identified, the County will seek funding to complete those improvements. Funding sources include the Coastal Conservancy and the California Conservation Corps.

Objective

1. To maximize public *access* to the North Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act. Also, to maintain and improve existing *access*, as funds become available.
2. To maintain or increase public *access* to *coastal resources* through increased parking capacity for vehicles and bicycles within the coastal zone.

Policies

Vertical

1. For all new *development* between the first *public road* and the ocean, granting of an easement to allow *vertical access* to the *mean high tide line* shall be mandatory unless:
 - a. Adequate public *access* is already available within a reasonable distance of the site measures along the shoreline, or
 - b. *Access* at the site would result in unmitigable adverse impacts on areas designated as "*environmentally sensitive habitats*" or tidepools by the land *use plan*, or
 - c. Findings are made, consistent with Section 30212 of the Act, that *access* is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected, or
 - d. The *parcel* is too narrow to allow for an adequate *vertical access* corridor without adversely affecting the privacy of the property owner, or

Lateral

2. For all new *development* between the first *public road* and the ocean, granting of lateral easements to allow for public *access* along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas, where the bluffs exceed five feet in *height*, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for *lateral access* during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential *structure*. In addition, all *fences*, no trespassing signs, and other obstructions that may limit public *lateral access* shall be removed as a condition of *development* approval.

- a. Findings are made, consistent with Section 30212 of the Act that *access* is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected.

Environmentally Sensitive Habitats

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

Rincon Point State Surfer Access

4. While the *parking lot* provided by State Parks is adequate at this time, it is full at the peak of surfing times. State Parks should anticipate the additional parking burden on the area as recreational demands increase in the next few years, and make appropriate accommodations. Long-range potential for the extension of bus service from Ventura and Oxnard along the Rincon Parkway to Rincon Point should also be explored by the California Department of Parks and Recreation and South Coast Area Transit.

U.S. Highway 101

5. Caltrans should provide trash containers and sufficient pick-up, and at least one toilet for day-use.
6. When funds become available, the County will work with Caltrans to resolve the *access* problems from the communities of La Conchita and Mussel Shoals.

Mussel Shoals

7. As new funds are available for continuing maintenance, the County will assume responsibility for *lateral accessway* dedication attached to existing Coastal Development Permits issued by the Coastal Commission in Mussel Shoals.

Emma Wood State Beach

8. Emma Wood State Beach should be extended to include the Rincon Parkway so that *access* is maintained for the maximum number of people.

General

9. In accordance with Sec. 30214(a), the time, place, and manner of *access* will depend on individual facts and circumstances; including topographic and site characteristics, the capacity of the site to sustain *use* at the intensity proposed, the proximity to adjacent residential *uses*, the privacy of adjacent owners, and the feasibility to provide for litter collection.
10. In accordance with Sec. 30214(b), the requirement of *access* shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

Film Production

11. ~~Temporary film production activities shall result in negligible impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual resources, and public coastal beach access to such facilities shall be minimized during temporary film production activities.~~
12. During the peak summer season (Memorial Day through Labor Day weekend), *temporary film production activities*:
 - Shall not preclude the general public from use of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to access a public beach or public recreation facilities.
13. No new permanent *structures* shall be erected for *temporary film production activities*, and the *film permit area* shall be returned to pre-permit conditions following *film production striking*.

Parking and Loading

14. New development, and intensifications in use, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.
15. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project applicant contribute to a program aimed at increasing *coastal access parking*.
 - No additions or expansion to the structure are proposed and all existing on-site parking is retained;
 - Business hours of operation are in the evening when beach recreational uses are low or non-existent;
 - The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
 - Shared parking, pursuant to Sec. 8176-4.6, is not available to meet parking requirements; and
 - Other transportation incentives programs listed in Sec. 8176-4.8.1(b), are not feasible, or will not lessen the number of parking spaces required.
16. To promote the efficient use of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or *mixed-use developments* that accommodate multiple uses at different peak parking periods. Where *feasible*, such *parking lots* should accommodate public *coastal access parking*.
17. Restrictions on public parking that would impede public *coastal access* shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.
18. New *development* that requires the removal of existing public parking shall provide an equivalent number of replacement public parking

spaces in the immediate vicinity except where the provision of such parking is infeasible or alternatives are identified that offset the need for additional parking facilities.

19. Where *feasible*, new commercial, *multi-family* residential, or *mixed-use development* shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and parking *use* where *coastal access parking* concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available *coastal access parking* (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2) more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

Signs

The primary purpose of the *sign* policies in this section is to utilize *signs* to protect and improve *access* to the coastline or other *coastal resources*.

20. *Coastal access* signage shall be posted in conspicuous areas and located so that *access* is maintained and visitors are directed to publicly available *coastal access* parking, beach *access* points, and public trails.
21. For the California Coastal Trail, *coastal access* signage should include distinctive *signs* incorporating the California Coastal Commission *coastal access* logo (foot and wave) or markers, consistent with visual resources.
22. Signs that adversely impact public access shall be prohibited ~~located in areas that maintain *coastal access*~~ except where there is no *feasible* alternative to protect public safety. In such cases, the impact to *coastal access* shall be mitigated and, where *feasible*, the *sign* shall be temporary and removed once the public safety issue is resolved.⁷²
23. With the exception of *road* or *informational signs*, placement of *signs* within the public right-of-way shall be prohibited.
24. No *signs* shall be posted on a public beach unless authorized by a coastal *development* permit. *Signs* on a public beach which purport to identify the boundary between State *tidelands* and private property, or which indicate that public *access* to State *tidelands* or public *lateral access* easement areas is restricted, shall not be permitted.

Agriculture

The Coastal Act states that a maximum of *prime agricultural land*, as originally defined by the California Land Conservation Act of 1965, will be preserved in the coastal zone.

According to the U.S. Soil and Conservation Service, there are approximately 1,130 acres of prime soils on the North Coast ().

Much of the sub-area is agricultural. According to the County Assessor's 1978 land use data and a site survey by staff, there are approximately 3,350 acres of agricultural land. Because many of the *parcels* are split by the *coastal zone* boundary, this figure is an estimate of the acres falling within the boundary. Agricultural *uses* include orchards and avocados, flowers, row crops, and pasture and range.

About 70 percent, or 2,300 acres, of the North coast agricultural lands are in four agricultural preserves under the California Land Conservation Act (a.k.a., the Williamson Act). The four preserves are:

1. Rincon Del Mar Preserve - Consists of three preserves, 409 acres of which are in the zone. The steep *slopes* have been *graded* to accommodate avocado orchards. The area is zoned "C-A" (Coastal Agricultural, 40 acre minimum *lot* size).
2. La Conchita Preserve - Immediately inland from the community of La Conchita, 342 acres of this preserve are in the coastal zone. The property has steep *slopes*, and avocado production is the primary agricultural *use*. The zoning for the 342 acres is "C-A".
3. Faria Family Partnership -Consists of a single *parcel* of 249.76 acres almost entirely within the coastal zone. A portion of the land is used for nursery and field crops, with the rest open field and hilly terrain. The zoning for the portion of the property within the *coastal zone* is "C-A".
4. Claeysen (Taylor) Ranch Preserve - Seven *parcels* with *coastal zone* portions ranging in size from 15 to 290 acres, totaling about 1,320 acres. Grazing and row crops near the Ventura River are the primary agricultural *uses*. The zoning for the lands within the *coastal zone* is "C-A". On its southern boundaries, the Claeysen Ranch is adjacent to the City of San Buenaventura. Both the City and the County have agreed to maintain a stable urban boundary at the Ventura River levee.

There is approximately 1,000 acres of non-preserve agricultural lands located in the North Coast area. Prime soils occur on about 130 of the 1,000 acres (Figure 6). Most of the 130 acres is zones "C-A" (Coastal Agricultural, 40 acre minimum). The rest of the non-preserve agricultural acreage is primarily zoned "COS" (Coastal Open Space, 10 acre minimum). These other agricultural lands occur in *parcel* sizes of seven to 65 acres.

Objective

To preserve agricultural lands on the North Coast to the maximum extent *feasible*.

Policies

1. Soils will be conserved and erosion minimized by the *use* of best grading management practices as set forth by the Soil Conservation Service.
2. Land divisions in, or adjacent to, agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Agency Formation Commission (LAFCO) should exclude agricultural lands outside of the Coastal Area Plan's "stable urban boundary" line (see Figure 16.2), from any new or expanded service districts that could negatively impact agricultural viability.
4. New or expanded *public works facilities* will be sited or designed to mitigate environmental impacts on agricultural lands.

5. As *aquaculture* develops it will be considered as a potential agricultural use in appropriate areas.
6. *Non-prime agricultural land* defined as agricultural land, other than *prime agricultural lands* (as defined in Public Resources Section 30113), used or suitable for crops or grazing shall be designated as *Agriculture* with a minimum acreage size of 200 acres (1 DU/200 acres).

Hazards

The North Coast skirts the edge of a geologically complex and active area. Within *coastal zone* boundaries is a portion of the Santa Ynez Mountains, formed by thrust faulting and east-west fold. Sedimentary Miocene marine terraces reach from the mountains to the ocean, where they have been eroded to prominent sea cliffs.

Underlying the area is the Red Mountain Thrust Fault and its branches, including the Padre Juan Fault (Figure 7). There has been seismic activity in this fault zone within the past 20,000 years. Under the Alquist-Priolo Act of 1972, the California Division of Mines and Geology designated the Red Mountain Fault as a "special studies zone" (Figure 8). This means that engineering geology reports may be required for some new *coastal zone development* within the designated area. Included within the special studies zone is a portion of the La Conchita Community, the La Conchita oil and gas processing facility, and the Rincon oil and gas processing facility. Ventura County has adopted an ordinance that implements the Act.

Short periods of low to moderate groundshaking are a potential North Coast hazard. Low coastal terraces could be subject to liquefaction where groundwater is less than 15 feet from the surface. Tsunamis could occur along the North Coast where elevations are less than 30 feet above mean sea level. Landslides and mass earth movement pose severe hazard potential where *slopes* are greater than 25 percent (Figure 7). Construction, grading, seismicity, irrigation, septic tanks and intense rainfall all contribute to erosion and *slope* failure. Moderate to highly expansive soils interlaced throughout the area also contribute to *slope* instability. Slides closed the North Coast northbound segment of Highway 101 during the winter storms of 1978 and 1980.

Five creeks wind through the steep canyons and empty into the ocean on the North Coast. Rincon Creek is the only perennial *stream*. Madriano, Javon, Padre Juan and Line Creeks are intermittent. The flood plain of the Ventura River forms the eastern boundary of the area. The Ventura County Flood Control District does not have any proposals for flood control projects in this portion of the coastal zone.

Nevertheless, the drainages present some hazards, including erosion and *slope* failure along *stream* banks, rapid *runoff* and sheet flooding, and seepage along lower coastal terraces.

Also of concern as a hazard is the fire-adapted chaparral vegetation of some steep *slopes*. Particularly during the summer droughts, many of the plants dry out and become dormant. If the dead plant material is allowed to accumulate over a number of years the stage is set for explosive wild fire (Barbour and Major 1977). *Emergency access* to the more mountainous areas is extremely limited. A major portion of the area around the North Coast's Rincon and Red Mountains is recognized as an "extreme" fire hazard area in the County's General Plan Hazards Appendix.

The General Plan Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an Initial Study on a proposed project to determine the need for an EIR.

Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of the projects.

Objective

To protect public safety and property from naturally-occurring and human-induced hazards as provided in County ordinances.

Policies

1. The County's existing General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provides direction for geologic, seismic, flood and fire hazard.
2. New *development* shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
3. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismics safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.
4. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed development.
5. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
6. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.
7. The North Coast portion of the Santa Ynez Mountains requires special attention, and the following formula and minimum *lot* sizes will be utilized as new land divisions are proposed in the "Open Space" or "Agricultural" designations:
 - a. The following *slope/density formula* will be used to compute the *average slope* of property proposed to be subdivided:

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

where:

S = *average slope* (%)

I = contour interval (ft.)

L = total length of all contour lines (ft.)

A = total area of the *lot* (sq. ft.)

- b. Once the *average slope* has been computed, the following table will be used to determine a minimum *lot* size for newly proposed *lots*:

0% - 15% = 10 acres

15.1% - 20% = 20 acres

20.1% - 25% = 30 acres

25.1% - 35% = 40 acres

35.1% & above = 100 acres

8. A landscaping plan for fire and erosion control will be submitted for any new *development* located in *high fire hazard areas*. As many native plants as *feasible* should be used. Information on kinds and sources of these plants are available through the County.

Beach Erosion

The North Coast beaches are highly vulnerable to erosion and wave damage. Dredging operations in Santa Barbara Harbor alter sand transport down coast. Without adequate replacement sand, high tides and waves erode the beaches. Beachside designated "Existing Communities" are losing beach front during these times, and seawalls are being undermined, critically endangering residences. Affected areas are:

I. Mussel Shoals

Exhibits seasonal fluctuations in the amount of sand. A seawall had to be constructed during the 1978 winter storms. Erosion is gradual now, but may accelerate later. The California Department of Navigation and Ocean Development (DNOD) has noted the area to be "Present Use Critical," which means that existing shoreline facilities are subject to erosion from wave action (Appendix 5).

II. Seacliff

Homes flood during storms and high tides. Construction of the U.S. Highway 101 overpass north of the colony obstructed sand transport and beach replenishment. To retard erosion at Seacliff and Hobson County Park, Caltrans built a seawall that is now deteriorating. Current zoning allows for the construction of further beach residential units. However, unless the seawall is reviewed for structural adequacy, more flooding may occur.

III. Hobson County Park

Severe *beach erosion* prompted Caltrans to build a revetment. The intensity of wave action in the area has led to concerns about the wall's structural adequacy - it may need additional improvements.

IV. Faria Beach Park

Has been severely damaged by erosion at the rate of about 1.3 feet of shoreline per year and the park has been closed several times because of storm debris (U.S. Army Corps of Engineers 1978). The Department of Navigation and Ocean Development has also classified this area as "Present Use Critical". At the current rate of erosion, protective *structures* will be needed to preserve the recreation area. The County's Property Administration Agency is in the process of initiating these improvements.

V. Faria Beach Colony

Erosion and flooding at high tide are continuing problems. Seawalls are being undermined. The Department of Navigation and Ocean Development sees this area as "Future Use Critical".

VI. Solimar Beach Colony

Erosion is weakening the existing seawalls. If homes are to be protected, then improvements will have to be made. This area is "Present Use Critical".

VII. Old Coast Highway

Ventura County General Plan – COASTAL AREA PLAN (9-16-08 edition)

Waves top the revetment and create intermittent hazards for motorists.

VIII. Emma Wood State Beach

The beach is eroding 0.6 feet annually, and recent winter storms have caused extensive damage and led to closure. The Department of Navigation and Ocean Development recognizes a portion of the park as "Future Use Critical" and another segment as "Present Use Critical".

Objective

To protect public safety and property from *beach erosion* as provided in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
2. All shoreline protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.
3. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.
4. The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
5. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.
6. Permitted shoreline *structures* will not interfere with public rights of *access* to the shoreline.

Energy and Industrial Facilities

I. Oil and Gas Facilities:

Three onshore oil fields in production on the North Coast of Ventura County are either within or very close to the *coastal zone* (Figure 9):

- Rincon Field - Located north of Pitas Point, with both onshore and offshore portions. The onshore portion comprises about 75 percent of the proven acreage of the field. While the Rincon Field is one of the largest producing fields in the County, its production has declined in recent years, as has the production of all County fields.
- San Miguelito Field - Located south of Pitas Point, and extending into the mountainous area outside the coastal zone. There have been various operators in this field over time. Only a portion of this lease is within the coastal zone. There is a seawater treatment facility within this field, south of Pitas Point adjacent to the 101 Freeway which is in the coastal zone.

- Ventura Field - The Ventura Field is entirely outside the *coastal zone* boundary, but nevertheless close to the sub-area.

Ventura County has issued several Conditional Use Permits for oil drilling and related activities on the North Coast (Figure 10). Existing and anticipated future onshore oil drilling/production activities within the *coastal zone* are confined to the known limits of the above oil fields. It is not the intention of the Plan to preclude *oil and gas exploration and development* outside the limits of these fields, except as otherwise noted in the energy policies.

There are six separation and treatment facilities on the North Coast, one of which is outside the coastal zone. Two, the Rincon Oil and Gas Processing Facility and the La Conchita Oil and Gas Processing Facility, are used exclusively to process production from Outer Continental Shelf (OCS) leases. These facilities are within the North Coast "Existing Community" designation, which allows expansion of the facilities per the existing zoning on the sites (Figures 9 and 10).

- Rincon Oil and Gas Processing Facility - This separation treatment facility has a net design capacity of 110,000 barrels of oil per day (BOPD) and 15 million cubic feet of natural gas per day (MMCF/D). Currently, there is about 98,000 BOPD and 7 MMDF/D of unused capacity. Approximately 15 acres adjacent to the existing 32 acre facility could be utilized for plant expansion with a minimum of grading. The site is zoned "C-M" (Coastal Industrial). Also located on the site is a 268,000 barrel storage tank.
- La Conchita Oil and Gas Processing Facility - Also a separation treatment facility, it covers a total of 16 acres, 11 of which are developed. The site is zoned "C-M" (Coastal Industrial). Net design capacity is 27,000 BOPD and 22 MMCF/D. Currently, there are about 3,000 BOPD and 20 MMCD/D of unused capacity. About five acres of the site can be used for expansion.

The other separation treatment facilities on the North Coast are located at the base of the mountains below the Rincon Oil and Gas Processing Facility, inland of the U.S. Highway 101. Historically, these facilities have been called the Mobil-Ferguson, Cabot-Rincon, and Chanslor/Coline facilities. These facilities' expansion possibilities are extremely limited due to the size of the sites and the marginal amount of usable land.

The coastal onshore oil and gas fields have been experiencing declining production in recent years, thus there is sufficient capacity within existing separation/treatment facilities to handle onshore production. Additionally, the current unused capacity of the Rincon and La Conchita oil and gas processing facilities is projected to be sufficient to accommodate all anticipated future production from known reserves in the eastern Santa Barbara Channel. Furthermore, the Rincon facility has enough available land to expand its throughput to accommodate all projected future production in the Channel. Therefore, no new separation/treatment facilities are necessary on the North Coast.

II. Pipelines

There are two offshore pipelines and landfall sites on the North Coast. These are the Dos Cuadros Pipeline that transports OCS oil and gas to the Rincon facility. The landfall site is just north of the Seacliff Community in the Rincon area. The other offshore pipeline is the Carpinteria OCS Pipeline with a landfall site about 0.25 miles northwest of the community of La Conchita.

In addition to the two offshore pipelines there are six onshore pipelines. Five of these are "private carriers" while the sixth is a "common carrier" and subject to

regulation by the PUC. The "common carrier" is a pipeline that connects the La Conchita oil and gas processing facility with the Rincon oil and gas processing facility.

The Ventura County Coastal Zoning Ordinance sets forth the regulations for pipelines and facilities in the Coastal Zone.

III. Other Facilities

During the exploratory drilling phase of offshore oil development, temporary service bases, known as staging areas, are needed areas for shipping equipment, supplies, and personnel to offshore sites. All are small operations that require limited acreage and are leased on a short-term basis. Staging areas should be allowed in all areas subject to industrial zoning and a CUP to ensure compliance with this Plan. No existing industrial or energy facilities, except pipelines, are located between the U.S. Highway 101 and the shoreline. In addition, no electrical facilities are sited on the North Coast. Southern California Edison Company identified a potential need back in the early 1980's for an electrical generating substation, near La Conchita. There is a relatively flat *parcel* of sufficient size for a substation just northerly of La Conchita.

IV. Industrial Facilities

The Coastal Act offers only limited guidance in siting coastal-dependent industrial facilities in "Urban" versus "Rural/Open Space" areas. For purposes of this Plan, new industrial *development* requiring a "Coastal Industrial" (C-M) zone, will be considered urban development. Oil drilling activities have not been considered "Urban" in nature, and are therefore allowed in most County areas by Conditional Use Permit. Additionally, industrial facilities are permitted in unincorporated areas if they are within "Existing Community" areas designated by the Board of Supervisors. The only industrial facilities on the North Coast are those energy-related facilities previously described.

Objective

To allow continued exploration and production of oil and gas in most of the North Coast sub-area, and to allow the necessary expansion of major, existing processing facilities while meeting Coastal Act and County objectives and maintaining environmental quality.

Policies

1. All land between U.S. Highway 101 (Ventura Freeway) and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*," will be considered as unacceptable for new energy and industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between U.S. Highway 101 (Ventura Freeway) and the landward *coastal zone* boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone, or expansion of existing facilities will be permitted, unless located in an area designated "Industrial."
3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both

permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to Section 8175-8.7) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and the location.

4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and *access roads*.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 (below), transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the Coastal Zone related to oil and gas development.
 - m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to

biological, geological, archaeological, agricultural, visual and recreational resources.

6. All anticipated future offshore oil and gas production in the eastern Santa Barbara Channel to be processed in Ventura County shall utilize the Rincon or La Conchita oil and gas processing facilities for onshore separation/treatment, unless it is not technically or economically *feasible*.
7. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
8. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
9. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
10. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
11. All offshore to onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
12. Except for pipelines exempted from coastal *development* permits under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.
13. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those

soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
15. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or archaeological resources, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
16. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, under grounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
17. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627), all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.
18. Experimental *uses* that provide energy from alternative sources, such as wind or solar, may be permitted by Conditional Use Permit in areas designated "Open Space."
19. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
20. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related

industrial facility supporting such *development* is defined as “*coastal-dependent development*” or “*coastal-related development*”, based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

The North Coast has a variety of service constraints. While the Casitas Municipal Water District can provide water to the area for at least the next 20 years, sanitation is a significant problem. Subsurface sewage disposal at Faria Beach, Seacliff, Solimar, and Mussel Shoals is limited by soils, inadequate *lot* sizes for leach field expansion, out-dated facilities that do not meet current septic tank design standards, high groundwater, high rate septic tank failure, and increased pumping rates. The Board of Supervisors has authorized the formation of County Service Area No. 29, and a sewer system is being designed for those portions of the North Coast.

Transportation issues include providing adequate, safe *access* to and from U.S. Highway 101 for the communities of La Conchita and Mussel Shoals, and road construction or improvement that does not adversely impact agricultural lands. Ocean View Road is the only public *access* to agricultural lands along the bluff tops. It is a County road, but does not meet design and fire standards. On July 12, 1979, the Board of Supervisors approved a Public Works Agency recommendation to develop an assessment district to finance proposed improvements, and a County Service Area for road maintenance.

If traffic continues to increase on U.S. Highway 101 as projected in the Los Angeles Regional Transportation Study, then some of the North Coast communities will have even more restricted *access*, particularly where the Southern Pacific Railroad tracks have to be crossed at La Conchita. Additionally, U.S. Highway 101 has been proposed as a State Scenic Highway from its junction with Highway 1, near the City of Ventura, to the Santa Barbara County Line.

Objective

To maintain current service levels for existing developments.

Policies

1. New or expanded *public works facilities* (including roads, flood control measures, water and sanitation) will be designed to serve the potential population within the subarea's boundaries, and to mitigate impacts on agricultural, open space lands, or *environmentally sensitive habitats*.
2. Services are limited to existing areas defined in the Coastal Commission permit for the North Coast sewer (Regional Application 208-03). Any changes or extension of services will require a new permit.
3. When funds become available the State should improve the potentially dangerous highway crossings at Mussel Shoals and La Conchita.
4. New service extensions required beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.

Locating and Planning New Development

I. Residential

Residential *development* in the North Coast sub-area will occur mainly within the "Existing Communities" as approved by the Board of Supervisors in 1978. Those

communities are: Rincon Point, La Conchita, Mussel Shoals, Seacliff, Faria, and Solimar.

Under the "Existing Community" designation, the areas are allowed to build out to the *building* intensity permitted under the prevailing zoning.

Presently, all *development* utilizes individual septic tank systems; however, the Ventura Regional County Sanitation District (VRCSD) has received a federal grant to develop a sewage system consisting of: 1) a low pressure sewer line to serve the areas of Mussel Shoals, Seacliff, Faria, and Solimar; and 2) an On-Site Wastewater Management Zone (OSWMZ) for Rincon Point and La Conchita. In December 1978, County Service Area (CSA) 29 was formed and on July 3, 1979, the Board of Supervisors approved the Environmental Impact Report and authorized the filing of a Step II grant for the facilities design. The low pressure sewer line would connect with the City of San Buenaventura's sewage treatment plant.

II. Commercial

Commercial *development* in the North Coast sub-area occurs in the La Conchita "Existing Community." Four *parcels* in La Conchita are zoned "C-C" (Coastal Commercial). These *parcels* are located north of the Southern Pacific Railroad tracks at Santa Barbara Avenue.

Within the Mussel Shoals "Existing Community" area is "Cliff House," an 18-unit *multi-family* residential *dwelling* facility. This *parcel* is zoned "C-C" (Coastal Commercial).

Future commercial *development* in La Conchita or Mussel Shoals could impact traffic and left turn movements on Highway 101. For this reason and because of the limited amount of new residential *development* anticipated, more commercial *development* is not necessary.

Objective

To allow the continued build-out of the "Existing Community" areas consistent with the County's General Plan and regional goals within the AQMP and "208" Plan.

Policies

1. The six residential "Existing Communities" of Rincon Point, La Conchita, Mussel Shoals, Seacliff, Faria, and Solimar will be allowed to build-out according to their land *use* designations and prevailing base zoning. [Figures 11-16](#) depict these areas.
2. Any new *development* in "Open Space" or "Agriculture" designated areas on *slopes* greater than 15 percent will conform with the policies and *slope/density formula* developed in the Hazards Section of this Coastal (Area) Plan.
3. The Cliff House property in Mussel Shoals (APN 060-0-090-195) shall be restricted to visitor-serving commercial *uses*, including overnight accommodations.

Potential Conflicts

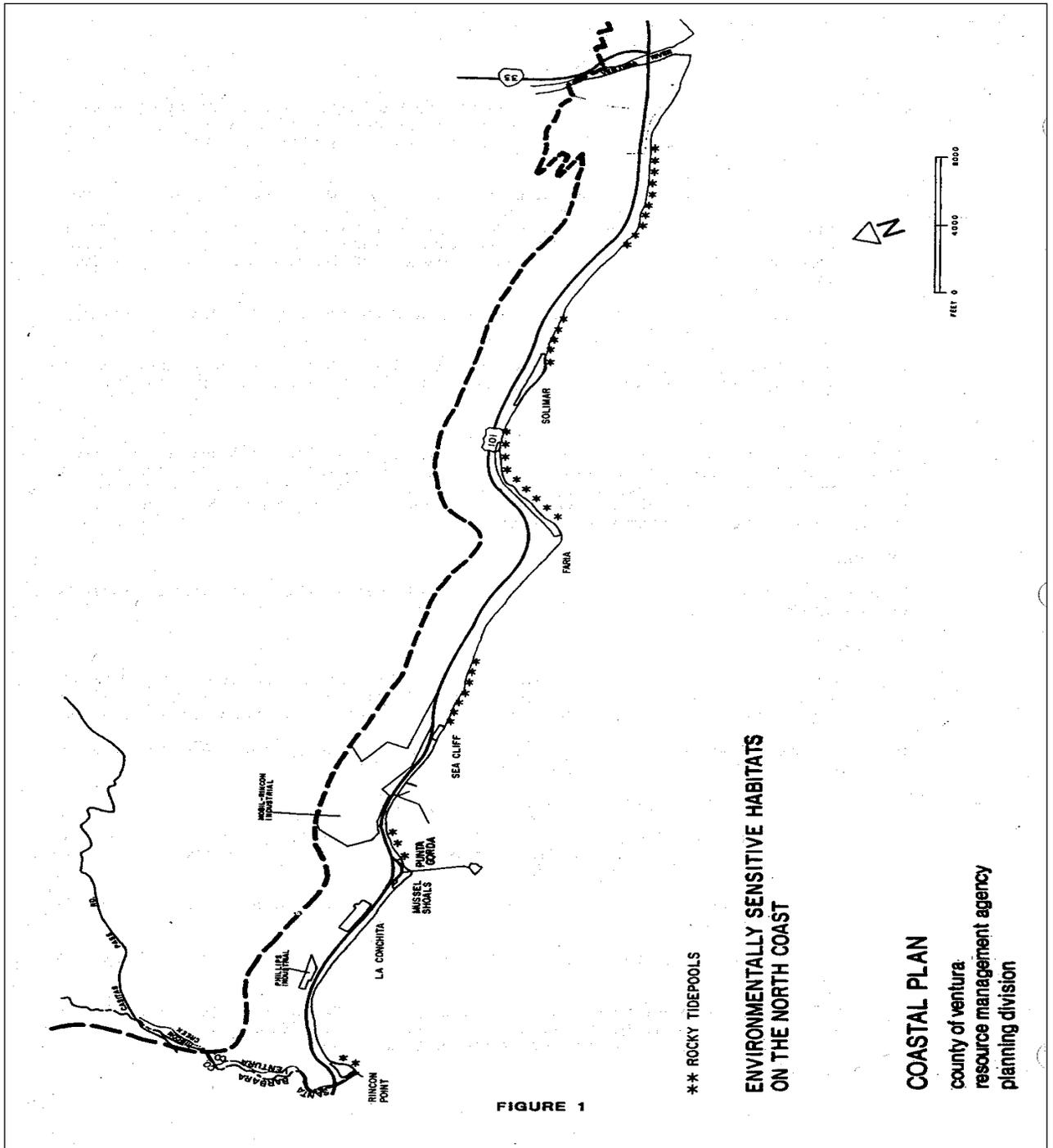
Unincorporated Lands in City Area of Interest:

The extension of the City of San Buenaventura's urban boundary northwesterly into the Taylor Ranch, an unincorporated agricultural preserve northerly from

Hwy. 101, has historically been a potential source of conflict. Section 30241 of the Coastal Act is most specific about maintaining a maximum amount of *prime agricultural land* and delineating stable urban-rural boundaries. Further expansion of the City Sphere of Influence could induce *development* not only on the ranch, but on adjacent agricultural lands as well.

The potential land *use* conflicts in this instance have been averted. Both the City and the County have recognized the Ventura River levee and the city's westerly city limits as a logical, stable urban boundary in their *Local Coastal Programs*, and the Local Agency Formation Commission (LAFCO) has designed the Sphere of Influence boundaries to conform to those boundaries indicated in both the City's and County's Coastal Plans.

**Figure 1
Environmentally Sensitive Habitats on the North Coast**



**Figure 3
North Coast Recreation and Parking Facilities**

Facilities	Total Acreage	Linear Frontage (Ft.)	Number Of Parking Spaces	Number Of Camping Spaces
Developed Facilities				
Rincon Point State Surfer Access	2.67	75	67	-
Hobson County Park	1.17	679	-	29
Faria County Park	2.4	684	-	45
Rincon Parkway	-	11,700	180	289
Emma Wood State Beach	100.94	16,000	100 (within City of San Buenaventura)	150
Undeveloped Facilities				
Highway 1 - Rincon Point to Punta Gorda	-	8,200	270*	
Highway 1 - Punta Gorda to Seacliff	-	8,000	260*	
TOTALS	45,338 linear ft. (8.6 miles)	877	513	

Source: Recreation and Access LCP Issue Paper, Ventura County Resource Management Agency, 1980

Footnotes:

* Unmarked spaces - assumed 30 ft. per space

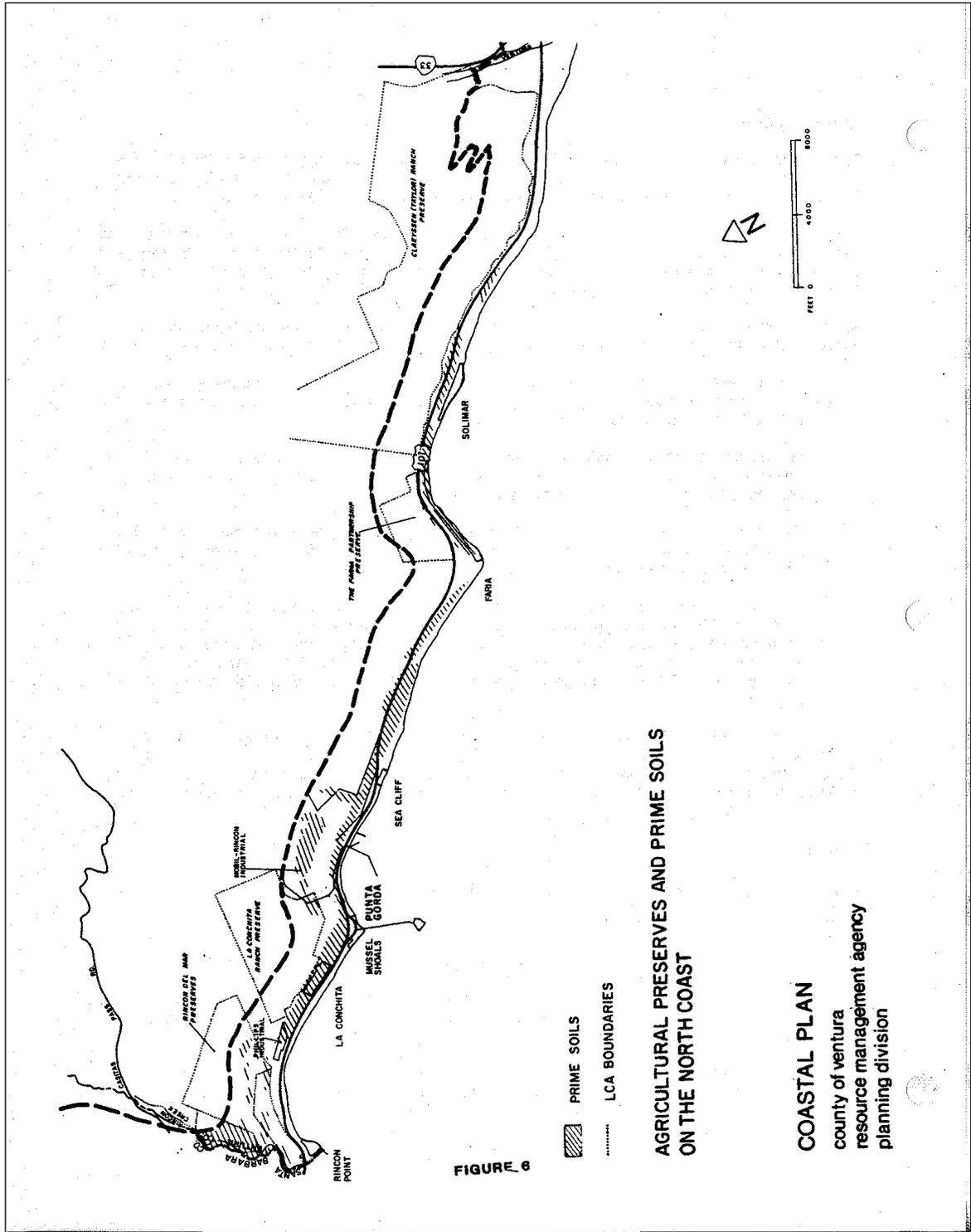
**Figure 5
North Coast Access Inventory**

NO.*	Name & Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By	Remarks
1.	Rincon Point State Surfer Park, West of 101 at County Line	Park	2.67 ac.	75 ft.	Yes	---	State Parks	State Parks	
2.	Highway 1 Rincon Point to Punta Gorda	Parking	---	8,200 ft.	Yes	No	Caltrans	Caltrans	Undeveloped facility - consists of unmarked parking along Old Coast Highway.
		Lateral							
		Vertical							
3.	Highway 1 Punta Gorda to Seacliff	Parking	---	8,000 ft.	Yes	No	Caltrans	Caltrans	Same as above.
		Lateral							
		Vertical							
4.	Hobson County Park West of 101, South of Seacliff	Park	1.7 ac	679 ft.	Yes	Yes	County	County	
5.	Rincon Parkway	Parking	---	11,700 ft.	Yes	Yes	Caltrans	Caltrans	Includes two improvements to beach seawall to construct ladders to improve <i>vertical access</i> . Ladders maintained by Ventura Co.
		Lateral							
		Vertical							
6.	Faria Co. Park South of 101, 5.5 miles west of Ventura	Park	2.4 ac.	684 ft.	Yes	Yes	County	County	
7.	4270 Faria Road Faria Tract	Lateral	To Seawall	43 ft.	Yes	No	Private	Owner	Pass and Repass only.
8.	3912-3024 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	150 ft.	Yes	No	Private	Owner	Pass and Repass only.
9.	3488 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	27 ft.	Yes	No	Private	Owner	Pass and Repass only.
10.	3438 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	35 ft.	Yes	No	Private	Owner	Pass and Repass only.
11.	3974 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	50 ft.	Yes	No	Private	Owner	Pass and Repass only.
12.	Emma Wood State Beach West of 101, 3 miles north of Ventura	Park	100 ac.	16,000 ft.	Yes	Yes	State Parks	State Parks	

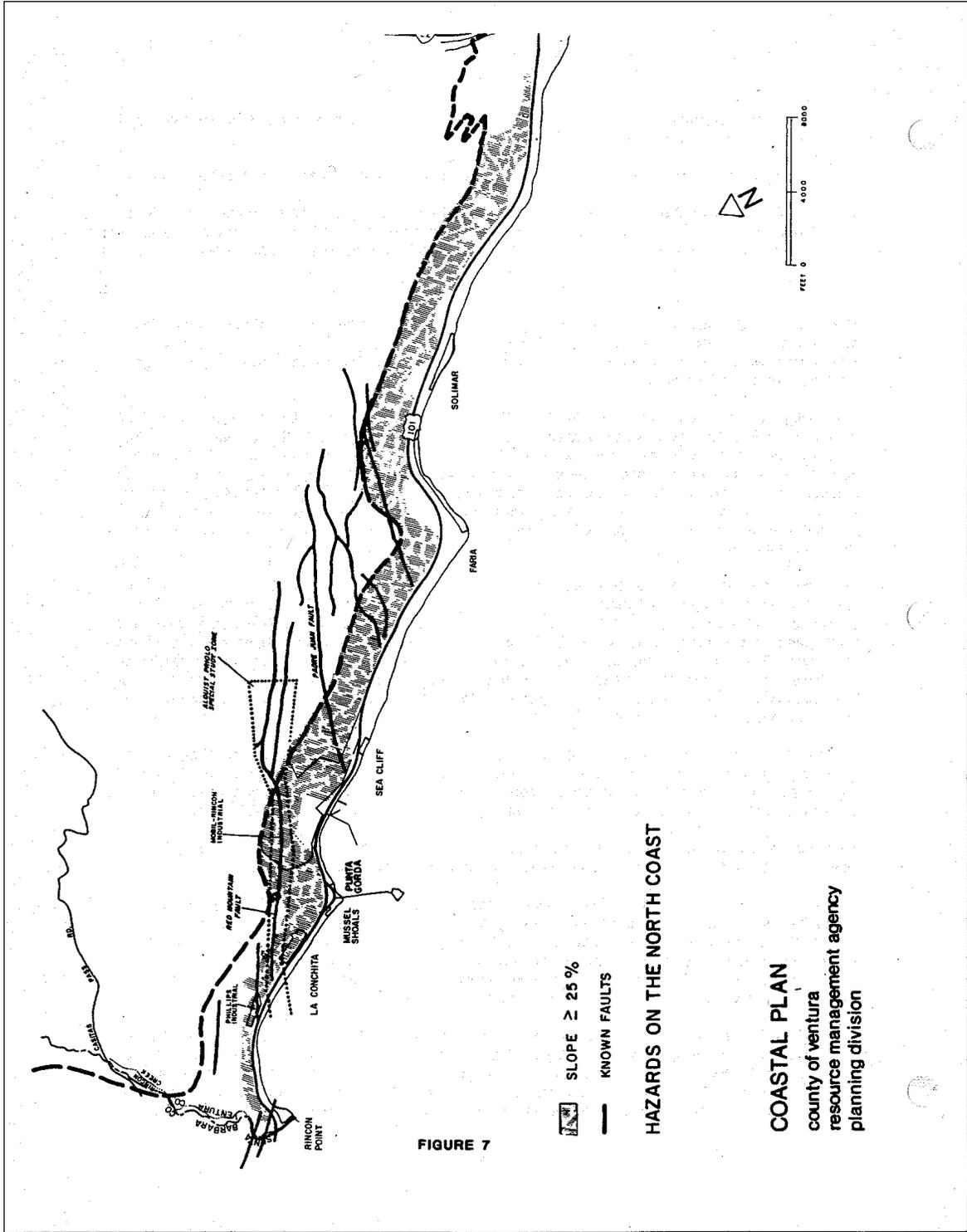
Footnotes:

* Keyed to Local Coastal Area Plan Land Use Map for the North Coast, Figure 16.2 (Separate Map) 6/20/89

**Figure 6
Agricultural Preserves and Prime Soils on the North Coast**



**Figure 7
Hazards on the North Coast**



**Figure 8
Pitas Point Quadrangle (Portion) Special Studies Zones**

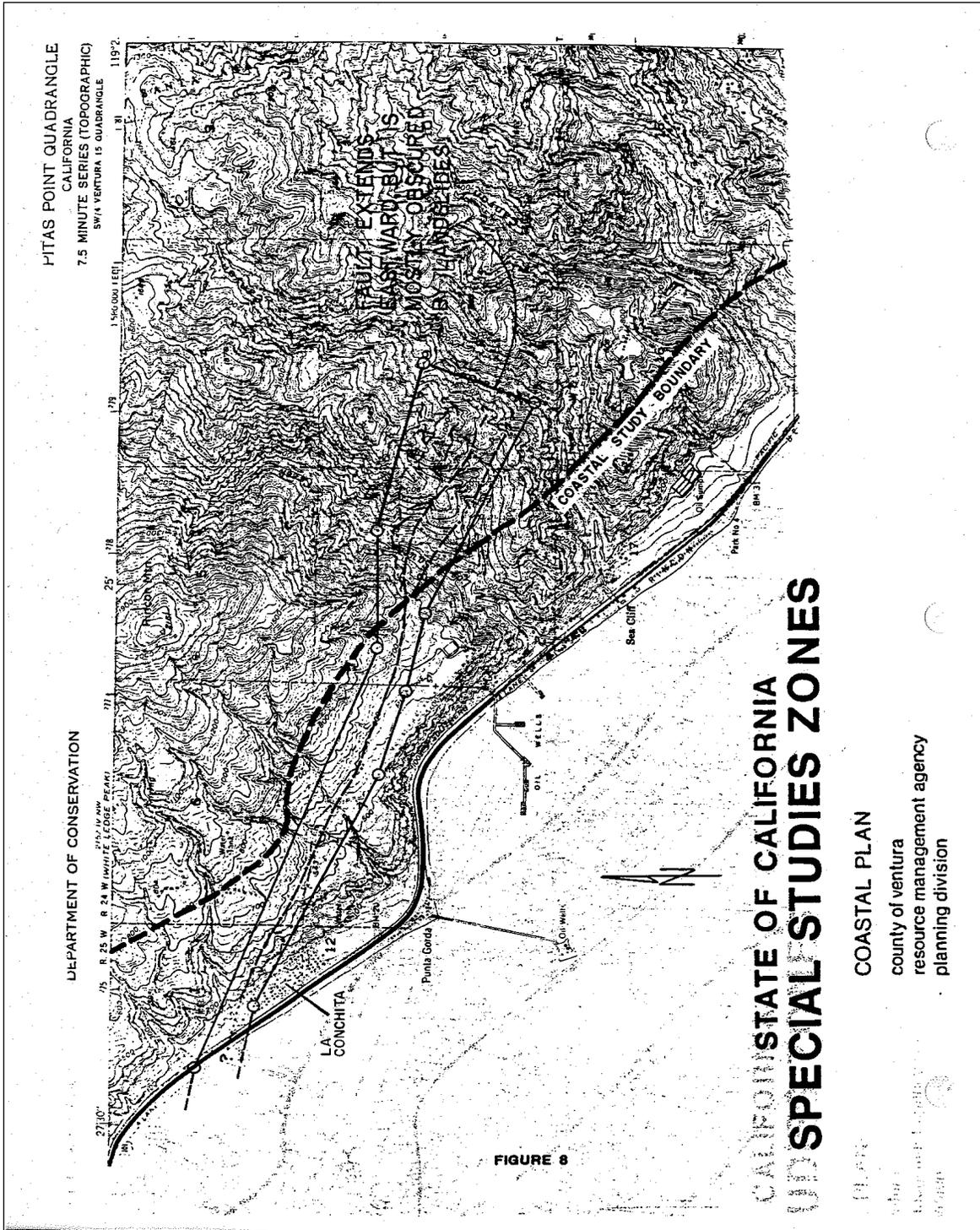


Figure 9 Existing OCS and Tideland Leases and Oil Facilities on the North Coast

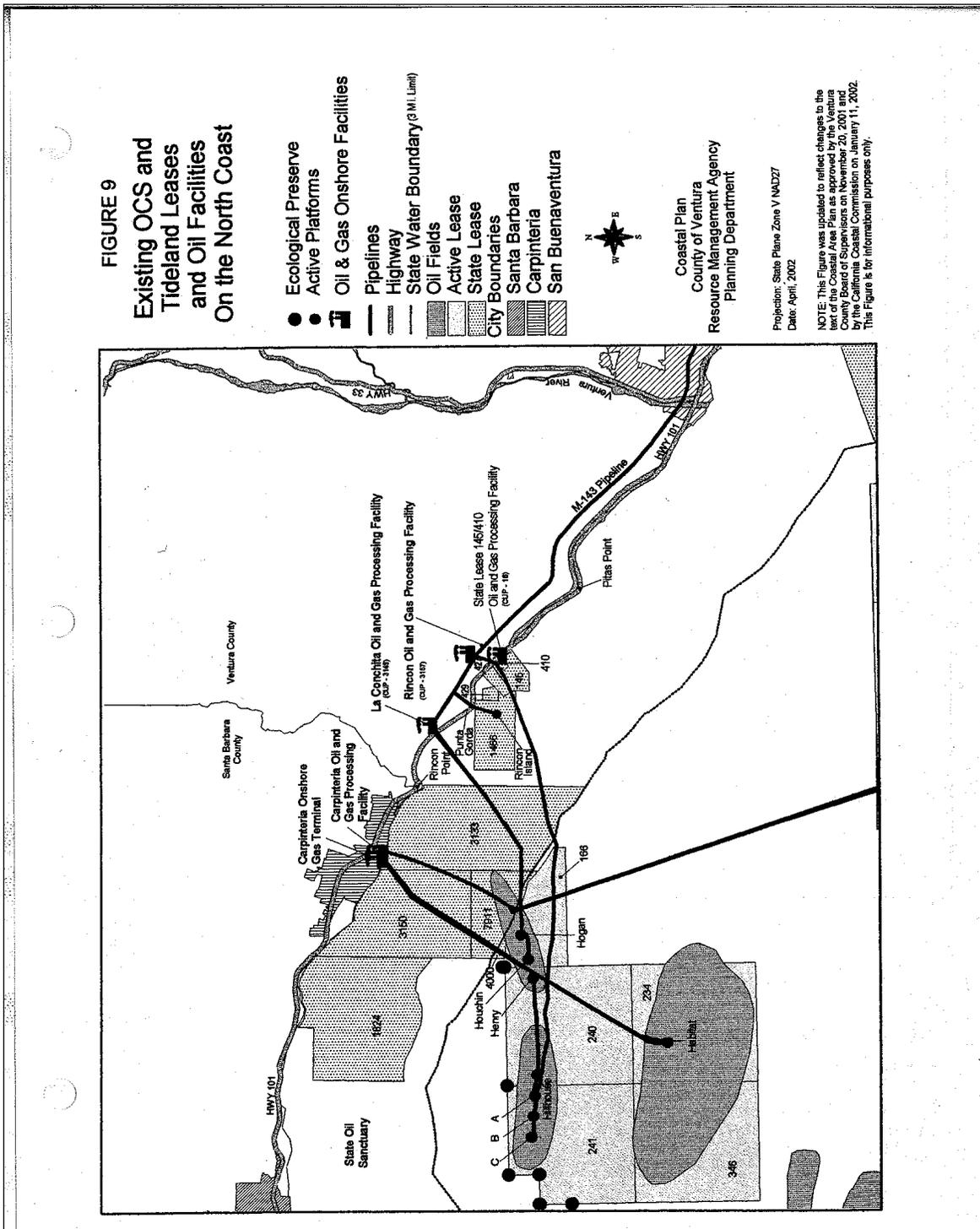


Figure 10 Energy Facilities on the North Coast

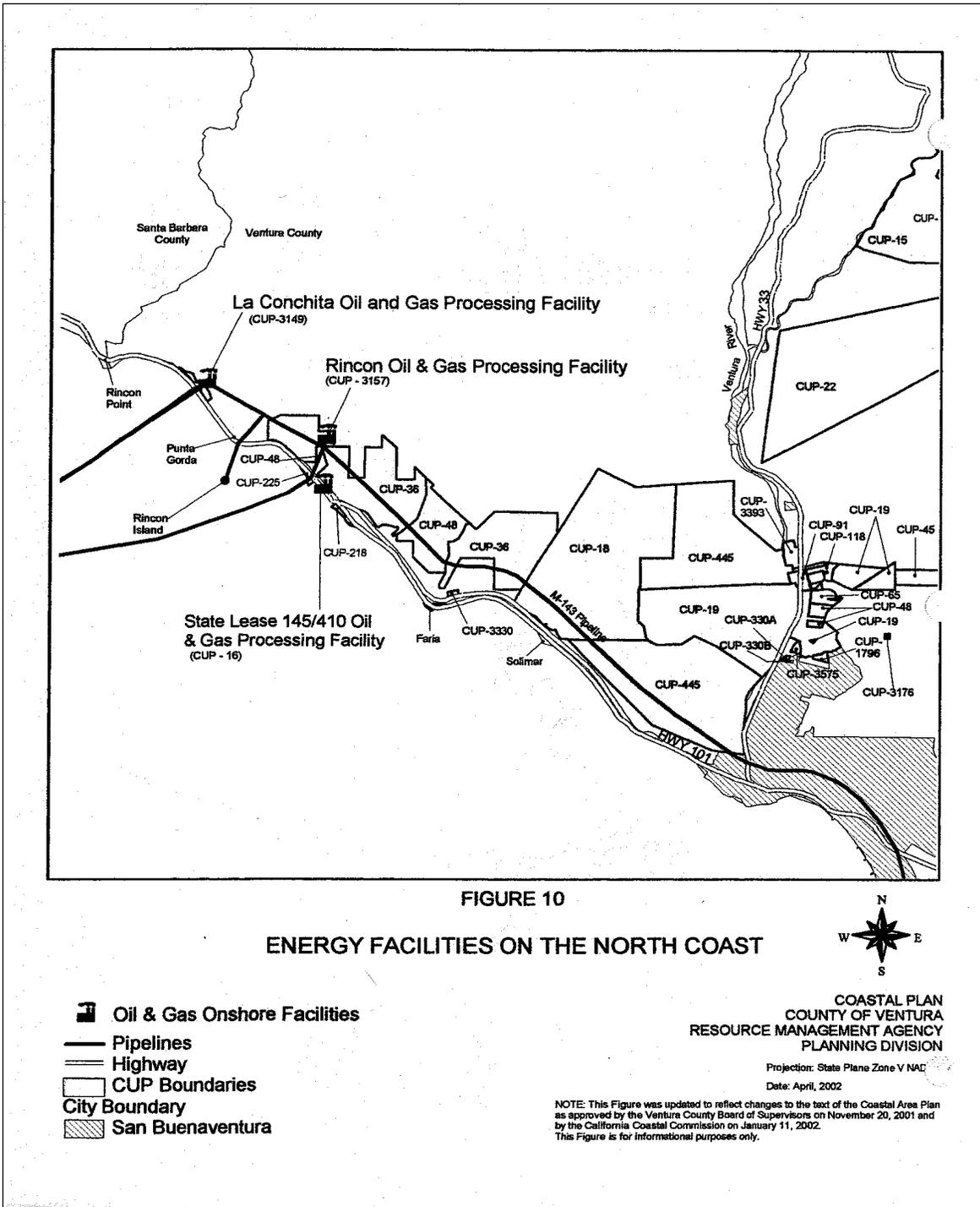


Figure 11 Rincon Point Residential Community

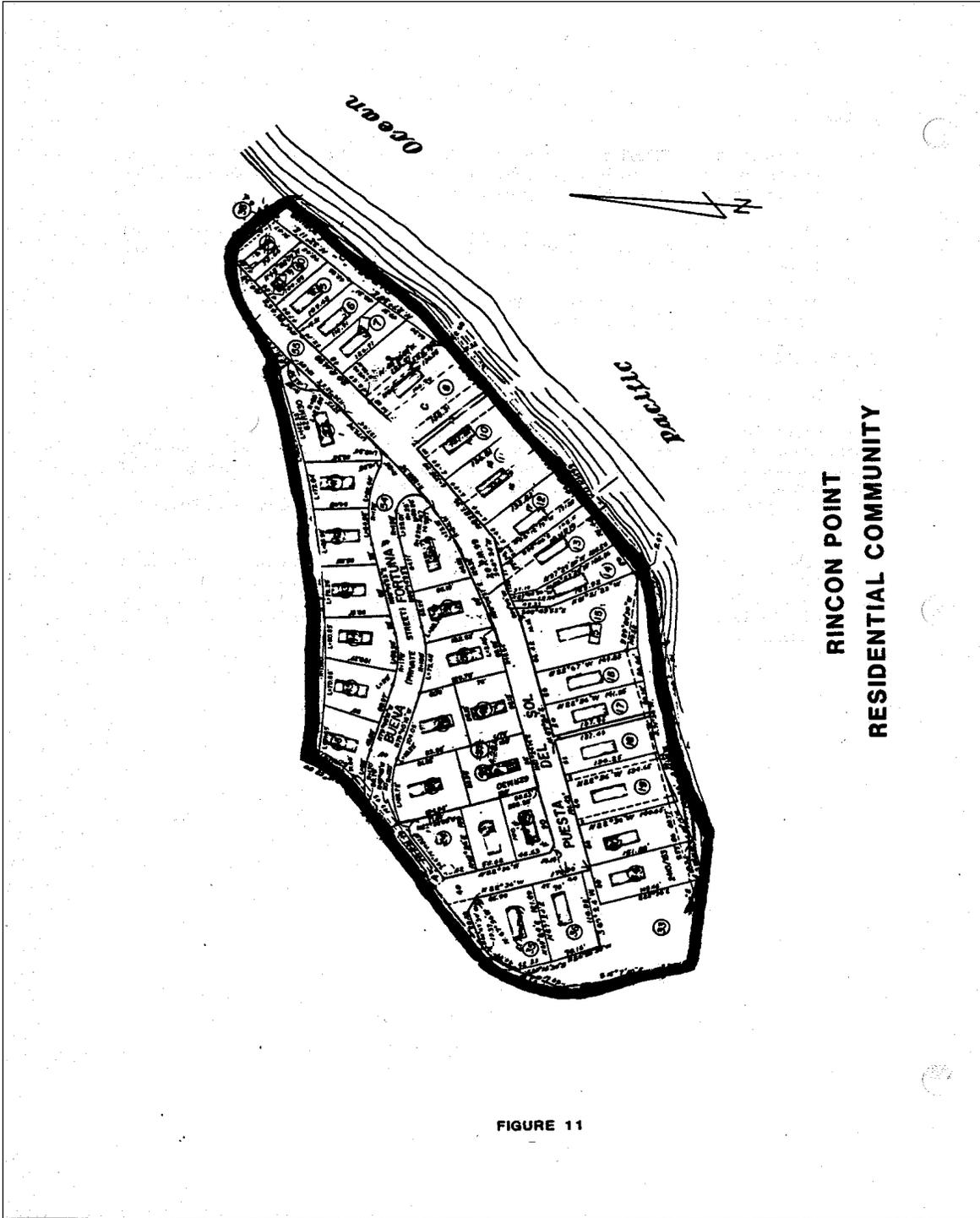


FIGURE 11

Figure 13
Mussel Shoals Residential Community

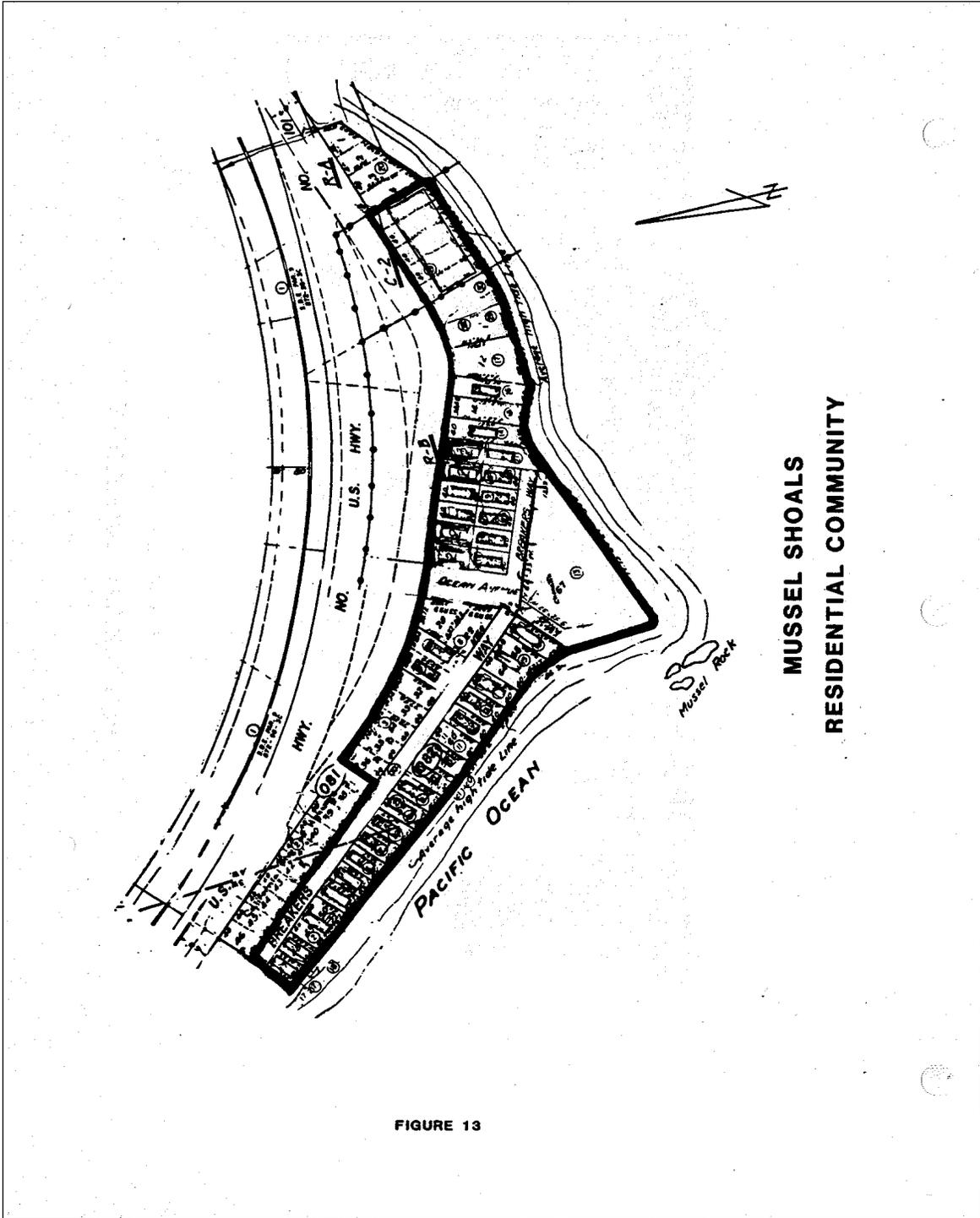


FIGURE 13

Figure 14 Sea Cliff Residential Community

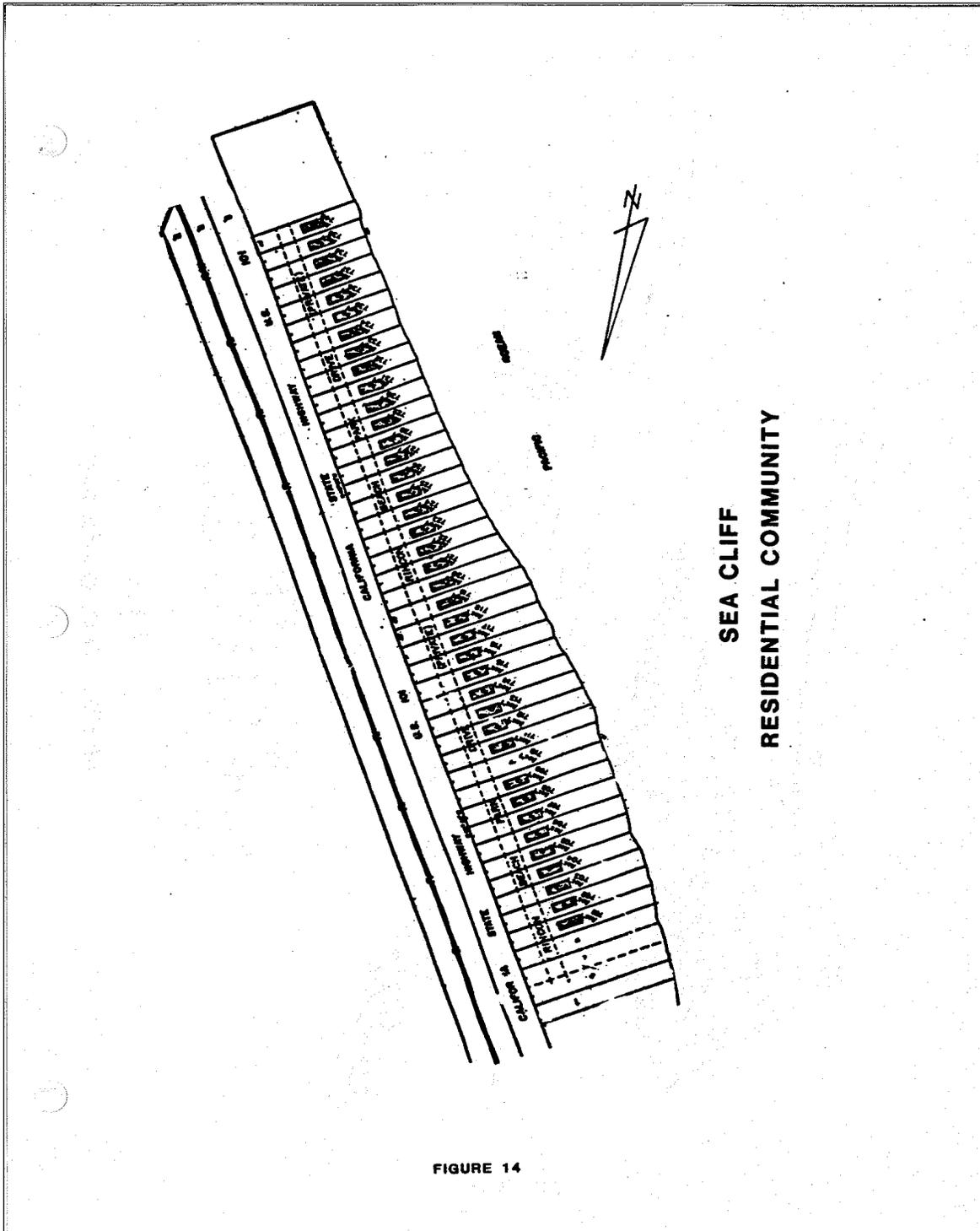


Figure 15 Faria Residential Community

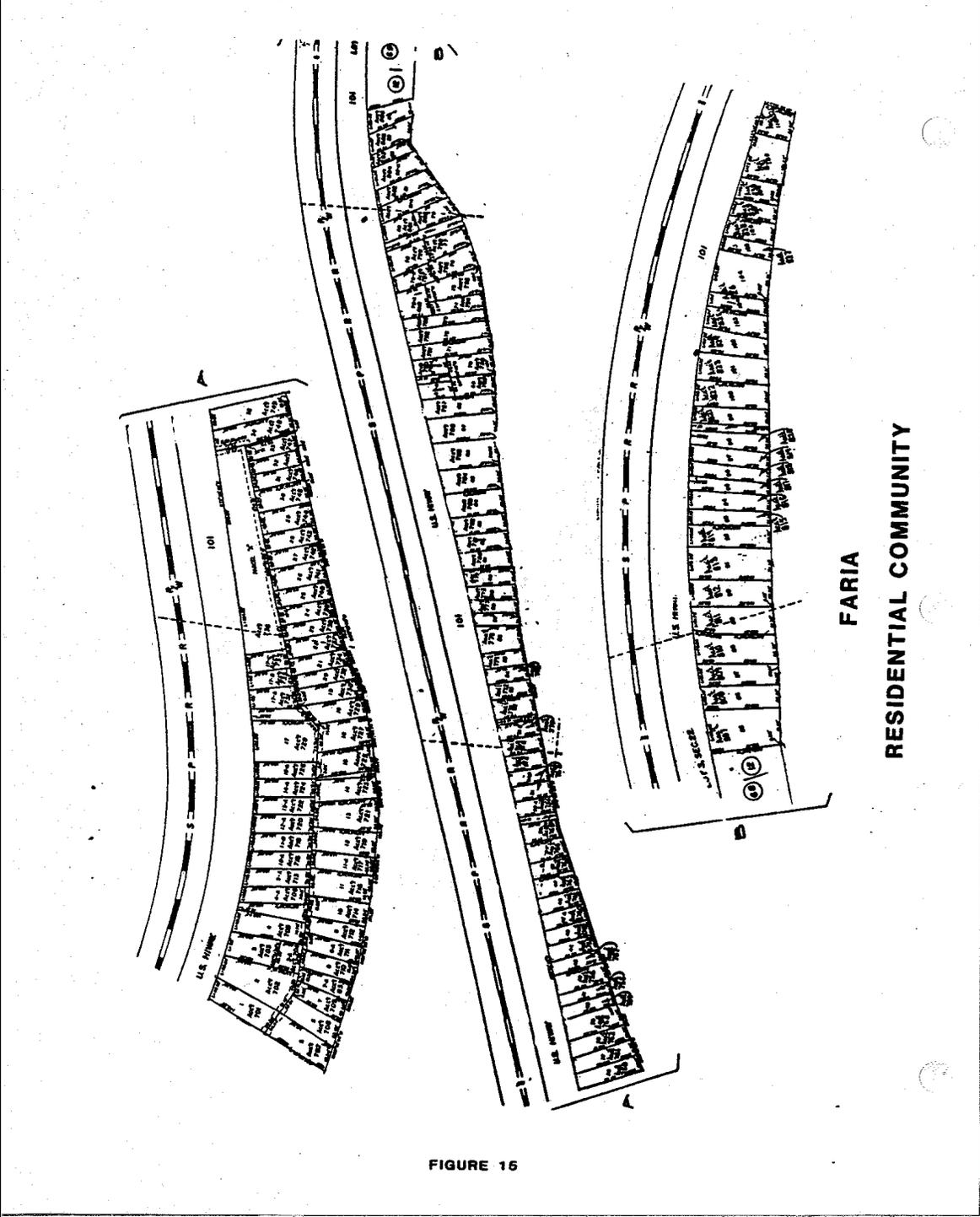


Figure 16
Solimar Residential Community

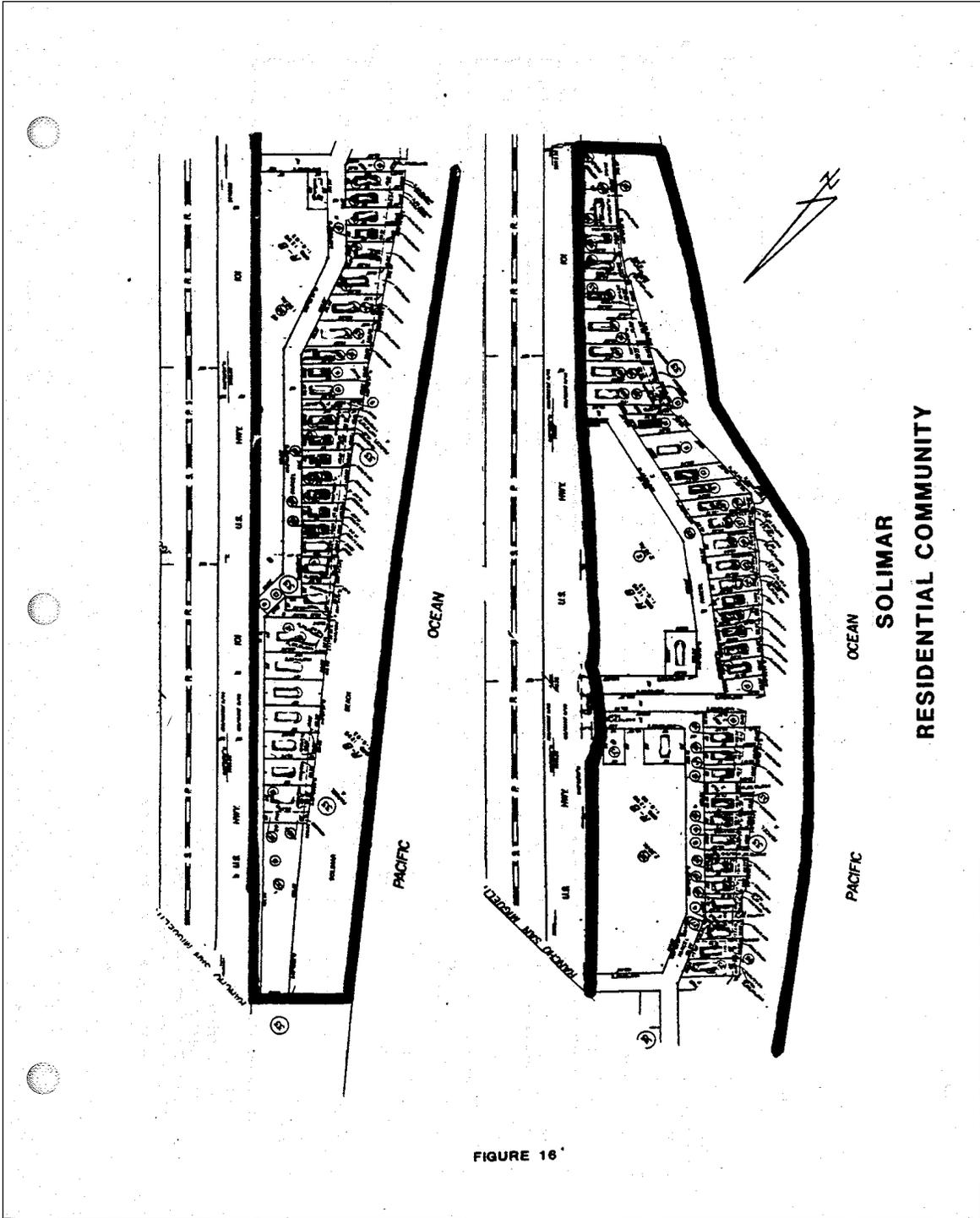


Figure 16.1
Summary Table Building Intensity/Population Density Standards (North Coast Area)
Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Open Space	1,590.1	5% ³	0.100	159	1.68	267	0.168
Agriculture	2,620.4	5% ³	0.025	65	1.68	109	0.042
Recreation	112.2	5%	N/A	N/A	N/A	N/A	N/A
TOTALS	4,322.7			224		376	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Low	12.6	29%	2.00	25	1.68	42	3.33
Medium	10.2	42%	6.00	61	1.68	102	10.00
High	79.5	65%	36.00	2,862	1.68	4,808	60.48
TOTALS	102.3			2,948		4,952	

Commercial/Industrial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	0.6	40%	13.1	1.0	13	21.67
Industrial	361.2	40%	238.3	2.0	476	1.32
TOTALS	361.8		251.4		489	

12/10/96

Footnotes:

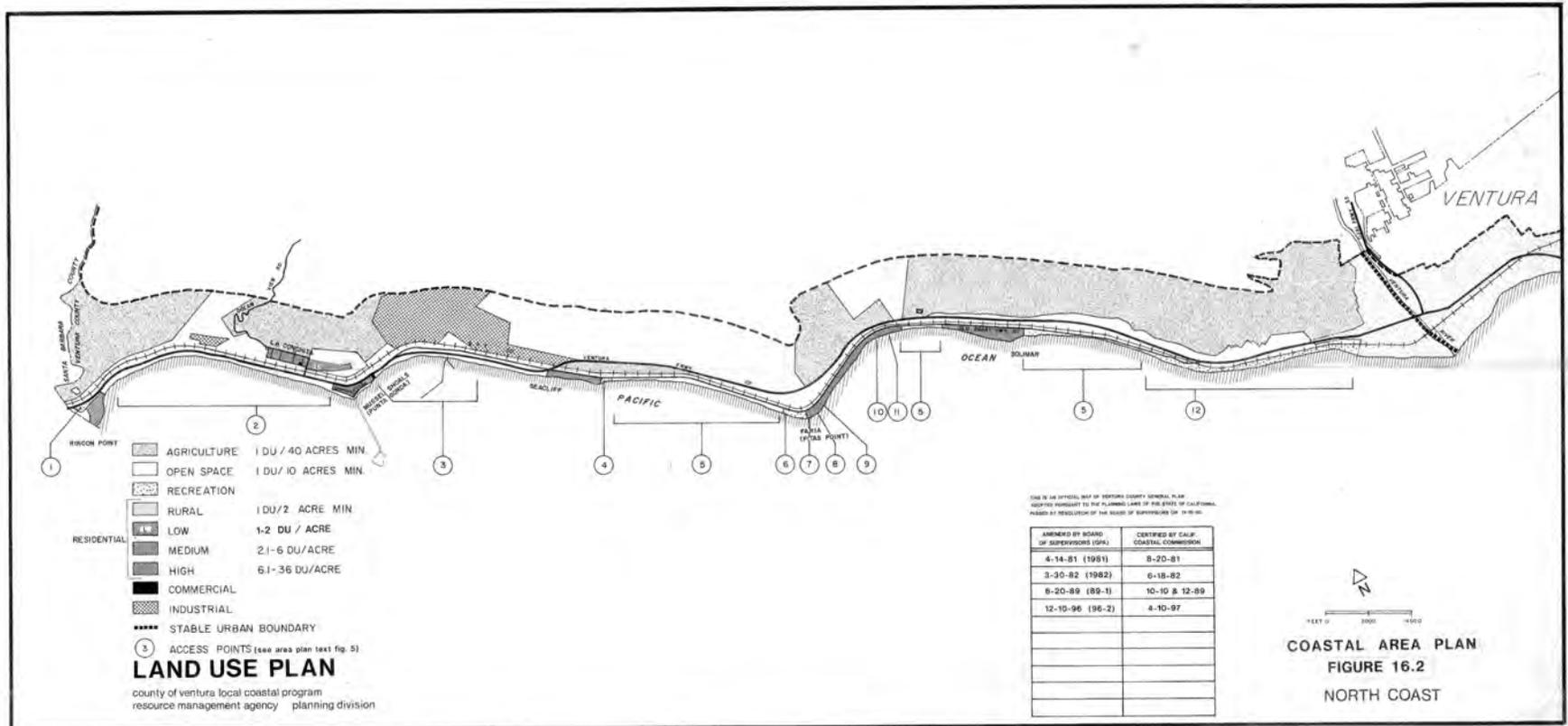
¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

² Year 2000 Forecast for Ventura Nongrowth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

**Figure 16.2
Local Coastal Area Plan – Land Use Map: North Coast**



The Central Coast

Area Summary

The Central Coast is the sandy edge of the extensive Oxnard Plain. The cities of San Buenaventura, Oxnard and Port Hueneme share 16.5 miles of coast with *agriculture*, sand dune, fresh and saltwater marsh ecosystems, Southern California Edison's Mandalay and Ormond Beach power plants, wastewater treatment plants, harbors, and a variety of heavy industry and oil operations.

Unincorporated lands within the Central Coast are varied. Several *parcels* are surrounded by the City of San Buenaventura just north of the Santa Clara River. Further south (down Harbor Boulevard), inland from McGrath Lake and Mandalay Beach are approximately 1,400 acres of unincorporated land used for *agriculture* and/or oil production. Edison Canal, which separates the agricultural land, supplies water to the Edison Mandalay generating station.

Further south is Hollywood Beach, an unincorporated beach residential area zoned "R-B-H" (Residential Beach Harbor - minimum *lot* size 1,750 square feet) with some "C-C" (Coastal Commercial) development. The City of Oxnard borders the beach community on three sides. The adjacent sandy beach has been designated Hollywood Beach County Park.

Interposed between Hollywood Beach and Silver Strand is Channel Islands Harbor. Jurisdiction over the harbor is shared between the County and the City of Oxnard. Silver Strand, including Hollywood-by-the-Sea, is another unincorporated beach residential area. On the north side of Silver Strand is the City of Oxnard, while on the south and east is the U.S. Naval Construction Battalion Center, which is within the City of Port Hueneme. Zoning is also primarily "R-B-H" with a limited amount of "C-C". The County's Silver Strand Beach Park extends the length of the shoreline and has public parking facilities at each end.

Remaining unincorporated segments of the Central Coast are found at Ormond Beach east of Perkins Road, south of Hueneme Road, and near the southernmost boundary of Oxnard's city limits. While some heavy and light industrial *development* has occurred within the City of Oxnard, the unincorporated land remains open and is used for *agriculture*.

Much of the unincorporated lands in Ormond Beach contain portions of coastal *wetlands* that include saltmarsh and freshwater ponds. Endangered species closely identified with saltmarshes have been verified in the vicinity by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Further south are two waterfowl ponds. One of the ponds, the privately-owned Ventura County Game Preserve, zoned "COS" (Coastal Open Space), is partially within the County's coastal zone. The Point Mugu Game Preserve, also privately owned, is outside the coastal zone. The Point Mugu Ponds are recognized by the U.S. Fish and Wildlife Service as a highly valuable waterfowl wintering *habitat* (USFWS 1979).

Policies

1. All zoning and *development* shall be in conformance with the Land Use maps (Figures 26.2 and 26.3), which have been designed to reflect these goals and policies. The Zoning Compatibility Matrix (Figure 33) indicates the zones which are consistent with the various land *use* categories.
2. In case of reasonable doubt as to the precise alignment of land *use* boundaries on the Land Use Plan Maps, the *Planning Director* is authorized

to determine the precise boundary locations. Such determinations must comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:

- a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
- b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Section 13569.

Environmentally Sensitive Habitats

A. Coastal Dunes

Remnants of the once-extensive Mandalay coastal dune complex are scattered throughout the Central Coast. Viable dunes within the County's jurisdiction are found near McGrath Lake. Approximately 80 acres are within the unincorporated area, while the rest of the complex falls within the City of Oxnard's jurisdiction (Figure 17).

The dunes surround the lake, effectively sheltering the rare freshwater *habitat* from wind and erosion. The lake is used by numerous water birds, and the area supports a variety of other coastal species.

Some of the unincorporated area has been identified for potential acquisition by the California Department of Parks and Recreation as part of McGrath State Beach. The active West Montalvo oil field extends in part beneath the dunes. Oil wells and a Chevron Oil Company processing plant are next to the proposed acquisition. The unincorporated dune area seaward of Harbor Boulevard is designated "Open Space" in this Coastal Plan. Landward of Harbor Boulevard, the dune area is designated "Agriculture" in this Coastal Plan.

Objective

To protect the County's coastal sand dunes, their communities, and the processes that form them from degradation and erosion.

Policies

1. Coastal sand dunes on County unincorporated land are designated "Open Space" or "Agriculture," in this Coastal Plan as well as "Open Space" or "Agricultural" on the County's General Plan Land Use Map in order to provide for maximum coastal dune protection.
2. Activities leading to degradation, erosion or destruction of coastal dunes will not be allowed. This includes, but is not limited to, use by off-road vehicles, sand mining, *filling*, or dumping.

3. The County encourages acquisition of the McGrath Lake dunes by State Parks, and the designation of the area as a State Preserve.
4. The County supports less-than-fee acquisitions by the State as a means of preservation, such as open space easements and tax incentives.

B. Wetlands

Only small portions of the Central Coast's once-extensive *wetlands* remain today. One of the best remnants is the mouth of the Santa Clara River, which encompasses a variety of *habitats* with coastal flora and fauna including approximately 60 acres of pickleweed (*Salicornia virginica*) marsh. The endangered Belding's savannah sparrow, the rare California black rail, the endangered light-footed clapper rail, and the endangered California least tern have all been observed in the area.

West of Harbor Boulevard, the Santa Clara River is under the jurisdiction of the Cities of San Buenaventura and Oxnard, and the California Department of Parks and Recreation. The part of the river within McGrath State Beach has been designated State Preserve. East of Harbor Boulevard another portion of the *wetland* is within County jurisdiction (Figure 18) and it is zoned "COS" (Coastal Open Space, 10 acre minimum).

McGrath Lake is immediately south of McGrath State Beach and west of Harbor Boulevard (Figure 19). While it is a natural freshwater lake, probably formed in association with the sand dunes, most of its water now comes from agricultural *runoff*. The freshwater marsh around the edge attracts a variety of birds and small animals. The northern end of the lake and the land surrounding it are within the County and zoned "COS". A large portion of the *wetland* is within the City of Oxnard's jurisdiction. Near the southern end of the lake (Figure 18) is another segment of County land zoned "COS". The area is designated "Open Space" in this Coastal (Area) Plan and in the County's General Plan.

South of Port Hueneme and immediately north of Mugu Lagoon is Ormond Beach, historically the site of some of the most extensive *wetlands* in the County. Today there are approximately 100 acres of saltmarsh remaining. Most of the marsh is within the City of Oxnard's jurisdiction. Historically, the area was part of an extensive tidal marsh. According to saltmarsh experts, the marsh is still in relatively viable condition as characterized by dense stands of pickleweed and the presence of a variety of characteristic Southern California saltmarsh species. Few scientific studies have been done on the area. However, the endangered California least tern and Belding's savannah sparrow have been observed in the marsh. Additionally, this is one of the few areas in Southern California with an intact dune-transition zone-marsh system (R. Vogl, C. Onuf, pers. comm.).

Another *wetland* segment south of the Edison Plant is within the City of Oxnard's jurisdiction. The remnant tidal saltmarsh is also being considered for acquisition and restoration by the California Department of Parks and Recreation. It is used by the off-road vehicles and suffering soil compaction and vegetation damage. In their 1979 study, "A Concept Plan for Waterfowl Wintering Habitat Preservation," the U.S. Fish and Wildlife Service point out that the greatest opportunities for maintaining waterfowl populations along the Pacific Flyway would be in the restoration or enhancement of diked, formerly tidal, marsh. The marsh areas at Ormond Beach may afford such opportunities.

In "Recommended Coastal Properties for Public Acquisition" the California Coastal Commission (1976) placed Ormond Beach *wetlands* in its second priority group for

acquisition: "Recreational sites that serve urban populations and environmental resource areas that need protection or restoration.

The privately-owned Ventura County Game Preserve, another freshwater *wetland* now artificially maintained, is partially located in the coastal zone.

Objective

To protect *wetlands* in the Central Coast and encourage their acquisition, restoration or enhancement by the State to perpetuate their value to onshore and nearshore coastal life, and to the people of California.

Policies

1. All projects on land either in a designated *wetland*, or within 100 feet of such designation, shall be sited and designed to prevent impacts which would significantly degrade the viability of the *wetland*. The purposes of such projects shall be limited to those in Section 30233(a) of the Coastal Act.
2. Where any dike or *fill development* is permitted in *wetlands*, mitigation measures will, at a minimum, include those listed in Section 30607.1 of the Coastal Act. Other reasonable measures will also be required as determined by the County to carry out the provisions of Sections 30233 (b and c) of the Coastal Act.
3. Channelization, dams, and other river or *stream* alterations will be limited to:
 - a. Necessary water supply projects.
 - b. Flood control projects to secure public safety in the flood plain when there are no other *feasible* protection methods.
 - c. Projects necessary for protection and enhancement of *wetlands habitats*.

Such permitted projects will incorporate *feasible* mitigation measures.

4. *Habitat* mitigation will include, but not be limited to, timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of *native vegetation*, reclamation or enhancement as specified in the California Coastal Commission "Interpretive Guidelines for Wetlands" and a plan for spoils consistent with the following policy.
5. Dredge spoils should not be used for beach replenishment unless it can be shown that the process would not adversely impact coastal processes or *habitats*; such as intertidal reefs, grunion spawning grounds, or marsh. The California Department of Fish and Game, as well as other appropriate agencies, will be consulted when spoils deposition on a beach is under consideration.
6. The County supports formal recognition of the value of the Ormond Beach saltmarshes and their enhancement or restoration as such by the landowners, California Department of Fish and Game, the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and other appropriate agencies. Appropriate scientific experts and the current literature should be drawn upon in any reclamation or enhancement attempts.
7. The landowners and appropriate agencies, including the Coastal Commission, the Coastal Conservancy, and State Parks should work to limit

off-road vehicle *access* to the Ormond Beach marsh areas, including (but not limited to) fencing of areas.

8. Recreation in the Central Coast saltmarshes will include resource compatible *uses* such as nature observation, scientific study, educational trips, and possibly fishing. Appropriate public agencies will provide the public with off-site, as well as on-site, interpretive opportunities within existing programs as *feasible*. As funds become available, new programs should be developed.
9. The County will work in close cooperation with other agencies and jurisdictions to provide comprehensive and biologically sound management of coastal *wetlands*.

C. Film Production, Temporary

1. *Temporary film production activities* shall not result in ~~substantial~~ adverse impacts to wetland, ESHA, or ESHA buffer, including indirect effects from outdoor lighting or noise.

D. Signs

1. *Signs* are prohibited within *ESHA* except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within *ESHA* or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent *feasible*.

Recreation and Access

A. Recreation

The Central Coast is interspersed with a variety of developed, accessible recreation areas and has potential for more. [Figure 21](#) shows these areas. Beach parks have been developed in the cities of San Buenaventura, Oxnard and Port Hueneme, and the California Department of Parks and Recreation tentatively will purchase about 28 acres just north of Southern California Edison's Mandalay Beach Generating Station, to be encompassed by McGrath State Beach. This purchase would connect McGrath State Beach with the undeveloped 80 acre Mandalay State Beach Park north of West Fifth Street (both McGrath State Beach and Mandalay State Beach Park are within the City of Oxnard). It would also provide *access* to the scenic alternate bicycle/hiking route along Oxnard's beach road near the Mandalay Generating Station.

The two County parks near Channel Islands Harbor, Hollywood Beach and Silver Strand Beach are for day *use*. Silver Strand is 41 acres in size and has *parking lots* at both ends. Hollywood Beach County Park includes 50 acres with limited off-street parking.

Current recreational opportunities on the Central Coast are plentiful, and will expand as McGrath State Beach grows, and plans are fully implemented for Mandalay County Beach Park, Ventura Harbor, Channel Islands Harbor and Oxnard Shores.

Objective

To provide direction to the State, and to local agencies as appropriate, for improving and increasing public recreational opportunities on the Central Coast consistent with public health and safety, and the protection of private rights.

Policies

McGrath State Beach Park

1. The County will:
 - a. Support the State Park's policies and programs.
 - b. Support logical extensions of McGrath State Beach.
 - c. Encourage well-designed facilities expansion for camping as long as all possible environmental mitigations are incorporated.
 - d. Encourage the designation of McGrath Lake and the surrounding dunes as a State Preserve.

Mandalay County Beach Park

2. Every effort will be made to preserve the dune formations on the site.
3. Adequate on-site parking will be provided consistent with proposed park *use*.

Hollywood Beach and Silver Strand Beach

4. The County will coordinate with the cities of Oxnard, Port Hueneme, and, as necessary, the U.S. Navy in an attempt to help alleviate the traffic problems.
5. Walkways and bikeways around Channel Islands Harbor to link Hollywood and Silver Strand Beaches should be provided as funds are available.
6. No *parking lots*, walkways or bikeways, or *structures* other than public restrooms, and lifeguard stations should be placed on the beach areas to maintain the natural state of the beaches.

Ormond Beach

7. Encourage the California Department of Parks and Recreation's currently proposed acquisition with the County portion of the marsh included.
8. Encourage State Parks to consider to Ormond Beach site between Halaco and the Southern California Edison power plant for acquisition with adjacent segments of saltmarsh for enhancement.

B. Access

The only unincorporated areas in the Central Coast sub-area actually on the shoreline are Silver Strand Beach and Hollywood Beach, a total of about 7,400 linear feet of beach frontage. Both beach parks are owned by Ventura County and are about 90 acres in size. There is adequate pedestrian *access* to the beaches via numerous stub-end *public streets*. *Lateral access* along the beach is also not a problem since the property is County owned. [Figure 22](#) is an *access* inventory of the Central Coast.

The major problems are a lack of off-street public parking, and the inability to accommodate visitor traffic in the residential areas. The streets are generally narrow with very limited on-street public parking and no public transportation is available to these areas. In addition to these physical constraints, there are financial and jurisdictional constraints. The only areas where the Silver Strand community could expand are owned by the federal government (U.S. Navy). Attempts to purchase or lease Navy property have proven generally too costly. Also, studies are now being conducted regarding the feasibility of annexation to

either or both the cities of Oxnard and Port Hueneme. There is also no system of pedestrian walkways linking the beach areas with the Harbor.

Objective

1. To maximize public access to the Central Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act; to maintain existing access, and seek new access as funds become available.
2. To maintain or increase public access to coastal resources through increased parking capacity for vehicles and bicycles within the coastal zone.

Vertical

1. For all new development between the first public road and the ocean, granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:
 - a. Adequate public access is already available within a reasonable distance of the site measured along the shoreline, or
 - b. Access at the site would result in unmitigable adverse impacts on areas designated as "environmentally sensitive habitats" or tidepools by the land use plan, or
 - c. Findings are made, consistent with Section 30212 of the Coastal Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or
 - d. The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner, or

Lateral

2. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for lateral access during the periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.
 - a. Findings are made, consistent with Section 30212 of the Coastal Act that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected.

Environmentally Sensitive Habitats

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

General

4. In accordance with Sec. 30214(a), the time, place, and manner of *access* will depend on individual facts and circumstances, including topographic and site characteristics, the capacity of the site to sustain *use* at the intensity proposed, the proximity to adjacent residential *uses*, the privacy of adjacent owners, and the feasibility to provide for litter collection.
5. In accordance with Sec. 30214(b), the requirement of *access* shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

McGrath State Beach Park

6. Support redesign of the entrance to McGrath State Beach to augment *access* and to improve traffic flow within the park.
7. Support *access* limitations to certain areas as appropriate to maintain ecosystem viability.

Hollywood Beach/Silver Strand Beach

8. Coordinate with the appropriate agencies to help alleviate traffic and circulation problems, and provide additional public parking. New public parking facilities should be located outside residential areas due to the narrowness of existing roadways and conflicts with residential circulation.
9. Provide pedestrian walkways and bikeways around Channel Islands Harbor to link Hollywood and Silver Strand Beaches when funding is available.

Film Production, Temporary

10. ~~Temporary film production activities shall result in negligible impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual resources, and public coastal beach access to such facilities shall be minimized during temporary film production activities.~~
11. During the peak summer season (Memorial Day through Labor Day weekend), *temporary film production activities*:
 - Shall not preclude the general public from *use* of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to *access* a public beach or public recreation facilities.
12. No new permanent *structures* shall be erected for *temporary film production activities*, and the *film permit area* shall be returned to pre-permit conditions following *film production striking*.

Parking and Loading

13. New development, and intensifications in *use*, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.
14. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project

applicant contribute to a program aimed at increasing *coastal access parking*. The following factors must be considered in determining whether a requested exception to off-street parking requirements should be granted:

- No additions or expansion to the structure are proposed and all existing on-site parking is retained;
 - Business hours of operation are in the evening when beach recreational uses are low or non-existent;
 - The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
 - Shared parking, pursuant to Sec. 8176-4.6, is not available to meet parking requirements; and
 - Other transportation incentives programs listed in Sec. 8176-4.8.1(b), are not feasible, or will not lessen the number of parking spaces required.
15. To promote the efficient *use* of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or *mixed-use developments* that accommodate multiple *uses* at different peak parking periods. Where *feasible*, such *parking lots* should accommodate public *coastal access* parking.
16. Restrictions on public parking that would impede public *coastal access* shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.
17. New *development* that requires the removal of existing public parking shall provide an equivalent number of replacement public parking spaces in the immediate vicinity except where the provision of such parking is infeasible or alternatives are identified that offset the need for additional parking facilities.
18. Where *feasible*, new commercial, *multi-family* residential, or *mixed-use development* shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and parking *use* where *coastal access parking* concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available *coastal access parking* (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2) more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include La Conchita (Surfside Street),

Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

Signs

The primary purpose of the *sign* policies in this section is to utilize *signs* to protect and improve *access* to the coastline or other *coastal resources*.

19. *Coastal access* signage shall be posted in conspicuous areas and located so that *access* is maintained and visitors are directed to publicly available *coastal access* parking, beach *access* points, and public trails.
20. For the California Coastal Trail, *coastal access* signage should include distinctive *signs* incorporating the California Coastal Commission *coastal access* logo (foot and wave) or markers, consistent with visual resources.
21. Signs that adversely impact public access shall be prohibited ~~located in areas that maintain coastal access~~ except where there is no *feasible* alternative to protect public safety. In such cases, the impact to *coastal access* shall be mitigated and, where *feasible*, the sign shall be temporary and removed once the public safety issue is resolved.⁷
22. With the exception of *road* or *informational signs*, placement of *signs* within the public right-of-way shall be prohibited.
23. No *signs* shall be posted on a public beach unless authorized by a coastal *development* permit. *Signs* on a public beach which purport to identify the boundary between State *tidelands* and private property, or which indicate that public *access* to State *tidelands* or public *lateral access* easement areas is restricted, shall not be permitted.

Agriculture

There are five major agricultural areas wholly or partially within the Central Coast. According to the 1978 Assessor's land *use* data and an on-site survey, they total approximately 1,500 acres. Some of the *parcels* are split by the *coastal zone* boundary. Only those areas estimated to be in the *coastal zone* are included in this discussion (Figure 23).

Most of the Central Coast agricultural lands contain Class I and Class II soils as identified by the U.S. Soil Conservation Survey. Cultivation of row crops is the predominant agricultural *use*, although some greenhouse and dry crop farming takes place. Approximately 350 acres, or 23 percent of the agricultural land, have been placed in agricultural preserves under Land Conservation Act contracts. Area descriptions from north to south follow:

I. Preble Lands (Non-Preserve)

The Preble sub-area includes 62 acres of row and truck crops, located immediately north of the 101 Freeway and bounded on the west and north by the corporate limits of the City of San Buenaventura. This area is broken into four *parcels*; 44 acres, 13 acres, 3 acres, and 2 acres in size, respectively. All *parcels* contain prime soils.

This area is zoned "C-A" (Coastal Agricultural). The Preble area is within the San Buenaventura Area of Interest and is designated "Agricultural" on the County's General (Plan) Land Use Map as well as in this Coastal Plan. The City of San Buenaventura Land Use Element designates the site for "Planned Mixed Use Development" for Phase I - first priority development. Poor *access* to the area is the major *development* constraint at this time.

II. Olivas Lands

Immediately south of the Preble area, extending to the Olivas Golf Course, are the Olivas agricultural lands. The area consists of six *parcels* (25, 32, 15, 35, 130 and 120 acres in size). U.S. Highway 101 separates the Preble area from the Olivas area.

Prior to construction of the freeway, *parcels* in these two areas were merged, forming a continuous stretch of *prime agricultural land*. The Olivas sub-area includes approximately 355 acres of row and truck crops. Approximately 120 acres of this area are in agricultural preserve.

The County General Plan designates this area as "Agricultural". The City of San Buenaventura General Plan designates the area as "*Agriculture*" through 2010.

III. McGrath Agricultural Lands

The unincorporated McGrath agricultural lands extend from the Santa Clara River on the north, to Wooley Road on the south, east of Harbor Boulevard. Approximately 883 acres are in the coastal zone. Of these, approximately 228 acres are in agricultural preserve under the Land Conservation Act. Zoning for the McGrath agricultural land includes:

- "COS" = Coastal Open Space, 10 acre minimum *lot* size,
- "COS-40Ac" = Coastal Open Space, 40 acre minimum *lot* size, and
- "CA" = Coastal Agricultural, 40 acre minimum *lot* size.

All agricultural lands in the McGrath area are designated "Open Space" in the General Plan and in this Coastal Area Plan.

Between Fifth Street and Wooley Road is a 219 acre *parcel* of row and truck crops that is designated "Agricultural" in the County General Plan. This *parcel* is within the City of Oxnard Area of Interest, and is phased for *development* after 1990 by the City's General Plan.

IV. Other Ownerships

Located between Teal Club Road and Doris Avenue, west of Victoria Avenue, and adjoining the McGrath agricultural lands are two *parcels* partially within the coastal zone. The two *parcels* (107 acres total) have been 19 acres within the *coastal zone* that are zoned "CA" (Coastal Agricultural) and are designated "Open Space" in this Coastal Area Plan. The balance of the *parcels'* acreage is designated "Agricultural" in the County's General Plan and the acreage is zoned "A-E" (Agricultural Exclusive).

V. Ormond Beach

There are two areas of unincorporated lands within the *coastal zone* in the vicinity of Ormond Beach, totaling approximately 65 acres. The *parcels* have prime soils and some are currently in agricultural *use*. The 65 unincorporated acres are designated "Agricultural" (51 acres) and "Open Space" (14 acres) in this Coastal Area Plan. All other (55 acres) of Ormond Beach agricultural lands are within the jurisdiction of the City of Oxnard.

The California Legislature passed the California Aquaculture Development Act which amends Section 30411 of the Coastal Act by finding and declaring that "salt water or brackish water *aquaculture* is a coastal *development use* which should be encouraged to augment food supplies." Since *aquaculture* research and *development* is in its infancy, the potential for this kind of *agriculture* in the *coastal zone* should be

recognized. The unincorporated areas of Ormond Beach may be suitable for *aquaculture*.

Minimum *lot* size in the "Agriculture" land use designation is 40 acres per *single family dwelling*. This 40 acre minimum is sufficient to maintain economic viability for various agricultural *uses* (irrigated cropping). Non-irrigated activities may require a larger acreage. Studies as to what constitutes a viable farm unit have been done by Ventura County Agricultural Committee (Appendix 4), Ventura County Assessor's Office and Ventura County Farm Bureau.

Objective

To preserve agricultural lands on the Central Coast to the maximum extent *feasible*.

Policies

1. The stable urban boundaries are:
 - a. The Southern Pacific Railroad right-of-way north of U.S. Highway 101, in the Preble area, which divides the unincorporated County agricultural lands and the City of San Buenaventura's urban development.
 - b. Conterminous with the City of Oxnard's present city limit at Wooley Road and the Ormond Beach area.
2. Land divisions in, or adjacent to, agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Agency Foundation Commission should exclude lands designated "Agriculture" from any new or expanded service districts that could negatively impact agricultural viability.
4. New or expanded *public works facilities* will be sited or designed to mitigate environmental impacts on agricultural viability and open space lands.
5. As *aquaculture* develops it will be considered as a potential agricultural *use* in appropriate areas.

Hazards

The Central Coast *coastal zone* is part of the Oxnard Plain, an alluvial fan created by the disposition of the sediments from the Ventura River to the north, the Santa Clara River and Calleguas Creek to the south.

The Oak Ridge Fault System extends beneath the Central Coast's unincorporated lands. The Oak Ridge Fault is a steep reverse, or thrust, fault with a trace that extends westward along the Santa Susana Mountains, and toward the ocean on the southern side of the Santa Clara River.

The Fault System probably contains many branching faults and is believed to be associated with one or more faults of similar trend present in the Santa Barbara Channel west of the Oxnard Plain. The System is over 50 miles long on the mainland and may extend for an equal or greater distance offshore. It is considered active.

The McGrath Fault branches off the Oak Ridge Fault zone to extend westward into the ocean near the McGrath lands south of the Santa Clara River.

The *coastal zone* area of the Oxnard Plain may be particularly prone to liquefaction. A special study completed after the February 21, 1978 Point Mugu earthquake indicates that the areas south of the Ventura River, generally between Gonzales Road and Oxnard Shores, have a moderate to low liquefaction potential, while the Preble and

Olivas communities, the Santa Clara River area, and Channel Islands Harbor, extending southward to Arnold Road, have a moderate to high liquefaction potential.

The Central Coast is the most heavily populated area of the Ventura coastal zone. Several large industries and utilities are located there, including Southern California Edison Company's Mandalay and Ormond Beach power plants, Oxnard and San Buenaventura wastewater treatment plants, and three harbors. Liquefaction from severe ground shaking could cause major damage and disruption of services.

According to the County General Plan's Hazards Appendix, the area in the Central Coast *coastal zone* has a subsidence rate of between 0.01 and 0.05 feet per year. A single point located at Hueneme Road and Highway 1 has dropped about one and a half feet in twenty-one years. Records up until 1968 show a dozen bench marks that have settled a foot in a fifteen to twenty year period.

The Santa Clara River is a flood hazard to some human activities in the Central Coast. Major floods occurred along the Santa Clara River in 1938, 1943, 1958, 1965, 1969, 1978 and 1980. Floods could inundate the Olivas Golf Course, portions of the City of Ventura Sanitation Plant, McGrath State Beach, Harbor Boulevard, and a major portion of the McGrath agricultural lands.

The Coastal Act specified that new *development* is to be located away from hazardous areas. New flood control projects shall be limited to those necessary to protect existing *development* or for public safety (Section 30236). Flood plain management, rather than structural solutions alone in this sub-area may be required.

Existing *uses* in the *coastal zone* portion of the Santa Clara River conform to the "Open Space" designation of the County's General Plan and this Coastal Area Plan. No *structures* are located on the coastal portion of the flood plain, with the exception of the City of San Buenaventura Sanitation Plant facilities, and recreational *structures* at McGrath State Beach. The California Department of Parks and Recreation General Development Plan for McGrath State Department of Parks and Recreation General Development Plan for McGrath State Beach recommends relocating the State Beach *structures* to avoid flood impacts.

Maintenance of *agriculture* and open space (parks, recreation and *habitat* preservation) would promote proper flood plain management, and would further reduce potential flood damage to structural development.

The General Plan Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an initial study on a proposed project to determine the need for an EIR. Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of projects.

In addition to the environmental hazards on the Central Coast there is another unique hazard associated with *development* adjacent to certain areas of the Point Mugu Naval Air Station. Bunkers are located at certain areas on the base where magazines *store* explosive materials. Depending on the quantity of material, the Navy has computed a hazardous distance (QD radius) around the magazine where no *development* should take place. In addition, the runways contain "overrun areas" where no *development* should take place. [Figure 24](#) depicts this area, found within the Ventura County Game Preserve property.

Objective

To protect public safety and property from natural and human hazards as provided in County ordinances.

Policies

1. The County's General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provide direction for geologic, seismic, flood and fire hazard avoidance.
2. The flood plain of the Santa Clara River will be limited to open space of agricultural *uses* to minimize flood hazard risk.
3. New *development* shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
4. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.
5. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed development.
6. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be setback a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
7. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.

Beach Erosion

Unincorporated areas of the Central Coast with beaches include Hollywood Beach and Silver Strand. According to the Department of Navigation and Ocean Development (1979), erosion at Hollywood Beach is significantly minimized by the jetty at the north entrance of Channel Islands Harbor (Appendix 5).

Erosion at Silver Strand is also slight. While the middle section of the beach is subject to erosion during periods of high tides and wave action, homes on the shoreline are protected from damage by bulldozed sand dikes.

Beach sections that become eroded are stabilized with sand replenishment by the Army Corps of Engineers as requested by the Ventura County Flood Control District as funds are available.

Objective

To protect public safety and property from *beach erosion* as provided for in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
2. All shoreline protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.
3. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.

4. The County's Building and Safety Division will routinely refer all permits for seawalls, revetments, groins, retaining walls, and pipeline outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
5. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant may be required to obtain an engineering report that indicates how those impacts will be mitigated.
6. Permitted *structures* under policies 1 through 4 will not interfere with public access to the shoreline.
7. During their scheduled dredging of Channel Islands Harbor, the Army Corps of Engineers is encouraged to replenish beaches with severe erosional losses consistent with environmental restraints on the deposition of dredge spoils.

Energy and Industrial Facilities

Several industrial facilities for energy production are located on the Central Coast: 1) oil and gas and processing and distribution facilities; 2) electrical generating plants; and 3) marine terminals and storage tanks. Proposals have been made for expanding *development* of offshore oil and gas fields, related onshore facilities, and new electrical generating plants (Figures 25 and 26).

I. Oil and Gas Facilities

The West Montalvo oil field is located on the Oxnard Plain immediately south of the Santa Clara River. It extends into the State Tidelands. Most of the West Montalvo field lies within the unincorporated areas of the County; however, portions in the vicinity of McGrath State Park and Mandalay Beach are in the corporate boundaries of the City of Oxnard. The onshore portion comprises approximately 80 percent of the proven acreage of the field. There are some directionally drilled wells in this field that produce from offshore by drilling under the ocean.

The onshore portion of the West Montalvo field consists of four leases: McGrath #4 lease; McGrath #5 lease; Patterson Ranch lease, Parcel 1 and Parcel 2. These leases are only partially within the *coastal zone* (Figure 26). There have been several Conditional Use Permits and modifications on these leases issued by the County over a period of many years.

There are currently three processing facilities within the coastal zone: one west of Harbor Boulevard near its intersection with Gonzales Road, and two east of Harbor Boulevard, south of the Santa Clara River. A compressor pump station is located south of Fifth Street, adjacent to the Edison Canal in Oxnard.

In September of 1978, there were 18 producing onshore wells, and one producing offshore well, in the West Montalvo oil field. These wells are located on both the east and west sides of Harbor Boulevard.

II. Pipelines

One major oil pipeline is located in the Central Coast. It is made up of three segments routed from the Rincon pump station to the Ventura Pump Station (which includes storage tanks) at Ventura Harbor and on to Los Angeles. Only the

first segment crosses the coastal zone. It consists of an 8-inch line from the Ventura Pump Station to the Santa Paula Pump Station.

III. Electrical Generation and Transmission Facilities

The California Public Utilities Commission and California Energy Commission are the agencies responsible in the area of electric transmission lines which includes technical and safety performance and environmental concerns. All electrical transmission lines proposed for the *coastal zone* are developments under the Coastal Act, thus the County has permit review over them. However, the Warren-Alquist Energy Resources Conservation and Development Act of 1975 exempts new power plants with capacity greater than 50 megawatts and electric transmission lines connecting such plants to the existing transmission system from local government permit authority.

While impacts from erosion, grading, and the operation of equipment may occur during construction and result in damage to coastal land resources and *habitat* areas, the primary concerns are associated with overhead electric transmission lines and their long-term impacts on views and visual resources. Visual impacts are particularly severe in undeveloped areas, especially the foothills and upland areas, and along the coastal terrace. Mitigation measures are limited at this time to alternate routine locations and undergrounding of lines, which is expensive.

Reliant Energy operates two major electric generating stations on the Central Coast: Mandalay Beach, located on the coast within the City of Oxnard, seaward of Harbor Boulevard and approximately a half mile north of West Fifth Street; and Ormond Beach, also in the City of Oxnard on the beach, northwest of Arnold Road and approximately a half mile south of McWane Boulevard. The combined generating capacity of these two power plants is 2,010 megawatts (MW) or three times the total electrical requirements of Ventura County. Transmission lines from both generating stations cross the coastal zone.

Reliant Energy maintains four electrical distribution substations within the coastal zone. Only one of these is located in the County *coastal zone* - the 66KW distribution substation at Silver Strand Beach.

During a 1979 Notice of Intent proceeding (79-NOI-3), the County, Coastal Commission, Energy Commission, Department of Fish and Game, and (at that time) Southern California Edison Company agreed to some significant stipulations regarding the siting of new power plants in the Ormond Beach site. Briefly, these stipulations eliminate the construction of power plants from dunes, *wetlands*, or beach areas.

IV. Offshore Oil and Gas Development

Offshore oil and gas *development* occurs both in state *tidelands* and the federal Outer Continental Shelf (O.C.S.). Facilities in the Central Coast are used to support O.C.S. activities (Figure 25).

A. State Tidelands - Currently, all production from the West Montalvo offshore field is from State Tidelands, lease PRC 735. Production is accomplished from a series of directionally drilled wells from the onshore McGrath #4 Lease (Montalvo Field), seaward of Harbor Boulevard. A *tidelands* lease, PRC 3314, surrounds the McGrath #4 lease.

B. Federal Outer Continental Shelf:

1. Hueneme Field - The Hueneme Unit consists of Tracts P-0202 and P-0203, which are located approximately three to five miles southwest of Port Hueneme. There are two offshore oil platforms that were constructed since

1980, one of which is within this unit (Gina), while the other (Gilda) is in the Santa Clara unit. There is a small onshore treatment facility in the City of Oxnard immediately south of Reliant Energy's Mandalay Beach Generating Station. Called the "Mandalay Onshore Separation Facility," this facility sells gas to the Generating Station.

2. Santa Clara Unit - There are eight OCS (Outer Continental Shelf) tracts located five miles southwest of Ventura and six miles west of Port Hueneme. Platform Grace was installed on OCS Tract P-0217.

V. Other Facilities:

A. Refineries - There are two operating refineries and one inactive refinery in the County. None are located within the coastal zone, but all are important to *coastal zone* planning. One, the Oxnard Refinery, is in the Central Coastal Area.

The small Oxnard refinery is adjacent to Fifth Street in an unincorporated area, just east of the City of Oxnard. Feed stock for the refinery comes primarily from the Oxnard and West Montalvo fields. It has a capacity of approximately 2,500 B/D with an existing throughput of approximately 1,500 B/D.

B. Marine Terminals and Storage Tanks - The Ventura Marine Terminal, which is idle, is located on land just south of the Ventura Marina. The property is now annexed to the City of San Buenaventura. There is a transit storage tank site adjoining the Marine Terminal on the south.

C. Oil Field Waste Disposal Sites - This type of *use* is termed a "soil amendment activity" in the County's Non-coastal Zoning Code, and is allowed in several zoning categories including Open Space by Conditional Use Permit in the non-coastal areas of the County.

There are two sites in the Central Coast that formerly handled oil field wastes. They are located at the northeast corner of Fifth Street and Harbor Boulevard. The sites closed operations in 1980.

Objective

To allow the continued exploration and production of oil and gas in most of the Central Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between Harbor Boulevard and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*" will be considered as unacceptable for new energy and industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between Harbor Boulevard and the landward *coastal zone* boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial."
3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the

Coastal Zoning Ordinance (including, but not limited to Section 8175-8.7) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and location.

4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3 above, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 below, transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the *Coastal Zone* related to oil and gas development.
 - m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.

6. All future offshore oil and gas production coming on-shore in the Central Coast Area shall utilize existing facilities whenever economically and technically *feasible*.
7. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
8. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of a significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
9. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
10. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
11. All offshore to onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
12. Except for pipelines exempted from coastal *development* permits under Section 30610 of the Coastal Act, as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant. This survey may be conducted as part of an environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.
13. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval.

All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
15. Transmission lines rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or archaeological resources, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
16. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
17. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627), all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.
18. As land becomes available, permanent service bases shall be encouraged to locate at the Port of Hueneme where similar *uses* are located and adequate harbor facilities are available.
19. Should crude oil pipelines need to be enlarged in the future, or a new pipeline installed, the route shall follow existing pipeline corridors, if *feasible*.
20. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
21. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related

industrial facility supporting such *development* is defined as “*coastal-dependent development*” or “*coastal-related development*”, based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

The Central Coast is the most urbanized portion of Ventura County's coastal zone. Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea are the only residentially developed, unincorporated areas, zoned "R-B-H" (Residential Beach Harbor, 1,750 square foot minimum). Several small neighborhood serving commercial and neighborhood-planned developments are located within these areas, along with the Hollywood Beach Elementary School.

No major public service capacity problems have been identified for the unincorporated areas of the Central Coast. Build-out in Hollywood Beach/ Silver Strand/Hollywood-by-the-Sea will not impact local water supplies. All their water is drawn from the lower aquifer, while agricultural users obtain water from privately-owned wells. The Preble, Olivas and McGrath agricultural lands are outside the seawater-intruded area, and will not be affected by the well-drilling moratorium. However, agricultural lands in the rest of the Central Coast *coastal zone* are subject to seawater intrusion. Adopted policies and ordinances developed under the "208" Countywide Planning Process will also be applied toward a solution to the problem.

Sewer service allocations for Silver Strand and the Hollywood Beach are sufficient to handle all sewage generated from residential build-out in the area.

Silver Strand and Hollywood Beach will continue to be severely impacted by traffic, especially in the summer months. The completion of Victoria Avenue between Gonzales Road and Silver Strand in 1984 and out-of-area visitation compounded traffic congestion in the Silver Strand and Hollywood Beach areas.

There is a public *parking lot* at both ends of Silver Strand Beach. According to the Ventura County General Services Agency, ways are being explored to improve the Channel Islands southern jetty for pedestrian *use* if funding can be obtained.

During heavy winter storms there is a problem with waver run-up and ponding in residential areas.

Objective

To maintain current service levels to existing developments.

Policies

1. New or expanded *public works facilities* (including roads, flood control measures, water and sanitation) will be designed to serve the potential population of the unincorporated and incorporated areas within the Coastal Zone, and designed to eliminate impacts on *agriculture*, open space lands, and *environmentally sensitive habitats*.
2. New service extensions required beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.
3. In working toward solutions to circulation problems in the unincorporated beach communities of Hollywood Beach, Hollywood-by-the-Sea and Silver Strand Beach, the County of Ventura should initiate a renewed effort to coordinate with citizens and responsible agencies. Pedestrian walkways and bicycle paths should be considered as part of the solution.

4. Public transportation into Hollywood Beach, Silver Strand, and Hollywood-by-the-Sea will be provided according to needs identified in the data collected by South Coast Area Transit (SCAT).
5. The Public Works Agency will explore the feasibility of a "traffic roundabout" at the southern base of Victoria Avenue in front of the Coast Guard station to help alleviate traffic pressures on the Silver Strand community. This should be done in cooperation with any other affected agency, such as the City of Oxnard.

Locating and Planning New Development

I. Residential

Existing residential *development* in the Central Coast sub-area is confined to Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea. These areas have recently been in-filling rapidly. As the only segments of unincorporated land on which urban *development* is allowed, they will continue to in-fill.

The section of Ventura County's General Plan covering Hollywood Beach, Silver Strand and Hollywood-by-the-Sea allows build-out to the prevailing base zoning, mainly "R-B-H" (Residential Beach Harbor), and "C-C" (Coastal Commercial). Some of the property zoned commercial has been converted to residential and homes have been built.

II. Commercial

The existing neighborhood commercial *uses* in the Hollywood Beach, Silver Strand Beach, Hollywood-by-the-Sea and Channel Islands Harbor areas, coupled with the major commercial *uses* nearby in the cities of Port Hueneme and Oxnard, are sufficient to serve the area and any visitors entering the area.

III. Industrial

Other than the energy facilities previously mentioned, there are no industrial developments in the unincorporated areas of the Central Coast.

Objective

To allow build-out of existing urbanized areas to continue, consistent with the County's General Plan, regional goals within the Air Quality Management Plan and "208" (Water Quality) Plan.

Policies

1. The areas of Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea will be the only areas where high density residential *development* will be allowed in the Central Coast.
2. No *structures* for human habitation will be allowed within those hazardous areas shown in [Figure 24](#).

Potential Conflicts

Conflicts could arise between unincorporated County lands presently in *agriculture* and potential *development* plans of adjacent cities. Section 30241 of the Coastal Act states that, 1) the maximum amount of *prime agricultural land* shall be maintained in agricultural production; 2) stable boundaries separating urban and rural areas shall be established; and 3) that clearly defined buffer areas to minimize conflicts between *agriculture* and urban *uses* shall be defined.

I. San Buenaventura Area of Interest

Within the San Buenaventura Area of Interest and within the *coastal zone* are two unincorporated agricultural sub-areas:

A. Preble Agricultural Lands - The Preble agricultural lands include 62 acres of row and truck crops, immediately north of the 101 Freeway and bounded on the west and north by the corporate limits of the City of San Buenaventura. All *parcels* contain prime soils. Land *uses* immediately adjacent to this area include: the Southern Pacific Railroad and mixed urban *development* to the north, the 101 Freeway to the east and south, and a citrus packing plant to the west.

The location of the Preble area may be critical to the designation of stable urban boundaries because it is immediately adjacent to urbanized lands within the City of San Buenaventura.

Local plans and policies reflect *development* pressures from the proximity of urban development. The area is currently designated "Agricultural" on the County's General Plan and zoned "C-A" (Coastal Agricultural). The County's "208" Plan includes the area within the 1977 "Urban Growth" phasing boundary. The City of San Buenaventura's Land Use Element designates the site for "Planned Mixed Development." The area is designated a Phase I (first priority development). It is within the City of San Buenaventura's Sanitation District, and water is available and water pressure adequate. Urban services appear to be readily available. However, *development* may be restricted by the lack of adequate *access* to the site. Although it is adjacent to the freeway, *access* to the area is currently limited to a narrow road off of Seaward Avenue. The Southern Pacific railroad tracks, located along the northern perimeter of the site, pose additional *access* problems.

Two logical urban boundaries exit in the Preble area: 1) the Southern Pacific Railroad tracks on the northern perimeter of the site, and 2) U.S. Highway 101 at the southern perimeter of the site. The City and County concur that the table urban-rural boundary will be the Southern Pacific Railroad right-of-way between the agricultural and urban lands.

B. Olivas Lands - Immediately south of the Preble property are the Olivas agricultural lands. Highway 101 separates the two segments of land. Prior to construction of the freeway, *parcels* in these two areas formed a continuous stretch of *prime agricultural land*. The Olivas land includes 355 acres of row and truck crops. Approximately 120 acres of this area are in agricultural preserve.

Land *uses* adjacent to the sub-area include the 101 Freeway and agricultural activities on the north and east, the Olivas Golf Course on the south, and Harbor Boulevard, the Ventura Marina and the Pierpont/Keys residential *development* to the west.

The County General Plan designates this area as "Agricultural" (40 acre minimum). The City of San Buenaventura's General Plan also designates the area "*Agriculture*" through 2010. Unlike the Preble area, services are not readily available to the Olivas lands. They are not included in the City's sanitation district because of problems with water pressure. Existing plans and policies support maintenance of *agriculture* in this area, in conformance with the Coastal Act.

II. Oxnard Area of Interest

The Santa Clara River is the approximate boundary between the Oxnard and the San Buenaventura Areas of Interest. Within the Oxnard Area of Interest the potential conflict areas include the Edison Canal and a portion of the agricultural land in the Ormond Beach area.

The "Edison Canal" (so called because it was originally associated with holdings of the Southern California Edison Company) traverses the *coastal zone* from Channel Islands Harbor northward to the Generating Plant, currently owned by Reliant Energy, at Mandalay Beach. The canal flows through both unincorporated and City of Oxnard lands. Both recreational and residential *development* has been proposed along the canal. Conflicts could occur between the different land *uses* proposed in the Edison Canal Land Use Study and the owner of the canal and its right-of-way.

**Figure 18
Santa Clara River Mouth**

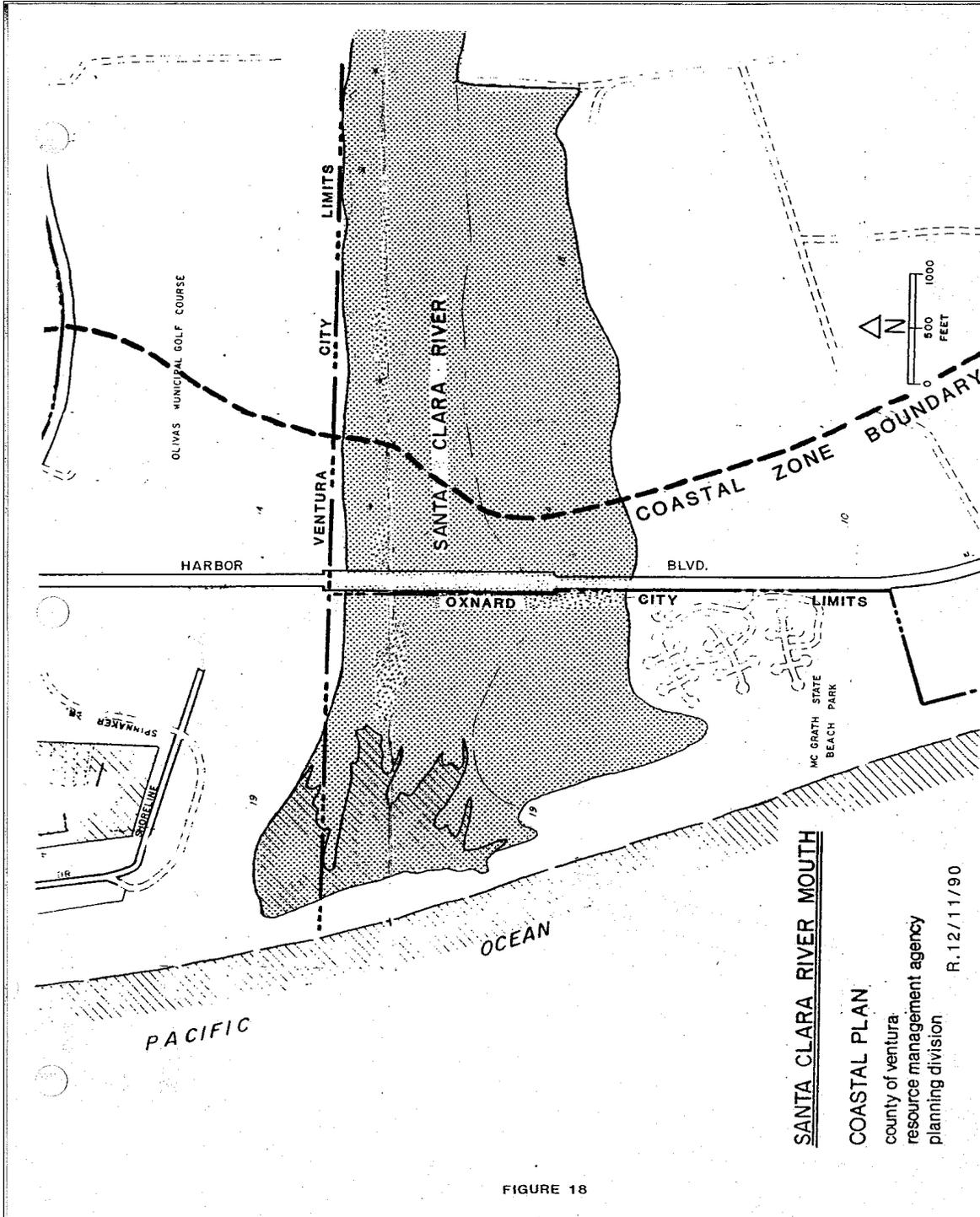


FIGURE 18

**Figure 19
McGrath Lake**

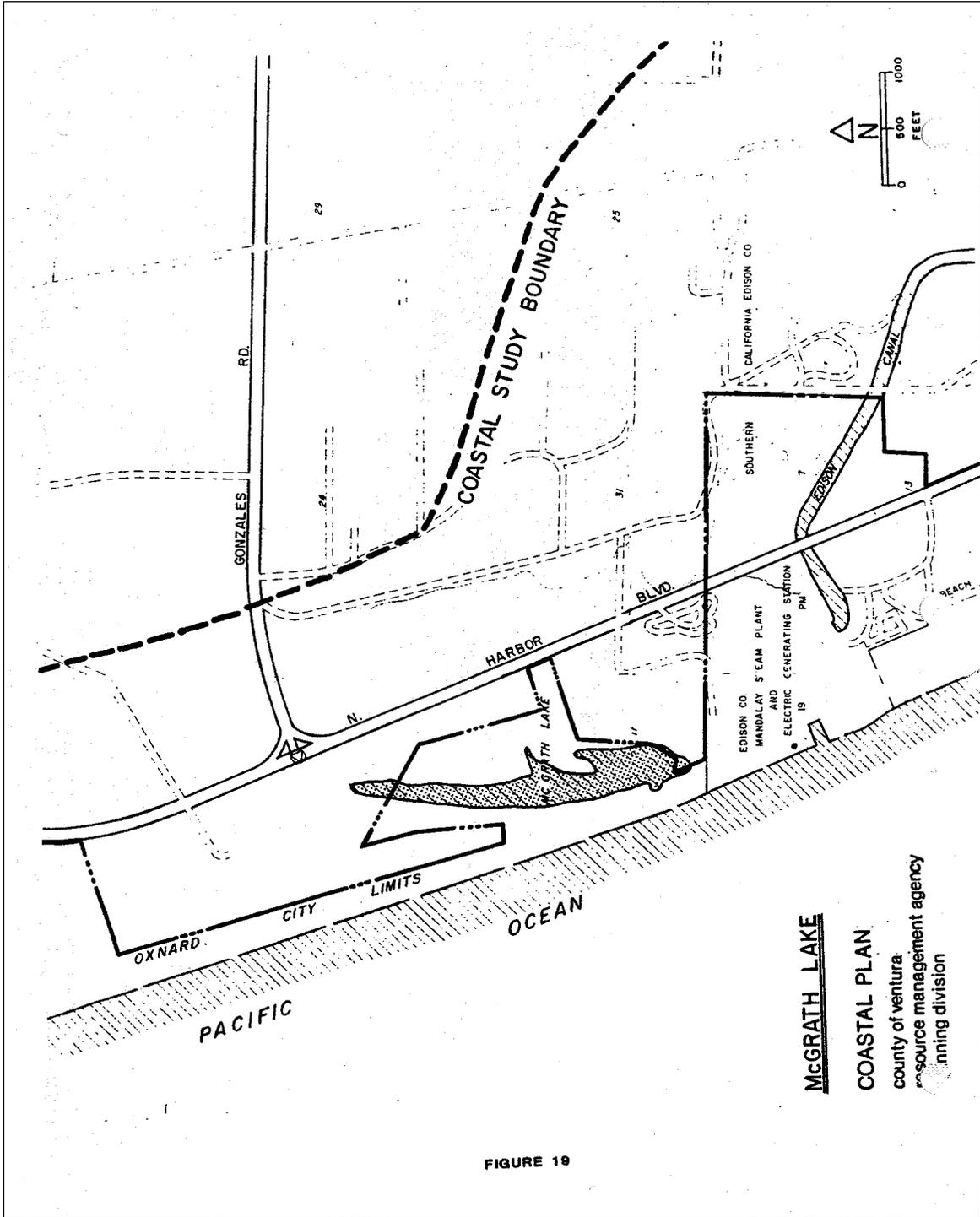


FIGURE 19

Figure 20
(Reserved for future use)

**Figure 22
Central Coast Access Inventory**

Name and Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By
Hollywood Beach*	Park	50 ac.	--	Yes	Yes	County	County
Silver Strand Beach*	Park	41 ac.	--	Yes	Yes	County	County

6/20/89

Footnotes:

* See Local Coastal Area Plan Land Use Maps for the Central Coast and Harbor Area, Figures 26.2 and 26.3 (separate maps).

Figure 25 Existing OCS and Tideland Leases and Oil Facilities on the Central Coast

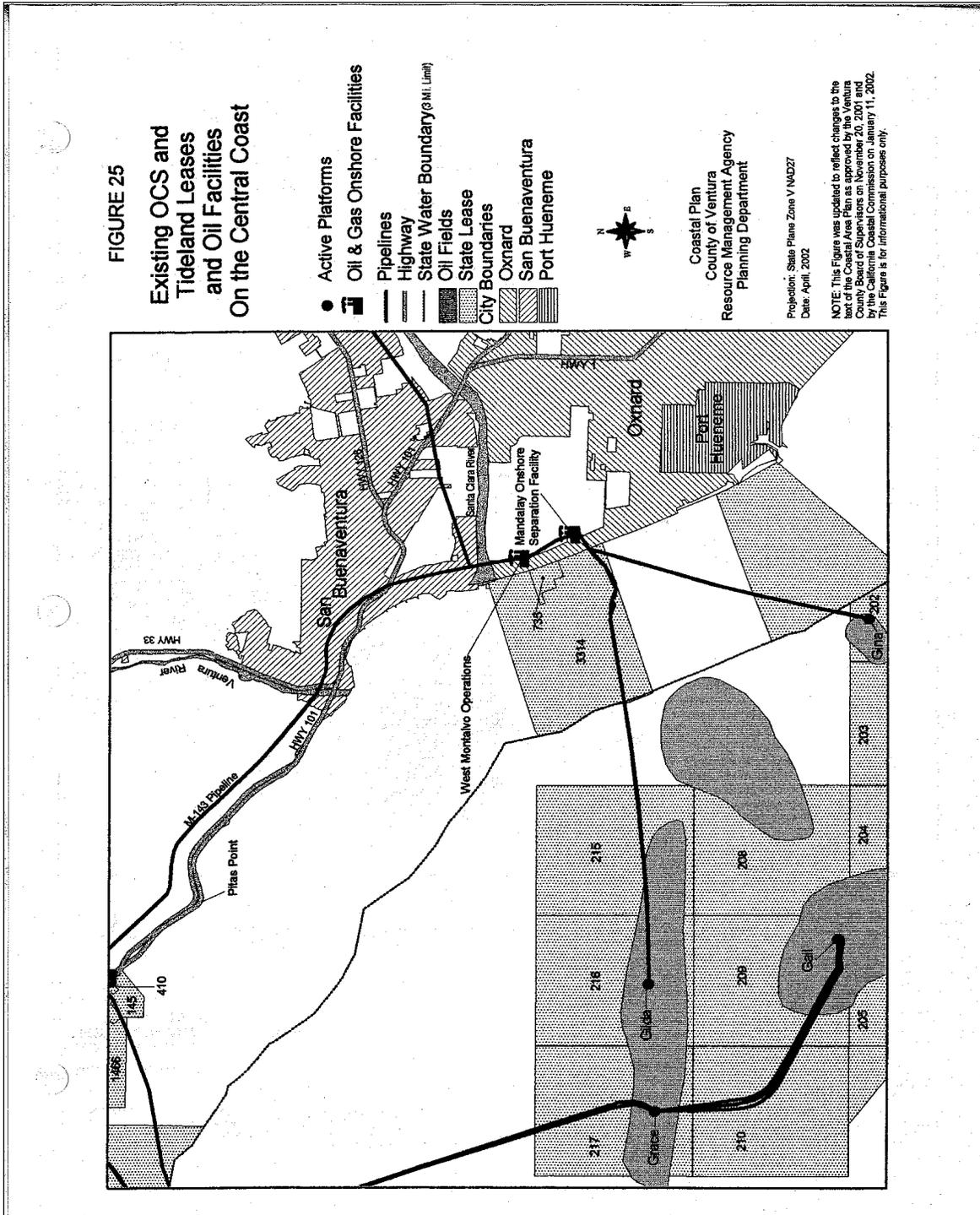


Figure 26 Energy Facilities on the Central Coast

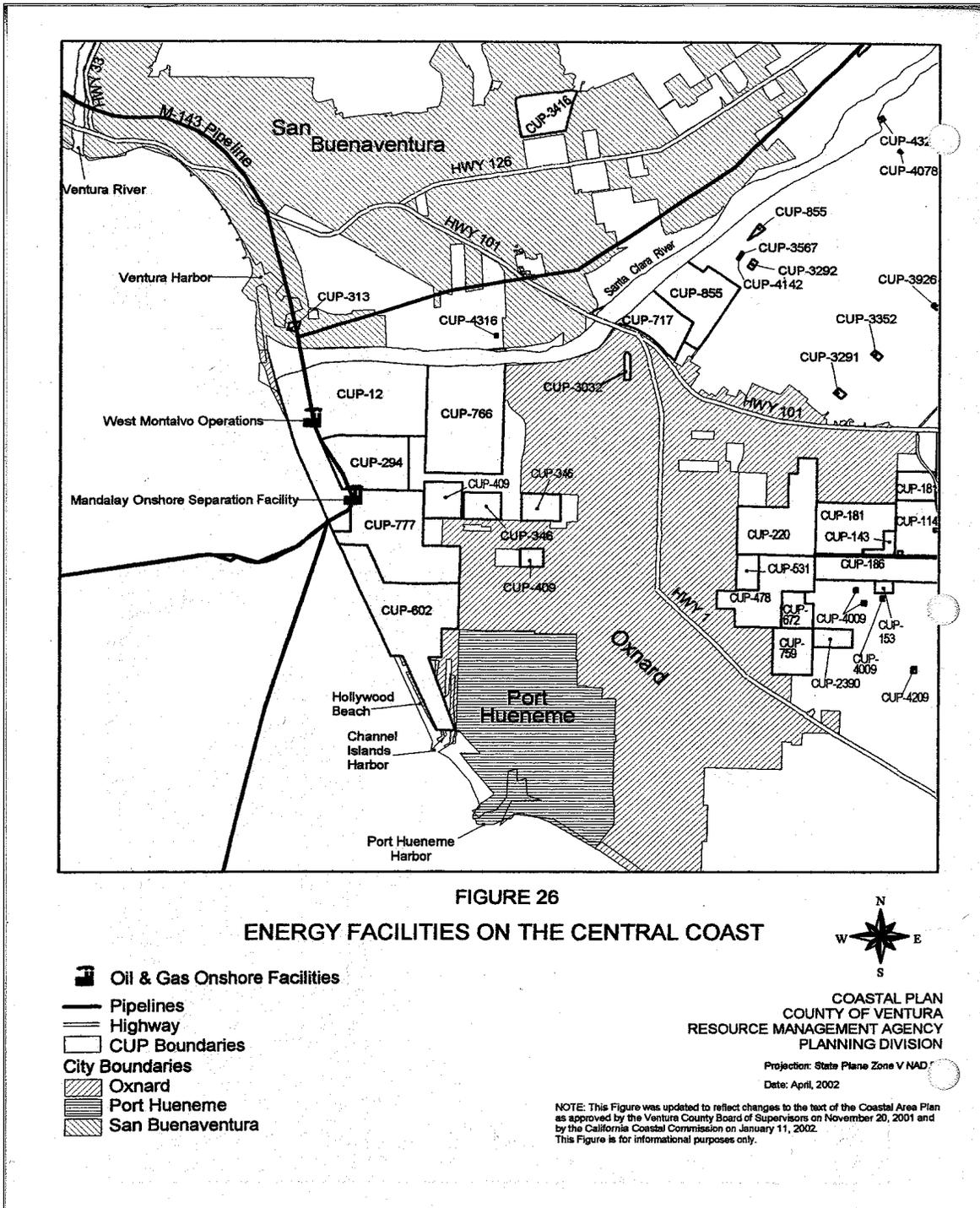


Figure 26.1
Summary Table Building Intensity/Population Density Standards (Central Coast Area)

Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac)¹	Dwelling Units	Average Pop/DU²	Population	Average Population Density (Persons/Acre)
Open Space	266.0	5% ³	0.100	26	2.76	71	0.267
Agriculture	1,486.3	5% ³	0.025	37	2.76	102	0.069
Recreation	28.0	5% ³	N/A	N/A	N/A	N/A	N/A
TOTALS	1,780.3			63		173	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac)¹	Dwelling Units	Average Pop/DU²	Population	Average Population Density (Persons/Acre)
High	97.2	65%	36.00	3,499	2.76	9,657	99.35

Commercial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	3.1	40%	69.5	1.0	69	22.26

12/10/96

Footnotes:

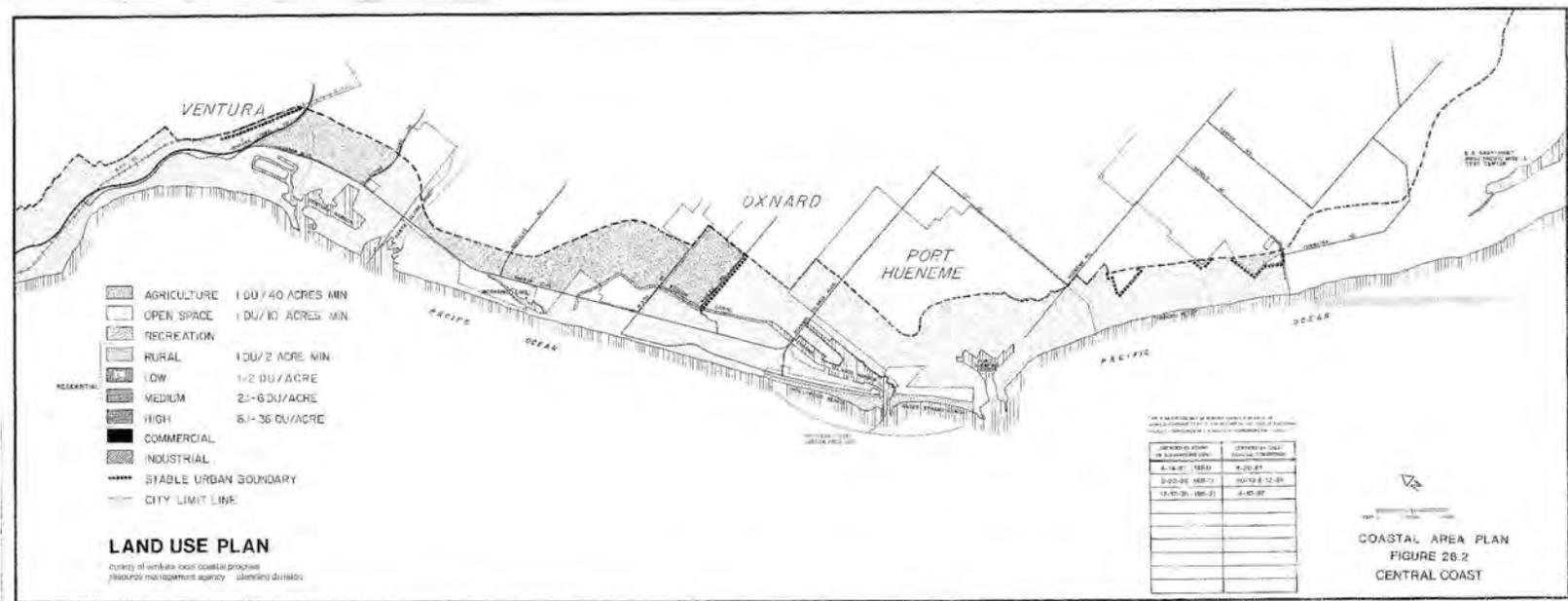
¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

² Year 2000 Forecast for Oxnard Growth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

**Figure 26.2
Local Coastal Area Plan – Land Use Map: Central Coast**



The South Coast

Area Summary

The South Coast encompasses about 18,600 acres of some of the most striking and diverse coastal terrain in the County. Included along its 13.1 mile length (only eight miles are under State or local jurisdiction) are Mugu Lagoon and surrounding coastal marshes, and approximately seven miles of the coastal Santa Monica Mountains. The sub-area's northern boundary is the Point Mugu Pacific Missile Test Center, with the Los Angeles County line as the sub-area's southern end point.

Most of the federally-owned land in the County *coastal zone* is located in the South Coast; however, it is excluded from Coastal Commission or County jurisdiction. The U.S. Navy Pacific Missile Test Center at Point Mugu is adjacent to Oxnard at Arnold Road. Mugu Lagoon, one of the largest and most important estuaries and tidal marshes in California, is within base boundaries.

A small community area is located immediately north of the Ventura - Los Angeles County line along a narrow coastal terrace. The area is designated "Existing Community" in the General Plan, allowing it to be developed to prevailing zoning.

A significant portion of the Santa Monica Mountains are within Ventura County's coastal zone, which extends up to five miles inland in this sub-area. While much of the area is undeveloped, there are two segments that are developed: one at Deals Flat, and another along branches of the Deals Flat *access road*. The latter *development* includes one to five acre ranchettes. Increased density in the area is controlled by this Coastal Area Plan which allows one *dwelling* per 10+ acres (subject to Hazards Section *Policy 7*: i.e., *slope/density formula*).

The Santa Monica Mountains are becoming significant for their recreation potential. Point Mugu State Park, about 7,400 acres of which are in the coastal zone, is the South Coast's major recreation and preserve area. The park stretches from the sandy beach to the inland mountains. A portion of Leo Carrillo Beach extends into Ventura County near the Malibu Bay Club. The California Department of Parks and Recreation has acquired an additional 12.5 acres of beach between Yerba Buena Road and Whaler's Village. Both Leo Carrillo and Point Mugu are included in the potential Point Mugu State Seashore (Resources Code Section 5001.6).

Another federal facility will be located in the South Coast: the National Park Service is in the process of consolidating a Santa Monica Mountains National Recreation Area. Land acquisition is in its incipient stages; however, the coastal property between Point Mugu State Park and Leo Carrillo State Beach Park has been identified for priority acquisition. Several other South Coast properties are slated for probable fee or less than fee acquisition, or some other recreational arrangement.

Private youth camps, totaling 1,788 acres, are located near Yerba Buena Road and Little Sycamore Canyon.

Policies

1. All zoning and *development* shall be in conformance with the Land Use Plan map (Figure 32.1), which has been designed to reflect these goals and policies. The Zoning Compatibility Matrix (Figure 33) indicates the zones which are consistent with the various land *use* categories.
2. In case of reasonable doubt as to the precise alignment of land *use* boundaries on the Land Use Plan Map, the *Planning Director* is authorized to determine the precise boundary locations. Such determinations must

comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:

- a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
- b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Sections 13569.

Environmentally Sensitive Habitats

The South Coast sub-area contains numerous *environmentally sensitive habitat areas* (Figure 27). Therefore, a special overlay zone classification has been applied to most of the land easterly and southeasterly of the U.S. Navy Pacific Missile Test Center at Point Mugu. The only area that is not covered by the special overlay zone is the land within the Solromar "Existing Community". This special "Santa Monica Mountains" (M) overlay zone was implemented in order to recognize that Santa Monica Mountains are a *coastal resource* of statewide and national significance. The mountains provide *habitats* for several unique, rare or endangered plant and animal species. Such *habitats* may be easily damaged by human activities. Therefore, *development* in the overlay zone area requires case-by-case consideration, and, where applicable, shall be consistent with Sections 30230 and 30231 of the Coastal Act.

A. Coastal Dunes

La Jolla Beach, 40 acres of sandy beach and dunes with a prominent climbing, wind-formed dune, is part of Point Mugu State Park. While public ownership provides some protection of this dune area, its *access* and *use* should be reviewed by the State. The "Resource Management Plan for Point Mugu State Park" points out that the hillside dune needs protection from off-road vehicle *use*, and suggests that the area be included in the La Jolla Valley Nature Preserve. While the County does not have jurisdiction over these dunes, it is nevertheless concerned with their preservation (Figure 27).

The quality of dune *habitats* may be preserved by measures such as restricted vehicular *access*, clearly defined pathways, revegetation with native plants, interpretive centers and public education.

Objective

To encourage the State to adequately control *access* to the sand dunes and protect them against degradation.

Policies

1. The County encourages State Parks to control those activities that lead to dune degradation, including *use* of off-road vehicles, or dumping.

B. Tidepools

Ventura County General Plan – COASTAL AREA PLAN (9-16-08 edition)

Tidepools are located near Point Mugu Rock, and between Big Sycamore Canyon and Deer Creek Canyon. Although not actually within the County's jurisdiction, it is significant to note that the offshore area between Laguna Point and Point Dume in Los Angeles County has been designated an "Area of Special Biological Significance" by the Regional Water Quality Control Board (see *Public Works* section), and that nearshore, intertidal and terrestrial coastal areas are ecologically closely interrelated.

Objective

To support the State in the protection of the tidepools.

Policies

1. The State should include interpretive programs regarding coastal ecology in any future *development* of recreational facilities.
2. Wastewater effluent and solid waste at public sites along the South Coast are to be properly disposed of.
3. Ventura County Environmental Health Division and the Ventura Regional County Sanitation District coordinate with the State to find acceptable alternatives for wastewater effluent disposal on the South Coast.
4. Shoreline protection *structures* such as revetments, seawalls, groins, or breakwaters are allowed when they are necessary to protect existing *developments*, coastal dependent land *uses* and public beaches. Any *structures* built under these conditions that affect tidepools will incorporate mitigation measures that reduce intertidal or nearshore *habitat* loss as *feasible*.
5. An applicant for any new coastal project, including *shoreline protective devices*, will demonstrate that their proposal will not cause long-term adverse impact on the beach or intertidal areas. Impacts include, but are not limited to, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated wastewater and findings to be made will include, but not be limited to, proper wastewater disposal.
6. The Statewide "Guidelines for Wetlands and Other *Environmentally Sensitive Wet Habitats*" will be used in analyzing any projects with the potential to impact tidepools.

C. Creek Corridors

Major creek corridors on the South Coast include Calleguas Creek, La Jolla Canyon, Big Sycamore Canyon, Serrano Canyon, Deer Creek Canyon and Little Sycamore Canyon (Figure 27).

Calleguas Creek watershed includes over 343 square miles of land and empties into the ocean via Mugu Lagoon south of Point Mugu Naval Air Station, north of the Santa Monica Mountains. The flood plain and agricultural lands along the creek are subject to extreme flooding during heavy rains.

The riparian corridors in the Santa Monica Mountains (Big Sycamore, Serrano, Deer Creek, and Little Sycamore) are important watershed areas. Maintenance of their compliment of *native vegetation* will help diffuse floods and *runoff*, minimize soil erosion, and diminish sedimentation.

Objective

To maintain creek corridors in as natural a state as possible while still accommodating needs for public health and safety.

Policies

1. *Stream* or creek corridors are considered to be watercourses, either perennial or intermittent, as shown on USGS quadrangle maps, as measured between the high water mark, or the break in each bank.
2. All projects on land either in a *stream* or creek corridor or within 100 feet of such corridor, shall be sited and designed to prevent impacts which would significantly degrade *riparian habitats*, and shall be compatible with the continuance of such *habitats*.
3. Substantial alterations (channelizations, dams, etc.) to river, *stream*, or creek corridors are limited to:
 - a. Necessary water supply projects;
 - b. Flood control projects where no other method for protecting existing *structures* in the flood plain is *feasible*, and where such protection is necessary for public safety or to be protect existing *development*; or
 - c. *Developments* where the primary function is the improvement of fish and wildlife *habitat*.
4. Projects allowed per the above policies will incorporate the best mitigation measures *feasible*.
5. The Coastal Commission's adopted "Statewide Interpretive Guidelines for Wetlands and Other *Environmentally Sensitive Habitats*" will be used when evaluating new projects in creek corridors.
6. The County supports the policies found in the Santa Monica Mountains Comprehensive Plan and has adopted a resolution agreeing to incorporate that Plan when analyzing any *development* request in the Mountains. In addition, the County will routinely submit *development* proposals to the Santa Monica Mountains National Recreation Area for review.

D. Film Production, Temporary

1. *Temporary film production activities* shall not result in ~~substantial~~ adverse impacts to wetland, *ESHA*, or *ESHA* buffer, including indirect effects from outdoor lighting or noise.

E. Signs

1. *Signs* are prohibited within *ESHA* except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within *ESHA* or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent *feasible*.

D. Santa Monica Mountains

The Santa Monica Mountains contain some of the most significant inland *habitats* in the County's coastal zone. Many creeks and *streams* with their riparian corridors, coastal dunes, and rare native bunchgrass and giant coreopsis can be found in the mountains. In addition, grasslands, chaparral, and oak woodlands are found.

Some of these *environmentally sensitive habitats* are mapped, but others occur in several small areas throughout the mountains, making them impractical to accurately map.

Objective

To preserve and protect the upland *habitats* of the Santa Monica Mountains.

Policies

1. New *development*, including all private and public recreational *uses*, shall preserve all unique *native vegetation*, such as Giant Coreopsis and Dudleya cymosa ssp. marcescens.
2. The County shall update its inventory of upland *habitats*, wildlife travel networks, nesting sites, and appropriate buffer areas as part of the Implementation Phase of the *Local Coastal Program* (LCP). This update may use existing information and shall involve consultation with appropriate environmentalists, scientists and government agencies dealing with the Santa Monica Mountains as a whole. A map focusing on *sensitive environmental habitats* and their buffers shall be prepared and included in the LCP and shall be continually updated as additional information becomes available. *Environmentally sensitive habitats* shall conform to the definition in the Act, PRC Section 30107.5.
3. All new *upland development* shall be sited and designed to avoid adverse impacts on *sensitive environmental habitats*.
 - In cases where *sensitive environmental habitats* are located on a project site where the impacts of *development* are mitigated consistent with the Plan, the County shall assure that all *habitat* areas are permanently maintained in open space through an easement or other appropriate means.
 - When such impacts of *development* would be unavoidable, the County shall ascertain within the specific project review period whether any public agency or non-profit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State Department of Parks and Recreation, County Recreation Services, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property which would be affected by the proposed *development*, and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again on the same ground.
4. Where possible for subdivision and undeveloped contiguous *lots*, construction and/or improvements of driveways/accessways which would increase *access* to the subject area or adjacent areas shall be permitted only when it has been determined that environmental resources in the area will not be adversely impacted by the increased *access*. Grading cuts shall be minimized by combining the accessways of adjacent property owners to a single road where possible. The intent is to reduce the number of direct ingress-egress points off public routes and to reduce grading. At *stream* crossings, driveway *access* for nearby residences shall be combined. Hillside roads and driveways shall be as narrow as *feasible* and follow natural contours.
5. *Development* dependent upon a water well shall be approved only if such well would not either individually or cumulatively cause adverse impacts on affected riparian areas or other *coastal resources*. This policy shall be

implemented as data becomes available through the County CEQA process and other review procedures.

6. All proposals for land divisions in the Santa Monica Mountains shall be evaluated to assure that any future *development* will be consistent with the *development* policies contained in this Plan. Where potential *development* cannot occur consistent with the *development* policies contained in this plan, the request for division shall be denied. Environmental assessments shall accompany tentative map applications and shall evaluate the ecological resources within and adjacent to the site and the consistency of the proposed division and *development* with the standards of the *Local Coastal Program*.
 - All applications shall identify future *building* envelopes and shall be identified on the final map. Building envelope is defined as:

The one area of a proposed *parcel* which shall contain all *structures*, including but not limited to: the primary residential *structure*, other accessory residential *structures*, barns, garages, swimming pools, and storage sheds. Specifically excluded are *fences* and walls which may be placed along property lines.
 - All identified *environmentally sensitive habitat areas* and/or *slopes* over 30% shall be permanently maintained in their natural state through an easement or other appropriate means and shall be recorded on the final tract or *parcel* map or on a grant deed as a deed restriction submitted with the final map. *Development* shall not be permitted in areas over 30% *slope*.
 - All offers-to-dedicate trail easements consistent with recreation policy #8 below, shall be recorded on the final map. Trail easements established by deed restriction shall be recorded on the deed no later than final map recordation.

Scenic and Visual Qualities:

7. New *development* shall be sited and designed to protect public views to and from the shoreline and public *recreational areas*. Where *feasible*, *development* on sloped terrain shall be set below road *grade*.
8. *Development* shall not be sited on ridgelines or hilltops when alternative sites on the *parcel* are available and shall not be sited on the crest of major ridgelines.
9. Except within the Solromar "Existing Community", all *development* proposals located within 1,000 feet of publicly owned park lands shall be sited and designed to mitigate potential adverse visual impacts upon park lands. Appropriate mitigation measures include additional landscaping, use of natural materials, low *building* profile, earth tone colors, and the like. *Development* shall not be sited within 500 feet of a park boundary unless no alternative siting on the property is possible consistent with the policies of this Coastal Area Plan.

E. Mugu Lagoon and San Nicholas Island

Although completely on Federal land and thus not in the coastal zone, Mugu Lagoon deserves discussion in this Plan because of its important *habitat* values and its relationship biologically to intertidal and offshore waters, both State and Federal, and its related importance for commercial and sport fisheries.

Mugu Lagoon is the last Southern California estuary to remain in its approximate natural site. Numerous sociological research programs indicate its importance. A number of species found in the Lagoon have been exterminated in other estuaries. The Lagoon serves as a nursery for offshore species. A variety of marine mammals feed and rest in the Lagoon.

Much of the credit for preservation of the Lagoon goes to the U.S. Navy. Protection of fish and wildlife is assured through, among other sources, the 1967 Fish and Wildlife Plan for Point Mugu and San Nicholas Island, jointly subscribed by the State and Federal governments. Although the Lagoon is within the Pacific Missile Test Center (PMTTC) and therefore on federal land, it is impacted by activities in the unincorporated, non-federal surrounding lands, particularly those along Calleguas Creek and Revlon Slough. A small portion of this tributary area is in the *Coastal Zone* where *development* activities will be reviewed for consistency with the policies of this Coastal Area Plan.

However, many upstream activities affecting Mugu Lagoon may involve Federal participation or Federal assistance, and these will be subject to Coastal Commission review for consistency with the California Coastal Management Program.

The Calleguas Creek watershed includes over 343 square miles, including the major urbanized areas of Simi Valley, Thousand Oaks, Moorpark and Camarillo, and as well, major agricultural lands in the Oxnard Plain. A portion (approximately 400-500 feet) within the *Coastal zone* of Calleguas Creek drains into the Lagoon. Rapid urbanization and increased agricultural irrigation has resulted in increased *runoff* and sedimentation in the Lagoon.

According to the State Department of Fish and Game and the U.S. Fish and Wildlife Service (June 1976), sedimentation from Calleguas Creek may elevate the Mugu Lagoon *wetland* above the tidal prism (ocean tide flooding) and thereby change the water quality and environmental characteristics of the *wetland*. Urbanization in the upstream watershed increase *runoff*, both in total volume and in the magnitude of the peak flow. Further, conversion of native watershed to urban and agricultural land increases summer flows (low flows) to the proximity of Mugu Lagoon. Increased flows lead to potentially lowered salinity in the Lagoon, increased pollution and increased erosion in unprotected areas along the unimproved channel reaches which ultimately may deliver more sediments to the Lagoon. The result is damage to both flora and fauna in the Lagoon (California Department of Fish and Game, 1976).

An important concern regarding any alterations of Calleguas Creek is the impact on endangered species in the Lagoon area. According to the U.S. Fish and Wildlife Service (USFWS), the endangered light-footed clapper rail, Belding's savannah sparrow and California least tern utilize the Lagoon.

Some flood control improvements (such as those that decrease sedimentation) along Calleguas Creek may be necessary for the maintenance or enhancement of the *wetland*. According to the Ventura County Flood Control District (Ventura County Coastal Planning Study, Flood Control Planning, Surface and Groundwater Hydrology, 1972), without improvements to reduce sedimentation and to maintain an optimum exchange of tidal and fresh waters, the Mugu *wetland* may ultimately cease to exist or become severely degraded as a *wetland* area.

Objective

To maintain Mugu Lagoon, including the main estuary and the entire *wetland* system within the Pacific Missile Test Center, in as natural a state as possible, to the extent consistent with national security needs.

Policies

1. Upstream *development* and activities subject to Federal consistency review, including solid waste disposal, soil management practices, flood control, water reclamation, sewage treatment, *use* of pesticides and fertilizers, etc. should not impair the biological productivity of Mugu Lagoon nor its value for scientific and educational purposes, nor the offshore fisheries with which it is linked.
2. Flood control projects should avoid intrusion into Mugu Lagoon, be sited and designed to prevent degradation of the *wetland*, and incorporate *feasible* mitigation measures. Channelization, dams, and other river or *stream* alterations should be limited to necessary water supply projects, flood control projects necessary for public safety, and projects necessary to protect and enhance *wetlands habitats* and to reduce sedimentation in Mugu Lagoon.
3. Projects which adversely impact *habitat* should include mitigation measures such as timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of *native vegetation*, reclamation or enhancement programs.
4. Dredging, diking or *filling* of Mugu Lagoon should be limited to restoration and nature study purposes or projects required for national security. Any *fill* or degradation of *wetlands* should be accompanied, where *feasible*, by creation or enhancement of equivalent *wetlands* area.
5. The County supports the work already done, and any future plans the Navy may propose to maintain and enhance the productivity of the Mugu Lagoon consistent with the *Local Coastal Program*.
6. The County supports continued and future reliance on joint Federal-State plans such as the 1967 Fish and Wildlife Management Plan for Point Mugu and San Nicholas Island. Marine mammal populations should be protected or, in the case of sea otters, re-established where *feasible* consistent with national security needs.

Recreation and Access

A. Recreation

Recreation on the South Coast is available in several areas, many of which have state, as well as national, significance ([Figure 28](#)).

Point Mugu State Park, encompassing over 15,200 acres with 19,224 feet of beach front, offers camping, backpacking, day hiking, picnicking, nature study and beach *use*. Current overnight campsites total 164, parking spaces 285, and there are 40 picnic tables. The Point Mugu State Park General Development Plan (CPR 1977) proposes expanding facilities to 416 campsites, 695 parking spaces, 3 bus spaces, 3 interpretive facilities, 125 picnic tables and equestrian facilities.

A portion of another State facility, Leo Carrillo Beach, is partially within Ventura County and partially within Los Angeles County. Two 1980 additions to the State facility, a 26 acre extension of Leo Carrillo and approximately 6 acres of Yerba

Buena Beach, are undeveloped. Intense *use* of the area has led to sanitation and enforcement problems. A potential State Parks acquisition east of Highway 1 would include upstream portions of Little Sycamore Creek, identified as a riparian corridor in this Plan. The State proposes to develop the site for a 40 space *parking lot*, comfort stations and trails, all projects that could adversely affect *stream* processes.

Potential for additional State recreation facilities exists in the 14,000 linear feet of privately-owned beach frontage south of Point Mugu State Park near Deer Creek. The beach is popular and users may be part of the "turn-away" crowd from the State Park. Unsupervised parking and overnight camping may pose health and sanitation problems. No restrooms or sanitation facilities are currently provided.

Recreation in the Santa Monica Mountains has taken on national significance with the formation of the Santa Monica Mountains National Recreation Area. The rugged, unstable terrain of this geologically young range includes diverse *habitats* and a number of ecosystems in *coastal zone* boundaries. Chaparral and coastal sage dominate the landscape. Riparian and oak woodlands, with a wide range of native wildlife, are also present. Much of the watershed is still natural.

The mountains are geologically and biologically closely related to the northern Channel Islands. While certain hazards, such as steep *slopes*, limited water, and fire danger preclude many kinds of *access* and recreation, the National Recreation Area will afford a variety of outdoor activities. Beach *use* and *use* of inland areas are closely related. The National Recreation Area is now in the early state of land acquisition.

Objective

In recognition of the scenic beauty, relatively undisturbed natural resources, popularity of recreation, as well as its greater out-of-area significance, to encourage the State and Federal governments in broadening recreational opportunities on the South Coast consistent with public health and safety, and the protection of private property rights.

Policies

1. The California Department of Parks and Recreation should continue with protection of the unique and sensitive natural resources in Point Mugu State Park as a major goal of management.
2. The California Department of Parks and Recreation should work closely with the County and the National Park Service as the Santa Monica Mountains National Recreation Area develops to be sure that, within environmental constraints, are consistent with long-range County goals, maximum public recreation and *access* are achieved and upland supporting areas are protected.

Leo Carrillo State Beach

3. As State Parks evolves its plans for these beach segments, care should be taken to conform to the California Coastal Act. Creek corridors, such as Little Sycamore Creek, should remain as natural as possible to maintain watershed, *habitat*, and upland recreation area.

Deer Creek Beach Frontage

4. The County supports acquisition of the beach by the California Department of Parks and Recreation or the Santa Monica Mountains National Recreation Area.

Santa Monica Mountains National Recreation Area

5. To work closely with the National Park Service in the *development* of the National Recreation Area Management Plan to determine appropriate recreational *uses* for the Santa Monica Mountains.
6. The County supports the "Major Feeder Trail" connecting the Backbone Trail to the Pacific Coast between Yerba Buena and Deer Creek Roads as shown in the Santa Monica Mountains Comprehensive Plan.
7. The County shall incorporate the policies and accompanying maps, including the Trail Systems map found in the Santa Monica Mountains Comprehensive Plan (1979) as part of the Coastal Area Plan.
8. *Development* shall neither preclude continued *use* of, or preempt the option of establishing inland recreational trails along identified routes, as indicated in the Santa Monica Mountains Comprehensive Plan (1979), and the Coastal Slope Trial as proposed in the U.S. Department of the Interiors Santa Monica Mountains Draft Environmental Impact Statement and General Management Plan (September 1980), or along routes established by custom to destinations of public recreation significance. An offer-of-dedication or a deed restriction of a trail right-of-way shall be required as a condition of approval on property crossed by such trail routes.
9. All new trail corridors shall be a minimum of twenty-five (25) feet in width with a larger corridor width for major feeder trails. The routing of trails shall be flexible in order to maintain an adequate buffer from adjacent *development*. Where *feasible*, *development* shall be sited sufficiently distanced from the trail so as not to interfere with the trail route.
10. Among other methods of acquiring trail easements as established by the Santa Monica Mountains Comprehensive Plan (1979) and other future proposals, the following shall be considered:
 - a. Integrate trail easements with future capital improvement projects.
 - b. Provide incentives through contracts for lower taxes in exchange for allowing public trail rights or credits for required Quimby Act parkland dedication.
 - c. Allow for donations through gifts and acquisition of tax delinquent properties.
 - d. Acquire the trail routes through fee or less than fee acquisition.
11. To implement present and future trail routes, the County shall continue to coordinate with the State Department of Parks and Recreation, the Department of Interior National Recreation Area Staff, Los Angeles County, and trail activists from Los Angeles and Ventura County.
12. Before a permit for *development* of any shoreline or inland *parcel* is approved, its suitability for public recreational *use* shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service. If the County determines that the property may be suitable for such *use*, the County shall ascertain whether any public agency or non-profit organization, including the National Park Service, Santa Monica Mountains Conservancy, Coastal Conservancy, State Department of Parks and Recreation, County Recreation Services, and Trust for Public Lands, is planning or contemplating acquisition of any part of the subject property,

specifically authorized to acquire any portion of the property which would be affected by the proposed *development*, and funds for the acquisition are available or could reasonably be expected to be available within one year from the date of application or permit. If a permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again on the same ground.

B. Access

Most of the coastal recreation areas along this sub-area are accessible from California Highway 1. Some of the inland areas can be reached via mountain roads. [Figure 29](#) is an inventory of access on the South Coast.

Constraints to public access are diverse. While Point Mugu State Park is easily reached from Highway 1, much of it is accessible only by moderate to strenuous hiking. Because of the park's high biological and scenic values, it may not be appropriate to augment access more than already planned by the California Department of Parks and Recreation.

The Deer Creek beach frontage, privately owned, is highly accessible, as evidenced by its popularity. However, illegal camping may sometimes inhibit potential users and somewhat block their access to the area.

The popularity of Leo Carrillo Beach and the new State Park acquisitions, along with the overall popularity of Highway 1, has led to problems that include extensive illegal parking and camping, as well as enforcement and sanitation problems. Private *parcels* interspersed with current and potential state acquisitions block public access along the beach. Bluff erosion poses safety hazards to current and potential vertical accessways.

The only area of the South Coast with significant *development* is the Solromar "Existing Community." The area has about 2,800 linear feet of shoreline, but it is not continuous frontage. The State has purchased two beach areas adjacent to, and within, the "Existing Community" area. These are the Leo Carrillo State Beach extension and the Yerba Buena Beach. *Vertical access* is not a major problem in this area, or anywhere along the South Coast, but *lateral access* should be sought between Leo Carrillo and Yerba Buena State Beaches.

Objective

1. To maximize public access to the South Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act; to maintain existing access, and seek new access as funds become available.
2. To maintain or increase public access to coastal resources through increased parking capacity for vehicles and bicycles within the coastal zone.

Policies

Vertical Access

1. For all new *development* between the first *public road* and the ocean, granting of an easement to allow *vertical access* to the *mean high tide line* shall be mandatory unless:
 - a. Adequate public access is already available within a reasonable distance of the site measured along the shoreline, or

- b. Access at the site would result in unmitigable adverse impacts on areas designated as "*environmentally sensitive habitats*" or tidepools by the plan, or
- c. Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected, or
- d. The *parcel* is too narrow to allow for an adequate *vertical access* corridor without adversely affecting the privacy of the property owner, or

Lateral Access

- 2. For all new *development* between the first *public road* and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas, where the bluffs are less than five feet in *height*, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for *lateral access* during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential *structure*. In addition, all *fences*, no trespassing signs, and other obstructions that may limit public access shall be removed as a condition of *development* approval.
 - a. Findings are made, consistent with Section 30212 of the Act that access is consistent with public safety, military security needs, or that *agriculture* would be adversely affected.

Environmentally Sensitive Habitats

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

General

- 4. In accordance with Section 302214(a), the time, place, and manner of access will depend on individual facts and circumstances; including topographic and site characteristics, the capacity of the site to sustain use at the intensity proposed, the proximity to adjacent residential uses, the privacy of adjacent owners, and the feasibility to provide for litter collection.
- 5. In accordance with Section 30214(b), the requirement of access shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

Leo Carrillo State Beach

- 6. To augment public access and recreation, and to improve the scenic value of the coastline, alternative arrangements for the now-illegal camping should be provided. Several alternatives should be explored, including new parking seaward from Highway 1, other parking, the extension of bus service to the area from Ventura, or the camping improvements suggested in the Santa Monica Mountains State Parks' Development Plan (CPR 1977).

7. Any future vertical accessways must be designed to minimize bluff erosion.
8. *Lateral accessways* linking the Leo Carrillo Extension and the Yerba Buena Beach should be provided by the State.
9. The California Department of Parks and Recreation should acquire private *parcels* along the beaches where *feasible*, as well as provide for maximum public access.
10. The re-designation of Lot 10 Tract 4483 by the County in 2006, a portion of which was initially designated as commercial, to residential, a lower priority under the Coastal Act, to facilitate a specific project proposal, shall be offset by a requirement that the project proponent pay a fee in support of low cost, visitor-serving overnight accommodations in conjunction with the land use and zoning ordinance re-designation and the *development* of the subject property.

(Note: Policy 10, of this section, was certified as a result of LCP Amendment 1-2007, pursuant to a suggested modification by the California Coastal Commission.)

Santa Monica Mountains National Recreation Area

11. South Coast Area Transit, in conjunction with the National Park Service, should fully explore through long-range planning the possibilities of extending service to the area, including (but not limited to) Federal funds for extended service, particularly from lower income areas, park-and-ride from central points in Ventura County using smaller, more cost-effective buses, service agreements with the Los Angeles County Rapid Transit District, and charter buses.
12. The National Park Service and State Parks should work together to determine the extent of impacts from additional visitation generated by new national parks in the County, particularly impacts on existing park facilities.
13. The County supports the work of the Santa Monica Mountains Recreational Transit Program to provide public transportation to the Santa Monica Mountains National Recreation Area.
14. The acquisition of the beach area around Deer Creek is encouraged by either the California Department of Parks and Recreation or the National Park Service.

Film Production, Temporary

15. ~~*Temporary film production activities shall result in negligible impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual resources, and public coastal beach access to such facilities shall be minimized during temporary film production activities.*~~
16. During the peak summer season (Memorial Day through Labor Day weekend), *temporary film production activities*:
 - Shall not preclude the general public from use of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to access a public beach or public recreation facilities.
17. No new permanent *structures* shall be erected for *temporary film production activities*, and the *film permit area* shall be returned to pre-permit conditions following *film production striking*.

Parking and Loading

18. *New development*, and intensifications in *use*, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.
19. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project applicant contribute to a program aimed at increasing *coastal access parking*.
 - No additions or expansion to the structure are proposed and all existing on-site parking is retained;
 - Business hours of operation are in the evening when beach recreational uses are low or non-existent;
 - The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
 - Shared parking, pursuant to Sec. 8176-4.6, is not available to meet parking requirements; and
 - Other transportation incentives programs listed in Sec. 8176-4.8.1(b), are not feasible, or will not lessen the number of parking spaces required.
20. To promote the efficient *use* of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or *mixed-use developments* that accommodate multiple *uses* at different peak parking periods. Where *feasible*, such *parking lots* should accommodate public *coastal access* parking.
21. Restrictions on public parking that would impede public *coastal access* shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.
22. *New development* that requires the removal of existing public parking shall provide an equivalent number of replacement public parking spaces in the immediate vicinity except where the provision of such parking is infeasible or alternatives are identified that offset the need for additional parking facilities.
23. Where *feasible*, new commercial, *multi-family* residential, or *mixed-use development* shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and parking *use* where *coastal access parking* concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available *coastal access parking* (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2)

more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include La Conchita (Surfside Street), Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

Signs

The primary purpose of the *sign* policies in this section is to utilize *signs* to protect and improve *access* to the coastline or other *coastal resources*.

24. *Coastal access* signage shall be posted in conspicuous areas and located so that *access* is maintained and visitors are directed to publicly available *coastal access* parking, beach access points, and public trails.
25. For the California Coastal Trail, *coastal access* signage should include distinctive *signs* incorporating the California Coastal Commission *coastal access* logo (foot and wave) or markers, consistent with visual resources.
26. Signs that adversely impact public access shall be prohibited ~~located in areas that maintain coastal access~~ except where there is no *feasible* alternative to protect public safety. In such cases, the impact to *coastal access* shall be mitigated and, where *feasible*, the *sign* shall be temporary and removed once the public safety issue is resolved.⁷²
27. With the exception of *road* or *informational signs*, placement of *signs* within the public right-of-way shall be prohibited.
28. No *signs* shall be posted on a public beach unless authorized by a coastal *development* permit. *Signs* on a public beach which purport to identify the boundary between State *tidelands* and private property, or which indicate that public *access* to State *tidelands* or public *lateral access* easement areas is restricted, shall not be permitted.

Agriculture

Agriculture on the South Coast extends from the farm lands east of Point Mugu Naval Station near Calleguas Creek, to the northernmost foothills of the Santa Monica Mountains. Limited agricultural activities occur in the mountains on flatter terrain (Figure 30).

A portion of the Broome Ranch (approximately 690 acres) falls within the coastal zone. All of the ranch's acreage is in three agricultural preserves. A portion is also in the Calleguas Creek flood plain. The agricultural lands are zoned "C-A" (Coastal Agricultural, 40 acre minimum *lot* size) and designated "Open Space" (10 acre minimum *lot* size) by the County's General Plan.

Minimum *lot* size in both this Coastal Plan and the County's General Plan for the "*Agriculture*" land use designation is 40 acres per *single-family dwelling*. This 40 acre minimum is sufficient to maintain economic viability for various agricultural *uses* (irrigated crops). Non-irrigated activities may require a larger acreage. Studies as to what constitutes a viable farm unit have been done by Ventura County Agricultural Committee (Appendix 4), Ventura County Assessor's Office and Ventura County Farm Bureau.

Objective

To preserve agricultural lands on the South Coast to the maximum extent *feasible*.

Policies

1. Soils will be conserved and erosion minimized by the *use* of best grading management practices as set forth by the Soil Conservation Service.
2. Land divisions in, or adjacent to agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Area Foundation Commission should exclude agricultural lands from any new or expanded service districts that could impact agricultural viability.
4. New service extensions beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.
5. As *aquaculture* develops it will be considered as a potential agricultural *use* in appropriate areas.

Hazards

The severe and rugged terrain of the Santa Monica Mountains present considerable hazards and constraints to new *development*. A 50-year and 100-year flood hazard area is located along the Calleguas Creek flood plain. Severe *slopes* not only have the potential for instability and erosion, but may also serve as constraints to the proper functioning of water and septic systems. An additional concern in this area is *access*, especially *emergency access* in case of fire or other disasters.

The most important earthquake faults in the Santa Monica Mountains portion of the *coastal zone* are the Bailey Fault near Calleguas Creek, and the Sycamore Canyon, Boney Mountain and Malibu Coastal Faults in the mountainous areas (Figure 31). Historic records indicate that only six earthquakes larger than 4.0 magnitude on the Richter Scale have originated within 15 miles of the South Coast area since 1934. All were less than 5.3 magnitude and four of the epicenters were located off the coast.

The Bailey Fault marks the boundary between the western Santa Monica Mountains and the Oxnard Plain. It extends from Mugu Lagoon northerly to an intersection with the Camarillo Fault near Calleguas Creek and U.S. Highway 101. The existence of the fault is verified by water well data. The fault is designated as potentially active until more information becomes available for evaluation.

The Sycamore Canyon and Boney Mountain faults are the most prominent of the series of north-east trending breaks extending from Point Mugu to Thousand Oaks. These faults are designated as potentially active until more information is available.

The Malibu Coastal Fault, the Santa Monica and Raymond Hill Faults are thought to be a series of major north-dipping thrust faults that extend along the coast, onshore and offshore for many miles. Faults within this system are considered active. As much as 50 miles of left slip has occurred since Eocene times, about 50 million years ago (Norris and Webb 1976). The 1973 Point Mugu earthquake is believed to have originated on the Malibu Coastal Fault.

The South Coast immediately along the coast shows high potential for liquefaction in the area of Calleguas Creek and Mugu Lagoon.

- **Landslides and Slope Stability** - In general, the Santa Monica Mountains contain highly expansive soils. The soils, together with the steep topography, tend to increase the frequency of *slope* failure and erosion. According to the Ventura County Public Works Agency, grading, increased irrigation or septic *runoff*, and seismic activity may also trigger *slope* movement or erosion.

- **Flood Hazards** - Calleguas Creek is a major flood corridor in the South Coast. It flows along the northern *slopes* of the Santa Monica Mountains to the Mugu Lagoon. Severe flooding has occurred along the *coastal zone* portion of this corridor, resulting in damage to adjacent agricultural crops, transportation facilities and the military base. The lower reaches of the creek are currently unimproved. The Ventura County Flood Control District (VCFCD) is evaluating flood control solutions to this problem (see full discussion in LCP *Environmentally Sensitive Habitat Paper*).

There are also a number of creek corridors within the Santa Monica Mountains (e.g., Big Sycamore, Little Sycamore, Deer Creek, etc.) that could pose extreme flood and erosion hazards to new *development*.

- **Fire** - Fire is significant natural hazard in the Santa Monica Mountains. The Ventura County Hazards Appendix classifies the entire Santa Monica Mountains area as "extreme" for fire hazard. While many of the *slopes* contain safe coastal vegetation, the fire-adapted chaparral of drier *slopes* along with steepness, moisture and rainfall conditions, and severe *emergency access* constraints can combine to create a dangerous situation. Periodic burns are considered a natural event in chaparral communities, and fires should be anticipated as a regular occurrence. Secondary impacts of fires in this area include mudflows, landslides, and erosion due to loss of ground cover.

The Santa Monica Mountains are currently designated "Open Space" (one *dwelling unit* per 10 acres minimum) and "Recreation" (state park lands). In some areas of the Santa Monica Mountains, however, 40-100 acre minimum *lot* sizes are justified based on water availability, *access, slope*, geologic and fire hazards. For these reasons, it is necessary to maintain the Santa Monica Mountains as "Open Space," and also to investigate the application of 40-100 acre sub-zones where *access* to County-maintained roads is inadequate, and where severe *slopes* increase the potential for geological instability.

The General Plan's Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an initial study on a proposed project to determine the need for an EIR. Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of the projects.

Objective

To protect public safety and property from natural and human-induced hazards as provided for in County ordinances.

Policies

1. The County's existing General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provides direction for geologic, seismic, flood and fire hazard avoidance.
2. New *development* shall be suited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
3. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.

4. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed *development*.
5. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
6. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.
7. The South Coast portion of the Santa Monica Mountains requires special attention and the following formula and minimum *lot* sizes will be utilized as new land divisions as proposed in the "Open Space" or "Agricultural" designations:
 - a. The following *slope/density formula* will be used to compute the *average slope* of property proposed to be subdivided:

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

where:

S = *average slope* (%)

I = contour interval (ft.)

L = total length of all contour lines (ft.)

A = total area of the *lot* (sq. ft.)

- b. Once the *average slope* has been computed, the following table will be used to determine a minimum *lot* size for newly proposed *lots*:

0% - 15% = 10 acres

15.1% - 20% = 20 acres

20.1% - 25% = 30 acres

25.1% - 35% = 40 acres

35.1% & above = 100 acres

8. A landscaping plan for fire and erosion control will be submitted for any new *development* located in extreme fire hazard areas as shown in the County's Hazard Appendix Fire Hazard Map. As many native plants as *feasible* should be used, and information on kinds and sources of these plants are available through the County.
9. The majority of the Santa Monica Mountains are designated "Open Space" or "Recreation" in this Coastal Area Plan. This is consistent with the County General Plan, the Santa Monica Mountains Comprehensive Plan (1979) and the areas U.S. National Park Services National Recreation area designations.

Beach Erosion

Beach erosion on the South Coast occurs at Point Mugu State park along Sycamore Beach and the Beaches in the Solomar "Existing Community" area.

Major erosion occurs during the winter months. The U.S. Army Corps of Engineers indicates a 1.9 foot per year erosion rate for Sycamore Beach, and a 0.9 foot per year erosion rate for Solomar Beach. The problem is severe in these areas.

Construction of new residential units on existing legal *lots* within the "Existing Community" area may require special review to ensure that new *development* does not bring about substantial wave and erosion damage, nor require new shoreline protection *structures*.

Objective

To protect public safety and property from *beach erosion* as provided for in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Construction or maintenance of shoreline *structures* will be limited to only those projects needed to protect existing *development*, public recreation, and existing roads from beach erosion.
2. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
3. All shore line protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline and sand supply.
4. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetments, groins, breakwater and related arrangements.
5. The County's Building and Safety Division will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
6. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant may be required to obtain an engineering report which indicates how those impacts will be mitigated.
7. Permitted shoreline *structures* will not interfere with public rights of *access* to the shoreline.

Energy and Industrial Facilities

No energy or industrial facilities are located on the South Coast or within the inland areas of the Santa Monica Mountains at this time. It is unlikely any facilities will locate anywhere within the Santa Monica Mountains given their status as a National Recreation Area (NRA). The federal government is developing a management plan for the entire NRA.

Objective

To allow exploration and production of oil and gas in most of the South Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between State Highway 1 and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*" will be considered as unacceptable for new energy or industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between State Highway 1 and the landward *coastal zone* boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial".
3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to Section 8175-5.7.8) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and the location.
4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 6, transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.

- i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the *Coastal Zone* related to oil and gas *development*.
 - m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.
 6. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
 7. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of a significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
 8. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
 9. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
 10. All offshore and onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites shall be prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
 11. Except for pipelines exempted from coastal *development* permits under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant. This survey may be conducted as part of

an environmental review if an Environmental Impact Report or a Mitigated Negative Declaration is required for a particular project.

12. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.
13. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
14. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or archaeological resources, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
15. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
16. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42

USC § 7627) all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.

17. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
18. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related industrial facility supporting such *development* is defined as "*coastal-dependent development*" or "*coastal-related development*", based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

Public service capacities for sewer, water and roads are severely limited in the South Coast sub-area. Two distinct areas are identified: 1) the designated Solromar "Existing Community" area along the coast, and 2) inland areas of the Santa Monica Mountains.

Water for the limited demands of existing *development* is available in the Solromar "Existing Community" area. Water to residents of the Mountains is provided by individually-owned well sites. Adequacy of water supplies for mountain areas is determined by on-site inspection by the Environmental Health Division of the County.

Sewer service in the entire South Coast is provided by individual septic tank systems permitted through the Environmental Health Division. Several septic systems in the "Existing Community" area are located directly on the beach. These areas are classified as having "severe" septic tank limitations. Damage to these systems could occur from erosion of a combination of storm waves and high tides. The Regional Water Quality Control Board now has a policy that prohibits the *use* of walls to protect septic systems on the beach.

The waters offshore of the "Existing Community" area have been designated by the State Regional Water Quality Control Board (RWQCB) as an Area of Special Biological Significance (ASBS). The ASBS extends from Laguna Point in the north to just south of Point Dume in Los Angeles County.

The RWQCB prohibits the direct discharge of wastes into an ASBS or its immediate vicinity with the exception of vessel wastes, dredging or disposal of dredging spoils.

Under the current "208" Areawide Water Treatment Management Plan, a study of septic tank problems in the Santa Monica Mountains was completed in January 1980 by the Environmental Health Division. Several options were proposed that could alleviate present septic tank problems. Included was a recommendation that a septic system management entity be established (or an on-site wastewater management zone) to ensure proper inspection, maintenance and control.

State Highway 1 can handle traffic generated by build-out of the "Existing Community" and mountain areas allowed in the present County General Plan and this Coastal Plan. *Public roads* within the Mountains are substandard, subject to slides and erosion, and restrict *emergency* services. The Public Works Agency will continue to maintain the roads. However, no improvements will be undertaken in the near future because of limited funds and the environmentally sensitive nature of the area.

The County General Plan designates approximately 90 percent of this sub-area as "Open Space" (one unit per 10+ acres). The existing beach residential *development*

(Solromar) has been designated "Existing Community" and is allowed to build out to the density of prevailing coastal zoning (this allows *parcels* less than one acre in size). The two private camps on the South Coast are designated "Rural".

With the exception of the "Existing Community" area, the Mountains are zoned "COS(M)" (Coastal Open Space with Santa Monica Mountains Overlay) and "C-R-E-20 Ac. (M)" or "-5 Ac. (M)" (Coastal Rural Exclusive at 20 or 5 Ac. Min. with Santa Monica Mountains Overlay) for the private youth camps.

Objective

Any new or expanded *public works facilities* (including roads, flood control measures, water and sanitation facilities) constructed on the South Coast, will be designed to serve the potential population within limits established by the *Local Coastal Program* (LCP) consistent with the County's Air Quality Management Plan and "208" (Water Quality) Plan.

Policies

1. The recommendation of the "208" Plan Septic Tank Problem Area-Santa Monica Mountains Study for the establishment of a septic system maintenance district will be supported.
2. That new service district boundaries shall be consistent with the adopted Coastal Area Plan and County General Plan policies.
3. New *development* in the Santa Monica Mountains should be self-sufficient with respect to sanitation and water and should not require the extension of growth inducing services. *Development* outside of the established "Existing Community" area shall not directly or indirectly cause the extension of public services (roads, sewers, water, etc.) into an open space area. The County shall make the finding for each individual *development* requiring sanitary facilities and potable water that said private services will be able to adequately serve the *development* over its normal lifespan.
4. Public utility *use* by the Pacific Missile Test Center (PMTTC) does not create impacts on circulation, sewer and water *use* for the foreseeable future because of stable or declining land *use* intensity at the base. However, any change in intensity of *use*, such as civilian-military shared *use*, should be examined for impacts on Coastal Act and LCP land *use* priorities. Similarly, any future adverse impacts of groundwater extraction for the Navy base should be examined for such impacts.

Locating and Planning New Development

New *development* on the South Coast is constrained by the "Existing Community" designation for the Solomar area and the terrain of the Santa Monica Mountains. Water service is only provided for the "Existing Community" area. Individual wells provide water in the mountain areas. There is no sewer service for either the coastal or mountain areas; septic tank systems are utilized.

Although Highway 1 capacities can accommodate additional traffic from build-out in the mountain areas, *public roads* within the mountains are generally substandard and subject to slides and erosion. Highway 1 is also subject to slides and erosion problems which have caused traffic delays.

Objective

To preserve the South Coast sub-area in as natural a state as possible while maintaining the private property rights and needs for public safety.

Policies

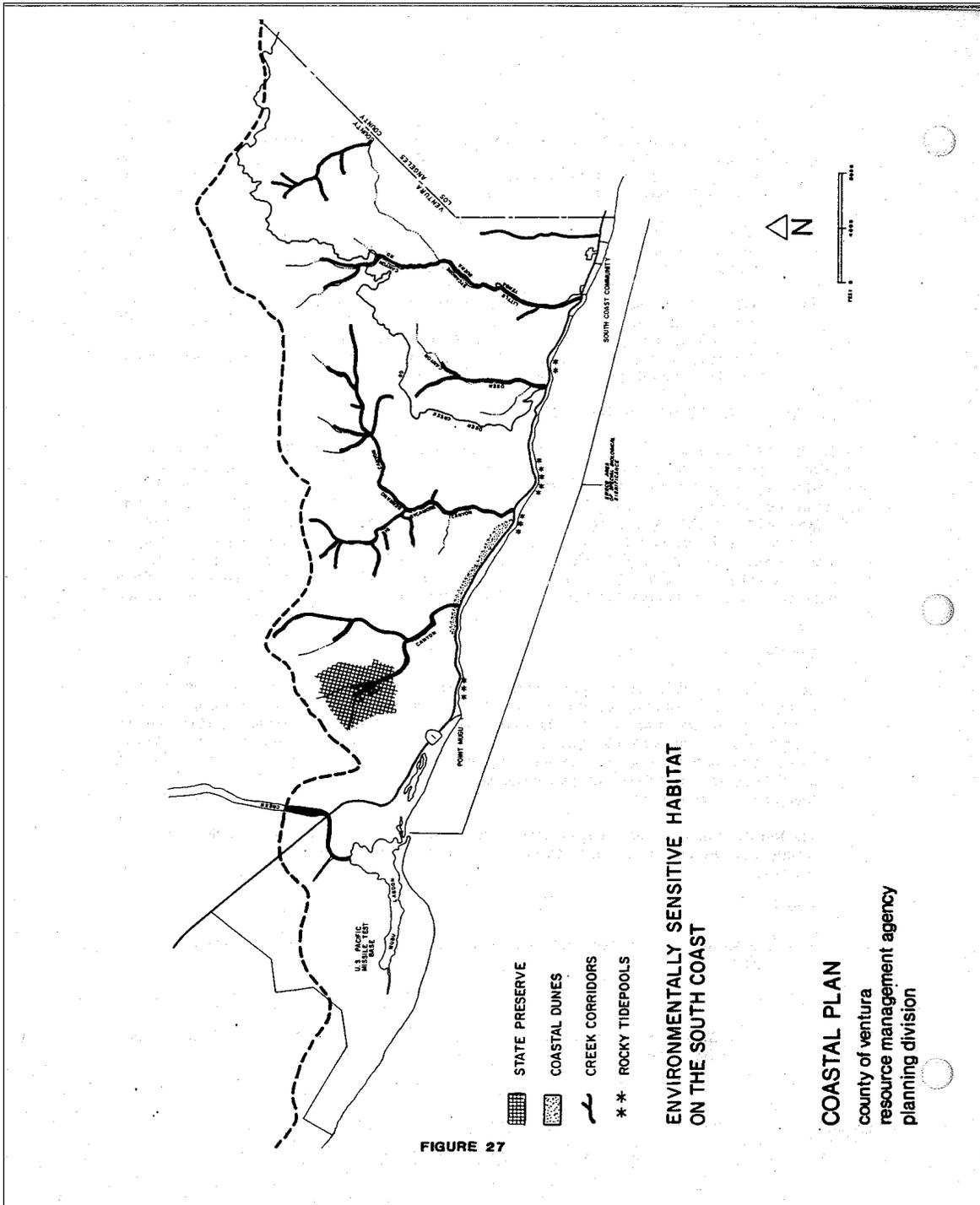
1. The "Existing Community" will be allowed to build out to its existing boundary within zoning and environmental constraints.
2. Consistent with the environmental characteristics and limited service capacities of the Santa Monica Mountains area, only very low density *development* as prescribed by the "Open Space" designation will be allowed in the Santa Monica Mountains. The *slope/density formula* found in the "Hazards" section will be utilized to determine the minimum *lot* size of any proposed land division.

Potential Conflicts

Development conflicts in the Santa Monica Mountains portion of the *South Coastal zone* are diminished, in part, because large areas are already set aside for recreational purposes. Proposed acquisitions by Santa Monica Mountains National Recreation Area will further restrict *development*. Conflicts could arise between land owners wishing to develop their lands and the physical constraints imposed by terrain, hazards, and health and safety problems.

At this time no conflicts exist between agricultural and urban land *uses*.

Figure 27
Environmentally Sensitive Habitat on the South Coast



**Figure 28
Recreational Areas on the South Coast**

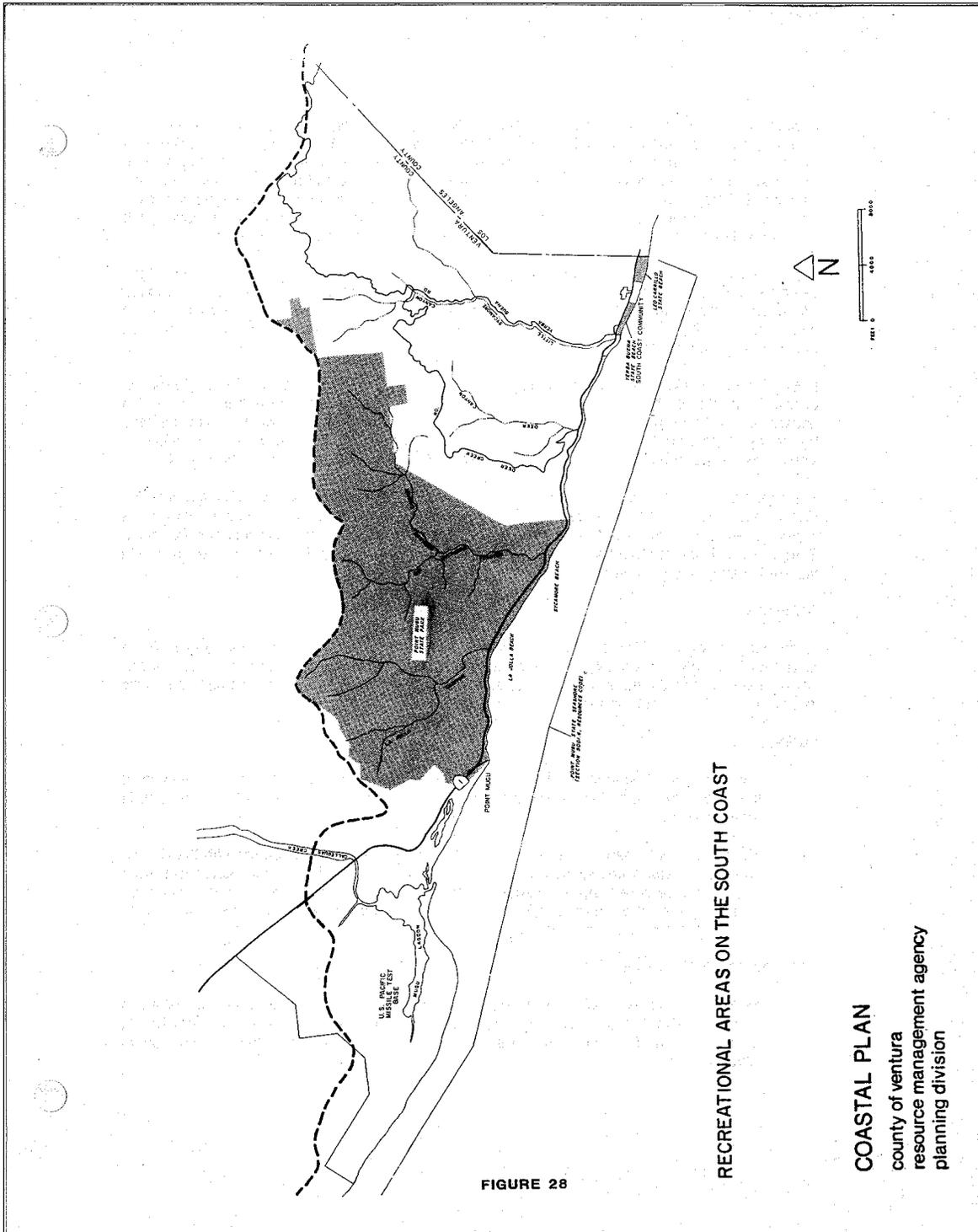


Figure 29
South Coast Access Inventory

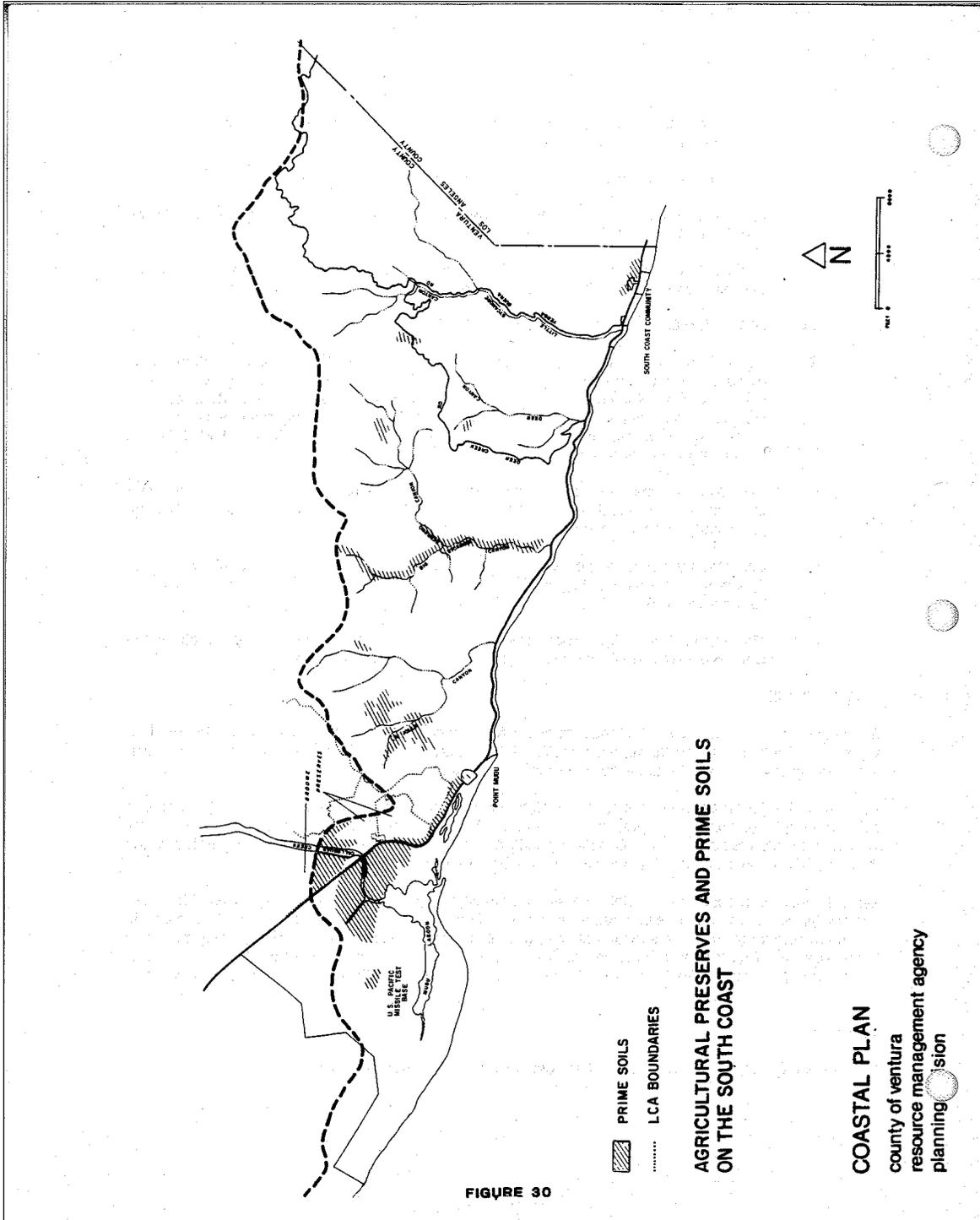
NO.*	Name & Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By	Remarks
1.	Vista Point - Mugu Rock West of Hwy. 1, 9 miles South of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
2.	Point Mugu State Park East and West of Hwy. 1, 10 miles south of Oxnard	Park	15,200 ac.	3.6 miles	Yes	Yes	State Parks	State Parks	
3.	Bass Rock Point Lookout West of Hwy. 1, 11 miles south of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
4.	Vista Point West of Hwy. 1, 12 miles south of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
5	Leo Carrillo State Beach	Park	32 ac.	1.1 miles	Yes	Yes	State Parks	State Parks	Ventura County portions of park are undeveloped at this time.

6/20/89

Footnotes:

* Keyed to the Local Coastal Area Plan Land Use Map for the South Coast, Figure 32.1 (separate map)

Figure 30 Agricultural Preserves and Prime Soils on the South Coast



**Figure 31
Hazards on the South Coast**

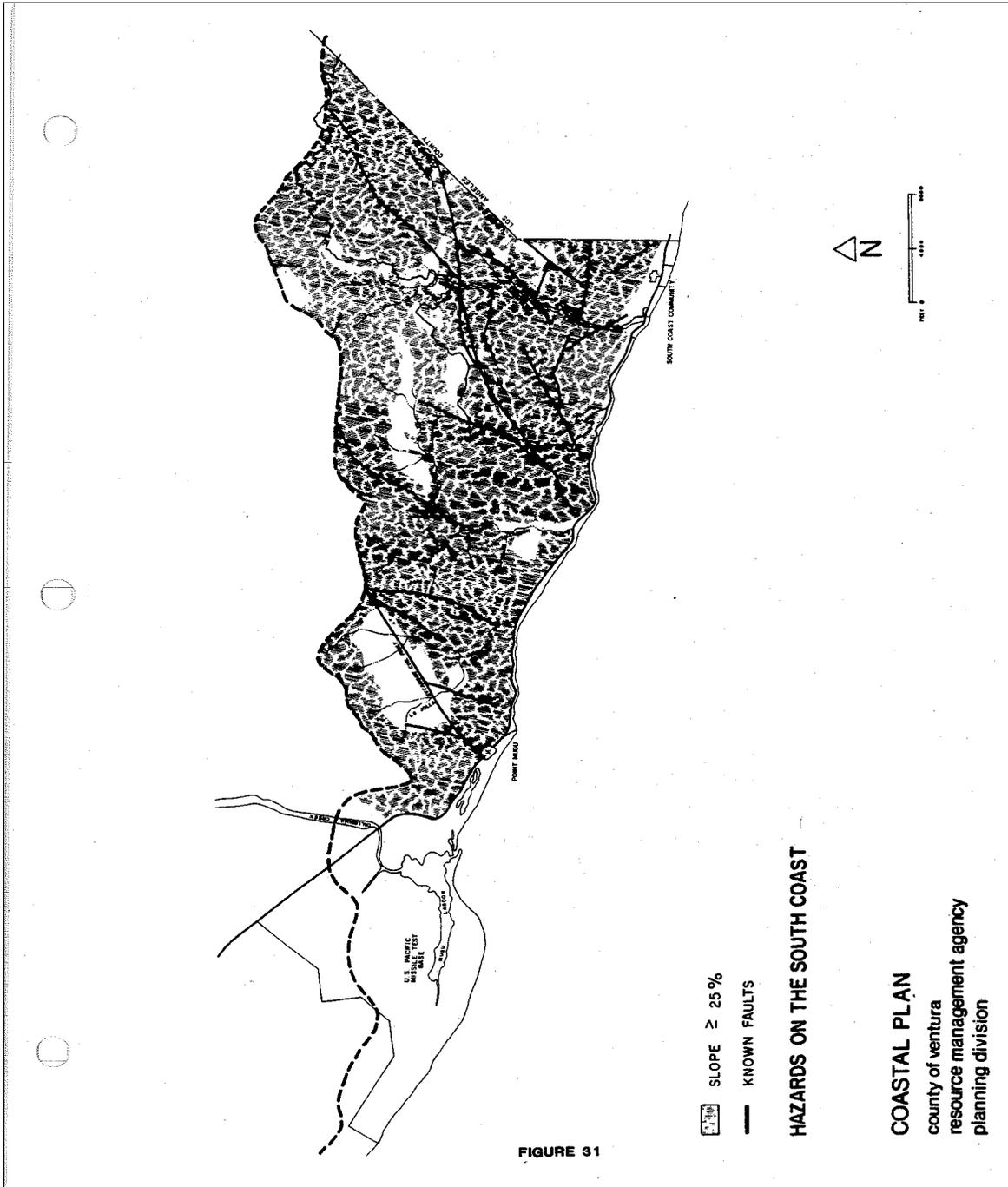


Figure 32
Summary Table Building Intensity/Population Density Standards (South Coastal Area)

Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Open Space	10,142.7	5% ³	0.100	1,014	1.82	1,845	0.182
Agriculture	649.8	5% ⁹	0.025	16	1.82	29	0.045
Recreation	6,999.8	5%	N/A	N/A	N/A	N/A	N/A
TOTALS	17,792.3			1,030		1,874	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ⁷	Dwelling Units	Average Pop/DU ⁸	Population	Average Population Density (Persons/Acre)
Rural	102.2	25% ⁴	0.50	51	1.82	92	0.90
Low	6.7	29%	2.00	13	1.82	23	3.43
Medium	7.5	42%	6.00	45	1.82	81	10.80
High	25.2	65%	36.00	907	1.82	1,650	65.48
TOTALS	141.6			1,016		1,846	

Commercial/Industrial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	3.7	40%	80.6	1.0	80	21.62

Footnotes:

¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

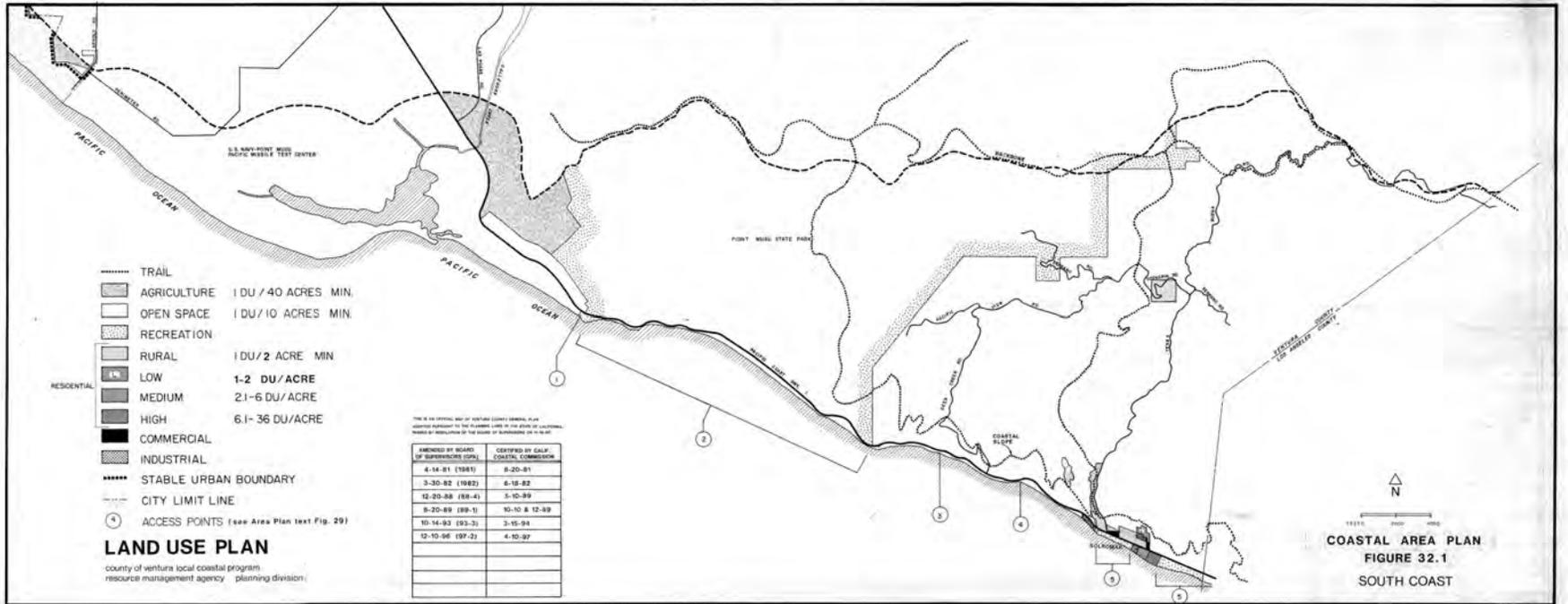
² Year 2000 Forecast for Thousand Oaks Nongrowth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

⁴ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 4.6 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

Figure 32.1 Local Coastal Area Plan – Land Use Map: South Coast



**Figure 33
Zoning Compatibility Matrix**

PLAN MAP LAND USE DESIGNATIONS	ZONES	ZONES												
		COS (10 AC. Min.)	CA (40 AC. Min.)	CR (1 AC. Min.)	CRE (10,000 S.F. Min.)	CR-1 (7,000 S.F. Min.)	CR-2 (3,500 S.F./DU)	RB (3,000 S.F. Min.)	RBH **	CRPD	CC	CM		
Open Space (10 Ac. Min.)		○	○										○	Compatible with Plan
Agriculture (40 Ac. Min.)			○										○ X U	Compatible only with zone suffix equal to or more restrictive than that shown in circle.
Recreation		○												
Rural (Residential 2 Ac. Min.)				○ 2 AC	○ 2 AC									
Low (Residential 1-2 DU/Ac.)				○	○									○ X AC = X acre minimum lot size
Medium (Residential 2.1-6 DU/Ac.)						○					○ 6 U			○ X = X thousand square feet minimum lot size
High (Residential 6.1-36 DU/Ac.)							○	○	○		○ 36 U			○ X U = X units per acre maximum
Commercial												○		
Industrial													○	

□ Not compatible with Plan

○ Compatible with Plan

○
X
U Compatible only with zone suffix equal to or more restrictive than that shown in circle.

○
X
AC = X acre minimum lot size

○
X = X thousand square feet minimum lot size

○
X
U = X units per acre maximum

12/10/96

Footnotes:

* 1,750 S.F. per single-family dwelling/3,000 S.F. per two-family dwelling.

Attachment 5: Coastal Zoning Ordinance, with
the Coastal Commission's Suggested
Modifications shown in Legislative Format

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VENTURA COUNTY COASTAL ZONING ORDINANCE

DIVISION 8, CHAPTER 1.1 OF THE VENTURA COUNTY ORDINANCE CODE

LAST AMENDED BY BOARD OF SUPERVISORS: 06-21-16

LAST CERTIFICATION BY COASTAL COMMISSION: TBD

LEGALLY EFFECTIVE: TBD

VENTURA COUNTY PLANNING DIVISION

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VENTURA COUNTY COASTAL ZONING ORDINANCE

DIVISION 8, CHAPTER 1.1 OF THE VENTURA COUNTY ORDINANCE CODE

LAST AMENDED BY BOARD OF SUPERVISORS: 06-21-16

LAST CERTIFICATION BY COASTAL COMMISSION: TBD

LEGALLY EFFECTIVE: TBD

VENTURA COUNTY PLANNING DIVISION

To purchase the Ventura County Coastal Zoning Ordinance:

Call 805/654-5663 or

Go to the Resource Management Agency receptionist
3rd floor of the Government Center Hall of Administration
800 S. Victoria Avenue, Ventura, CA

(We can no longer provide free supplements as the ordinance is updated.)

This Zoning Ordinance is also available on our website:

<http://www.ventura.org/planning>
under Ordinances and Regulations

**For general questions about this ordinance, call
the Planning Division at:**

805/654-2488 or 654-2451

DISCLAIMER

The Coastal Zoning Ordinance is Chapter 1.1 of Division 8 (Planning & Development). This version was produced by the Planning Division. The "Official" version of this ordinance is held by the Clerk of the Board of Supervisors. The Planning Division coordinates closely with the Clerk's Office to ensure the accuracy of the Ordinance's contents, even if its format may differ from the one produced by the Clerk's Office. Informational notes may appear in *italics* that are not a part of the adopted ordinance, but provide clarification.

BACKGROUND AND HISTORY

The Ventura County Zoning Ordinance was enacted on March 18, 1947, by Ordinance No. 412. Each formal action by the Board of Supervisors to establish or amend the code is done by enacting an "ordinance." These actions are numbered sequentially. For example, the creation of the first County Zoning Ordinance was the 412th ordinance action taken by the Supervisors. It should be noted that the Zoning Ordinance falls within Division 8 of the total Ventura County Ordinance Code and is specifically referenced as Chapter 1 of Division 8. The discussion that follows is intended to provide the reader with a general understanding of the Zoning Ordinance's evolution and structure. It is not a definitive analysis.

The Zoning Ordinance was adopted at the same time as the Uniform Building Code and collectively established the initial regulatory scheme for *structures* and land *uses*. The Zoning Ordinance provided little regulation, but it did establish the initial zoning of land. This initial Zoning Ordinance bears little resemblance to modern-day zoning ordinances and has undergone numerous amendments since 1947.

Amendments during the 1950s added significantly to the Ordinance and by 1962 it was necessary to "reorder" it into a more coherent format. Another major reformatting occurred in 1968. By the late 1960s, numerous individual zoning districts (e.g. M-1 Industrial, RBH Residential Beach Harbor) had been created and most of the basic regulatory provisions of the present code had been established.

During the 1970s, environmental laws and legal decisions, particularly those requiring consistency between zoning and the General Plan, led to further expansions of the Ordinance. The 1980s saw amendments that enhanced the County's ability to regulate oil and mining activities, and recover costs for permit processing and abatement of violations.

The cumulative additions to the Ordinance since the 1960s led to an unwieldy document that once again needed restructuring. This was addressed through the re-codification of 1983 (Ordinance No. 3658). The restructured code appeared in "letter-size" format and introduced a "matrix" to depict *uses* allowed in each zone. It also reduced the number of separate zones and centralized *development* standards. The general format established at this time is still in use today.

1983 was also the year that the Zoning Ordinance was divided into the Coastal Zoning Ordinance (Ordinance No. 3654) for coastal areas and the Non-coastal Zoning Ordinance that covers all areas outside the *Coastal Zone*. The two codes are structured in parallel, but differ in many detailed ways. Over the years they have grown apart as the Non-coastal Zoning Ordinance has undergone more frequent amendments which were not simultaneously incorporated into the Coastal Zoning Ordinance.

Prior to July of 2002 the Ordinance was published solely by the County Clerk's Office. Beginning in mid 2002 the Planning Division began publishing an "un-official" version of the Coastal Zoning Ordinance that is electronically indexed and located on the Division's website. Every possible effort has been made to ensure that the contents of the Planning Division's version are consistent with the Clerk's version which is published by an outside contractor. The Planning Division's version differs in format and style to facilitate its incorporation onto the internet. The Planning Division's version of the Coastal Zoning Ordinance includes a footer on each page that identifies when the code was last amended. An index of amendments by section number will be added so one can determine where amendments have occurred in the code.

The Clerk of the Board of Supervisors keeps the only official record of each individual amendment to the Zoning Ordinance. The Planning Division keeps copies of the milestone

versions of the codified Zoning Ordinance, e.g. the versions from 1968, 1983, and 1995, among others. These documents may be useful if one wants to research various amendments. Changes since 1983 can be tracked by noting the parenthetical dates and ordinance numbers at the end of a given code section or following the heading of a given Article in the Zoning Ordinance. These notations indicate when the Section or Article was added or last amended. Where no note appears, the language typically dates from the re-codification of 1983, although some wording may have been carried forward from preceding versions of the code.

Individuals who purchase the Coastal Zoning Ordinance can up-date it by consulting the Planning Division's website <http://www.ventura.org/planning> and downloading the current version, or portions of it. The Planning Division no longer provides up-dated pages for previously purchased Ordinances. Entire copies of the Coastal Zoning Ordinances cost about \$15.00 each and can be ordered through the Resource Management Agency receptionist at (805) 654-2494.

Planning Staff, Winter 2004

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DIVISION 8 - PLANNING AND DEVELOPMENT
CHAPTER 1.1 - ZONING (COASTAL)

(REP. & REEN. ORD _____ - 6/14/2016; EFFECTIVE TBD)

**ARTICLE 1:
AUTHORITY, PURPOSE, AND APPLICATION OF
CHAPTER**

Sec. 8171-1 - Adoption and Title of Chapter

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

Sec. 8171-2 - Purpose of Chapter

The text, *use* matrix, and zoning maps of this Chapter constitute the comprehensive zoning plan and regulations for the unincorporated *coastal zone* of the County of Ventura. This Chapter is adopted to protect and promote the public health, safety, and general welfare; and to provide the environmental, economic, and social advantages that result from an orderly, planned *use* of resources; and to protect public and private property, wildlife, marine fisheries, and other ocean resources, and the natural environment, by protecting the ecological balance of the *coastal zone* and preventing its destruction and deterioration. This Chapter shall implement the objectives and policies of Ventura County's General Plan including the LCP Land Use Plan. (AM.ORD.4451-12/11/12)

Sec. 8171-3 - Application

This Chapter applies to all *development* undertaken and proposed be undertaken by *persons* (including the County, any utility, any federal, state, or local government, or any special district or agency thereof) in the unincorporated portions of the *Coastal zone* of Ventura County, except as provided for elsewhere in this Chapter.

Sec. 8171-3.1 - Unusual Development

Many types of "*development*" not usually found in a *zoning ordinance* are regulated by this ordinance in addition to those *uses* specified herein. Examples of such *developments* are: subdivisions; *fill* and deposition of dredged materials; *public works* projects; changes in intensity of the *use* of water or *access* thereto; and grading.

Sec. 8171-3.2 - Standards and Conditions

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

Sec. 8171-4 - General Prohibitions

Sec. 8171-4.1

No *structure* shall be moved onto a site, erected, reconstructed, added to, enlarged, advertised on, structurally altered or maintained, and no *structure* or land shall be used for any purpose, except as specifically provided and allowed by this Chapter, with respect to land *uses*, *building heights*, *setbacks*, minimum *lot area*, maximum percentage of *building coverage* and *lot width*, and with respect to all other regulations, conditions and limitations prescribed by this Chapter as applicable to the same zone in which such *use*, *structure* or land is located. (AM.ORD.4055-2/1/94)

Sec. 8171-4.2

No *person* shall use or permit to be used, any *building*, *structure*, or land or erect, structurally alter or enlarge any *building* or *structure*, contract for advertising space, pay for space, or advertise on any *structure* except for the *uses* permitted by this Chapter and in accordance with the provision of this Chapter applicable thereto.

Sec. 8171-4.3

No permit or entitlement may be issued or renewed for any *use*, construction, improvement or other purpose unless specifically provided for or permitted by this Chapter.

Sec. 8171-4.4

No permit or entitlement shall be issued for any *use* or construction on a *lot* that is not a *legal lot*. (ADD.ORD.4055-2/1/94, AM.ORD. 4451-12/11/12)

Sec. 8171-4.5

No permit or entitlement shall be issued for the following prohibited uses:

- a. The operation of medical cannabis dispensaries, and the manufacturing, processing, storage or sales of medical cannabis or medical cannabis products. This prohibition does not apply to the delivery and transport of medical cannabis and does not apply to uses by a qualified patient or primary caregiver for which a permit is not required pursuant to Business and Professions Code section 19319. The definitions in Business and Professions Code section 19300.5 shall apply to this subparagraph.
- b. The cultivation of medical cannabis as those terms are defined in Business and Professions Code section 19300.5 for which a license is required pursuant to Health and Safety Code section 11362.777.

Sec. 8171-5 - Severability

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

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

The LCP for Ventura County consists of this Chapter and the certified Coastal Land Use Plan for the *coastal zone*. Both documents shall be used when analyzing *development* requests. Many policy statements found only in the Land Use Plan will, nevertheless, have a significant impact on *development* decisions. If there is a conflict between policy statements in the Land Use Plan, and *uses* or standards in this Chapter, or just between standards in this Chapter, the most restrictive requirement shall take precedence. (AM.ORD.4451-12/11/12)

Sec. 8171-7 - Vested Rights

The authority to make a determination on a claim of vested rights within the *coastal zone* rests with the Coastal Commission.

Sec. 8171-8 - Interpretation and Ambiguities

The provisions of this Chapter shall be held to be the minimum requirements for the promotion of the public health, safety, and welfare. If ambiguity arises concerning the appropriate classification or particular *use* within the meaning and intent of this Chapter, or if ambiguity exists with respect to matters of *height, setback,* or area requirements, it shall be the duty of the *Planning Director* to ascertain all pertinent facts and make a determination on said ambiguity. (AM.ORD.4451-12/11/12)

Sec. 8171-9 - Establishment of Use Zones

In order to classify, regulate, restrict and segregate the *uses* of land and *buildings*; to regulate the *height* and size of *buildings*; to regulate the area of *setbacks* and other open spaces around *buildings*; and to regulate the density of population, the following classes of *use zones* are established along with their abbreviations and minimum *lot areas*. Alternative minimum *lot areas* may be established pursuant to Sec. 8171-9.1 et seq. Minimum *lot area* requirements are expressed in "gross" area for land *uses* and *structures*. The minimum *lot area* for subdivision purposes is expressed in "net" area for *parcels* of less than 10 acres, and "gross" area for *parcels* of 10 acres or more. (AM.ORD.4451-12/11/12)

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

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

*See Sec. 8175-2 for specifics.

(AM.ORD.4055-2/1/94, AM.ORD. 4451-12/11/12)

Sec. 8171-9.1 - Lot Area Suffix

Lot areas larger than the minimum specified by the Coastal Land Use Plan and this Chapter may be determined by a suffix number following the base zone designation on a given zoning map. The application of said suffixes shall be consistent with the Area Plan for the *Coastal Zone* and Article 5 of this Chapter. All other requirements of the base zone contained in this Chapter shall apply to the respective zone designated by a suffix. The suffix numbers shall only be assigned in 1,000-square-foot increments for *lots* less than one acre in area (i.e., CRE-30 means: Coastal Rural Exclusive, 30,000 square foot minimum *lot* size), and in increments of one acre for *lots* of one acre or larger area (i.e., CRE 5Ac means: Coastal Rural Exclusive, Five-Acre Minimum *lot* size). The application of suffix numbers shall not create *lot areas* smaller than the minimum area specified for the various base zones established by Sec. 8171-9. Where no suffix number appears, it is understood that the minimum *lot area* specified in Sec. 8171-9 for that zone shall apply. (AM.ORD.4451-12/11/12)

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

A designator suffix shall be assigned to each CRPD zone. The suffix shall indicate the maximum number of *dwelling units* per gross acre (excluding dedications for major thoroughfares and flood control channel rights-of-way), followed by the letter "U"; for example, CRPD-25U shall mean a maximum of 25 *dwelling units* per acre. The designator suffix may be any number between 1U and 30U. A CRPD zone without a designator suffix shall allow a maximum of 30 *dwelling units* per acre. The maximum density permitted for any property in the CRPD zone shall be established on the basis of LCP Land Use Plan compatibility, topography, orderly *development* principles, and infrastructure available to serve the *development*. (AM.ORD.4451-12/11/12)

Sec. 8171-10 - Adoption of Zoning Maps

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

Sec. 8171-10.1

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

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

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

The Ventura County Coastal Zoning Maps are on file in the office of the Clerk of the Board of Supervisors. (AM.ORD.4451-12/11/12)

Sec. 8171-11 - Uncertainty of Zone Boundaries

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

Sec. 8171-11.1 - Boundaries Following Lot Lines

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

Sec. 8171-11.2 - Boundary by GIS Technology

Where a zone boundary divides a *lot*, the locations of such boundaries, unless indicated by dimensions, shall be determined by the use of *GIS* tools and/or datasets. (AM.ORD.4451-12/11/12)

Sec. 8171-11.3 - Boundary Upon Street Abandonment

Where a *public street* or *alley* is officially vacated or abandoned, the zoning regulations applicable to *abutting* property on each side of the center line of the vacated or abandoned street or *alley* shall apply to the property located within the vacated or abandoned street or *alley*. (AM.ORD.4451-12/11/12)

Sec. 8171-11.4 - Determination of Uncertainties

The *Planning Director* shall resolve uncertainties as to zone district boundary locations, and any challenge to his determination shall be resolved as provided in Sec. 8181- 9.1. Any uncertainty as to the location of the *coastal zone* boundary shall be referred to the Coastal Commission for resolution in accordance with *coastal zone* maps adopted by the State legislature.

Sec. 8171-12 - Terms Not Defined

Terms not defined in this Chapter shall be interpreted as defined in conventional dictionaries in common use.

Sec. 8171-13 - Misinformation

Information erroneously presented by any official or employee of the County does not negate or diminish the provisions of this Chapter pertaining thereto.

Sec. 8171-14 - Quantity

The singular includes the plural, and the plural includes the singular.

Sec. 8171-15 - Number of Days

Whenever a number of days are specified in this Chapter, or in any permit, condition of approval, or notice issued, or given as set forth in this Chapter, such number of days shall be deemed to be consecutive calendar days, unless otherwise specified.

Sec. 8171-16 - Rounding of Quantities

Whenever application of this Chapter results in required parking spaces or other standards being expressed in fractions of whole numbers, such fractions are to be rounded to the next higher whole number when the fraction is .5 or more, and to the next lower whole number when the whole number when the fraction is less than .5, except that a) calculation for the number of permitted animals shall be in accordance with Article 5; b) quantities expressing areas of land are to be rounded only in the case of square footage, and are not to be rounded in the case of acreage.

ARTICLE 2: DEFINITIONS

Sec. 8172-1 - Application of Definitions

Terms defined in Article 2 below are italicized whenever they appear in the main text of this ordinance.

Unless the provision or context otherwise requires, the definitions of words and term as follows shall govern the construction of this Chapter. Additional definitions may be found in Appendix 7 of the LCP Land Use Plan appendices.

Definitions - A

A-Frame Structure - A *structure* shaped in the configuration of the letter A, with angled exterior walls that also serve as a roof to the *structure* and that meet at the top ridge. (AM.ORD.4451-12/11/12)

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. (AM.ORD.4451-12/11/12)

Access - The place or way by which pedestrians and/or vehicles shall have safe, adequate, usable ingress and egress to a property or *use* as required by this Chapter.

Accessory Structure - A detached *structure* containing no *kitchen* or cooking facilities, and located upon the same *lot* as the *building* or *use* to which it is accessory, and the *use* of which is customarily incidental, appropriate and subordinate to the *use* of the principal *building*, or to the *principal use* of the land. (AM.ORD.4451-12/11/12)

Accessory Use - A *use* customarily incidental, appropriate and subordinate to the *principal use* of land or *buildings* located upon the same *lot*.

Agricultural activity, operation, or facility - Includes but is not limited to, the cultivation and tillage of the soils, dairying, the production, irrigation, frost protection, cultivation, growing, pest and disease management, harvesting and field processing of any agricultural commodity including timber, viticulture, apiculture, or horticulture, the raising of livestock, fish, or poultry, and any practices performed by a farmer or on a farm as incident to or in conjunction with such farming operations, including preparation for market, delivery to storage or market, or delivery to carriers for transportation to market.

Agriculture - Farming, including *animal husbandry* and the production and management of crops (including aquatic crops) for food, fiber, fuel and ornament.

Aircraft - Includes helicopters, all fixed wing airplanes, hang-gliders and ultra-light aircraft.

Airfields and Landing Strips, Private - An *aircraft* landing strip or heliport for agricultural crop dusting or personal *use* of the property owner or tenants, not available for public *use*, and with no commercial operations.

Albedo - A measure of a material's ability to reflect sunlight on a scale of zero to one, with a value of 0.0 indicating the surface absorbs all solar radiation (e.g. charcoal) and a value of 1.0 representing total reflectivity (e.g. snow).

Alley - A private way permanently reserved as a secondary means of vehicular *access* to adjoining property. (AM.ORD.4451-12/11/12)

Alluvium – A deposit of clay, silts, sand, and gravel left by flowing streams in a river valley or delta, but may be deposited at any point where the river overflows its banks. Loose alluvial material that is deposited or cemented into a lithological unit, or lithofied, is called an alluvial deposit.

Alternatives Analysis - The evaluation of a range of alternatives (e.g., strategies) with the objective of selecting the least environmentally damaging feasible alternative.

Amortize - To require the termination of (a *nonconforming use* or *structure*) at the end of a specified period of time.

Animal Caretaker - A *person* employed full time on the same property for activities associated with Animal Husbandry or *Animal Keeping*. (ADD.ORD. 4451-12/11/12)

Animal Husbandry - A branch of *agriculture* for the raising or nurturing and management of animals, including breeding, pasturing or ranching for such purposes as animal sales, food production, fiber production, ornament, or beneficial *use* (e.g. insectaries). (AM.ORD.4451-12/11/12)

Animal Keeping - The keeping of animals other than for husbandry or pet purposes, with or without compensation; including such activities as boarding, stabling, pasturing, rehabilitating, training of animals and lessons for their owners, and recreational riding by the owners of the animals; but excluding such activities as the rental *use* of the animals by people other than the owners, and excluding events such as organized competitions, judging and the like. (ADD.ORD. 4451-12/11/12)

Animals, Pet - Domesticated animals such as dogs, cats, and rabbits, which are customarily kept for pleasure rather than *animal husbandry* or *animal keeping*. (AM.ORD.4451-12/11/12)

Animals, Wild - Animals that are wild by nature and not customarily domesticated. This definition does not include birds, small rodents or small, nonpoisonous reptiles commonly used for educational or experimental purposes, or as pets. (AM.ORD.4451-12/11/12)

Antenna, Freestanding - A metallic device for transmitting or receiving radio waves that rests on or is located in the ground. Included are antennas supported by guy wires and similar mechanisms. (AM.ORD.4451-12/11/12)

Apiculture - Beekeeping, which includes one or more hives or boxes, occupied by bees (hives or boxes includes colonies), but does not include honey houses, extraction houses, warehouses or appliances.

Applied Water - The portion of water supplied by the irrigation system to the *landscape area*.

Aquaculture – A form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. "Aquaculture" does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes.

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

1. *Development* approved by the County between the sea and the first *public road* paralleling the sea, or within 300 feet of the inland extent of any beach, or within

300 feet of the *mean high tide line* of the sea where there is no beach, whichever is the greater distance.

2. *Development* approved by the County that is not included within paragraph 1 above and is located on *tidelands*; submerged lands, public trust lands; within 100 feet of any *wetland*, estuary, or *stream*; or within 300 feet of the top of the seaward face of any coastal bluff.
3. Any *development* approved by the County that is not designated as the *principally-permitted use* under this Ordinance.
4. Any *development* that constitutes a *major public works project* or a *major energy facility*.

(AM.ORD.4451-12/11/12)

Applied Water - The portion of water supplied by the irrigation system to the *landscape area*.

Aquaculture - A form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. "Aquaculture" does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes.

Archaeological Resource - The material remains (artifacts, structures, refuse, etc.) produced purposely or accidentally by members of human cultures predating the 19th century with one or more of the following characteristics:

1. Possessing a special quality such as oldest, best example, largest, or last surviving example of its kind;
2. Are at least 100 years old; and possessing substantial stratigraphic integrity;
3. Are significant to Chumash or Native American prehistory or history;
4. Are significant to the maritime history of California including European exploration, Spanish Colonial and Mission period, Mexican period, and United States statehood.
5. Contain sacred, burial ground, traditional ceremonial material gathering sites, or other significant artifacts;
6. Relate to significant events or persons;
7. Are of specific local importance;
8. Have yielded, or may be likely to yield, information in prehistory or history;
9. Can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable research questions; or
10. Involve important research questions that historical research has shown can be answered only with archaeological methods.

Archaeologist, Qualified Consultant - A consultant who meets one or more of the following professional qualifications in archeology, subject to approval of the Planning Director:

1. Holds an advanced degree from an accredited institution (M.A., M.S., Ph.D.) in Archaeology, Anthropology, or related discipline;
2. Holds a B.A. or B.S. degree including 12 semester units in supervised archaeology field work experience; or

3. Has at least five years of relevant research in field work experience or presents evidence of professional certification or listing on a Register of Professional Archaeologists (ROPA) as recognized by the Society for American Archaeology (SAA), Society of Professional Archeologists (SOPA), the Society for Historical Archaeology (SHA), and the governing board of the Archaeological Institute of America (AIA).

Artificial Fill - A layer of well-graded soil material that is designed and compacted to engineered specifications in order to support a roadbed, building, or other improvement or structure.

Artificial Turf - A man-made surface manufactured from synthetic materials which simulate the appearance of live *turf*, grass, sod, or lawn.

Assembly Use - A building or structure where groups of individuals voluntarily meet to pursue their common social, educational, religious, or other interests. For the purpose of this definition, assembly uses include but are not limited to libraries, schools and hospitals, and do not include Temporary Outdoor Festivals or Outdoor Sporting Events.

Average Slope - The mean *slope* of an entire *parcel* of land before grading has commenced. Average slope is measured by the formula detailed in the Coastal Open Space (COS) or Coastal Agricultural (CA) Zones in this Chapter, and, in part, determines minimum *parcel* size(s) for proposed subdivisions. (AM.ORD.4451-12/11/12)

Aviary - Any *lot* or premises on which *domestic birds* are kept for commercial purposes.

Definitions - B

Backflow Prevention Device - A safety device used to prevent contamination of the drinking water supply system due to the reverse flow of water from the irrigation system.

Bathroom - A room with a sink, a toilet, and a bathtub and/or shower. (AM.ORD.4451-12/11/12)

Beach Erosion - The removal and wearing away of the beach area by wave, wind or storm action.

Bed-and-Breakfast Inn - A single family *dwelling* with guest rooms where lodging and one or more meals are offered for compensation to overnight guests. (AM.ORD.4451-12/11/12)

Bed rock - The relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

Biologist, Qualified - A person who graduated from an accredited college or university with a bachelor or higher degree in biology, botany, wildlife biology, natural resources, ecology, conservation biology or environmental biology, and who also possesses at least four years of professional experience with the preparation of biological resources assessments. The County's staff biologist serves as a qualified biologist with the authority to review permit application materials prepared by other qualified biologists.

Bioretention - A *water quality best management practice* that consists of a depressed area that utilizes soil and plants to slow *runoff* velocity, remove pollutants, and temporarily retain stormwater to increase infiltration into the ground.

Board and Care of Horses - The keeping, feeding, exercising, etc., of horses owned by others, for compensation.

Boardinghouse - A *dwelling unit* wherein two or more rooms are rented to residents for whom daily meals are furnished.

Boarding Schools - Schools providing lodging and meals for the pupils.

Boatel - A *building* or *buildings* containing guest rooms or *dwelling units* that are used wholly or in part for the accommodation of boat transients, and are located near or *abutting* a river, lake or ocean. (AM.ORD.4451-12/11/12)

Botanic Gardens and Arboreta - An area managed by a scientific or educational institution for the purpose of advancing and diffusing knowledge and appreciation of plants, and that meets all of the following criteria:

1. The area functions as an aesthetic display, educational display, or research site that may be open to the public;
2. Plant records are maintained for the area. At least one staff member (paid or unpaid) experienced in horticulture that maintains and manages the area; and
3. Visitors can identify plants at the area through labels, guide maps, or other interpretive materials.

Breeding Colony - An aggregation of breeding birds of one or more species, which may include large numbers of individual birds. Also referred to as a rookery.

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

Building - Any *structure* having a roof supported by columns or walls, and intended for the shelter, housing or enclosure of *persons*, animals, or personal property of any kind.

Building Envelope - The area of a proposed *parcel* that contains all *structures*, including but not limited to: the primary residential *structure*, other accessory residential *structures*, barns, garages, swimming pools, and storage sheds. Specifically excluded are *fences* and walls. (AM.ORD.4451-12/11/12)

Definitions - C

Camp - A rural facility with permanent *structures* for overnight accommodation and accessory *structures* and *buildings*, which is used for temporary leisure, recreational or study purposes, and provides opportunities for the enjoyment or appreciation of the natural environment. (AM.ORD.3882-12/20/88)

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. (ADD.ORD.3882-12/20/88)

Caretaker - An employee who must be on the property for a substantial portion of each day for security purposes or for the vital care of people, plants, animals, equipment or other conditions of the site.

Certificate of Completion - A document provided by the Planning Division to the permittee that confirms the *landscape area* was planted, and irrigation was installed, as applicable, in accordance with the approved *landscape documentation package*.

Certification - Written documentation signed by an appropriate expert (as determined by the Planning Director) which states, in a manner consistent with this Chapter, his/her opinion that there is no reasonable and appropriate alternative to *altering* or *removing* a given *tree*. The term "certification" may also mean that a written statement is true or correct or that something or someone has met certain standards or requirements.

Check Valve – A valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system and prevent drainage from sprinkler heads when the sprinkler is off.

Clear Sight Triangle - The area of unobstructed visibility at street intersections or driveways that allows a driver to see approaching vehicles. (ADD.ORD. 4451-12/11/12)

Clubhouse - Any *building* or premises used by an association of *persons*, whether incorporated or unincorporated, organized for some common purpose, but not including a *gun club* or an association or group organized to render, purchase or otherwise make *use* of a service customarily carried on as a commercial enterprise.

Coastal Access - The ability of the public to reach, use or view the shoreline, coastal waters, coastal recreation areas, inland public recreation areas or public trails, and other significant coastal resource areas such as natural open space and habitats. Coastal access includes all such public access areas within the coastal zone and is not limited to shoreline locations.

Coastal Access Parking – Parking areas that facilitate the ability of the general public to reach, use or view coastal resource areas including, but not limited to, the shoreline, coastal waters, public open space or recreation areas, and trails. These parking areas may be dedicated for coastal access purposes or may be available for general public use.

Coastal-Dependent Development or Use - Any *development* or *use* which requires a site on, or adjacent to, the sea to be able to function at all.

Coastal Development Permit – A discretionary permit required pursuant to this chapter or subdivision (a) of Section 30600 of the Coastal Act. Conditional Use Permits, Planned Development Permits and Public Works Permits are Coastal Development Permits. (ADD.ORD. 4451-12/11/12)

Coastal-Related Development or Use - Any *development* or *use* which is dependent on a *coastal-dependent development or use*.

Coastal Resources – Areas that include but are not limited to: public access facilities and opportunities; recreation areas and recreational facilities and opportunities (including for recreational water-oriented activities); visitor serving opportunities; scenic resources; public views; natural landforms; marine resources; water quality; watercourses (e.g., rivers, streams, creeks, etc.) and their related corridors; water bodies (e.g., wetlands, estuaries, lakes, etc.), and uplands; ground water resources; biological resources; environmentally sensitive habitat areas; wetlands; agricultural lands; and archaeological and paleontological resources.

Coastal Zone - That portion of the land and water area of Ventura County as shown on the "*Coastal Zone*" maps adopted by the California Coastal Commission.

Colonial Roosts – An area used as a resting location by a group of migratory birds of one or more species. Birds may also breed in aggregations of many individuals, which is known as a *breeding colony*.

Commercial Vehicle – A motor vehicle designed or regularly used for the transportation of persons for hire, compensation, or profit or that is designed and maintained to carry freight or merchandise, whether loaded or empty, including buses. This definition does not include vehicles used for emergency purposes, vanpools, or recreational vehicles operating under their own power. Examples of a commercial vehicle include the following:

- Any single vehicle with a gross vehicle weight rate (GVWR) greater than 10,000 pounds.

- A vehicle designed to transport 10 or more passengers including the driver.
- A van or bus designed to transport 15 or more passengers including the driver.
- Any size vehicles which requires hazardous material placards or is carrying materials listed as a select agent or toxin in Title 42, Code of Federal Regulations (CFR), Part 73.

Commission – The California Coastal Commission.

Communications Facilities - Includes unstaffed *uses* and *structures* such as radio and television dishes/antennas, radar stations, and microwave towers. (AM.ORD.4451-12/11/12)

Community Center - A meeting place where people living in the same community may carry on cultural, recreational, or social activities, but excluding any facility operated as a business or for commercial purposes.

Conference Center/Convention Center - An urban facility for the assembly of *persons* for study and discussion, which includes permanent *structures* for dining, assembly and overnight accommodation. (ADD.ORD.3882-12/20/88)

Conversion Factor - The conversion factor of 0.62 required to convert acre-inches-per-acre-per-year to gallons-per-square-foot-per-year in the calculation of the *Maximum Applied Water Allowance (MAWA)*.

Cultural Heritage Site - An improvement, natural feature, site, or district that has completed the legally-required procedures 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.

Definitions - D

Day Care Center – Any child care facility licensed by the State of California, except for a *Family Day Care Home*, such as infant centers, preschools, care of the developmentally disabled, and child extended care facilities.

Decision, Discretionary - *Discretionary decisions* involve cases that require the exercise of judgment, deliberation, or decision on the part of the *decision-making authority* in the process of approving or disapproving a particular activity, as distinguished from situations where the *decision-making authority* merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations. Examples of cases requiring *discretionary decisions* to be made by the Board of Supervisors, Planning Commission and *Planning Director* include all those not classified as "ministerial" such as: Conditional Use Permits, Variances, Zone Changes, Planned Development Permits, Tentative Subdivision Maps and Time Extensions thereto, General Plan Amendments; and appeals, modifications and revocations, where applicable, of the above referenced decisions. (AM.ORD.4451-12/11/12)

Decision, Ministerial - *Ministerial decisions* are approved by a decision-making authority based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority. In such cases, the authority must act upon the given facts without regard to its own judgment or opinion concerning the property or wisdom of the act although the statute, ordinance or regulation may require, in some degree, a construction of its language by the decision-making authority. In summary, a *ministerial decision* involves only the *use* of fixed standards or objective measurements without personal judgment. (AM.ORD.4451-12/11/12)

Decision-Making Authority - An individual or body vested with the authority to make recommendations or act on application requests. The final *decision-making authority* is the one that has the authority to act on a request by approving or denying it. (AM.ORD.4451-12/11/12)

Development - Shall mean, on land or in or under water, the placement or erection of any solid material or *structure*; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of *use* of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including *lot* splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational *use*; change in the intensity of *use* of water, or of *access* thereto; construction, reconstruction, demolition, or alteration of the size of any *structure*, including any facility of any private, public, or municipal utility; and the removal or harvesting of *major vegetation* other than for agricultural purpose, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Act of 1973 (commencing with Section 4511).

As used in this section, "*structure*" includes, but is not limited to, any *building*, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Development, Upland - See "*Upland Development*."

Diffused Light/Illumination - Soft light reflected from an adjacent surface or projected through a semi-transparent material, such as frosted light bulbs.

District - An area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Domestic Birds - Doves, finches, mynah birds, parrots and similar birds of the psittacine family, pigeons, ravens and toucans.

Drilling, Temporary Geologic - Bona fide temporary search and sampling activities that, in the case of oil-related testing, use drilling apparatus smaller than that used in oil production. (AM.ORD.4451-12/11/12)

Drip Irrigation - An irrigation method that minimizes water use through the application of water that drips slowly to the roots of plants, either onto the soil surface or directly into the root zone, through a network of valves, pipes, tubing, and emitters.



Drive Aisle - A driving area within a parking area or parking structure used by motor vehicles to maneuver, turn around, and/or access parking spaces.

Dwelling - A *building* or portion thereof designed for or occupied exclusively for residential purposes.

Dwelling, Animal Caretaker - A *dwelling unit* occupied by *animal caretaker(s)*, and their families, employed full time and working on the same *lot* on which the *dwelling unit* is located, or on other land in Ventura County that is under the same ownership or lease as the subject *lot*. (ADD.ORD. 4451-12/11/12)

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

other land in Ventura County that is under the same ownership or lease as the subject *lot*. (AM.ORD.4451-12/11/12)

Dwelling, Farm Worker - A *dwelling unit* occupied by *farm worker(s)*, and their families, employed full time and working on the same *lot* on which the *dwelling unit* is located or on other land in Ventura County that is under the same ownership or lease as the subject *lot*. (AM.ORD.4451-12/11/12)

Dwelling, Multi-Family - A *building*, or portion of a *building* containing three or more *dwelling units*.

Dwelling, Single-Family - A *building* constructed in conformance with the Uniform Building Code, or a *mobilehome* constructed on or after June 15, 1976, containing one principal *dwelling unit*. (AM.ORD.4451-12/11/12)

Dwelling, Two-Family - A *building* containing two principal *dwelling units*. (AM.ORD.4451-12/11/12)

Dwelling Unit - One or more rooms in a *dwelling*, with internal *access* between all rooms, that provide complete independent living facilities for one *family*, including permanent provisions for living, sleeping, eating, cooking and sanitation, but contain only one *kitchen*. (AM.ORD.4451-12/11/12)

Dwelling Unit, Second - A *dwelling unit* that is accessory to a principal *dwelling*. *Second dwelling units* include, but are not limited to, guest quarters, guesthouses, maid's quarters, granny flats, and sleeping rooms. Where a room or rooms have bathing facilities (i.e., a shower or bathtub) or a *kitchen*, or both, and no means of internal *access* to the principal *dwelling*, the room or rooms shall be a *second dwelling unit*. (AM.ORD.4451-12/11/12)

Definitions - E-F

Emergency - A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services. This may include such occurrences as fire, flood, and earthquake or other soil or geologic movements. (AM.ORD.4451-12/11/12)

Energy Facility - Any public or private processing, producing, generating, storing, transmitting, or recovering facility for electricity, natural gas, petroleum, coal, or other sources of energy (See also "*Major Public Works Project and Energy Facility*"). (AM.ORD.4451-12/11/12)

Environmentally Sensitive Habitat Area (ESHA) - Any area in which plant or animal life or their *habitats* are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or harmed by human activities and *development*, including, but not limited to: *Areas of Special Biological Significance* as identified by the State Water Resource Control Board; rare and endangered species *habitats* identified by the State Department of Fish and Game; all coastal *wetlands* and lagoons; all marine, wildlife, and education and research reserves; nearshore reefs; *stream* corridors; lakes; tidepools; seacaves; islets and offshore rocks; kelp beds; significant coastal dunes; indigenous dune plant *habitats*; and wilderness and primitive areas. (AM.ORD.4451-12/11/12)

Established Landscaping - The level of plant growth or coverage specified in the approved landscape documentation package that satisfies the *landscape plan performance criteria*.

Estimated Total Water Use (ETWU) - The annual total amount of water estimated to keep plants in a healthy state. ETWU is calculated from the *evapotranspiration rate*, the size of the

landscaped area, plant water demand, and the efficiency of the irrigation system within each *hydrozone*.

Evapotranspiration - The loss of water from a vegetated surface through the combined processes of soil evaporation and plant transpiration.

Exterior Storage - The outdoor placement or keeping of materials in an area not fully enclosed by a storage *structure*. (Also see Sec. 8175-5.1(j).) (AM.ORD.4451-12/11/12)

Family - An individual, or two or more *persons* living together as a single housekeeping unit in a *dwelling unit*. Includes residents and operators of a residential facility under the Community Care Facilities Act.

Family Day Care Home - A home licensed by the State of California to provide care, protection, and supervision for periods less than 24 hours per day for 14 or fewer children, including children under the age of 10 years who reside at the provider's home.

Farm Plan - A plan for new agriculture in text and map form which includes but is not limited to information on irrigated crop types, crop locations, and phased implementation.

Farm Worker - A *person* principally employed for *agriculture* or agricultural operations. (AM.ORD.4451-12/11/12)

Feasible - Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fence - Any type of *fence*, wall, hedge or thick growth of shrubs used as screens, but not including windbreaks for the protection of orchards or crops.

Fence, See-Through - A *fence*, such as the chain link type, that permits at least 50 percent open visibility throughout the *fence*. (AM.ORD.4451-12/11/12)

Field, Athletic - A level, open expanse of land intended to be used for organized team sports such as baseball, football and soccer.

Fill - Earth or any other substance or material, including pilings placed for the purposes of erecting *structures* thereon, placed in a submerged area.

Film, Base Camp - An area where trailers, vehicles, equipment, and catering services are located during *film production activities*.

Film Location - Each contiguous or noncontiguous parcel used for *film production activities*. Each *film location* may contain multiple *film permit areas*.

Film Permit - The written authorization issued by the Planning Division that allows the permit holder to conduct *film production activities*. *Film permits* may be issued as Zoning Clearances or Planned Development Permits as provided herein.

Film Permit Area - Areas that are temporarily dedicated to *film production activities*. Such areas include the *film base camp* and *film set*.

Film Production Activities - All uses, structures and activities including but not limited to *film production preparation*, *film production striking*, *film base camp*, and aviation services, that are related to the production of motion pictures, television programming, music and corporate videos, advertisements, web production, and *film still photography* for sale or use for a commercial purpose. For the purposes of this definition, *film production activities* do not include permanent film studios.

Film Production, Preparation - Onsite work or activities preceding *film production activities* including but not limited to the transportation of trailers, vehicles, equipment, catering

services, and film crew to the *film permit area(s)*; the installation of equipment (lighting, audio, cameras, etc.); construction of the *film set*; and rigging for stunts/*film special effects*.

Film Production, Striking – Onsite work or activities following *film production activities* including but not limited to dismantling film production equipment; un-rigging stunts/*film special effects*; and removing trailers, vehicles and equipment from the *film permit area*.

Film Production, Temporary – *Film production activities* of limited duration which do not exceed 180 days and which do not involve permanent structures.

Film Pyrotechnics – The use of explosive materials during film production activities. The term “explosive” refers to incendiary devices or ingredients that ignite by fire, friction, or detonation to cause visual and/or auditory effects. Film pyrotechnics include but are not limited to dynamite and fireworks that require a state explosives license from the California State Fire Marshall.

Film Set - The geographic areas used for filming, which include scenery and props arranged for *film production activities*. The *film set* and *film base camp* constitute the two areas used for *film production activities*.

Film Special Effects – An image or sound created during *film production activities*. *Film special effects* include but are not limited to snow, rain, wind, fog, smoke, fire, firearms, blank cartridges, and bullet hits (squibs).

Film, Still Photography - Taking photographs of people or objects for sale or commercial publication with assistance from a production crew and equipment used in photography (e.g. lighting, wardrobe, makeup, etc.). Still photography also includes a person who photographs a film production for purposes related to the film production.

Fire Resistant Plants – Plants that do not readily ignite from a flame or other ignition source. These plants can be damaged or even killed by fire, but their foliage and stems do not significantly contribute to the fuel load or the fire’s intensity.

Friable - A soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

Fuel Modification – A method of modifying fuel load by reducing the amount of non-fire resistive vegetation or altering the type of vegetation to reduce the fuel load.

Fuel Modification Zone – The area around a structure where the existing vegetation is altered (e.g. brush or vegetation removal, including thinning) pursuant to an approved fuel modification plan. ~~The purpose of the fuel modification zone is to reduce fuel load for fire protection purposes.~~

Definitions - G-H

Geotechnical and Soils Testing – Exploratory borings and excavations conducted under the direction of a Soils Engineer or Engineering Geologist, but excluding the construction of access roads or pads for exploratory excavations. (ADD.ORD. 4451-12/11/12)

GIS – Geographic Information System; within the *Coastal Zone*, the digital data system that includes zoning and land use data that conforms to the zoning and land use maps officially certified by the California Coastal Commission. (ADD.ORD. 4451-12/11/12)

Grade – Adjacent ground level. For purposes of *building height* measurement, *grade* is the average of the finished ground level along the walls of a *building*. In the case where walls

are parallel to and within five feet of a sidewalk, the finished ground level is measured at the sidewalk. (AM.ORD.4451-12/11/12)

Graywater - Untreated wastewater that has not been contaminated by toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes but is not limited to wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

Graywater System - A system of tanks, valves, filters, and pumps designed to collect and transport *graywater* for distribution to a landscape irrigation system.

Gross Floor Area - The area included within the surrounding exterior walls of all floors or levels of a *building*, exclusive of unenclosed shafts and courtyards, or, if the *structure* lacks walls, the area of all floors or levels included under the roofed/covered area of a *structure*. (AM.ORD.4451-12/11/12)

Groundcover - Any low-growing plant that grows over an area of ground and is used to provide protection from erosion and to improve its aesthetic appearance by concealing bare soil. *Groundcover* does not include *turf*.

Gun Club - Any *building* or premises where there are facilities of any sort for the firing of handguns, rifles or other firearms.

Habitat - The natural environment of a plant or animal species.

Habitat Restoration Plan - A program whereby the site is intentionally altered to establish a defined, indigenous, historic biological community or ecosystem with the goal of returning full functions to lost or degraded *native* habitats.

Harbor Uses - This heading includes only the following *uses*: Anchorages, mooring slips, docks, outboard ramps and public landings; construction, repair, storage and sales of boats; fish-icing plants, handling base for fish, and kelp production; private recreation areas; public *buildings*; public and private utility *buildings*; service facilities, including sport fishing; storage and transshipment facilities; water dispensing and production facilities; and *accessory uses* required for harbor operations.

Hardscape - Paved areas (*pervious* or non-pervious), patios, walls, decks, *water features*, walkways and other nonliving or human-made fixtures of a planned landscape. For the purpose of Sec. 8178-8, Water Efficient Landscaping Requirements, *hardscapes* do not include parking lots.

Hazard Fire Area - Private- or publicly-owned land that is covered with grass, grain, brush, or forest that is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas, which are designated by the fire code official, typically include any location within 500 feet of a forest, brush, grass, or grain covered land.

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

1. Cause, or significantly contribute to, an increase in mortality.
2. Increase serious irreversible, or incapacitating reversible, illness.

3. Pose a substantial present or potential future hazard to human health or environment due to factors including, but not limited to, carcinogenicity, acute toxicity, chronic toxicity, bio-accumulative properties, or persistence in the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Unless expressly provided otherwise, the term "*hazardous waste*" shall be understood to also include extremely *hazardous waste* and acutely *hazardous waste*. (ADD.ORD. 3946-7/10/90, AM.ORD. 4451-12/11/12)

Hazardous Waste Facility - All contiguous land and *structures*, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery disposal, or recycling of *hazardous waste*. A *hazardous waste* facility may consist of one or more treatment, transfer, storage, resource recovery, disposal, or recycling *hazardous waste* management units, or combinations of those units. (ADD.ORD. 3946- 7/10/90)

Height - The vertical distance from the adjacent *grade* or other datum point to the highest point of that which is being measured.

High Fire Hazard Areas - Certain areas in the unincorporated territory of the County classified by the County Fire Protection District and defined as any areas within 500 feet of uncultivated brush, grass, or forest-covered land wherein authorized representatives of said District deem a potential fire hazard to exist due to the presence of such flammable material.

Historic Resource - A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources, the Ventura County Historical Landmarks & Points of Interest, or in an adopted local historic register. A *historic resource* has one or more of the following characteristics:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Examples of a historic resources include but are not limited to an object, building, structure, site, area, place, record, or manuscript which the Ventura County Cultural Heritage Board determines is historically or archaeologically important in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

Home Occupation - Any commercial activity that is clearly incidental and secondary to the residential *use* of a *dwelling* and does not change the character thereof. (AM.ORD.4451-12/11/12)

Hostel - Overnight sleeping accommodations that provide lodging for travelers, and that may provide *kitchen* and eating facilities. Occupancy is generally of a limited duration. (AM.ORD.4451-12/11/12)

Hotel - A *building* with one main entrance, or a group of *buildings*, containing guest rooms where lodging with or without meals is provided for compensation. (AM.ORD.4451-12/11/12)

Hydromulch – A method for erosion prevention whereby water and a mixture of other ingredients (a combination of wood/cellulose fiber *mulch*, seed mix, and bonding agents) is sprayed through a hose onto disturbed soils.

Hydrozone - A portion of the landscaped area that contains plants with similar water needs and root depth. A *hydrozone* may be irrigated or non-irrigated.

Definitions - I-L

Inoperative Vehicle - A vehicle that is not fully capable of movement under its own power, or is not licensed or registered to operate legally on a public right-of-way. (AM.ORD.4451-12/11/12)

Interpretive Center - A site, with or without structures, that is used 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.

Inundation - Temporary flooding of normally dry land area caused or precipitated by an overflow or accumulation of water on or under the ground, or by the existence of unusual tidal conditions. (AM.ORD.4451-12/11/12)

Invasive Plants - Species of plants not indigenous to Ventura County that can thrive and spread aggressively with potentially negative effects on native species and ecosystems.

Kenel - Any *lot* or premises where five or more dogs or cats (or any combination thereof) of at least four months of age are kept, boarded or trained, whether in special *buildings* or runways or not.

Kitchen - Any room in a *dwelling* designed or used as a place for food preparation and cooking, and containing two or more of the following: (a) a counter sink; (b) a stove, hotplate, or conventional or microwave oven; (c) a refrigerator of more than four cubic feet capacity. (ADD.ORD. 4451-12/11/12)

Landmark – A building or place that has been designated by either the County Cultural Heritage Board or the Board of Supervisors and satisfies one of the following criteria:

1. It exemplifies special elements of the County’s social, aesthetic, engineering, architectural or natural history;
2. It is associated with events that have made a significant contribution to the broad patterns of Ventura County or its cities, regional history, or the cultural heritage of California or the United States;
3. It is associated with the lives of persons important to Ventura County or its cities, California, or natural history;
4. It has yielded, or has the potential to yield, information important to the prehistory or history of Ventura County or its cities, California, or the nation.

Landscape Area – Areas on a lot(s) that are required to be landscaped as part of development pursuant to Sec. 8178-8, Water Efficient Landscaping Requirements.

Landscape, Licensed Architect – A person who is licensed to practice landscape architecture in the State of California.

Landscape Contractor - A *qualified landscape designer* who holds a C-27 (*landscaping contractor*) license issued by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

Landscape Documentation Package - The complete set of documents required to be submitted to the Planning Division pursuant to Sec. 8178-8, *Water Efficient Landscaping Requirements*.

Landscape Plan - A component of the *landscape documentation package* that includes a plan of the project site drawn to scale and superimposed on a plan sheet that includes, but is not limited to, the location of all landscaped areas, a plant list, and a planting plan.

Landscape, Qualified Designer - An individual who, through a combination of education, training, licenses and certificates for professional proficiency, and work experience, can demonstrate to the satisfaction of the Planning Director that the individual possesses the necessary skills and abilities to design a *landscape screen* or other minor landscape improvements.

Landscape Screen - Materials used to: 1) hide or minimize views of a development or land use to promote visual compatibility with surrounding areas; 2) provide privacy or security; 3) mitigate environmental conditions such as wind, noise, dust, and light. Screening may consist of fencing, walls, plant materials, earthen mound, or any combination thereof.

Lateral Access - A recorded dedication or easement granting to the public the right to pass and repass over dedicatory's real property generally parallel to, and up to 25 feet inland from, the *mean high tide line*, but in no case allowing the public the right to pass nearer than ten feet to any living unit on the property.

Littoral Drift - Longshore transportation of sediments by wave action.

Living Space - Any room other than a *bathroom*, closet, or stairwell.

Local Coastal Program (LCP) - The County's certified Coastal Land Use Plan, *zoning ordinances*, and zoning district maps.

Lot - An area of land.

Lot Area - The total area, measured in a horizontal plane, within the *lot lines* of a *lot*. For determining minimum *lot* size for subdivisions, the following areas shall be used: for *lots* 10 acres or larger, *use gross area*; for *lots* less than 10 acres, *use net area*.

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 Depth - The horizontal distance between the front and *rear lot lines*, measured in the mean direction of the *side lot lines*.

Lot, Interior - A *lot* other than a *corner lot*.

Lot, Legal - A *lot* which met all local, Subdivision Map Act, and California Coastal Act of 1976 requirements when it was created, and which can be lawfully conveyed as a discrete unit separate from any contiguous *lot*; or a *lot* which has been issued a coastal permit and a certificate of compliance or conditional certificate of compliance pursuant to the Subdivision Map Act and the Ventura County Subdivision Ordinance, and which can lawfully be conveyed as a discrete unit separate from any contiguous *lot*. (AM.ORD.3788- 8/26/86)

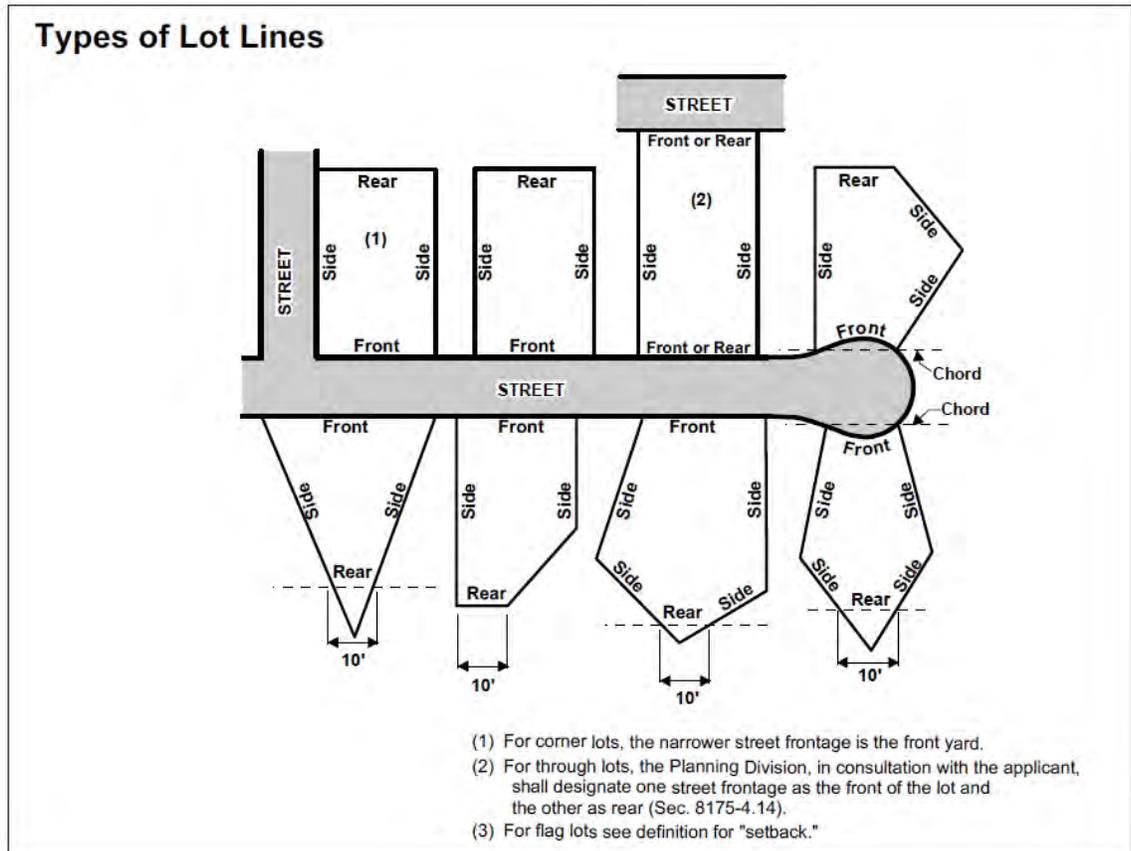
Lot Line

Front - A line separating an interior *lot* from the street, or a line separating the narrower street frontage of a *corner lot* from the street, except for flag *lots* (see "*setbacks*"). (AM.ORD.4451-12/11/12)

Side - Any *lot* boundary line that is not a front line or a *rear lot line*. (AM.ORD.4451-12/11/12)

Rear - A *lot* line that is opposite and most distant from the *front lot line*. For a triangular or irregular-shaped *lot*, the *rear lot line* shall mean a line ten feet in length within the *lot* that is parallel to the *front lot line*, or parallel to the chord of a curved *front lot line*, and at the maximum distance from the front *lot* line. (AM.ORD.4451-12/11/12)

See illustration below:



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*. (AM.ORD.4451-12/11/12)

Lot, Through - A *lot*, other than a *corner lot*, having frontage on two parallel or approximately parallel streets. (AM.ORD.4451-12/11/12)

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

Definitions - M-O

Major Public Works Project and Major Energy Facility - Any *public works* project or *energy facility* that costs more than one hundred thousand dollars (\$100,000) with an automatic

annual increase in accordance with the Engineering News Record Construction Cost Index*, except for those governed by the provisions of Sections 30610, 30610.5, 30611 or 30624 of the Public Resources Code.

In addition, a *major public works project* also means a publicly financed recreational facility that serves, affects, or otherwise impacts regional or statewide *use* of the coast by increasing or decreasing public recreational opportunities or facilities. (AM.ORD.4451-12/11/12)

Major Vegetation - Grassland, coastal scrub, riparian vegetation, and *native* and *nonnative trees*, other than landscaping with *development*.

Master Valve – An electrical valve that controls all water flow into the irrigation system.

Maximum Applied Water Allowance – A calculated maximum annual volume of water allowed to be applied per-acre or per-square-foot of an *established landscaped area*.

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

Mechanical Parking Lifts – Automated or manual, indoor or outdoor, lift systems designed to stack one or more motor vehicles vertically.

Microclimate - The climate of a small, specific area that may contrast with the climate of the overall *landscape area* due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

Micro-spray Irrigation - Micro-spray Irrigation - A type of low-pressure irrigation system with outlets that include one or more openings that operate at a flow rate of less than 30 gallons per hour at a pressure of 30 psi. *Microspray irrigation* may include but is not limited to microbubblers, microspinners and micro-spray jets.



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

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

(ADD.ORD. 4451-12/11/12)

Mixed Use Development – A development project that includes a mixture of two or more of the following uses on the same site: residential, commercial, institutional, and industrial use.

Mobilehome - A *structure*, transportable in one or more sections, designed and equipped to be used as a *dwelling unit*, but not including a *recreational vehicle*, commercial coach, or factory-built housing.

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

Motel - *Building(s)* that provide lodging in guest rooms primarily for tourists traveling by automobile. *Motel buildings* typically have direct access from the rooms to the outdoors. *Motels* include auto courts, motor lodges, and tourist courts. (AM.ORD.4451-12/11/12)

Mulch - A layer of material applied to the surface of an area of soil or mixed with the soil. Its purpose is to conserve moisture, improve the fertility and health of the soil, reduce weed growth, and enhance the visual appeal of the area. A mulch is usually but not exclusively composed of organic material such as leaves, grass clippings, weeds, yard trimmings, wood waste, branches, stumps, and whole plants or trees that are mechanically reduced in size. Mulch can be used as a ground cover or as a soil conditioner. Mulch may be permanent or temporary, and it may be applied to bare soil or around existing plants. Mulches of manure or compost will be incorporated naturally into the soil by the activity of worms and other organisms.

Native Vegetation - Vegetation that is indigenous to Ventura County. Native vegetation includes, but is not limited to, oak woodland, coastal sage scrub, chaparral, perennial grassland, California annual grassland, riparian woodland and riparian scrub. Native vegetation does not include ruderal vegetation and invasive plant species. In addition, native vegetation does not include ornamental, landscape or crop vegetation, including sod and lawn grasses and actively managed fallow farmland.

Nest, Active/Occupied - The nest of a bird that is under construction or that contains eggs or young. Nests which are critical to the life history of the individual (e.g. individuals of species that exhibit site fidelity, colonial nesters, and *raptors*) are considered an Active Nest year-round.

Nest, Inactive - An abandoned bird nest once occupied by nestlings or fledglings that are no longer dependent on the nest.

Net Area - The total land area of a *lot* exclusive of: (a) areas within an existing or proposed public or private street, road, or easement used for ingress or egress, and (b) the area within an existing or proposed easement where the owner of the *lot* or *parcel* is prohibited from using the surface of the ground. Included in the "*net area*" is the area lying within public utility easements (except as otherwise provided in Section 8241 of Chapter 2 of this code), sanitary sewer easements, landscaping easements, public service easements, and tree maintenance easements. (AM.ORD.4451-12/11/12)

Nonconforming Structure - A *structure*, or portion thereof, that was lawfully erected or altered and maintained, but that no longer conforms with *development* standards, including standards for *lot* coverage, *setbacks*, *height*, parking, and buffers for *environmentally sensitive habitat areas*, solely because of revisions made to *development* standards of this Chapter, including standards for ESHA buffers, *lot* coverage, *lot area per structure*, *height*, and *setbacks*. (AM.ORD.4451-12/11/12)

Nonconforming Use - A *use* that was lawfully established and maintained but that, because of revisions made to this Chapter is (1) no longer permitted in the zone in which it is located or, (2) no longer in conformance with the parking requirements of the *use* in the zone in which it is located. (AM.ORD.4451-12/11/12)

Nonprime Agricultural Land - Agricultural lands not defined as Prime that are suitable for *agriculture*. (AM.ORD.4451-12/11/12)

Off-Site Parking - Parking provided at a site other than the site on which the use served by such parking is located.

Oil and Gas Exploration and Production - The drilling, extraction and transportation or

subterranean fossil gas and petroleum, and necessary attendant *uses* and *structures*, but excluding refining, processing or manufacturing thereof.

Ornithologist – A type of zoologist who studies ornithology, the branch of science devoted to birds.

Outdoor Festivals - Events such as amusement rides, animal and art shows, concerts, craft fairs, itinerant shows and religious revival meetings.

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

(ADD.ORD.3787-8/26/86, AM.ORD. 4451-12/11/12)

Oversized Vehicle – An oversized vehicle is defined as one of the following:

- Any single vehicle that exceeds 25 feet in length, 6 feet 8 inches in width, or 6 feet 10 inches in height, exclusive of projecting lights or devices.
- Boat and cargo trailers.
- Recreational vehicles including but not limited to fifth-wheel travel trailers and travel coaches.

Overspray – Irrigation water that is delivered outside of the landscape area.

Definitions - P

Paleontological Resource, Important – The fossilized remains or indications of once-living plant or animal life that are found in geologic formations and have one or more of the following characteristics:

1. The fossils are well preserved;
2. The fossils are identifiable;
3. The fossils are type/topotypic specimens;
4. The fossils are age diagnostic, or can be used as index fossils in a biostratigraphic context;
5. The fossils are useful in environmental reconstruction;
6. The fossils represent rare and/or endemic taxa;
7. The fossils represent a diverse assemblage;
8. The fossils represent associated marine and non-marine taxa.

Paleontological Resources, Significant Fossils – Identified sites or geologic deposits containing individual fossils or assemblages of fossils that are unique or unusual, diagnostically or stratigraphically important, and add to the existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally.

Paleontologist, Qualified Consultant – A professional geologist licensed by the State of California or other person determined by the Planning Director to be qualified. An unlicensed person may be considered to be a *qualified paleontologist consultant* by the Planning Director if he or she meets all of the following standards:

1. Holds a Bachelor of Science (B.S.) degree in paleontology, geology, or related discipline;

2. Has a minimum of five years of experience performing paleontological, geological, or related studies;
3. Can demonstrate expertise in local and regional vertebrate and invertebrate paleontology;
4. Has experience in fossil collection, curation and report preparation; and
5. Can demonstrate professional experience and competency with paleontological resource mitigation procedures and techniques.

Parcel - For the purposes of this Chapter, the word "*parcel*" shall have the same meaning as the word "*lot*."(AM.ORD.4451-12/11/12)

Parking Lot - An improved, off street parking facility containing four or more parking spaces and that is designed and used primarily for the parking of operable motor vehicles and bicycles. Parking lots may be located at grade, above-ground, or below-ground. Parking lots include parking spaces, drive aisles, loading areas, and required landscaping and screening. Parking lots do not include individual residential garages, parking spaces/areas for single-family or two-family dwelling units, including those used for caretaker or farmworker housing.

Performance Criteria - An expectation of interim or final results, stated in the *landscape documentation package* or other plan requiring County approval, that identifies benchmarks for vegetative growth and coverage against which performance is measured.

Perimeter Landscaping - The area located within the required setbacks of a lot when such setbacks must be set aside and used primarily for landscaping.

Permitted Use - A *use* listed in Sec. 8174-5 as a *permitted use*, which may be allowed subject to obtaining the necessary permits and compliance with all applicable provisions of the LCP. (ADD.ORD. 4451-12/11/12)

Person - Any individual, organization, partnership, or other business association or corporation, including any utility and any federal, state, local government or special district, or any agency thereof.

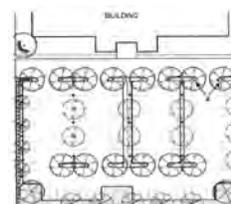
Pervious Pavement - A porous surface that allows the passage of water through the material and into the underlying soil. *Pervious pavement* is used to decrease the volume of stormwater *runoff* and to increase the infiltration of water into the ground.

Planning Director - The Deputy Director, Ventura County Resource Management Agency, for the Planning Division , or his or her designee. (AM.ORD.4451-12/11/12)

Plant Factor - A factor used in the *water budget calculation* to estimate the amount of water needed for plants. *Plant factors* range from 0.1 to 0.9 and are divided into four categories: very low < 0.1; low 0.1 - 0.3; moderate 0.4 - 0.6; and high 0.7 - 0.9.

Planter, Finger - A *landscape planter* located at the end of a parking aisle that defines *parking lot* circulation aisles and that provides a place to plant trees within the parking lot.

Examples of Finger Planters



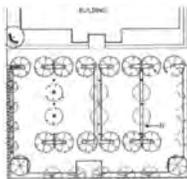
Planter, Landscape – An area devoted to plants that is defined with a raised curb or other material that separates the *landscape area* from adjacent uses.

Examples of Landscape Planters



Planter, Landscape Strip – A long, narrow *landscape planter* located in front of or between rows of parking spaces or adjacent to a property line that borders a public sidewalk or street.

Landscape strip planters are typically used to reduce storm-water *runoff* or to visually screen parking lots from public walkways or streets.



Examples of Landscape Strip Planters

Point of Interest - The location of, or site of, a former improvement or natural feature or of an event possessing historical or cultural characteristics.

Pony - A small or young horse under 58 inches high at the shoulders.

Preliminary Processing - Basic activities and operations instrumental to the preparation of agricultural goods for shipment to market, excluding canning or bottling.

Prime Agricultural Land - Means any of the following:

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

(AM.ORD.4451-12/11/12)

Principal Use/Principal Structure – The primary *use(s)* or primary *structure(s)* on a *lot* to which other *uses* and *structures* are accessory. This term is unrelated to the definition of “*principally-permitted use*,” which indicates *development* that is not appealable to the

Coastal Commission, unless located within an appealable area (see definition of "*Principally-Permitted Use*"). (ADD.ORD. 4451-12/11/12)

Principally-Permitted Use - The primary *use* of land that clearly carries out the land *use* intent and purpose of a particular zone, as specified in Sec. 8174-5. Where a land *use* is identified as a *principally-permitted use*, the County's approval of a *Coastal Development Permit* for that *development* is not appealable to the Coastal Commission unless it otherwise meets the definition of "*Development Subject to Appeal*." See definition of "*principal use/principal structure*" for *development* that is the primary *use* or primary *structure* on a *lot*. (ADD.ORD. 4451-12/11/12)

Produce Stand - A *structure* used to sell raw, unprocessed fruits, nuts and seeds, and vegetables, flowers and ornamental plants.

Public Art - Art that is located in publicly-accessible places (e.g., government buildings, schools, public parks and waterfront areas), not including temporary arts activities or events such as street theatre, open-air music, or pavement artists.

Public Road or Street - Any road or street or thoroughfare of whatever nature, publicly maintained and open to the *use* of the public for the purpose of vehicular travel.

Public Viewing Area - A publicly-accessible area affording views of scenic resources. Such views may be fleeting or expansive as experienced from individual locations or along transportation corridors. *Public viewing areas* include, but are not limited to, beaches, coastal streams and waters used for recreational purposes, coastal trails and accessways, highways, public parklands, public roads, public sidewalks or trails, scenic overlooks, vistas and vista points.

Public Viewshed - A geographical area that is visible from a *public viewing area*.

Public Works - Means the following:

- a. All production, storage, transmission, and recovery facilities for water, sewerage, telephone, and other similar utilities owned or operated by any public agency or by a utility subject to the jurisdiction of the Public Utilities Commission, except for energy facilities.
- b. All public transportation facilities, including streets, roads, highways, public *parking lots* and *structures*, ports, harbors, airports, railroads, and mass transit facilities and stations, bridges, trolley wires, and other related facilities.
- c. All publicly-financed recreational facilities, all projects of the State Coastal Conservancy, and any *development* by a special district.
- d. All community college facilities.

See also "*Major Public Works Project and Major Energy Facility*." (AM.ORD.4451-12/11/12)

Definitions - R

Rain Garden - A planted area that captures stormwater *runoff*. A *rain garden* is designed to withstand moisture and concentrations such as nitrogen and phosphorus found in rainwater *runoff* from impervious urban areas like roofs, driveways, walkways, and *parking lots*.

Raptor - Birds in the biological order called Falconiformes, which includes eagles, hawks, falcons, and ospreys and any bird dependent on consumption of other animals for food, including scavengers such as vultures and condors.

Rebuild - A rebuild or reconstruction occurs when extensive changes or repairs are made to the exterior envelope of any *structure*. (ADD.ORD. 4451-12/11/12)

Reclaimed Water - Treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and *water features*. This water is not intended for human consumption and must be appropriately identified with colored pipes and signage, if appropriate.

Recreational Area - Areas designed for shoreline/beach, water oriented, passive, and commercial recreation, including but not limited to, multiple-use paths and trails, natural or wilderness parks, and developed parks. ~~active play, amusement or public assembly such as parks, sports fields, picnic grounds, amphitheaters or golf courses.~~ Does not include private single-family residential areas. Recreational areas include "public" and "privately-operated" recreational opportunities that are available to the general public.

Recreational Vehicle - A vehicle of any size that (a) is self-propelled or is towed by another vehicle, (b) is not designed to be used as a permanent *dwelling*, (c) has self-contained plumbing, heating and electrical systems that may be operated without connection to outside utilities and, (d) does not meet the definition of a *structure*. *Recreational vehicles* do not fall within the definition of *mobilehomes*. (AM.ORD.4451-12/11/12)

Recreational Vehicle Park - Any area of land developed primarily for temporary *use* by *recreational vehicles* for which utility connections (sewer, water, electricity) are provided. (AM.ORD.3881-12/20/88)

Rehabilitated Landscape - Any re-landscaping or landscaping modification project that would change 50 percent or more of the total *landscape area*, and that requires the issuance of a new or modified discretionary permit.

Remodel - A *remodel* is an interior alteration to an existing approved, permitted and inspected *structure* where the foundation, exterior walls and *roof structure* remain in place without modification. (ADD.ORD. 4451-12/11/12)

Residential Care Facility - A nonmedical facility providing any of the following services on a 24-hour basis: care for the mentally ill, handicapped, physically disabled, elderly, dependent or neglected children, wards of the Juvenile Court, and other *persons* in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are "intermediate care facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code. A facility is considered nonmedical if the only medication given or provided is the kind that can normally be self-administered. (AM.ORD.4451-12/11/12)

Residential (or "R") Zone - A base zone classification under this Chapter that contains the letter "R" in its abbreviation. (AM.ORD.4451-12/11/12)

Rest Home - A licensed facility where lodging and meals, and nursing, dietary and other personal services are rendered for nonpsychiatric convalescents, invalids, and aged *persons* for compensation. Excludes cases of contagious or communicable diseases, and surgery or primary treatments such as are customarily provided in sanitariums and hospitals.

Retail Trade - Businesses engaged in retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise. Examples of *retail trade* businesses are: bakeries, delicatessens, grocery stores and meat markets; retail stores for the sale of books, cameras, clothing, flowers, hardware, jewelry, pets, shoes,

sporting goods and toys; bait and fishing tackle rental; drug stores; gift shops, hobby shops and music stores. (AM.ORD.4451-12/11/12)

Riding Stable - A facility where there are stables for horses that are rented to members of the public for recreational purposes, including riding lessons, whether or not the facility is advertised or promoted as such, and whether or not the riding occurs on the property on which the horses are kept. (AM.ORD.4451-12/11/12)

Riparian Habitat - An area adjacent to a natural watercourse, such as a perennial or intermittent *stream*, lake or other body of fresh water, where related vegetation and associated animal species live or are located.

Roof Structures - *Structures* located on the roof of a *building* for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the *building*; fire or parapet walls, safety rails, skylights, towers, flagpoles, chimneys, smokestacks, solar collectors, wireless masts, T.V. antennas and similar *structures*. (AM.ORD.4451-12/11/12)

Rooming House - A *dwelling unit* with one *family* in permanent residence wherein two to five bedrooms, without meals, are offered for compensation.

Runoff - Water that flows across the earth's surface rather than being infiltrated into the ground or transpired by plants.

Definitions – S

Sandy Beach Area - A public or privately-owned sandy area fronting on coastal waters, regardless of the existence of potential prescriptive rights or a public trust interest.

Scenic Highway - A route or byway that is officially designated as a *scenic highway* pursuant to State law which travels through an area comprised primarily of scenic and natural features.

Scenic Highway Corridor - The visible area outside the right-of-way of an eligible or designated *scenic highway* comprised primarily of scenic and natural features.

Scenic Resources - The landscape patterns and features which are visually or aesthetically pleasing and which are visible from a *public viewing area*, including but not limited to the beach or ocean, coastline, mountains, canyons, ridgelines, significant hillsides and open space, estuaries, wetlands and lagoons, other unique natural or manmade features such as the Channel Islands Harbor.

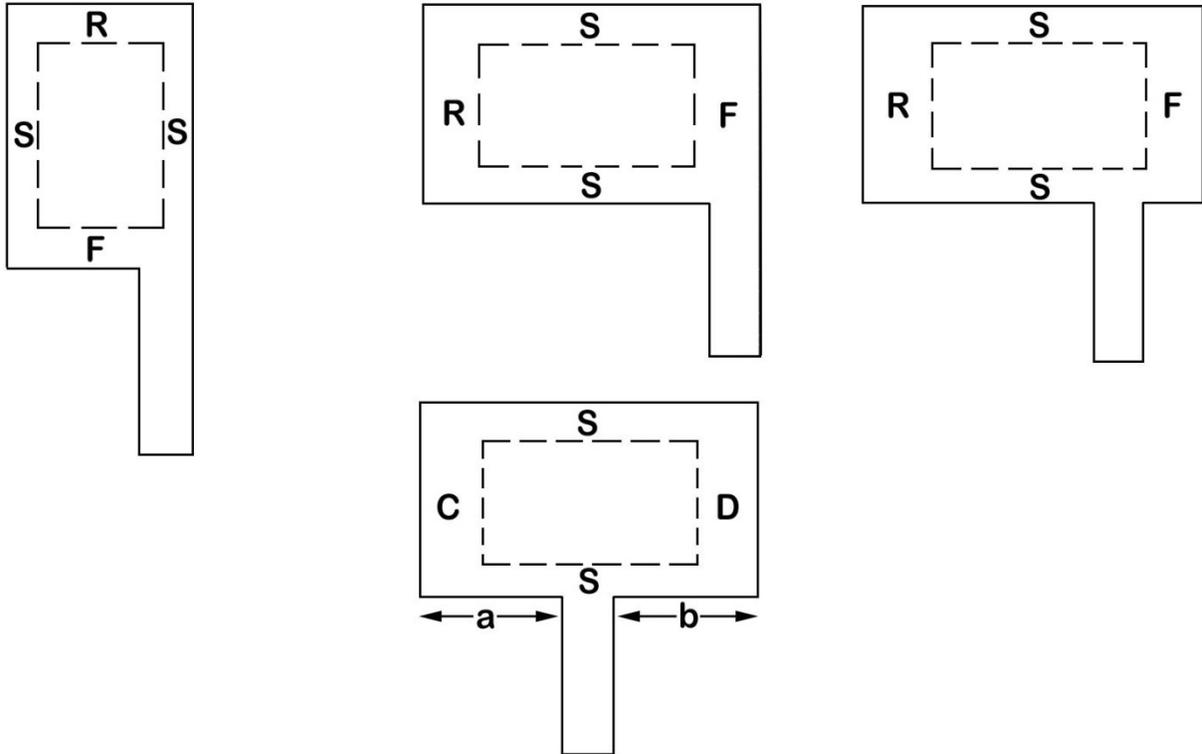
Season, Breeding/Nesting - January 1 through September 15 of each calendar year.

Season, Non-Breeding/Non-Nesting - September 16 through December 31 of each calendar year.

Second Dwelling - See Dwelling, Second. (AM.ORD.4451-12/11/12)

Setback - The distance on an individual *lot* that is intended to provide an open area measured from a property line or other boundary line to a *structure* or *use*, and includes front (F), rear (R) and side (S) *setbacks*. (AM.ORD.4451-12/11/12)

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



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

Setback, Front - An open area that extends between *side lot lines* across the front of a *lot*, the depth of which is the required minimum horizontal distance between the *front lot line* and a line parallel thereto on the *lot*. (ADD.ORD. 4451-12/11/12)

Setback, Rear - An open area that extends across the rear of the *lot* between the inner *side lot lines* that is the required minimum horizontal distance between the *rear lot line* and a line parallel thereto on the *lot*. (ADD.ORD. 4451-12/11/12)

Setback, Side - An open area that extends from the *front setback*, or the *front lot line* where no *front setback* is required, to the rear yard; the width of the required side setback shall be measured horizontally from the nearest part of the *side lot line*. (ADD.ORD. 4451-12/11/12)

Shall and May - "Shall" is mandatory; "May" is permissive.

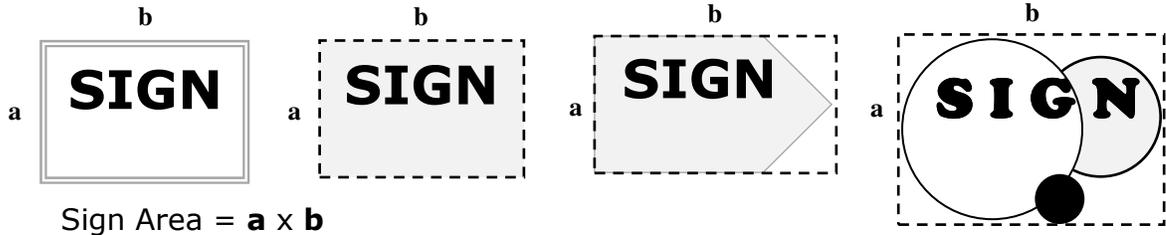
Shared Parking - Shared parking is a means by which adjacent property owners share their parking areas and thereby reduce the number of parking spaces that each would provide on their individual properties. Shared parking is commonly applied when land uses have different parking demand patterns and are able to use the same parking spaces/areas throughout the day.

Shoreline Protective Devices - Seawalls, revetments, breakwaters, and other such construction that alter natural shoreline processes. (AM.ORD.4451-12/11/12)

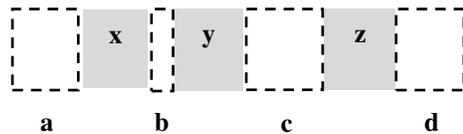
Sign - A communication device using words or symbols, *illuminated* or non-illuminated, that is visible from any public place or is located on private property and exposed to the public and that directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem,

painting, banner, pennant, placard or temporary display designed to advertise, identify or convey information.

Sign Area – The total area within the physical or visual frame of the *sign*, or the sum of the total area of graphical elements where there is no frame. For *double-faced signs*, the *sign area* is the total area of a single side of the *sign*. Time and temperature devices without advertising *copy* are not included in the *sign area*. See Sec. 8175-5.13.9.1 Number and Dimension of *Signs*, to determine maximum *sign area*.



Sign Area = $a \times b$



Area x + area y + area z =
 $1.5 \times$ (avg. of area of a , b , c & d)

Sign Area = area a + area b +
 area c + area d

Sign, Attached – Any *sign* posted, painted on, or constructed or otherwise attached to the wall, façade, canopy, marquee, or other architectural part of a building.

Sign, Canopy - Any *sign* attached to, or constructed in or on, a canopy or marquee.



Sign or Message/Content, Commercial - A *sign* or message that relates primarily to economic interests such as the exchange of goods and services. Different types of *commercial signs* are more particularly defined in this Article.

Sign, Construction – A *temporary, on-site sign* directly related to a construction project.

Sign Copy - The words and/or graphics printed on a *sign*.

Sign, Directional - Any *on-site sign* that serves solely to designate entrances or exits, or the location or direction of any onsite area.

Sign, Double-faced - A *sign* structure with messages on both sides of a *sign* board or panel; or a *sign* structure with two attached parallel faces.



Sign, Freestanding - Any *sign* that is anchored directly to the ground or is supported from the ground and detached from any building or structure.



Sign, Incidental - An *on-site sign* providing non-advertising information about a location or business such as hours of operation, contact information, and whether or not the location or business is open or has vacancy.

Sign, Identification - An *on-site sign* that only indicates the name of the occupant, business and/or address.

Sign, Illuminated - A *sign* that is illuminated by a light source that is contained inside the sign.

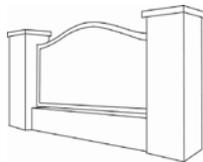
Sign, Interpretive - A *sign* that explains the meaning, origin, or purpose of an historical, natural, or cultural resource or site.

Sign, Legal Nonconforming - A *sign* that does not conform to the current applicable development standards of this Chapter but was lawfully in existence and in use prior to and at the time the provisions of this Chapter with which it does not conform became effective. (see Sec. 8175-5.13.11).

Sign, Light Emitting Diodes (LED) - An internally illuminated *sign* that utilizes light-emitting diodes, or similar technology, and colored lens assembled in single and tri-color matrixes instead of incandescent light bulbs, neon, or fluorescent tubes. Does not include electronic variable message *signs* that would allow for images that appear to move with video-like quality such as but not limited to electronic message boards and marquee *signs*.

Sign, Locational - A *sign* that informs the public about the location of noncommercial destinations such as coastal access points, trailheads, parks and campgrounds, government facilities and other points of interest, and that is maintained by a public agency.

Sign, Monument - A *freestanding sign* detached from a building sitting directly on the ground or near ground level and having a solid support structure as opposed to being supported by poles or similar support structures.



Sign, Mural - A painting or other work of art executed directly on a wall.

Sign Message/Content, Noncommercial - A *sign* or message which is not of a *commercial* nature. Such *signs* or messages typically relate to politics or public policy, civics, art, science, public service, social issues, religion, or spirituality.

Sign, Off-site - A *sign* that displays content related to property, goods, activities, or services not found on, or related to, the lot on which the *sign* is located.

Sign, On-site - A *sign* located on the same site as the occupant, business, trade or profession to which it relates.

Sign, Open House - A *temporary, off-site sign* providing direction to residential real property during the period it is on public display for sale or lease



Sign, Permanent - A *sign* intended to be displayed and maintained for a period of more than 60 consecutive days.

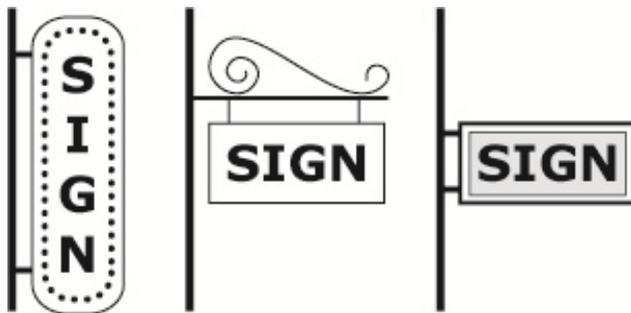
Sign Permit - The written authorization issued by the Planning Division that allows the permit holder to place, erect, modify, alter, repaint or maintain a *sign*. *Sign permits* may be issued as Zoning Clearances or Planned Development Permits as provided herein.

Sign, Political - A *temporary sign* with *noncommercial content* pertaining to an election for public office or to a ballot measure to be placed before voters in a federal, state, or local election.

Sign, Portable - A *temporary sign* that can be moved from one location to another. The term portable sign includes signs mounted on a trailer or other moveable object and towed by a motor vehicle. Such *signs* do not include a *sign* that is attached or magnetically affixed to the body or other integral part of the vehicle.

Sign Program - A plan that includes a range of *sign* types and styles that support the overall continuity of the design of the *signs* that will serve multiple buildings or tenants leasing space in a building(s) on one or more parcels.

Sign, Projecting - An *attached sign* that projects outward perpendicularly or at an angle from a wall or building face.



Sign, Promotional Temporary - A *temporary on-site sign* such as a banner, pennant, or inflatable object located, attached, or tethered to the ground, site, merchandise, or structure.

Sign, Real Estate - A *temporary, on-site sign* advertising the sale, rental or lease of the property on which it is maintained.



Sign, Residential Subdivision - A *temporary sign* advertising the sale of two or more lots located within the same subdivision.

Sign, Road - A *sign* that provides information to control the flow of traffic, warns of hazards ahead, future destinations, or roadway services, and that is maintained by the State Department of Transportation or local agency.

Sign, Roof - Any *sign* erected upon, against or directly above a roof or on top of or above the parapet of a building.



Sign, Symbol - A *permanent on-site sign* with a graphic representation of goods or services sold or rendered on the premises, or a traditional emblem associated with a trade, and that contains no written content, pictures or symbols such as business logos or trademarks.

Sign, Temporary - A *sign* displayed for a limited period of time not exceeding 60 consecutive days or such other duration as specified for a particular *sign* in this Chapter.

Sign, Wall - A *sign attached* to or erected against the wall of a building or structure with the exposed face of the *sign* parallel to the plane of such wall.

Sign, Window - A *sign attached* to, suspended behind, placed or painted upon the window or glass door of a building and is intended for viewing from the exterior of such building. Does not include merchandise offered for sale onsite, when on display in a window.

Site of Merit - Sites of historical, cultural, architectural or aesthetic merit which have not been officially otherwise designated and have been surveyed according to Federal standards and assigned a National Register Status Code of 1 through 5.

Slope - The relationship between the change in elevation (rise) of land and the horizontal distance (run) over which that change in elevation occurs, measured along a straight line. The percent of any given *slope* is determined by dividing the rise by the run on the natural *slope*, and multiplying by 100.

Slope/Density Formula - An engineering formula based on the *average slope* of an existing *lot* that is used to determine the minimum *lot area* of all proposed *lots* of a land division in the COS zone, and in the CA zone when not *prime agricultural land*. (ADD.ORD. 4451-12/11/12)

Soils Report – A report prepared by a geotechnical engineer or soils engineer licensed by the State of California for one or more of the following purposes: identifying the nature and distribution of existing soils; stating conclusions and recommendations for grading procedures; stating soil design criteria for structures, embankments or landscaping; and, where necessary, setting forth slope stability studies.

Special Landscape Area – An area of the project site designated principally for one of the following purposes: (a) the production of food crops such as vegetable gardens or orchards; (b) irrigation with recycled water (i.e. *water features*); and (c) use for active recreation such as golf courses, sports fields, school yards, picnic grounds, or other areas where *turf* provides a playing surface or serves other high-use recreational purposes.

Stable, Private - An accessory *building* or *structure* used for the keeping of horses owned by the occupants of the premises and not kept for remuneration, hire or sale.

Store - An enclosed *building* housing an establishment offering a specified line of goods or services for retail sale.

Stormwater Management Landscaping - Landscape features that make use of vegetation, land forms, soil, or filtering media to provide retention, treatment, *evapotranspiration*, or infiltration of stormwater. Examples include *bioretention* areas, *rain gardens*, *vegetated drainage swales*, vegetated buffers, *landscape strip planters*, tree box filters, infiltration trenches, and dry swales.

Stream - A perennial or intermittent watercourse mapped by the U.S. Geologic Survey or identified in the LCP. (AM.ORD.4451-12/11/12)

Structural Alterations - Any change in roof lines or exterior walls, or in the supporting members of a *building* such as foundations, bearing walls, columns, beams, girders, floor joists, roof joists, or rafters. This includes any physical change that could affect the integrity of a wall, including partial or total removal, moving a wall to another location or expanding the wall in terms of *height* or length. Minor actions such as adding a doorway, walkway, passage or window, or attaching architectural features or adornments, are not considered to be *structural alterations*. (AM.ORD.4451-12/11/12)

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. (AM.ORD.4451-12/11/12)

Subsurface Irrigation – An irrigation system that uses perforated underground pipe to provide water to the plants’ root zones.

Definitions - T-V

Tandem Parking - The placement of parking spaces one behind the other, so that the space nearest the driveway or street access serves as the only means of access to the other space.

Through Lot - See "Lot, Through."

Tidelands - All lands that are located between the lines of mean high tide and mean low tide. (ADD.ORD. 4451-12/11/12)

Topotypic – A specimen from the locality at which the type was first collected.

Townhouse Development - A subdivision consisting of attached *dwelling units* in conjunction with a separate *lot* or *lots* of common ownership, wherein each *dwelling unit* has at least one vertical wall extending from ground to roof dividing it from adjoining units, and each unit is separately owned, with the owner of such unit having title to the land on which it

sits.

Trash Enclosure - An area where trash or recyclable material containers or any other type of waste or refuse containers are stored and which may include fences or walls to secure the area.

Tree - A perennial palm or plant that includes at least one well-defined stem or trunk that may, at maturity, be kept clear of leaves and branches at least six feet above grade.

Tree, Alter - To *prune*, cut, trim, poison, over-water, trench within a tree's roots, or otherwise transform or damage a *tree*.

Tree Canopy - The horizontal projection of a *tree's* limbs, branches, twigs, leaves and buds.

Tree, Certified Arborist - An individual who specializes in the care and maintenance of *trees* and is *certified* by the International Society of Arboriculture.

Tree, Diameter Measurements - The *diameter* of a *tree* trunk measured in inches at a height of 4.5 feet above the ground while standing on level ground or from the uphill side of a *tree*. If a *tree* splits into *multiple trunks* below 4.5 feet, the trunk is measured at its most narrow point beneath the split. Where an elevated *root crown* is encountered which enlarges the trunk at four and one-half feet above grade, the trunk shall be measured above the *crown* swell where the normal trunk resumes. The *diameter* of limbs shall be measured just beyond the swell of the branch where the limb attaches to the main trunk or their supporting limbs.

Tree, Dripline - The area created by extending a vertical line from the outermost portion of the limb *canopy* to the ground.

Tree, Emergency - A natural occurrence, disaster, or disease that would jeopardize public health or safety due to a *hazardous tree*.

Tree, Encroachment - The direct or indirect invasion of the *tree protected zone* which may damage or transform any part of a *protected tree* or its *root system* including but not limited to such activities as: trenching; digging; placement of heavy equipment; paving; storing vehicles and other materials; irrigation and landscaping; grading; or placement of structures.

Tree, Fell - See *tree removal*.

Tree, Hazardous - A *tree* that has succumbed to disease or pests or a *tree* with one or more structural defects that predispose it to failure. To be defined as *hazardous*, the *tree* must be located in an area where personal injury or damage to private property (e.g. a structure such as a house, garage, fence, carport, or access leading to such areas) could occur if the *tree*, or a portion of the *tree*, fails.

Tree, Heritage - A non-native, non-invasive *tree* or group/grove of *trees* that has unique value or is considered irreplaceable because of its rarity, distinctive features (e.g. size, form, shape color), or prominent location with a community or landscape.

Tree, Historic - Any *tree* or group of *trees* identified by the County as having historic value to Ventura County, the State or the nation. The County may designate an historic tree as a landmark, or it may be identified on the Federal or California Historic Resources Inventory to be of historic or cultural significance, or otherwise identified as contributing to a site or structure of historical or cultural significance.

Tree, Invasive – Any *non-native tree* or group of *trees* that spread into an area where they displace native plants or *native trees* or bring about changes in species composition, community structure, or ecosystem function.

Tree, ISA Standards – *Pruning* standards promulgated by the International Society of Arboriculture.

Tree, Multiple Trunk - A *tree* which has two or more trunks forking below 4.5 feet above the uphill side of the *root crown*.

Tree, Native - Any *tree* indigenous to Ventura County not planted for commercial agriculture.

Tree, Non-Native – Any *tree* not indigenous to Ventura County.

Tree Permit – A ministerial Zoning Clearance, discretionary Planned Development Permit, or Emergency Coastal Development Permit, issued by the Planning Division authorizing the *alteration or removal* of a *protected tree*.

Tree, Protected – Any *tree* that meets the criteria set forth in Sec. 8178-7.3.

Tree, Protected Zone - The surface and subsurface area in which the loss, disturbance, or damage to any *roots* may adversely affect the *tree's* long-term health and structural stability. See Sec. 8178-7.4.3 to calculate *Tree, Protected Zone*.

Tree, Protected Zone Buffer – A distance measured from the edge of the *tree protected zone* which allows for future growth. See Sec. 8178-7.4.3.

Tree, Pruning - *Removal* of all, or portions of, a *tree's* shoots, branches, limbs or *roots*.

Tree, Qualified Consultant - An individual who is a *certified arborist* or an individual who can demonstrate, to the satisfaction of the Planning Director, that he or she possesses the necessary *certifications*, experience, and skills to provide competent advice as required by the applicable provisions of this Chapter.

Tree, Qualified Service Company – A tree service company that has a *qualified tree consultant* on staff, holds a California C-61 Limited Specialty D-49 Tree Service License, and maintains current certificates of liability insurance.

Tree, Qualified Trimmer - A qualified tree trimmer shall have a minimum of three years of full-time, practical work experience managing the establishment and maintenance of *trees* and shall be licensed to conduct business in Ventura County.

Tree Removal - The destruction or displacement of a *tree* by cutting, bulldozing, or using a mechanical or chemical method to physically destroy or otherwise cause the death of the *tree*, including transporting the *tree* from its site without ensuring the health and survivability of the *tree*.

Tree, Root Crown - The area of a *tree* where the trunk(s) meet the *roots*, sometimes called the collar of the *tree*.

Tree, Root System - The non-leaf, non-nodes bearing part of the tree that typically lies below the surface of the soil. The *root system* is responsible for absorbing and storing water and nutrients and anchoring the *tree* to the ground.

Tree Row - A row of *trees* planted and presently used for the purpose of providing shelter from wind for commercial agriculture; also known as a windbreak or windrow.

Tree, Sapling – A young *tree* that is typically no more than three inches in diameter at existing grade.

Tree Seedling – A tree that is grown from seed and is less than three feet in height.

Tree, Street - A tree whose trunk (all or part) is located within the County road right-of-way. The canopy of a street tree may extend beyond the County road right-of-way.

Tree Survey - A report that describes the general condition and health of all onsite protected tree(s) and includes but is not limited to identifying tree species, location, trunk diameter, extent of tree protected zone, proposed tree maintenance and alteration, and any necessary tree protection measures for trees that are to remain.

Tree Topping - Pruning the top of a tree, also known as the tree crown, for the purpose of providing safe and reliable utility service.

Tree, Transplant – The moving of living trees from one place to another.

Tree Well – The area around the trunk of a tree that creates a visual boundary between a tree and landscaped area or improved surface.



Examples of Tree Wells

Tribal Cultural Resources - Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are included in one of the following: (a) state register of historical resources or resources determined to be eligible for inclusion in the state register, (b) local register of historical resources, or (c) resources identified by the County (at its discretion) as a tribal cultural resource.

Turf – An area planted with grass.

Unique Vegetation - Plants found in the Santa Monica Mountains and elsewhere in the coastal zone, which are considered either rare and endangered, rare but not endangered, or rare in California but not elsewhere.

Upland Development - All development found in the valleys and mountain areas beyond the coastal shelf.

Use - The purpose for which land or a building or structure is arranged, designed or intended to be used, or for which it is or may be used, occupied or maintained.

Vegetated Swale - A form of bioretention designed as a broad, shallow channel densely planted with a variety of trees, shrubs and/or grasses that attenuate and infiltrate runoff volume from adjacent impervious surfaces.

Vegetation, Major - See "Major Vegetation."

Vertical Access - A recorded dedication or easement granting to the public the privilege and right to pass and repass over dedicicator's real property from a public road to the mean high tide line.

Visual Qualities – The distinctive visual characteristics or attributes of natural or man-made areas that are visible to the public.

Definitions - W-Z

Waste Treatment and Disposal - Public or private disposal facilities or transfer stations, operated for the purpose of recycling, reclaiming, treating or disposal of garbage, sewage, rubbish, offal, dead animals, oilfield wastes, *hazardous waste*, or other waste material originating on or off the premises. (ADD.ORD. 3946-7/10/90)

Water Budget - An estimate of the annual volume of water required to irrigate a specific *landscape area*. *Water budget* calculations require measured areas of each irrigated *hydrozone* and reference *evapotranspiration* for the *landscape area*.

Water Feature - A design element within a *landscape area* that performs an aesthetic or recreational function in which water is supplied by plumbing fixtures. *Water features* include but are not limited to manufactured ponds, lakes, waterfalls, fountains, and streams.

Water Harvesting - A method for inducing, collecting, storing and conserving local surface runoff for reuse.

Water Quality Best Management Practices - A program, siting criteria, operational method, or engineered system, to prevent or reduce the discharge of pollutants and sedimentation to the County storm drain system and receiving waters.

Water Use Classification of Landscape Species - A publication of the California Department of Water Resources which lists common landscape plants and their water requirements by region, using the categories high, moderate, low, and very low.

Wet Bar - A bar or counter used for mixing drinks that is located in an area separate from the *kitchen* and includes a sink with running water. (AM.ORD.4451-12/11/12)

Wetland - Land which may be covered periodically or permanently with shallow water. Included are saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

Zoning Clearance - A permit that certifies that a proposed *development* and/or *use* of land meets all requirements of the Ventura County Zoning Code and, if applicable, the conditions of any previously approved permit. (AM.ORD.4451-12/11/12)

Zoning Ordinance - An ordinance authorized by Section 65850 of the Government Code or, in the case of a charter city, a similar ordinance enacted pursuant to the authority of its charter.

ARTICLE 3: PURPOSES OF ZONES

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

The purpose of this zone is to provide for the preservation, maintenance, and enhancement of natural and recreational resources in the coastal areas of the County while allowing reasonable and compatible *uses* of the land. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to preserve and protect commercial agricultural lands as a limited and irreplaceable resource, to preserve and maintain *agriculture* as a major industry in the *coastal zone* of Ventura County, and to protect these areas from the encroachment of nonresidential *uses* that, by their nature would have detrimental effects on the *agriculture* industry. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for and maintain a rural residential setting where a variety of agricultural *uses* are also permitted, while surrounding land *uses* are protected. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for residential areas with semirural atmosphere, but exclude agricultural *uses* to a great extent and concentrate on residential *uses*. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for, and maintain, areas along the coast for more traditional *single-family developments* and *lots* significantly larger than those permitted in the RB or RBH zones. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for, and maintain, areas along the coast where single and *two-family dwellings* are allowed, but on *lot* sizes significantly larger than those permitted in the higher density RB and RBH zones. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for the *development* and preservation of small-*lot*, beach-oriented residential communities. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for *development* and preservation of unique beach-oriented residential communities with small *lot* subdivision patterns. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide a method whereby land may be designated and developed as a unit for residential *use* by taking advantage of innovative site planning techniques. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for the *development* of retail and service commercial *uses* that are intended to be neighborhood-serving or visitor-serving. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to establish an industrial zone consistent with the unique features of the *coastal zone*. The intent is to recognize existing industrial *uses*, and to permit other *uses* compatible with the Coastal Plan, especially *uses* that could be considered *coastal-dependent*. (AM.ORD.4451-12/11/12)

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

The purpose of this zone is to provide for *uses* consistent with harbor- and tourist-oriented *developments*. (AM.ORD.4451-12/11/12)

Sec. 8173-13 - Santa Monica Mountains (M) Overlay Zone

The Santa Monica Mountains are a unique coastal resource of statewide and national significance. The mountains provide *habitats* for several unique, rare, or endangered plant and animal species. These *habitats* can be easily damaged by human activities; therefore, the mountains require specific protective measures. The purpose of this overlay zone is to provide these specific protective measures.

ARTICLE 4: PERMITTED USES

(REPEALED AND REENACTED ORD. 4451-12/11/12)

Sec. 8174-1 – Purpose

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

Sec. 8174-2 – Interpretation

Sec. 8174-2.1

Each *use* is subject to all provisions of this Chapter.

Sec. 8174-2.2

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

Sec. 8174-2.3

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

Sec. 8174-2.4

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

Sec. 8174-3 - Original Permit Jurisdiction

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

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

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

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

- a. Nature study;

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

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

Exceptions:

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

Sec. 8174-5 – Permitted Uses by Zone

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

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

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
AGRICULTURE AND AGRICULTURAL OPERATIONS (No Retail Except Produce Stands)												
Animal Husbandry (see Sec. 8175-5.2)	PDP	PDP										
• Apiculture (see Sec. 8175-5.2.1)	PDP	PDP										
• Structures for up to 25 Animal Units	PDP	PDP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• Structures for More Than 25 Animal Units	CUP	CUP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• More Animals Than Are Permitted By Sec. 8175-5.2.4	CUP	CUP										
Wild Animals	CUP											
Aquiculture	PDP	PDP										
Contractors' Service and Storage Yards and Buildings		CUP										
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5		ZC										
Crop Production	E	E	E	E	E	E	E	E	E	E	E	
• With Brush or Vegetation Removal	Permit May Be Required. See "Brush or Vegetation Removal"											
• With Grading, Excavation or Fill	Permit May Be Required. See "Grading, Excavation or Fill"											

E = Exempt*	PDP = PD Permit, Principally-Permitted**		Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
ZC = Zoning Clearance*	PW = Public Works Permit					
PD = Planned Development Permit	CUP = Conditional Use Permit					

*Not Appealable to the Coastal Commission

**Principally-permitted uses are only appealable to the Coastal Commission in accordance with the criteria in Public Resources Code Sec. 30603(a) 1-3 and 5.

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Growing, Packing, Storage or Preliminary Processing, in Structures												
• Total Floor Area Per Lot												
up to 20,000 sq. ft.	PD	PD	PD									
over 20,000 to 100,000 sq. ft.	PD	PD	CUP									
over 100,000 sq. ft.	CUP	CUP										
• If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5												
Total Floor Area up to 100,000 sq. ft.	ZC	ZC	ZC									
Total Floor Area over 100,000 sq. ft.	ZC	ZC										
Improvements to Agricultural Structures	See "Improvements to Structures, Other Than Single Family Dwellings or Public Works Facilities"											
Uses and Structures, Accessory	PD	PD	PD									
• If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC									
• Dwellings, Farm Worker or Animal Caretaker:												
one on lot meeting the minimum lot size per zone		PDP										
one on lot not meeting the minimum lot size per zone		CUP										
more than one per lot		CUP										
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5		ZC										
• Fences and walls	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
If exempt per Sec. 8174-6.1, 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
• Fuel Storage, 10,000 Gallons Maximum		PD										
If exempt per Sec. 8174-6.3.2		ZC										
• Offices		PD										
If exempt per Sec. 8174-6.1,		ZC										

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
8174-6.3.2, 8174-6.3.4, or 8174-6.3.5												
• Packing, Storage or Preliminary Processing of Crops (No Structures)	ZC	ZC										
within a maximum 20,000 sq. ft. structure per lot	PD	PD										
• Produce Stands, Retail, Accessory to Crop Production (Sec. 8175-5.8)		PD										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5		ZC										
AIRFIELDS AND LANDING PADS AND STRIPS, PRIVATE	CUP	CUP									CUP	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC									ZC	
AMBULANCE SERVICES										PD		
ANIMALS, KEEPING OF (See Sec. 8175-5.2)	PDP	PDP										
Apiculture (see Sec. 8175-5.2.1)	PDP	PDP										
Structures:												
• For Up To 25 Animal Units	PDP	PDP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
• For More Than 25 Animal Units	CUP	CUP										
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC										
More Animals Than Are Permitted By Sec. 8175-5.2.4	CUP	CUP										
Wild Animals	CUP											
ART GALLERIES										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
AUTOMOBILE REPAIRING										CUP		
If exempt per Sec. 8174-6.3.4 or 8174-6.3.5										ZC		
AUTOMOBILE SERVICE STATIONS										PD		

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
If exempt per Sec. 8174-6.3.4 or 8174-6.3.5										ZC		
BANKS, SAVINGS AND LOANS AND RELATED OFFICES AND INSTITUTIONS										PD		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BARBER AND BEAUTY SHOPS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BARS, TAVERNS AND NIGHTCLUBS										CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
BOARDINGHOUSES, ROOMING HOUSES AND BED-AND-BREAKFAST INNS				CUP	CUP					CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5				ZC	ZC					ZC		
BRUSH OR VEGETATION REMOVAL	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
With tree alteration and removal	See Tree Alteration and Removal Below and Sec. 8178-7											
BUS TERMINALS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
CARE FACILITIES												
Day												
• Care of Six or Fewer Persons	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
• Care of Seven or More Persons			CUP	CUP	CUP	CUP						
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5			ZC	ZC	ZC	ZC						
Residential: Care of Six or Fewer Persons	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
• If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
CARWASHES, SELF-SERVICE OR										CUP		

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
AUTOMATIC												
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
CHURCHES AND OTHER BUILDINGS USED FOR RELIGIOUS WORSHIP			PDP	PDP								
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC								
CLUBHOUSES			CUP	CUP		PD						
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC		ZC						
COMMUNICATIONS FACILITIES	CUP	CUP									CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC									ZC	
CONFERENCE CENTERS/CONVENTION CENTERS										CUP		CUP
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		ZC
DOG GROOMING										PDP		
DREDGING	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.1 or 8174-6.3.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
DRILLING, TEMPORARY GEOLOGIC (Testing Only)	PD	PD	PD	PD							PD	
DWELLINGS												
Demolition of Single Family Dwellings and Accessory Structures	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
• If exempt per Sec. 8174-6.2 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Improvements to Residential Structures												
• Improvements to Single Family Dwellings and Accessory Structures	PD	PD	PD	PD	PD	PD	PD	PD	PD			
If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
• Improvements to Other Dwellings and Accessory Structures	See "Improvements to Structures, Other Than Single Family Dwellings or Public Works Facilities"											
One Single-Family	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
• If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
One Two-Family or Two Single-Family (also see Sec. 8175-3.10)						PDP	PDP	PDP	PDP			
• If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5						ZC	ZC	ZC	ZC			
Multi-Family									PDP			
• If exempt per Sec. 8174-6.2, 8174-6.3.2 or 8174-6.3.5									ZC			
Mobilehome, Continuing Nonconforming	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP				
DWELLINGS – ACCESSORY USES AND STRUCTURES												
Animals												
Apiculture (see Sec. 8175-5.2.1)	PD	PD										
Aviaries (see Sec. 8175-5.2.2)	PD	PD	PD	CUP	CUP							
Board and Care of Horses on Lots of 10 Acres or More	CUP		CUP									
Farm, Including Private Stables (see Sec. 8175-5.2.4b)	PD	PD	PD									
Pet Animals (consistent with Sec. 8175-5.2.4a)	E	E	E	E	E	E	E	E	E			
More Than Are Permitted By Sec. 8175-5.2.4	CUP	CUP										
Wild Animals	CUP											
Antennas, Freestanding, Above 40 Feet (see Sec. 8175-5.1i)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
• If exempt per Sec. 8174-6.3.4 or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Exterior Storage consistent with Sec. 8174-6.2.5 and 8175-5.1j	E	E	E	E	E	E	E	E	E			
Fences and Walls	PD	PD	PD	PD	PD	PD	PD	PD	PD	See "Uses and Structures accessory to a Commercial or Industrial Use"		

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ZC = Zoning Clearance*	PW = Public Works Permit					
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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.5, or 8174-6.3.6 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	See "Uses and Structures accessory to a Commercial or Industrial Use"		
Home Occupations (see Sec. 8175-5.1f)	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Mobilehome/RV as Temp. Dwelling During Construction, consistent with standards in Sec. 8175-5.1e	PD	PD	PD	PD								
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.6 	ZC	ZC	ZC	ZC								
Second Dwellings (see Sec. 8175-5.1g)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.5, or 8174-6.3.6 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
Septic Systems, Construction or Expansion of	PD	PD	PD	PD	PD	PD	PD	PD	PD			
Water Wells, Construction or Expansion	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> Incidental, appropriate and subordinate to a principally-permitted use 	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP			
<ul style="list-style-type: none"> With Brush or Vegetation Removal 	Permit May Be Required. See "Brush or Vegetation Removal"											
<ul style="list-style-type: none"> With Grading, Excavation or Fill 	Permit May Be Required. See "Grading, Excavation or Fill"											
Water Wells, Testing to Determine Water Availability	See "Water Facilities"											
Accessory Uses and Structures Not Otherwise Listed	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
ENERGY FACILITIES , Including Energy Production From Renewable Sources	CUP											CUP
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC											ZC
FILM PRODUCTION, TEMPORARY (See Sec. 8175-5.6)												

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Lasting up to 14 days per production See Sec. 8175-5.6.1.1 for exceptions that require a PD permit	ZC	ZC	ZC	ZC	ZC	ZC	See Sec. 8175-5.6.5		ZC	ZC	ZC	
Lasting 15 to 180 days	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Conducted in beach areas												
<ul style="list-style-type: none"> Lasting up to 14 days per production. See Sec. 8175-5.6.1.2.1 	ZC			ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Conducted with film pyrotechnics as defined in Article 2.	PD	PD	PD							PD	PD	
Conducted solely for non-commercial student projects or personal, private, or family use.	E	E	E	E	E	E	E	E	E	E	E	
<ul style="list-style-type: none"> Except where Sec. 8175-5.6.1.1 applies. 	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
<ul style="list-style-type: none"> Except where Neighborhood Consent is required per Sec. 8175-5.6.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Conducted for purposes of reporting on current news events	E	E	E	E	E	E	E	E	E	E	E	
FIRE STATIONS	PD	PD	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
GRADING, EXCAVATION, OR FILL, Pursuant To Sec. 8175-5.17	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
GEOTECHNICAL AND SOILS TESTING												
Without Brush or Vegetation Removal, and Without Grading	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
With Brush or Vegetation Removal	Permit May Be Required. See Brush or Vegetation Removal											
With Grading, Excavation or Fill	Permit May Be Required. See Grading, Excavation or Fill											
HARBOR USES (See Definitions)												PD
Fleet Base Activities, Accessory to Offshore Drilling												CUP
Fuel Storage and Sales												CUP

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

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5												ZC
HEALTH CLINICS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
HOTELS, MOTELS, AND BOATELS										CUP		CUP
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		ZC
IMPROVEMENTS TO STRUCTURES, OTHER THAN SINGLE FAMILY DWELLINGS OR PUBLIC WORKS FACILITIES	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
KENNELS	PD											
LABORATORIES; RESEARCH, SCIENTIFIC, MEDICAL OR DENTAL										CUP	CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
LAUNDRY AND DRY CLEANING ESTABLISHMENTS: 5 OR FEWER EMPLOYEES										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
LIBRARIES			CUP	CUP								
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC	ZC								
MAINTENANCE/REPAIRS, No Additions or Enlargements	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2 or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
MOBILEHOME PARKS (See Sec. 8175-5.5)			CUP									
If exempt per Sec. 8174-6.2, 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5			ZC									
OFFICES: BUSINESS, PROFESSIONAL AND										PD	PD	

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ZC = Zoning Clearance*	PW = Public Works Permit					
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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
ADMINISTRATIVE , Excluding Storage, Wholesale Trade and Veterinary Clinics												
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
OIL AND GAS: EXPLORATION AND PRODUCTION, UNLESS PREEMPTED (See Sec. 8175-5.7)	CUP	CUP								CUP	CUP	
Refining, Processing, Manufacture, and Bulk Storage											CUP	
• If exempt per Sec. 8174-6.3.2											ZC	
PARKING LOTS, PUBLIC										CUP		PD
PIPELINES AND TRANSMISSION LINES, AND APPURTENANT STRUCTURES	CUP	CUP	CUP								CUP	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC	ZC	ZC								ZC	
PUBLIC UTILITY FACILITIES												
Without Service Yards	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
With Service Yards	CUP		CUP							CUP	CUP	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC		ZC							ZC	ZC	
Offices Only										PD	PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6										ZC	ZC	
PUBLIC WORKS FACILITIES (See Sec. 8175-5.9)												
County Initiated	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW	PW
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
Not County-Initiated	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP

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

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
REAL ESTATE TRACT OFFICES, TEMPORARY (See Sec. 8175-5.1k)	PD	PD	PD	PD	PD	PD	PD	PD	PD			
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC			
RECREATIONAL USES												
Campgrounds (see Sec. 8175-5.3)	CUP		CUP									
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC		ZC									
Camps (see Sec. 8175-5.4)			CUP	CUP								
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 			ZC	ZC								
Community Centers										CUP		
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 										ZC		
Fields, Athletic (Seating: Portable Only, for Not More Than 100 People)			CUP	CUP	CUP	CUP			CUP	CUP		
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 			ZC	ZC	ZC	ZC			ZC	ZC		
Golf Courses, Except Miniature Golf	CUP											
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC											
Outdoor Festivals, Temporary, and Outdoor Sporting Events	CUP											
Parks and Picnic Grounds	PD		PDP	PD	PD	PD						
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC		ZC	ZC	ZC	ZC						
Recreational Vehicle Parks (see Sec. 8175-5.10)	CUP		CUP									
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC		ZC									
Recreational Uses (as Permitted by This Table), County Initiated	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP		
<ul style="list-style-type: none"> If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5 	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		

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

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Caretaker Recreational Vehicle, Accessory, pursuant to the standards in Sec. 8175-5.15	E	E	E	E	E	E	E	E	E	E		
Riding Stables	PD		CUP									
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC		ZC									
• With Accessory Lodging Facilities	CUP											
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5	ZC											
Swimming and Tennis Clubs, and the Like										CUP		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
Youth Hostels										PD		
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
REPAIR OF PERSONAL GOODS (Such As Jewelry, Shoes And Small Appliances)										PDP		
RESTAURANTS, CAFES, AND CAFETERIAS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
RETAIL TRADE (See Definitions)										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
Liquor Stores										CUP		
Nurseries										CUP		
SCHOOLS , Public or Private, Nonboarding					CUP		CUP	CUP				
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5					ZC		ZC	ZC				
SHORELINE PROTECTIVE DEVICES (See Sec. 8175-5.12.2)	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
If exempt per Sec. 8174-6.3.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC

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ZC = Zoning Clearance*	PW = Public Works Permit					
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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
Signs												
Sign, Permanent, Freestanding See Sec. 8175-5.13.6(a)	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
Sign, Illuminated		PD								PD		
Sign Mural										PD		
Sign Program		PD								PD	PD	
Sign, Temporary (in ESHA or ESHA buffer) See Sec. 8175-5.13.3(c)	PD											
Sign Alterations See Sec. 8175-5.13.5(a)	ZC	ZC								ZC	ZC	ZC
Signs Affixed to a Structure See Sec. 8175.5.13.5(b)	ZC	ZC								ZC	ZC	ZC
If exempt per Sec. 8174-6.3.5 Disaster Replacement of Structures	ZC	ZC								ZC	ZC	ZC
Signs, Promotional Temporary See Sec. 8175-5.13.5(d)	ZC	ZC								ZC	ZC	ZC
Identification Sign & Flags See Sec. 8175-5.13.4(a) & (c)	E	E	E	E	E	E	E	E	E	E	E	E
Repair and Maintenance Activities See Sec. 8175-5.13.4(d)	E	E	E	E	E	E	E	E	E	E	E	E
Natural Gas, Chilled Water and Steam Facility Signs See Sec. 8175-5.13.4(e)	E	E	E	E	E	E	E	E	E	E	E	E
Sign, Temporary (not in ESHA) See Sec. 8175-5.13.4(f)	E	E	E	E	E	E	E	E	E	E	E	E
Sign, Incidental See Sec. 8175-5.13.4(f)	E	E								E	E	E
STORAGE OF BUILDING MATERIALS, TEMPORARY (See Sec. 8175-16)	Same permit as principal use											
SUBDIVISIONS:												
Parcel Map Waivers	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
• Lot Line Adjustments	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC
Tentative Maps (TM)	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Tentative Parcel Maps (TPM)	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD
TAILOR SHOPS										PDP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
USES AND STRUCTURES, ACCESSORY TO A COMMERCIAL OR INDUSTRIAL USE										PD	PD	
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
Brush or Vegetation Removal	Permit May Be Required. See "Brush or Vegetation Removal"											
Dwelling, for Proprietor or Employee (2 ND or 3 rd Floor Only)										PDP	PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
Fences and walls	See "Dwelling – Accessory Uses and Structures"									PD	PD	PD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	See "Dwelling – Accessory Uses and Structures"									ZC	ZC	ZC
Game Machines, Three or Fewer										PD		
Grading, Excavation or Fill	Permit May Be Required. See "Grading, Excavation or Fill"											
Improvements to Structures	See "Improvements to Structures, other than Single Family Dwellings or Public Works Facilities"											
Recreational Facilities, Restaurants and Cafes: For Employees Only											PD	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5											ZC	
Repair of Products Retailed										PD		
Temporary Buildings During Construction (see Sec. 8175-5.14)										PD	PD	

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LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC	ZC	
USES AND STRUCTURES, ACCESSORY, NOT OTHERWISE LISTED	Same permit as principal use											
TREE ALTERATION AND REMOVAL:												
TREE REMOVAL												
Removal or transplantation of a protected tree per Sec. 8178-7.5.1	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Except for historical and heritage trees, the removal of a non-native or invasive tree during bird nesting season pursuant to Sec. 8178-7.5.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
TREE ALTERATION												
Tree alteration or encroachment into the tree protected zone of a protected tree, pursuant to Sec. 8178.7.5.1	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Minor alteration of a non-native or invasive tree during bird nesting season pursuant to Sec. 8178-7.5.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Minor alteration of a protected tree pursuant to Sec. 8178-7.5.2.1 (* inspection required)	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	
EMERGENCY TREE ALTERATION OR REMOVAL	See Sec. 8178-7.5.4											
VETERINARY CLINICS , Excluding Livestock										CUP		
If exempt per Sec. 8174-6.3.2, 8174-6.3.4, or 8174-6.3.5										ZC		
WASTE TREATMENT AND DISPOSAL	See also "Public Works Facilities"											
Waste Disposal, Including Sanitary Landfills	CUP										CUP	
• If exempt per Sec. 8174-6.3.2, 8174-6.3.4, 8174-6.3.5, or 8174-6.3.6	ZC										ZC	
Waste Treatment											CUP	

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

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ZC = Zoning Clearance*	PW = Public Works Permit					
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Sec. 8174-6 – Statutory Exemptions and Categorical Exclusions

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

Sec. 8174-6.1 – Agricultural Exclusions

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the following *uses* are exempt from *coastal development permit* requirements when they meet all of the criteria listed in Sec. 8174-6.1(b):
 1. The construction or demolition of barns, storage (including equipment storage), and other necessary *buildings* for agricultural purposes, provided the *buildings* are used for the sole purpose of commodities grown on the same *lot*;
 2. The construction of *fences* for farm or ranch purposes, provided:
 - i. No solid *fence* designs are used; and
 - ii. *Fences* do not block existing or proposed public equestrian and/or pedestrian trails;
 3. Greenhouses that do not exceed 400 sq. ft. in total area;
 4. Storage tanks and water distribution lines used for on-site agricultural activities;
 5. Water impoundment projects in canyons and drainage areas, provided:
 - i. Canyons and drainage areas are not identified as solid or dashed blue line *streams* on the USGS 7½-minute quadrangle maps; and
 - ii. Projects do not exceed two acre-feet either in actual water impounded or in design capacity.
- b. Agricultural *uses* listed in Sec. 8174-6.1a above are exempt from the requirement for a *coastal development permit* when they meet all of the following criteria:
 1. *Development* is located in the CA or COS zones;
 2. *Development* is located on *lots* exceeding 10 acres;
 3. *Development* is located inland of the following public roadways: U.S. 101 from Rincon Point to the intersection of Harbor Boulevard, Harbor

Boulevard south to City of Oxnard corporate boundary at Wooley Road, and Highway 1 on the South Coast; and

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

Sec. 8174-6.2 – Residential Exemptions and Exclusions

Sec. 8174-6.2.1 – Single-Family Dwellings

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the construction of *single-family dwellings* on existing vacant *legal lots* of record in the following areas[†] is exempt from *coastal development permit* requirements, *with the exception* of *dwellings* located in the areas listed in Sec. 8174-6.2.1(b) below:
 1. Solromar (South Coast Community) – The developed areas inland of

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

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

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

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

- a. Pursuant to Section 30610(a) of the Public Resources Code, improvements to existing, legally-permitted *single-family dwellings* are exempt from *coastal development permit* requirements, with the exception of those *developments* listed in Sec. 8174-6.2.2(c) below.
- b. For the purposes of this section, the following are considered part of *single-family dwellings*:
1. All fixtures and other *structures* directly attached to a *dwelling*;
 2. *Structures* on the property normally associated with a *single-family* residence, such as garages, swimming pools, *fences*, and storage sheds; but not including guest houses or self-contained residential units; and
 3. Landscaping on the *lot*.
- c. Pursuant to Section 13250 of Title 14 of the California Code of Regulations, the following improvements to existing *single-family dwellings* require a *coastal development permit* because they involve a risk of adverse environmental effects:
1. Improvements to a single-family *structure* if the *structure* or improvement is located: on a beach, in a *wetland*, seaward of the *mean high tide line*, in an ESHA, in an area designated as highly scenic in a certified land *use plan*, or within 50 feet of the edge of a coastal bluff;

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

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

- a. Pursuant to Section 30610(b) of the Public Resources Code, as it may be amended, improvements to existing legally permitted residential *structures*, other than *single-family dwellings*, are exempt from *coastal development permit* requirements, with the exception of those improvements listed in Sec. 8174-6.2.3(c) below.
- b. For the purposes of this section, the following are considered part of residential *structures*, other than *single-family dwellings*:
 1. All fixtures and other *structures* directly attached to the *structure*; and
 2. Landscaping on the *lot*.
- c. Pursuant to Section 13253 of Title 14 of the California Code of Regulations, as it may be amended, the following improvements to residential *structures*, other than *single-family dwellings*, shall require a *coastal development permit* because they involve a risk of adverse environmental effect, adversely affect public access, or involve a change in use contrary to the policy of Division 20 of the Public Resources Code:
 1. Improvement to any *structure* when the *structure* or the improvement is located: on a beach; in a *wetland*, *stream*, or lake; seaward of the

- mean high tide line*; in an area designated as highly scenic in a certified land *use* plan; or within 50 feet of the edge of a coastal bluff;
2. Any significant alteration of land forms including removal or placement of vegetation, on a beach or sand dune; in a *wetland* or *stream*; within 100 feet of the edge of a coastal bluff, in a highly scenic area, or in an ESHA;
 3. The expansion or construction of water wells or septic systems;
 4. On property not included in subsection (c)(1) above that is located between the sea and the first *public road* paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance, or in significant scenic resource areas as designated by the *commission* or regional commission an improvement that would result in an increase of 10 percent or more of internal floor area of the existing *structure*, or constitute an additional improvement of 10 percent or less where an improvement to the *structure* has previously been undertaken pursuant to Public Resources Code Section 30610(b), and/or increase in *height* by more than 10 percent of an existing *structure*;
 5. In areas which the *commission* or regional commission has previously declared by resolution after public hearing to have a critically short water supply that must be maintained for protection of coastal recreation or public recreational *use*, the construction of any specified major water using *development* including but not limited to swimming pools or the construction or extension of any landscaping irrigation system;
 6. Any improvement to a *structure* where the *coastal development permit* issued for the original *structure* by the *commission*, regional commission, or local government indicated that any future improvements would require a *development* permit;
 7. Any improvement to a *structure* which changes the intensity of *use* of the *structure*; or
 8. Any improvement made pursuant to a conversion of an existing *structure* from a multiple unit rental *use* or visitor-serving commercial *use* to a *use* involving a fee ownership or long-term leasehold including but not limited to a condominium conversion, stock cooperative conversion or *motel/hotel* timesharing conversion.

Sec. 8174-6.2.4 – Conversion of Residential Units

Pursuant to Section 30610(h) of the Public Resources Code, the conversion of any existing, legally permitted multiple-unit residential *structure* to a time-share project, estate, or *use*, as defined in Section 11212 of the Business and Professions Code, is exempt from *Coastal Development Permit* requirements. If any improvement to an existing *structure* is otherwise exempt from *coastal development permit* requirements, no *coastal development permit* is required for that improvement on the basis that it is to be made in connection with any conversion exempt pursuant to this Section. The division of a multiple-unit residential *structure* into condominiums, as defined in Section 783 of the Civil

Code, shall not be considered a time-share project, estate, or *use* for purposes of this Section.

Sec. 8174-6.2.5 – Residential Accessory Uses and Structures

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987) the following *uses* and *structures* accessory to *dwellings* are exempt from *coastal development permit* requirements, except when proposed within a location as described in Sec. 8174-6.2.5(b) below:
1. Pet *animal keeping* consistent with the standards of Section 8175-5.2.4;
 2. Temporary mobile homes during construction consistent with the standards of Sec. 8175-5.1e;
 3. *Exterior storage* consistent with the standards of Sec. 8175-5.1j;
 4. Demolition of *single-family dwellings*, and of *accessory structures* such as garages, carports and storage sheds;
 5. *Accessory structures* normally associated with *single-family dwellings*, including garages, swimming pools, *fences* and storage sheds, in accordance with Title 14, California Administrative Code, Section 13250(a) provided that:
 - i. The *lot* contains an existing *single-family dwelling*;
 - ii. The *accessory structure* is not used for human habitation;
 - iii. The *accessory structure* does not exceed 400 square feet in aggregate in *gross floor area*; and
 - iv. The *structure* does not conflict with Title 14, California Code of Regulations, Section 13250(b)(6).
- b. Residential *accessory uses* and *structures* described in Sec. 8174-6.2.5(a) above shall require a *coastal development permit* when they are located in the following areas:
1. *Tidelands*, submerged lands, or beaches, or within 100 feet of such areas;
 2. Within any ESHA, *riparian habitat*, river, sand dune, *stream*, *wetland*, estuary, marsh, lake, edge of coastal bluff, or 100 feet of such areas;
 3. Lands or waters subject to, or potentially subject to, the public trust;
 4. *Lots* immediately adjacent to the inland extent of the beach, or of the *mean high tide line* of the sea where there is no beach;
 5. *Lots* between the *mean high tide line* and the first *public road* parallel to the sea, or within 300 feet of the *mean high tide line* where the nearest *public road* is not parallel to the sea;
 6. On *slopes* greater than 20 percent; or
 7. Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources, open space, or environmentally sensitive *habitat* than those areas listed in Secs 8174-6.2.5(b)1-6 above.

Sec. 8174-6.3 – General Exemptions and Exclusions

Sec. 8174-6.3.1 – Maintenance Dredging

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

Sec. 8174-6.3.2 - Repair or Maintenance Activities*

- a. Pursuant to Section 30610(d) of the Public Resources Code, as it may be amended, repair or maintenance activities that do not result in additions, enlargements or expansions are exempt from *coastal development permit* requirements, with the exception of those activities identified in Sec. 8174-6.3.2(b) below.
- b. Pursuant to Section 13252 of Title 14 of the California Code of Regulations, the following repair and maintenance activities are not exempt and shall require a *coastal development permit* because they involve a risk of substantial adverse environmental impact:
 1. Any method of repair or maintenance of a seawall revetment, bluff retaining wall, breakwater, groin, culvert, outfall, or similar shoreline work that involves:
 - i. Repair or maintenance involving substantial alteration of the foundation of the protective work including pilings and other surface or subsurface *structures*;
 - ii. The placement, whether temporary or permanent, of rip-rap, artificial berms of sand or other beach materials, or any other forms of solid materials, on a beach or in coastal waters, *streams*, *wetlands*, estuaries and lakes or on a shoreline protective work except for agricultural dikes within enclosed bays or estuaries;
 - iii. The replacement of 20 percent or more of the materials of an existing *structure* with materials of a different kind; or
 - iv. The presence, whether temporary or permanent, of mechanized construction equipment or construction materials on any sand area, bluff, or *environmentally sensitive habitat area* (ESHA), or within 20 feet of coastal waters or *streams*.
 2. Any method of routine maintenance dredging that involves:
 - i. The dredging of 100,000 cubic yards or more within a 12-month period;
 - ii. The placement of dredged spoils of any quantity within an ESHA, on any sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or *streams*; or
 - iii. The removal, sale, or disposal of dredged spoils of any quantity

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

that would be suitable for beach nourishment in an area the *commission* has declared by resolution to have a critically short sand supply that must be maintained for protection of *structures*, *coastal access* or public recreational *use*.

3. Any repair or maintenance to facilities or *structures* or work located in an ESHA, any sand area, within 50 feet of the edge of a coastal bluff or ESHA, or within 20 feet of coastal waters or *streams* that include:
 - i. The placement or removal, whether temporary or permanent, of rip-rap, rocks, sand or other beach materials or any other forms of solid materials; or
 - ii. The presence, whether temporary or permanent, of mechanized equipment or construction materials.
- c. All repair and maintenance activities governed by the above provisions are subject to the permit regulations promulgated pursuant to the Coastal Act, including but not limited to the regulations governing administrative and *emergency* permits. The provisions of this section shall not be applicable to methods of repair and maintenance undertaken by the ports listed in Section 30700 of the Public Resources Code, unless so provided elsewhere in the Coastal Act. The provisions of this section shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on September 5, 1978, unless a proposed activity will have a risk of substantial adverse impact on public *access*, ESHA, *wetlands*, or public views to the ocean.
- d. Unless destroyed by natural disaster, the replacement of 50 percent or more of a single-family residence, seawall, revetment, bluff retaining wall, breakwater, groin or any other *structure* is not repair and maintenance under Sec. 8174-6.3.2, but instead constitutes a replacement *structure* requiring a *coastal development permit*.

Sec. 8174-6.3.3 – Utility Connections

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

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

- a. Pursuant to Section 30610(b) of the Public Resources Code, as it may be amended, improvements to existing legally permitted non-residential *structures*, other than *public works facilities*, are exempt from *coastal development permit* requirements, with the exception of those improvements listed in Sec. 8174-6.3.4(c) below.
- b. For the purposes of this section, the following are considered part of non-residential *structures*:
 1. All fixtures and other *structures* directly attached to the *structure*; and

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

Sec. 8174-6.3.5 – Disaster Replacement of Structures

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

Sec. 8174-6.3.6 – Other General Exclusions

- a. Pursuant to Categorical Exclusion Order E-83-1 (effective 9/30/1986, amendment effective 2/25/1987), the following activities are exempt from *coastal development permit* requirements, except when proposed within a location as described in Sec. 8174-6.3.6(b) below:
1. *Fences* and walls of six feet or less in *height* except when such *fence* or wall may obstruct public *access* to the beach;
 2. The installation of irrigation lines;
 3. *Structures*, or additions thereto, with an aggregate value of \$1,000 or less;
 4. The addition of solar collection systems to existing *structures*;
 5. Grading, excavation or *fill* that involves less than 50 cubic yards of material;
 6. Brush or vegetation removal, other than *major vegetation*, of less than one-half acre;
 7. *Lot Line* Adjustments that do not result in an increase or potential increase in the number of *lots*, number of *building* sites, or density of permitted *development*;
 8. Removal of architectural barriers to facilitate *access* by the physically handicapped;
 9. Replacement of *public works facilities*, furnishings, and equipment which shall:
 - i. Be for the same *use* as the *structure* replaced;
 - ii. Not exceed the capacity, surface coverage, *height*, or bulk of the *structure* replaced by more than ten percent;
 - iii. Be sited in the same location on the affected property or right-of-way; and
 - iv. Not include water, sewer and power plants or stations; public transportation stations; oil and gas production, processing or pipelines; and similar *development*.
- b. *Uses* described in Sec. 8174-6.3.6(a) above shall require a *coastal development permit* when they are located in the following areas:
1. *Tidelands*, submerged lands, or beaches, or within 100 feet of such areas;

2. Within any ESHA, *riparian habitat*, river, sand dune, *stream*, *wetland*, estuary, marsh, lake, edge of coastal bluff, or 100 feet of such areas;
3. Lands or waters subject to, or potentially subject to, the public trust;
4. *Lots* immediately adjacent to the inland extent of the beach, or of the *mean high tide line* of the sea where there is no beach;
5. *Lots* between the *mean high tide line* and the first *public road* parallel to the sea, or within 300 feet of the *mean high tide line* where the nearest *public road* is not parallel to the sea;
6. On *slopes* greater than 20 percent; or
7. Anywhere the policies of the LCP specify a larger geographic area of concern for natural resources than those areas listed in Secs. 8174-6.3.6(b)1-6 above.

Sec. 8174-6.4 - Procedures for Categorically Excluded Developments

Sec. 8174-6.4.1 - Records

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

Sec. 8174-6.4.2 - Notice

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

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

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

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ARTICLE 5: DEVELOPMENT STANDARDS/CONDITIONS - USES

Sec. 8175-1 – Purpose

The purpose of this Article is to provide those *development* standards or conditions that are applicable to the *use* zones. This Article also delineates certain instances where exceptions to certain standards or conditions are allowable. (AM.ORD.4451-12/11/12)

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

The following table indicates the *lot area*, *lot width*, *setback*, *height*, and *building coverage* standards that apply to individual *lots* in the zones specified. See Articles 6 and 7 for other general standards and exceptions. (AM.ORD.4055-2/1/94, AM.ORD.4451-12/11/12)

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

Zone	Minimum Lot Area (a)	Maximum Percentage of Building Coverage	Minimum Lot Width	Required Minimum Setbacks (b)				Maximum Height (b)		
				Front	Side		Rear	Principal Structure	Exceptions (Principal Structure)	Accessory Structure
					Interior & Corner Lots, Except Reverse Corner	Reverse Corner Lots: Street Side				
CRPD	As Specified by Permit	See Sec. 8175-2.1	As Specified by Permit	See Sec. 8177-1.3				25'	N/A	
HPD				15'	(j)	10'	15'	35' (p)		
CC	20,000 Sq. Ft.			(k)	(1)	(m)	35'			
CM	10 Acres		40'	(n)				(o)		

(AM.ORD.3876-10/25/88)

(AM.ORD.4055-2/1/94)

(AM.ORD.4451-12/11/12)

- (a) See Secs. 8175-4.10 through 8175-4.12 for exceptions.
- (b) See Secs. 8175-4 and 8175-5 for exceptions.
- (c) For all proposed land divisions in the COS and CA zones, the parent *parcel* shall be subject to the following *slope/density formula* for determining minimum *lot area*.

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

- S = average slope (%)
- I = contour interval (feet)
- L = total length of all contour lines (feet)
- A = total area of the *lot* (square feet)

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

COS:	0% - 15% = 10 acres	CA:	0% - 35% = 40 acres
	15.1% - 20% = 20 acres		Over 35% = 100 acres
	20.1% - 25% = 30 acres		
	25.1% - 35% = 40 acres		

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

(AM.ORD.4451-12/11/12)

- (d) *Dwellings* constructed with carports or garages having a curved or "swing" driveway, with the entrances to the garages or carports facing the side property line, may have a minimum *front setback* distance of 15 feet. (AM.ORD.4451-12/11/12)
- (e) Minimum 1500 sq. ft. of *lot area* per *dwelling unit*; maximum two *dwelling units* per *lot*.
- (f) If the *front setback* distance is 20 feet or more, the *rear setback* distance may be reduced to six feet. (AM.ORD.4451-12/11/12)
- (g) 1,750 sq. ft. per *single-family dwelling*; 3,000 sq. ft. per *two-family dwelling*.
- (h) Where there is a two- or three-storied *structure*, such second or third stories may intrude not more than four feet into the required *front setback*. Eaves may extend a maximum of two feet beyond the outside walls of such second or third floor extension. (AM.ORD.4451-12/11/12)
- (i) See also Sec. 8175-3.13. (AM.ORD.4451-12/11/12)
- (j) Five feet for *lots* used for *dwelling* purposes, and five feet on any side *abutting* a *residential zone* (any zone with an "R" in the title); otherwise, as specified by permit.
- (k) Ten feet if the *lot abuts* a *residential zone* on the side; otherwise, as specified by permit.
- (l) Five feet on any side *abutting* a *residential zone*. Also, when the rear of a *corner lot abuts* a *residential zone*, the *side setback* distance from the street shall be at least five feet; otherwise, as specified by permit. (AM.ORD.4451-12/11/12)
- (m) Ten feet if the rear of the *lot abuts* a *residential zone*; otherwise, as specified by permit.
- (n) From street: the greater of 15 feet or 15% of *lot* width or depth. Interior: the greater of five feet or 10% of *lot* width or depth. The *Planning Director* is authorized to modify or entirely waive the interior *setback* requirements in cases where such reductions are necessary for efficient utilization of property and will not adversely affect the public health, safety or welfare, and rail access is provided to the *lot*.
- (o) No *building* or *structure* located within 100 feet of any property in a *residential zone* shall exceed 60 feet in *height*; otherwise, as specified by permit.

- (p) A lower *height* limit may be required by the permit authorizing the *use*.
- (q) Exception: Each *dwelling unit* of a *two-family dwelling* may have a zero *side setback* distance if constructed on a *lot* (other than a *through lot*) of at least 3,500 square feet in area created prior to February 26, 1987, if that *lot* is subdivided along a common side wall of the two *dwelling units*. (AM.ORD.4451-12/11/12)
- (r) Exception: Each *dwelling unit* of a *two-family dwelling* may have a zero *rear setback* distance if constructed on a *through lot* of at least 4,000 square feet in area created prior to February 26, 1987, if that *lot* is subdivided along a common rear wall of the two *dwelling units*, and the *front setback* distance of each resulting *lot* is at least 20 feet. (AM.ORD.4451-12/11/12)

Sec. 8175-2.1 – Building Coverage Standards

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

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

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

(ADD.ORD. 4451-12/11/12)

Sec. 8175-3 - General Requirements

Sec. 8175-3.1 - Distance Between Structures

The distance between *structures* on the same *lot* shall be at least six feet, except that no *dwelling* shall be placed closer than ten feet to any other *dwelling* on the same *lot*.

Sec. 8175-3.2 - Standards

No standards required by this Chapter for a *lot* shall be considered as providing those standards for any other *lot* unless otherwise stated in this Chapter.

Sec. 8175-3.3 - Accessory Parking

No residential, agricultural, or open space zoned *lot* shall be used for the accessory parking or storage of vehicles that are designed to carry more than a three-quarter ton load, and that are used for shipping and/or the delivery of commercial freight and products, except on those *lots* where delivery to storage or market of agricultural or horticultural commodities is permitted under this Chapter and is occurring on said *lot*. (AM.ORD.4451-12/11/12)

Sec. 8175-3.4 - Parking or Storage in Setbacks

Parking or storage of *oversized vehicles, exterior storage, garages or other accessory buildings* are not allowed within *setback areas*, except as specifically provided in this Chapter. Fully operative, licensed, and registered motorized vehicles, and operative trailers, shall not be parked within any front or street-side *setback*, except in the driveway *access* to the required parking, or on a paved area (no wider than 10 feet) adjacent to the driveway, as an *accessory use* to a *dwelling*. On *interior lots*, a minimum three-foot-wide area adjacent to one *side lot line* must be kept free of operative vehicles and of *exterior storage* (see Sec. 8175-5.1j). (AM.ORD.4055-2/1/94, AM.ORD. 4451-12/11/12)

Sec. 8175-3.5 - Accessory Structures as Dwellings

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-3.6 - Connection of Structures

An *accessory structure* will be considered to be detached from the principal *structure* unless the roof connecting the two *structures* is essentially a continuation of the roof of the principal *structure*, or the space between such *structures* is completely enclosed by walls attached to each *structure*. (AM.ORD.4451-12/11/12)

Sec. 8175-3.7 - Use of Structures for Human Habitation

Structures may not be used for human habitation except as specifically permitted in this Chapter. (AM.ORD.4055-2/1/94)

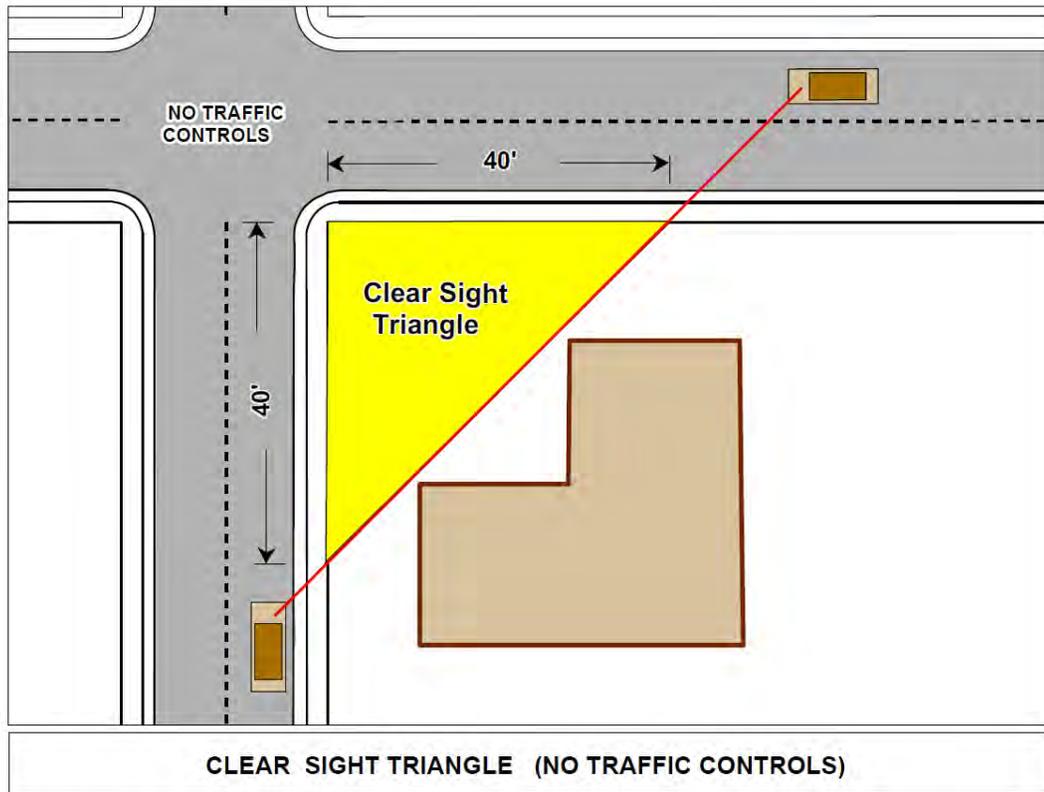
Sec. 8175-3.8 - Clear Sight Triangles

Clear Sight Triangles shall be provided in the following circumstances:

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

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

Figure 1



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

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

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-3.9 - Setbacks from Easements

If the only means of *access* to one or more *lots* is by way of an easement, the easement shall be considered as a street for purposes of determining *setback* distances on *lots* over which the easement passes. (AM.ORD.4451-12/11/12)

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

Sec. 8175-3.10 - Number of Dwellings Per Lot

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

Not more than two *dwellings* of any type shall be constructed on any *lot* zoned CR2, RB or RBH. (AM.ORD.4451-12/11/12)

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

- a. No *fences*, walls or hedges over three feet high may be placed in the required *setback* area adjacent to a street. A maximum six-foot-high wall, *fence* or hedge may be located anywhere on the *lot* except in the *clear sight triangle* or required *setback* area adjacent to a street. On vacant land in the CC or CM zones, *fences*, walls and hedges are subject to this six-foot *height* limit, to any specific *setback* requirements of Sec. 8175-2, and to the *clear sight triangle* regulations of Sec. 8175-3.11a above. On *through lots*, the *setback* regulations given for *structures* in Sec. 8175-4.1d shall apply to *fences* over three feet in *height*.
- b. A maximum eight-foot-high see-through *fence* may be located on any *lot* zoned COS or CA that contains an agricultural operation, or in a subdivision that *abuts* an agricultural operation in a COS or CA zone, provided that such *fence* is located at or near the boundary line separating such properties.
- c. A maximum twelve-foot-high see-through *fence* may be located around a tennis court anywhere on a *lot*, except in a required *setback* area adjacent to a street or within any public view to or along the coast.
- d. When there is a difference in the ground level between two adjoining *lots*, the *height* of any wall or *fence* constructed along any property line may be determined by using the *lot* level line of the higher *lot*, as measured within five feet of the *lot line* separating such *lots*.
- e. The provisions of this Section shall not apply to a *fence* or wall necessary as required by any law or regulation of the State of California or any agency thereof.

(AM.ORD.4451-12/11/12)

Sec. 8175-3.12 - Garages and Carports

Except as otherwise provided in this Chapter, garages and carports shall be set back sufficiently from street from which they take *access* to provide for 20 linear feet of driveway apron, as measured along the centerline of the driveway from the property line to the garage or carport.

Sec. 8175-3.13 - Building Height

Sec. 8175-3.13.1 – Measurement of Building Height

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

- a. Pitched or Hip Roofs - For *buildings* with a pitched or hip roof, *building height* is the vertical distance from the finished *grade* to the averaged midpoint of the finished roof.
- b. Other Roof Types - For *buildings* with a flat roof or *buildings* where the roof and walls form a continuous architectural unit (e.g. A-frame *buildings*, Quonset huts, geodesic domes) *building height* is the vertical distance from the finished *grade* to the highest point of the finished roof.

- c. Calculation of Averaged Midpoint - The averaged midpoint is calculated by drawing a line between the highest point of the finished roof at the main ridgeline and top of the roof covering where it intersects with a horizontal line drawn from the top of each of the two exterior walls parallel to the main ridgeline. The midpoint is the point one-half of the distance between the upper and lower points. The averaged midpoint is the average of the two midpoints.
- d. Finished Roof -For purposes of determining the "finished roof", "finished roof" shall mean the roof with the roof sheeting in place, but not the other roofing materials.

(ADD.ORD. 4451-12/11/12)

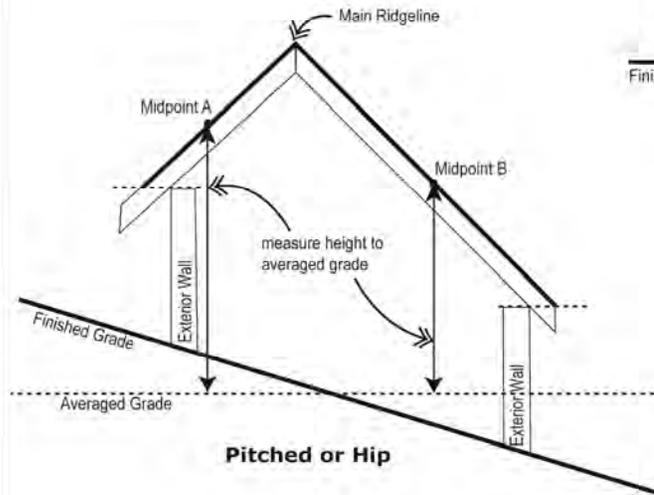
Sec. 8175-3.13.2 – Height Regulations in the RB and RBH Zones

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

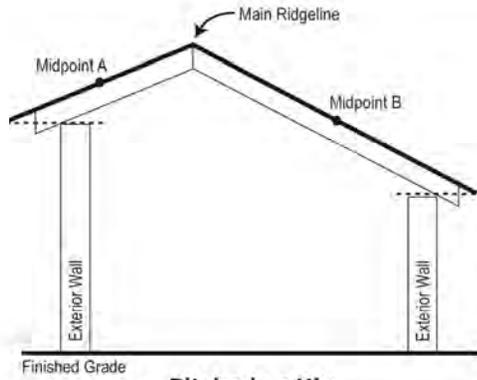
(AM.ORD.4451-12/11/12)

Figure 1
Measurement of *Building Height*

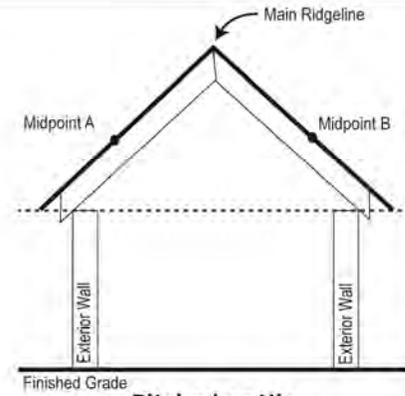
$$\frac{\text{ht. at midpoint A} + \text{ht. at midpoint B}}{2}$$



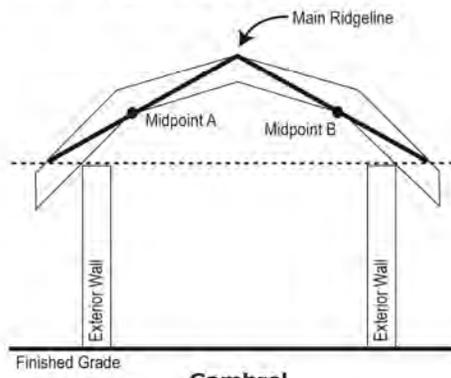
Pitched or Hip



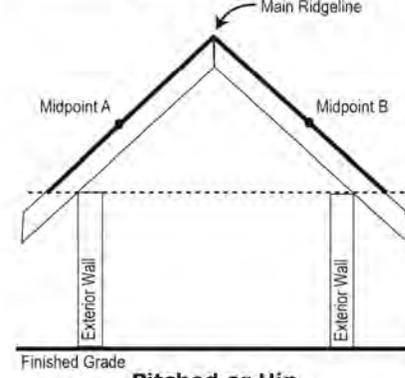
Pitched or Hip



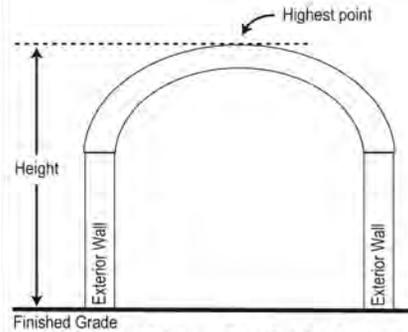
Pitched or Hip



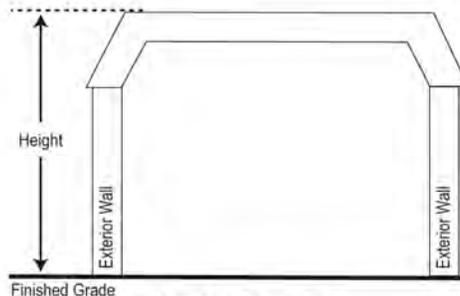
Gambrel



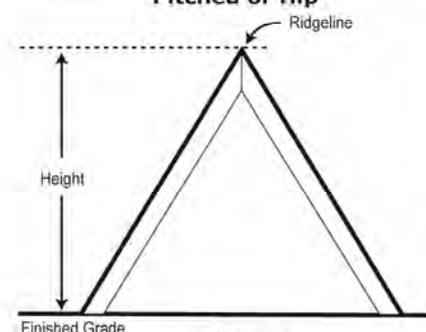
Pitched or Hip



Quonset Hut or Geodesic Dome



Flat or Mansard



A-frame

Sec. 8175-3.14 - Recycling Areas

All commercial, industrial, institutional, or residential *buildings* having five or more *dwelling units*, shall provide availability for, and *access to*, recycling storage areas in accordance with the County of Ventura's most recently adopted Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines in effect at the time of the *development* approval. (ADD.ORD.4055-2/1/94, AM.ORD.4451-12/11/12)

Sec. 8175-4 - Exceptions To Lot, Setback and Height Requirements

Sec. 8175-4.1 - Accessory Structures in Setback Areas

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-4.2 - Architectural Features

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

Bay windows, regardless of whether or not they create additional floor area, are not considered architectural features and may not project into required *setback* areas. (AM.ORD.4451-12/11/12)

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

Open, unenclosed stairways or balconies not covered by roofs or canopies may extend into required *rear setbacks* not more than four feet (three feet in the RBH zone) and into required *front setbacks* not more than two and one-half feet (four feet in the RBH zone). (AM.ORD.4451-12/11/12)

Sec. 8175-4.4 - Porches and Decks

Uncovered porches and decks constructed at or below the level of the first floor of the *building* may extend into required *front setbacks* not more than six feet, and into *rear* and *side setbacks* no closer than three feet to the property line. On *through lots*, such porches and decks may be constructed no closer than three feet to the rear property line in the RB and RBH zones, and no closer than ten feet in other zones. An open-work railing not more than three feet in *height* may be installed or constructed on such porch or deck without affecting this provision. In no case shall required parking, or *access* thereto, be obstructed in any way. (AM.ORD.4451-12/11/12)

Sec. 8175-4.5 - Chimneys and Fireplaces

Masonry chimneys and fireplaces may project into required *setback* areas not more than two feet provided that such chimneys or fireplaces shall not be closer than three feet to any side property line of the *lot* or *parcel*. Where more than one *building* is located on the same *lot*, such chimneys or fireplaces shall not be closer than three feet to a line midway between the exterior walls of such *buildings*. (AM.ORD.4451-12/11/12)

Sec. 8175-4.6 - Heating and Cooling Equipment

Accessory heating and cooling equipment and necessary appurtenances may be located to within three feet of any side or *rear lot line*.

Sec. 8175-4.7 - Depressed Ramps

Open-work *fences*, hedges, guard railings or other landscaping or architectural devices for safety protection around depressed ramps may be located in required *setback* areas, provided that such devices are not more than three and one-half feet in *height*. (AM.ORD.4451-12/11/12)

Sec. 8175-4.8 - Roof Structures

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

(AM.ORD.3788-8/26/86, AM.ORD. 4451-12/11/12)

Sec. 8175-4.9 - Antennas

Citizen band and amateur radio transmitting and receiving antennas, intended for private noncommercial uses and accessory to a *dwelling*, may be erected above the *height* limits for *structures*, to a maximum *height* of 75 feet. See Sec. 8175-5.1i for standards.

Sec. 8175-4.10 - Water Well Sites

A water well site or sites, each no more than 1200 square feet, may be created on a *lot* for the sole purpose of transferring, by lease or sale, possession of the well and so much of the land around the well as may be necessary for *use* of water from the well for agricultural purposes only.

Sec. 8175-4.11 - Park and Recreational Facilities

Any *lot area* reductions granted to subdividers before the effective date of this Chapter under the Community Park and Recreation Facilities provisions of the previous *Zoning Ordinance* and recorded with the final map shall remain in effect.

Sec. 8175-4.12 - Fire Stations

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-4.13 - Temporary Dwellings During Construction

A *mobilehome* or *recreational vehicle* that is used as a temporary *dwelling* during construction shall be set back at least five feet from the property line of the *lot* on which it is placed. (AM.ORD.4451-12/11/12)

Sec. 8175-4.14 - Setbacks on Through Lots

Front and rear setbacks on through lots shall be determined as follows: The Planning Division, in consultation with the applicant, shall designate one street frontage as the front of the *lot* and the other as the rear. The entrance to any covered parking (garage or carport) shall be set back a distance at least equal to the *minimum front setback*, except that if a *dwelling* is constructed with a curved or "swing" driveway leading to the covered parking, with the entrance to such parking facing the side property line, the garage or carport may be located a minimum of ten feet (six feet in the RBH zone) from the rear property line. (AM.ORD.4451-12/11/12)

Sec. 8175-4.15 - Swimming Pools and Spas

Swimming pools, spas, hot tubs and similar *structures* may be constructed to within three feet of rear and interior *side lot lines*, provided that they do not intrude into any front or street-side *setback*. On *through lots*, such construction is subject to the *setback* regulations given for *structures* in Sec. 8175-4.1d.

Sec. 8175-5 – Standards and Conditions For Uses

The following standards and conditions shall apply to all *uses* stated herein:

Sec. 8175-5.1 - Standards Relating to Dwellings

The following standards and conditions shall apply to all *dwellings* hereafter constructed, and to the indicated *accessory uses* and *structures*:

- a. Legal Lot Requirement - See Sec. 8171-4.4. (AM.ORD.4055-2/1/94)
- b. Sewage Disposal - Sewage disposal shall be provided by means of a system approved by the Environmental Health Division and the Division of Building and Safety.
- c. Fire Protection - *Dwellings* shall meet all fire protection requirements of the Ventura County Fire Protection District, including all requirements for construction within the *High Fire Hazard Area* as set forth in the Ventura County Building Code.
- d. Mobilehomes Used as Dwelling Units - *Mobilehomes* may be used as *single-family dwellings* if the *mobilehome* was constructed on or after June 15, 1976. *Mobilehomes* used as *second dwellings* are also subject to this date limitation,

but *mobilehomes* used as *caretaker, farm worker, or animal caretaker dwellings* are not.

1. Foundation System - *Mobilehomes* that are used as *single-family residences, second dwellings, or caretaker, farm worker, or animal caretaker dwellings* shall be installed on a foundation system in compliance with Section 1333 of Title 25 of the California Administrative Code. *Mobilehomes* renewed under a Continuation Permit shall be in compliance with the applicable provisions of Article 7 (commencing with section 1320) of Chapter 2 of Division 1 of Title 25 of the California Administrative Code.
2. Exterior Siding - Exterior siding of a *mobilehome* used as a *single-family dwelling* shall extend to the ground level, or to the top of the deck or structural platform where the *dwelling* is supported on an exposed pile foundation complying with the requirements of the Uniform Building Code, or to the top of a perimeter foundation. For *mobilehomes* used as *caretaker, farm worker, or animal caretaker dwellings, mobilehome* skirting shall completely enclose the *mobilehome*, including the tongue, with a color and material compatible with the *mobilehome*.

(AM.ORD.4451-12/11/12)

- e. Mobilehome or Recreational Vehicle as Temporary Dwelling During Construction - A *mobilehome* or *recreational vehicle* may be used by the owner(s) of a *lot* as a temporary *dwelling unit* for 12 months during construction of a residence for which a *building* permit is in full force and effect on the same site. The *Planning Director* may grant one additional 12-month period and a time extension if substantial progress toward construction of the principal residence is being made. Said *mobilehome* or *recreational vehicle* shall be connected to the permanent water supply and sewage disposal system approved by the Ventura County Environmental Health Division for the *structure* under construction. Within 45 days after a clearance for occupancy is issued by the Ventura County Division of Building and Safety, any such *recreational vehicle* shall be disconnected from such systems and cease being used as a *dwelling*, and any such *mobilehome* shall be removed from the site. A temporary *mobilehome* or *recreational vehicle* may be accessory to construction on adjacent *lots* under the same ownership as the *lot* on which the *mobilehome* or *recreational vehicle* is installed.
- f. Home Occupations - On property containing a *dwelling*, no commercial activity shall be construed as a valid *accessory use* to the *dwelling* unless the activity falls within the definition and regulations of a *home occupation*. *Home occupations* are permitted in accordance with the following standards:
 1. No merchandise, produce or other materials or equipment may be displayed for advertising purposes. Advertising in a telephone book, newspaper, etc., or on a vehicle, shall not divulge the *dwelling's* location.
 2. The *use* shall be carried on only by residents of the *dwelling*.
 3. No signs naming or advertising the *home occupation* are permitted on or off the premises.
 4. The *use* shall not generate additional pedestrian or vehicular traffic beyond that considered normal to the neighborhood. Deliveries to the *dwelling* shall not be excessive and shall not disrupt traffic patterns in the vicinity.
 5. *Home occupations* shall not occupy space required for other purposes (off-street parking, interior *setbacks*, etc.).

6. For each *dwelling unit*, there shall be no more than one *commercial vehicle* parked on the property related to the *home occupation*. For the purpose of this section, a vehicle with external lettering or other script pertaining to the *home occupation* is considered to be a *commercial vehicle*. The parking space shall comply with Sec. 8176-3.4 Accessory Parking and Storage of Oversized Vehicles.
7. The existence of a *home occupation* shall not be evident beyond the boundaries of the property on which it is conducted. There shall be no internal or external alterations not customarily found in residences.
8. The *use* of electrical or mechanical equipment that would create visible or audible interference in radio or television receivers is prohibited.

(AM.ORD.4451-12/11/12)

- g. *Second Dwelling Units* - A *second dwelling unit* with complete, independent living facilities may be created on *lots* that contain an existing *single-family detached residence* and no other *dwellings*, other than an authorized *farm worker* or *animal caretaker dwelling*, subject to Sec. 8174-5 and the following:
 1. *Second dwelling units* are allowed only on *lots* that conform to the minimum *lot area* standard for the zone.
 2. The *gross floor area* of the *second dwelling unit* shall not exceed 700 square feet. A *second dwelling unit* over 700 feet may be approved if the existing *single-family dwelling* on the property does not exceed 700 square feet in *gross floor area* and does not exceed the *height* limit for *accessory structures* in the zone. In such cases, the larger *dwelling* shall be considered the principal *dwelling* with regard to *height* and *setback* standards, and the smaller *dwelling* shall be considered the *second dwelling* with regard to future expansions. In all cases, total off-street parking requirements for the *dwellings* must be met, in accordance with Sec. 8176- Parking and Loading Requirements.
 3. The unit shall comply with the parking requirements for *second dwellings*, in accordance with Sec. 8176- Parking and Loading Requirements.
 4. The unit may be attached to or detached from the existing single family residence.
 5. The unit shall meet zoning provisions and permit requirements, as well as County Building and Fire Code requirements, and other public service requirements that apply to *single-family dwellings*. Where sewage or water service is to be provided through a public or private utility, availability letters from the responsible sanitation district and will-serve letters from the responsible water agency shall be required.
 6. A *second dwelling unit* will not be allowed in areas where adequate water supply, water quality and sewage disposal cannot be demonstrated.
 7. No more than one *second dwelling unit* is allowed on each *lot*.
 8. No other *accessory structure* shall be combined with a detached *second dwelling unit*, except that a *second dwelling unit* may be attached to a garage or carport. If a *second dwelling unit* is attached to a garage, the common wall between the garage and the *second dwelling unit* may not be longer than is necessary to accommodate a standard parking space; the garage area *abutting* this common wall may be used only for vehicle parking or accessory storage of household items. A *second dwelling unit* may be

attached to a garage or carport that is itself attached to another *accessory use* such as a recreation room or workshop, provided that there is no common wall between the *second dwelling* and the other *accessory use*.

9. Mobile homes may be used as *second dwelling units*, in accordance with Sec. 8175-5.1.d.
10. The applicant for a *second dwelling unit* shall be the owner of record and shall reside in the principal *dwelling unit* on the *parcel*.

(AM. ORD. 4283 - 06/03/03, AM.ORD. 4451-12/11/12)

h. Wet Bars

1. *Wet bars* shall be separate from *kitchens*;
2. No more than one *wet bar* is permitted per *dwelling unit*;
3. *Wet bars* shall contain no electrical outlets in excess of 110 volts;
4. Plumbing connected to the bar sink drain shall be no greater than 1 and ¼ inches in diameter and shall not include plumbing stub-outs;
5. *Wet bars* located in the RB and RBH zones shall have no gas outlets or gas stub-outs, nor shall they have more than one bar sink fixture with one sink well. (AM.ORD.4451-12/11/12)

i. Antennas - Citizen band and amateur radio antennas may be installed only as an *accessory use* to a *dwelling*, and only for noncommercial purposes. Such antennas are subject to the following standards:

1. The crank-up type of ham radio antennas should be used.
2. All antennas should be color-coordinated to harmonize with background material to reduce visual impacts.
3. The most unobtrusive location for the antenna should be used.
4. Appropriate screening materials such as fencing or landscaping, in accordance with Sec. 8178-8.4.2.2- Landscape Screening, may be required.
5. A site plan of the subject property, showing property lines, all *structures*, paved areas, walls, *setbacks*, *major vegetation*, nearby streets and proposed location of the installation is required. Also, elevations of the subject installation are required as well as elevations of affected *buildings* and architectural features. The *height*, nature, texture and color of all materials to be used for the installation, including landscape materials, are also required, in accordance with Sec. 8178-8- Water Efficient Landscaping Requirements.

j. Exterior Storage of Materials - Permitted as an *accessory use* to a *dwelling*, shall be subject to the following conditions:

1. The exterior storage of materials may be placed within three feet of one *interior lot line*, and to *rear lot lines*, but shall not intrude into any required front or street-side *setback*.
2. All materials must be stored at least six feet from any *structure*.
3. The exterior storage of materials shall not exceed an aggregate area of 200 square feet and shall not exceed a *height* of six feet.
4. Materials stored may include, but are not limited to, *inoperative vehicles*, equipment, *building materials*, scrap metal, or personal or household items.

5. Materials or equipment kept on any premises for *use* in construction of any *building* on said premises for which a *Zoning Clearance* and necessary *building* permits are obtained and in force are exempt from the exterior storage provisions of subsections (2) and (3) above. However, such storage shall be neat and orderly, and shall not exceed an area equal to 100 percent of the *gross floor area* of the *building* under construction. Stored materials shall be installed within 180 days of their placement on the *lot*; however, the *Planning Director* may grant a time extension for good cause, based on a written request from the applicant.
6. Materials or equipment customarily used on a farm or ranch are also exempt from the exterior storage provisions of subsections (2) and (3) above.
7. *Exterior storage* shall be consistent with all provisions of the LCP.

(AM.ORD.4451-12/11/12)

- k. Real Estate Tract Sales Office, Temporary - a temporary real estate sales office for the limited purpose of conducting sale only of *lots* or houses in the subdivision tract may be maintained for a period of 18 months or until all of the *lots* in the subdivision have been sold, whichever is earlier.

Sec. 8175-5.2 - Standards Relating to Animals

Sec. 8175-5.2.1 - Apiculture

- a. Street Separation - No occupied apiary shall be located or maintained within 150 feet of any *public road*, street or highway, or as modified by the Agricultural Commissioner.
- b. Apiary Location - An occupied apiary shall be located or maintained a safe distance from an urbanized area. For the purpose of this section, an urbanized area is defined as an area consisting of a minimum of 30 acres, with a minimum density of 90 *dwelling units*. As the size of the area increases, the number of *dwelling units* must increase proportionately by a minimum of three *dwelling units* per acre. A "safe distance" shall be determined after investigation by the Agricultural Commissioner.
- c. Dwelling Separation - No occupied apiary shall be located or maintained within 400 feet of any *dwelling* on adjacent property.
- d. Property Line Separation - No occupied apiary shall be located or maintained within 50 feet of any property line common to other property except that it may be adjoining the property line when such other property contains an apiary, or upon mutual agreement for such location with the adjoining property owner.
- e. Water - Available adequate and suitable water supply shall be maintained on the property near the apiaries at all times.

Sec. 8175-5.2.2 - Aviaries

All aviaries are subject to the following standards:

- a. No on-site retail sales are permitted.
- b. The *lot* shall meet the minimum area requirements of the zone.
- c. All birds shall be kept, confined, housed, or maintained not less than 40 feet from any residence, *dwelling*, or other *structure* used for human habitation on adjacent property.

- d. All birds shall be maintained in a sanitary condition at all times and shall not cause or tend to cause conditions detrimental or injurious to the public health, safety, or general welfare.
- e. Birds kept in an *aviary* shall be limited to *domestic birds*, as defined in Article 2.

Sec. 8175-5.2.3 - Keeping of Birds

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-5.2.4 - Animals and Fowl

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

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

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

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

(AM.ORD.4451-12/11/12)

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

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

One Animal Unit Equals:

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

Notes to Animal Unit Table

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

(AM.ORD.4451-12/11/12)

Sec. 8175-5.2.5 – Kennels

The following standards shall apply to all *kennels*:

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

(ADD.ORD. 4451-12/11/12)

Sec. 8175-5.3 - Campgrounds

Campgrounds shall be developed in accordance with the following standards

Sec. 8175-5.3.1

Minimum *lot area* shall be three acres.

Sec. 8175-5.3.2

At least 75 percent of the total site shall be left in its natural state or be landscaped, in accordance with Sec. 8178-8- Water Efficient Landscaping Requirements, the remaining 25 per cent land is eligible for *development*. (AM.ORD.3882-12/20/88)

Sec. 8175-5.3.3

Each individual *camp* site shall be no less than 1000 sq. ft. and there shall be no more than 9 sites per developable acre. Group *camp* sites shall be designed to accommodate no more than 25 people per acre. (ADD.ORD.3882-12/20/88)

Sec. 8175-5.3.4

Where needed to enhance aesthetics or to ensure public safety, a *fence*, wall, landscaping screen, earth mound, or other screening approved by the *Planning Director* shall enclose the *campground*, in accordance with Sec. 8178-8.4.2.2- Landscape Screening.

Sec. 8175-5.3.5

Utility conduits shall be installed underground in conformance with applicable state and local regulations.

Sec. 8175-5.3.6

The design of *structures* and facilities, and the site as a whole shall be in harmony with the natural surroundings to the maximum *feasible* extent. (AM.ORD.3882-12/20/88)

Sec. 8175-5.3.7

Trash collection areas shall be adequately distributed and enclosed by a six-foot-high *landscape screen*, solid wall or *fence* that is accessible on one side, in accordance with Sec. 8178-8.4.2.2- Landscape Screening. (Repealed as 8175-5.3.10 and Re-enacted as 8175-5.3.7 by ORD.3882-12/20/88, AM.ORD. 4451-12/11/12)

Sec. 8175-5.3.8

Off-road motor vehicle *uses* are not permitted. (Repealed as 8175-5.3.3 and Re-enacted as 8175-5.3.8 by ORD.3882-12/20/88)

Sec. 8175-5.3.9

The following standards apply to *structures* on the site, apart from the personal residence(s) of the property owner, *campground* director/manager, or *caretaker*: (ADD.ORD.3882-12/20/88)

Sec. 8175-5.3.9.1

Structures are limited to restrooms/showers and a *clubhouse* for cooking and/or minor recreational purposes. (Repealed as 8175-5.3.7 and Re-enacted as 8175-3.9.1 by ORD.3882-12/20/88)

Sec. 8175-5.3.9.2

There shall not be more than one set of enclosed, *kitchen*-related fixtures. (Repealed as 8175-5.3.7, Re-enacted as 8175-5.3.9.2 by ORD.3882-12/20/88).

Sec. 8175-5.3.9.3

There shall be no *buildings* that are used or intended to be used for sleeping. (Repealed as 8175-5.3.9 and Re-enacted as 8175-5.3.9.3 by ORD.3882-12/20/88)

Sec. 8175-5.3.10

Campgrounds may include minor accessory recreational *uses* such as swimming pools (limit one) and tennis courts. (Repealed as 5175-5.3.8 and Re-enacted as 8175-5.3.10 by ORD.3882-12/20/88)

Sec. 8175-5.3.11

Outdoor tent camping is permitted. (Repealed as 8175-5.3.9 and Re-enacted as 8175-5.3.11 by ORD.3882-12/20/88)

Sec. 8175-5.3.12

No hook-ups for *recreational vehicles* are allowed. (ADD.ORD.3882-12/20/88)

Sec. 8175-5.3.13

Occupation of the site by a guest shall not exceed 30 consecutive days. (ADD.ORD.3882-12/20/88)

Sec. 8175-5.3.14

Parking Standards - See Article 6

Sec. 8175-5.4 - Camps

Camps shall be developed in accordance with the following standards:

Sec. 8175-5.4.1

Minimum *lot area* shall be ten acres, except in the case of *camps* under permit prior to the adoption of this ordinance, in which case no minimum *lot area* is specified.

Sec. 8175-5.4.2

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

Sec. 8175-5.4.2.1

Camps on property zoned Coastal Rural (CR) - *lot size* in acres x 2.56 = the maximum number of *persons* to be accommodated overnight. (AM.ORD.4451-12/11/12)

Sec. 8175-5.4.2.2

Camps on property zoned Coastal Rural Exclusive (CRE) - *lot size* in acres x 10.24 = the maximum number of *persons* to be accommodated overnight. (AM.ORD.4451-12/11/12)

Sec. 8175-5.4.3

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

Sec. 8175-5.4.3.1

Camps on property zoned Coastal Rural (CR) - 5.12 x *lot size* in acres = total population allowed on site. (AM.ORD.4451-12/11/12)

Sec. 8175-5.4.3.2

Camps on property zoned Coastal Rural Exclusive (CRE) - 20.48 x *lot size* in acres = total population allowed on site. (AM.ORD.4451-12/11/12)

Sec. 8175-5.4.3.3

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

Sec. 8175-5.4.4

Building intensity shall be limited by the following standards:

Sec. 8175-5.4.4.1

Overnight Accommodations - *Structures* or portions of *structures* intended for sleeping and restrooms/showers (excepting those for permanent staff as defined in Sec. 8175-5.4.4.3) shall be limited to a collective average of 200 square feet per overnight guest and staff allowed per Sec. 8175-5.4.2 (Overnight population).

Sec. 8175-5.4.4.2

All Other Roofed *Structures* or *Buildings* - The total allowed square footage of all *structures* other than sleeping and restroom/shower facilities shall be limited to 100 square feet per *person* allowed per Sec. 8175-5.4.3 (Total daily on-site population).

Sec. 8175-5.4.4.3

The residence(s) of a limited number of permanent staff such as the director, manager or *caretaker* are exempt from the limitations of Sec. 8175-5.4.4.1 (Overnight Accommodations).

Sec. 8175-5.4.4.4

Since the two *building* intensity standards (Overnight and Total Daily) address distinctly different facilities, they shall not be interchangeable or subject to borrowing or substitutions.

Sec. 8175-5.4.5

Camp facilities shall have adequate sewage disposal and domestic water.

Sec. 8175-5.4.6

Camp facility lighting shall be designed so as to not produce a significant amount of light and/or glare at the first offsite receptive *use*.

Sec. 8175-5.4.7

Camp facilities shall be developed in accordance with applicable County standards so as not to produce a significant amount of noise.

Sec. 8175-5.4.8

Occupation of the site by a guest shall not exceed 30 consecutive days.

Sec. 8175-5.4.9

To ensure that the site remains an integral and cohesive unit, specific methods such as the following should be employed on a case-by-case basis: open space easements requiring CC&R's that restrict further *use* of the land with the County as a third party; low density zoning to prevent subdivision of the site; and merger of *parcels* to create one *parcel* covering the entire site.

Sec. 8175-5.4.10

To avoid the loss of the site's natural characteristics several methods should be employed on a case-by-case basis to preserve these values: 60% of the total site should remain in its natural state or be landscaped, pursuant to Sec. 8178-8 Water Efficient Landscaping Requirements, and only passive recreational *uses* should be permitted.

Sec. 8175-5.4.11

Parking Standards - See Article 6

Sec. 8175-5.5 - Mobilehome Parks

Sec. 8175-5.5.1

Mobilehome parks shall be developed in accordance with all applicable standards, including density standards (number of *dwellings* per unit of *lot area*), of the zone in which the *mobilehome* park is located.

Sec. 8175-5.5.2

A *mobilehome* park may include, as part of an approved permit, recreational and *clubhouse* facilities and other *accessory uses*.

Sec. 8175-5.6 – Film Production, Temporary

Sections:

- 8175-5.6 Film Production, Temporary
- 8175-5.6.1 Film Permits Required
- 8175-5.6.2 Film Permit Application Procedures
- 8175-5.6.3 Film Permit Modifications
- 8175-5.6.4 Standards for Film Production Activities in all Zones
- 8175-5.6.5 Neighborhood Consent

Sec. 8175-5.6.1 – Film Permits Required

- a. *Film Permit*. A *film permit* in the form of a Planned Development Permit or Zoning Clearance is required for all *film production activities*, unless exempt from *film permit* requirements pursuant to Sec. 8174-5.
- b. A Coastal Development Permit or exemption is required from the *Commission* for areas where the California Coastal Commission retains coastal development permit authority as shown on the Post Local Coastal Plan Certification Permit and Appeals Jurisdiction Maps for the County (as available in the Planning Division). The California Coastal Commission Permit Jurisdiction includes state waters, lands below the mean high tide line, and lands subject to the public trust.
- c. Possession of an approved California Coastal Commission Coastal Development Permit or exemption, Planned Development Permit or Zoning Clearance shall not relieve the applicant of the responsibility of securing and complying with any other permit which may be required by other County, State or Federal laws.
- d. An approved County *film permit*, or an approved California Coastal Commission Coastal Development Permit, shall be in the possession of the permittee at all times during *film production activities*.
- e. *Film permits* are non-transferable and cannot be assigned to any other person, agency, or entity. A copy of the *film permit* shall be kept onsite and located in an easily accessible location in the event the County or other government official requests verification that the *film production activities* are authorized by a *film permit*.

Sec. 8175-5.6.1.1 – Planned Development Permit

- a. A Planned Development Permit shall be required for *film production activities*, or access to a *film permit area*, that meets one or more of the following criteria:
 - 1. *Film production activities* would last more than 14 days and less than 180 days in duration;
 - 2. May directly or indirectly impact an *environmentally sensitive habitat area (ESHA)*. For example, a direct impact could be the removal of *major vegetation* in order to construct a *film set*, and an indirect impact could be the introduction of loud and persistent noise or intense light that would harm animals with a low tolerance for these types of effects;

3. Would include grading or landform alteration;
 4. Would restrict *public access* to public recreation areas; or
 - ~~b.~~ 5. Would result in inadequate *coastal access parking*. For the purpose of this subsection, inadequate *coastal access parking* would occur if a *base camp* or *temporary film production activities* occupy one or more public parking spaces used for coastal beach access.
- e. b. Planned Development Permits shall not be issued for *film production activities* located on a *sandy beach* within Ventura County's permit jurisdiction during weekends or holidays of the peak summer months (Memorial Day through Labor Day).

Sec. 8175-5.6.1.2 – Zoning Clearance

- a. A Zoning Clearance is required for *film production activities* occurring in private homes or within legally developed areas that do not include ESHA.
- b. A Zoning Clearance is required for *film production activities* located on improved roads that are adjacent to ESHA or an ESHA buffer. Neither the *film set* nor the *film base camp* shall encroach upon ESHA.
- c. A Zoning Clearance is required for *film production activities* that will last 14 days or less in duration.

Sec. 8175-5.6.1.2.1 – Temporary Filming on the Sandy Beach

- a. Outside the peak summer months between Memorial Day and Labor Day, *film production activities* on all *sandy beach areas* within the County's permit jurisdiction shall be authorized by a Zoning Clearance, provided that all of the following criteria are met:
 1. The *film production activities* will be 14 days or less in duration;
 2. The *film production activities* are located at least 100 feet from all tide pools, sand dunes, and tributaries that discharge into the ocean;
 3. The *film production activities* are located outside any ESHA or ESHA buffer;
 4. *Public access* will be maintained to and along the coast; and
 5. Adequate coastal access parking is available for the general public.
- b. During the peak summer months between Memorial Day through Labor Day, a Zoning Clearance shall only be approved if the *film production activities* meet all of the following criteria:
 1. The *film production activities* comply with all requirements of Sec. 8175-5.6.1.2.1(a) above;
 2. *Film production activities* that occupy a portion of the *sandy beach area* is scheduled on weekdays only, and not on any holiday; and
 3. An off-site *base camp* will provide sufficient space for trailers, vehicles, equipment, catering services, etc.;

Sec. 8175-5.6.2 – Film Permit Application Requirements and Processing

- a. A *film permit* application shall be signed by the applicant or authorized agent thereof and filed with the Planning Division in accordance with Sec. 8181-5. In addition to the information required pursuant to Sec. 8181-5, the application shall include, but not necessarily be limited to, the following information and materials:
 1. A site map using an aerial image of the *film location* and *film permit area(s)*. The site map shall include the following information:
 - Street address for all *film permit locations*;
 - Assessor Parcels Number(s) for all *film permit locations*;
 - Delineation of the *film permit area* boundary(ies);
 - Graphic representation and labeling of the *film production activities* including but not limited to the *film base camp*, location of generators, lighting and audio equipment.
- b. Until a *film permit* is issued, the applicant may, upon written request to the Planning Division, change the *film permit location*, the *film permit area*, or the time or date of *film production activities* without the submittal of a new permit application or payment of permit modification fees.
- c. Once a *film permit* is issued, a *film permit* modification and payment of *film permit* modification fee(s) shall be required for any change to a *film permit*.
- d. *Film permit* applications shall be processed in accordance with the applicable provisions of Article 11, Entitlements – Process and Procedures.
 1. Zoning Clearance - A minimum of three working days is required to process a Zoning Clearance *film permit*. If neighborhood consent is a prerequisite to permit approval pursuant to Sec. 8175-5.6.5, a minimum of five working days is required to process a *film permit*.
 2. Planned Development Permit - The public hearing for a Planned Development Permit may be waived pursuant to Sec. 8181-6.2.3. Following the approval of a Planned Development Permit, the permittee shall obtain a separate Zoning Clearance prior to initiating the permitted use or activity in accordance with Sec. 8181-3.1.

Sec. 8175-5.6.3 – Film Permit Modifications

A *film permit* modification application may be filed by the permittee with the Planning Division and shall be processed pursuant to Article 11, Sec. 8175-5.6.2, and the following provisions, as applicable.

- a. Ministerial Modification: Notwithstanding Sec. 8181-10.4.1, ministerial modifications to Zoning Clearance or Planned Development Permit *film permits* shall be limited to the following, and shall be requested by the permittee as follows:
 1. Adding and/or changing *film production preparation, striking, filming days* consistent with the duration in Sec. 8174-5, Film Production Temporary.
 2. Adding and/or changing *film production activities, film permit locations* and/or *film permit areas*, consistent with Sec. 8175-5.6.1, as applicable.

3. Extending the *film permit's* time period provided that the total days authorized by the *film permit* were not used because of inclement weather or similar delay. The number of days added to the permit must be the minimum necessary to complete the filming and in no case shall exceed the total number of *film permit* days that may be authorized with a Zoning Clearance.
 4. If adding or changing a *film permit location* and/or *film permit area*, a completed new *Film Location* Form and revised site map pursuant to Sec. 8175-5.6.2(d) shall be submitted.
 5. Modification applications shall be submitted to the Planning Division prior to the end of post-production *film striking*. If post production *film striking* has concluded, a new *film permit* is required.
 6. A revised neighborhood consent may be required pursuant to Sec. 8175-5.6.5 to authorize the requested ministerial modification.
 7. Modifications shall not lessen the effectiveness of the conditions of the issued *film permit* and must be consistent with all other provisions of Sec. 8175-5.6 and the Local Coastal Plan.
- b. New Film Permit Required. If a Zoning Clearance or Planned Development Permit *film permit* is not eligible for a ministerial modification pursuant to Sec. 8175-5.6.3(a) above, a new *film permit* shall be required.

Sec. 8175-5.6.4 – Standards for Film Production Activities in all Zones

Film production activities shall be carried out in accordance with the following regulations:

- a. Hours
 1. All *film production activities* shall occur between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and between the hours of 8:00 a.m. and 8:00 p.m. on weekends.
 2. *Film production activities* that occur outside the hours identified in (1) above require neighborhood consent (see Section 8175-5.6.5).
- b. *Film Permit Area*
 1. All *film production activities*, including but not limited to the operation of a *film base camp*, film equipment placement and operation, catering, *film production preparation*, *striking*, and filming, shall be confined to the boundaries of the *film permit area(s)* designated on the site plan approved with the *film permit*.
 2. Removing, trimming or cutting of native vegetation or protected native and non-native trees is prohibited except where such activities are authorized pursuant to Sec. 8178-7, Tree Protection Regulations.
 3. *Film production activities* shall not change, alter, modify, remodel, remove or significantly affect any eligible or designated cultural heritage site.
 4. *Film production activities* shall not result in permanent alteration to the filming location or surrounding area. The permittee shall restore the filming location to a condition equivalent to its pre-filming condition following *film production*, *striking*.

5. Production vehicles, cast, and crew responsible for the production of a motion picture, television show, music video, advertisement, web production or *film still photography* shall not arrive at the *film location* prior to the hours specified in the permit.
 6. All *film production activities*, including but not limited to the *film base camp*, film equipment placement and operation, catering, *film production preparation*, *striking* and filming, shall comply with the provisions of Sec. 8175-5.6, and all other applicable provisions of this Chapter and the certified Local Coastal Program.
 7. Film production activities shall not remove or alter vegetation or landforms within ESHA, its 100-foot *buffer*, or otherwise adversely impact an ESHA.
 8. Except where permitted by a Planned Development Permit, film production activities shall not occupy a public recreational area in a manner that would preclude use by the general public.
 9. *Film production activities* conducted at any time between Memorial Day through Labor Day, and located within one mile of the beach, shall not cause traffic delays that exceed three minutes on any public road.
 10. *Film production activities* shall maintain public access to and along the coast including areas upcoast and downcoast of the subject *film permit area* and where feasible, passage around the site on wet sand or dry sand areas.
 11. *Film production activities* shall minimize grading and landform alteration.
- c. Noise and Lighting

Noise and lighting shall not create a nuisance upon nor otherwise negatively impact neighboring areas or *ESHA* as follows:

1. *Film pyrotechnics* and *film special effects* that emit sound associated with gunfire or similar devices shall be prohibited in ESHA or within 100 feet of ESHA.
2. Except as permitted with neighborhood consent (see Section 8175-5.6.5), lighting used for the illumination of *film production activities* (such as perimeter lighting, flood lighting, and external lighting) shall only be permitted when the light source is hooded or shielded so that no direct beams from the *film production activities* fall upon public streets, highways or private property not located within the *film permit area(s)*.
3. Temporary exterior night lighting is prohibited in ESHA. Within areas adjacent to ESHA, temporary exterior night lighting may be allowed if the light source is hooded or shielded so that no direct beams from the *film production activities* fall upon ESHA.

Sec. 8175-5.6.5 – Neighborhood Consent

- a. A neighborhood consent waiver form, described in subpart (c) below, that contains one or more names and signatures from occupants residing in the majority (more than 50 percent) of the households located within the “surrounding community”, as defined in subpart (b) below, shall be

obtained by the applicant and submitted to the Planning Division prior to the issuance of a *film permit* for the following:

1. *Temporary film production activities* that occur in the Residential Beach (RB) and Residential Beach Harbor (RBH) zones.
 2. *Film production activities* that occur outside the hours specified in Sec. 8175-5.6.4(a).
 3. Road closures that exceed three minutes (see exception in Sec. 8175-5.6.4(b)(9)).
 4. Loud noise emanating from such sources as gunfire, aircraft used for the purpose of *film production activities*, amplified music or amplified sound mixing.
 5. Exterior night lighting that extends beyond the boundaries of the *film permit area(s)*.
 6. *Film special effects* that extend beyond the boundaries of the *film permit area(s)*.
- b. Surrounding Community

For purposes of Sec. 8175-5.6.5, "surrounding community" means:

1. Dwellings and dwelling units on parcels within 300 feet of the boundary of the *film permit location* when *film production activities* are located in areas designated CC, CRE, CR1, CR2, RB, RBH, and CRPD.
2. Dwellings and dwelling units on parcels within 1,000 feet of the boundary of the *film permit area* when *film production activities* are located in areas designated COS, CA, CR, and M Overlay.

c. Neighborhood Consent Waiver Form

The Planning Division shall provide the applicant with a radius map, address list, and neighborhood consent waiver form. The neighborhood consent waiver form shall include the following information relating to the proposed *film production activities*:

1. Date(s) and time(s);
 2. A map, address, or description of the specific location if there is no assigned address;
 3. A brief description of the *film production activities* that require neighborhood consent per Section 8175-5.6.5; and
 4. Name and telephone number(s) of the location manager or representative of the production company.
- d. For the purposes of Section 8175-5.6.5, "households" as used in subpart (a), mean all dwellings and dwelling units including second dwelling units, duplexes, mobile homes, etc. not having an assigned address but located within the surrounding community.
- e. If the applicant fails to obtain the necessary neighborhood consent, the *film production activities* may be modified and a revised neighborhood consent waiver form can be recirculated to the surrounding community.

- f. If the applicant fails to obtain the necessary neighborhood consent, the *film permit* shall not be approved unless modified to remove all *film production activities* that require neighborhood consent.

Sec. 8175-5.7 - Oil and Gas Resources and Related Industrial Development

Sec. 8175-5.7.1 – Purpose

The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for *oil and gas exploration and production* facilities and other industrial operations within the Coastal portions of the County that will allow for the reasonable *use* of an important County resource. These regulations shall also ensure that *development* activities will be conducted in harmony with other *uses* of land within the County and that the rights of surface and mineral owners are balanced. The standards of this section shall apply to all new *development* activities, even within areas covered by existing Conditional Use Permits. However, they shall not apply to any specific *development* for which the applicant has been granted a claim of vested rights by the Coastal Commission on the basis of a CUP. For any such *development*, no new coastal permit is required pursuant to this Chapter. (AM.ORD.4451-12/11/12)

Sec. 8175-5.7.2 – Application

Unless otherwise indicated herein, the purposes and provisions of Sec. 8175-5.7 et seq. shall be and hereby automatically imposed on and made part of any permit for *oil or gas exploration and development* issued by Ventura County in the *Coastal zone* on or after March 24, 1983. Such provisions shall be imposed in the form of permit conditions when permits are issued for new *development* or for existing wells/facilities without permits, or when existing permits are modified. These conditions may be modified at the discretion of the *Planning Director*, pursuant to Sec. 8181-7.1. Furthermore, said provisions shall apply to any *oil and gas exploration and development* operation initiated on or after March 24, 1983 upon Federally owned lands for which no land *use* permit is required by Ventura County. No permit is required by the County of Ventura for *oil and gas exploration and production* operations conducted on Federally owned lands pursuant to the provisions of the Mineral Lands Leasing Act of 1920 (30 U.S.C. Section 181 et seq.).

Sec. 8175-5.7.3 – Definitions

Unless otherwise defined herein, or unless the context clearly indicates otherwise, the definition of petroleum-related terms shall be that used by the California State Division of Oil , Gas and Geothermal Resources (DOGGR). (AM.ORD.4451-12/11/12)

Sec. 8175-5.7.4 - Prohibition

Notwithstanding any other provisions of this Chapter, new energy or industrial facilities, except onshore pipelines, are prohibited on: land between U.S. Highway 101 (Ventura Freeway) and the shoreline; Harbor Blvd. and the shoreline; Highway 1 and the shoreline; and on land in any "residential" or "recreational" designation on the LCP Land Use Plan, or shown as an environmentally sensitive *habitat or buffer area*.

Sec. 8175-5.7.5 - Required Permits

No *oil or gas exploration or production* related *use* may commence without or inconsistent with a Conditional Use Permit approved pursuant to this Chapter. Furthermore, a *Zoning Clearance* must be obtained by the permittee to confirm consistency with the Coastal Zoning Ordinance and/or Conditional Use Permit prior to drilling every well, commencing site preparation for such well(s), and/or

expansion of existing facilities, including redrilling of existing wells or changing from a producing well to a water injection well, or installing related appurtenances as defined by the *Planning Director*, or prior to abandonment. However, a single *Zoning Clearance* may be issued for more than one well or drill site or *structure*. Possession of an approved Conditional Use Permit shall not relieve the operator of the responsibility of securing and complying with any other permit that may be required by other County Ordinances, or State or Federal laws. No condition of a Conditional Use Permit for *uses* allowed by this Chapter shall be interpreted as permitting or requiring any violation of law, or any lawful rules, or regulations or orders of an authorized governmental agency. When more than one set of rules apply, the stricter one shall take precedence. (AM.ORD.4451-12/11/12)

Sec. 8175-5.7.6 - Development Plan

A *development* plan shall accompany the application for a permit, and shall include the following information:

- a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
- b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
- c. A phasing plan for the staging of *development* that indicates the approximately anticipated timetable for project installation, completion and decommissioning. (AM.ORD.4451-12/11/12)
- d. A plan for eliminating or substantially mitigating adverse impacts on *habitat* areas, *prime agricultural lands*, *recreational areas*, *scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
- e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared, submitted, and approved in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 – Special Provisions, D. Programs for Construction Sites, or (2) a Storm Water Pollution Prevention Plan (SWPPP) shall be prepared submitted, and approved in accordance with the State General Permit for Storm Water Discharges Associated with Construction Activity, whichever is applicable.
- f. A description of means by which all oil and gas will be transported off-site to a marketing point.
- g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
- h. Oil spill prevention and control measures.
- i. Fire prevention procedures.
- j. Emission control equipment.
- k. Procedures for the abandonment and restoration of the site.
- l. Compliance with any other requirement of the Ventura County Ordinance Code related to oil and gas *development*.
- m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Stormwater

Permit, including the *development* and submittal of a Stormwater Pollution Prevention Plan.

Sec. 8175-5.7.7 – Oil Development Design Standards

The general standards that follow shall be used in the *development* of conditions that will help ensure that oil *development* projects generate minimal negative impacts on the environment. The standards shall be applied whenever physically and economically *feasible* and practicable, unless the strict application of a particular standard(s) would otherwise defeat the intent of other standards. An applicant should *use* the standards in the design of the project and anticipate their *use* as permit conditions, unless the applicant can demonstrate that they are not *feasible* or practicable. More restrictive requirements may be imposed on a project through the conditions of the permit. (AM.ORD.4451-12/11/12)

- a. Permit areas and drill sites shall generally coincide and shall be only as large as necessary to accommodate typical drilling and production equipment.
- b. The number of drill sites in an area shall be minimized by using centralized drill sites, directional drilling, and other techniques.
- c. Drill sites and production facilities shall be located so that they are not readily seen. All permanent facilities, *structures*, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and *uses* in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the *Planning Director* prior to the painting of facilities.
- d. Permittees and operators shall share facilities such as, but not limited to, permit areas, drill sites, *access roads*, storage, production and processing facilities and pipelines.
- e. The following standards apply to the installation and *use* of oil and gas pipelines:
 1. Pipelines shall be used to transport petroleum products offsite to promote traffic safety and air quality. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
 - (a) Where pipeline connections are not available or *feasible*, oil products may be removed by truck. All tanker trucking shall be limited to Monday through Saturday, between the hours of 7:30 a.m. and 6:30 p.m. of the same day. Except under *emergency* circumstances, as determined by the *Planning Director*, no more than two equivalent round-trip tanker truck trips per day shall be permitted to haul oil and waste products generated from an area under an oil permit through residential streets unless the *Planning Director* authorizes additional trips.
 2. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic reasons not to do so. Installation of pipelines and utility lines (as applicable) shall be within the road prism of project

access roads, to the extent practicable, to prevent additional loss of *habitat*.

3. When *feasible*, pipelines shall be routed to avoid important coastal resource areas, such as recreation, sensitive *habitats* and archaeological areas, as well as geological hazard areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of a significant coastal resource value, shall be done in a manner that minimizes the impacts of potential spills by considering spill volumes, duration, and projected paths. New pipeline segments shall be equipped with automatic shutoff valves, or suitable alternatives approved by the *Planning Director*, so that each segment will be isolated in the event of a break.
 4. Upon completion of pipeline construction, the site shall be restored to the approximate previous *grade* and condition. All sites previously covered with *native vegetation* shall be re-seeded with the same, or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent *erosion* until the vegetation can become established, and to promote visual and environmental quality.
 5. All offshore to onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and shall be buried from a point where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "*environmentally sensitive habitat area*." (AM.ORD.4451-12/11/12)
 6. Except for pipelines exempted from permit requirements under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive guidelines, a survey by a qualified expert in biological resources shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and to recommend any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an EIR or Mitigated Negative Declaration is required for a particular project; or otherwise conducted prior to the issuance of any permit pursuant to this Chapter. The recommended mitigation measures shall be incorporated as part of the permit.
 7. Prior to issuance of any permit pursuant to this Chapter, a geologic investigation shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize *erosion*, geologic instability, and substantial alterations of the natural topography. The recommended measures shall be incorporated as conditions of the permit.
- f. Cuts or *fills* associated with *access roads* and drill sites shall be kept to a minimum to avoid *erosion* and visual impacts. They shall be located in inconspicuous areas, and generally not exceed 10 vertical feet. Cuts and *fills* shall be restored to their original *grade* once the *use* has been discontinued.

- g. Gas from wells shall be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources. Oil shall also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality.
- h. Wells shall be located a minimum of 800 feet from occupied sensitive *uses*. Private *access* roads to drill sites shall be located a minimum of 300 feet from occupied sensitive *uses*, unless this requirement is waived by the occupant.
- i. *Oversized vehicles* shall be preceded by lead vehicles, where necessary for traffic safety.
- j. In the design and operation of new or modified oil and gas production facilities, best accepted practices in drilling and production methods shall be utilized, to eliminate or minimize to the maximum extent *feasible* any adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the *exploration and production of oil and gas*.
- k. Any production shipping tanks(s) installed on the subject permit site shall have a collective rated capacity only as large as necessary to service any particular drill pad(s).
- l. All proposed energy and industrial facilities shall be so sited and designed in compliance with CEQA requirements to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, paleontological, agricultural, visual, recreational; air and water quality resources, and any other resources that may be identified. (AM.ORD.4451-12/11/12)
- m. In sensitive resource areas, the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited, and staked work corridors and storage areas.

Sec. 8175-5.7.8 – Oil Development and Operational Standards

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

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

the *setback* to be reduced. In no case shall the well be located less than 100 feet from said *structures*.

3. 800 feet of any institution, school or other *building* used as a place of public assemblage, unless a waiver is signed pursuant to Sec. 8175-5.7.8(w), allowing the *setback* to be reduced. In no case shall the well be located less than 300 feet from said *structures*.
 4. 300 feet from the edge of the existing banks of "Red Line" channels as established by the Ventura County Flood Control District (VCFCD) and 100 feet from the existing banks of all other channels appearing on the most current United States Geological Service (USGS) 2,000' scale topographic map as a blue line. These *setbacks* shall prevail unless the permittee can demonstrate to the satisfaction of the Public Works Agency that the subject *use* can be safely located nearer the *stream* or channel in question without posing an undue risk of water pollution, damage to wildlife and *habitat*, or impairment of flood control interests. In no case shall *setbacks* from *streams* or channels be less than 50 feet. All drill sites located within the 100-year flood plain shall be protected from flooding in accordance with Flood Control District requirements.
 5. The applicable *setbacks* for *accessory structures* for the zone in which the *use* is located.
 6. 100 feet from any marsh, small wash, intermittent lake, intermittent *stream*, spring or perennial *stream* appearing on the most current USGS 2,000' scale topographic map, unless a *qualified biologist*, approved by the County, determines that there are no significant biological resources present or that this standard *setback* should be adjusted.
- b. Obstruction of Drainage Courses - Drill sites and *access* roads shall not obstruct natural drainage courses. Diverting or channeling such drainage courses may be permitted only with the authorization of the Public Works Agency.
 - c. Removal of Equipment - All equipment used for drilling, redrilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work unless a time extension is approved by the *Planning Director*.
 - d. Waste Handling and Containment of Contaminants - Oil, produced water, drilling fluids, cuttings, and other contaminants associated with the drilling, production, storage, and transport of oil shall be contained on the site unless properly transported off-site or injected into a well, treated or re-used in an approved manner on-site or, if allowed, off-site. Appropriate permits, permit modifications or approvals must be secured when necessary, prior to treatment or re-use of oil field waste materials. The permittee shall furnish the *Planning Director* with a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching surface or subsurface waters. The plan shall be consistent with the requirements of the County, State and Federal Government.
 - e. Securities - Prior to the commencement or continuance of drilling or other *uses* on an existing permit, the permittee shall file, in a form acceptable to the County Counsel and certified by the County Clerk, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. Any operator may, in lieu of filing such a security for each well drilled, redrilled, produced or maintained, file a security in the

penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, a political subdivision of the State of California, conditioned upon the permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. In cases of any failure by the permittee to perform or comply with any term or provision thereof, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, or for expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of said permit or of any applicable ordinance or of this security. No security shall be exonerated until after all of the applicable conditions of the permit have been met.

- f. Dust Prevention and Road Maintenance - The drill site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as necessary to prevent the emanation of dust. Access roads shall be designed and maintained so as to minimize *erosion*, prevent the deterioration of vegetation and crops, and ensure adequate levels of safety. The permittee shall treat unpaved access roads by either oiling and chipping, or use of an APCD-approved chemical dust palliative (such as Dust-Off - MgCl₂) or use of other APCD-approved mechanisms.
- g. Light Emanation - Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain normal nighttime light levels in the area, but not inhibit adequate and safe working light levels. The location of all flood lights and an outline of the illuminated area shall be shown on the *landscape plan*, if required, or on the requisite plot plan.
- h. Reporting of Accidents - The permittee shall immediately notify the *Planning Director*, the Fire Department and all other applicable agencies in the event of fires, spills, or hazardous conditions not incidental to the normal operations at the permit site. Upon request of any County Agency, the permittee shall provide a written report of any incident within seven calendar days that shall include, but not be limited to, a description of the facts of the incident, the corrective measures used and the steps taken to prevent recurrence of the incident. (AM.ORD.4451-12/11/12)
- i. Painting - Drill sites and production facilities shall be located so that they are not readily seen. All permanent facilities, *structures*, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the *Planning Director* prior to the painting of facilities.
- j. Site Maintenance - The permit area shall be maintained in a neat and orderly manner so as not to create any hazardous or unsightly conditions such as debris, pools of oil, water, or other liquids, weeds, brush, and trash. Equipment and materials used for the operation and maintenance of the oil well located at the site may be stored on site. If the well has been

suspended, idled or shut-in for 30 days, as determined by the Division of Oil and Gas, all such equipment and materials shall be removed within 90 days. (AM.ORD.4451-12/11/12)

- k. Site Restoration - Within 90 days of revocation, expiration, surrender of any permit, or abandonment of the *use*, the permittee shall restore and revegetate the premises to as nearly its original condition as is practicable, unless otherwise requested by the landowner.
- l. Insurance - The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one *person* and \$1,000,000 for all *persons* and \$2,000,000 for property damage. This requirement does not preclude the permittee from being self-insured.
- m. Noise Standard - Unless herein exempted, drilling, production, and maintenance operations associated with an approved oil permit shall not produce noise, measured at a point outside of occupied sensitive *uses* such as residences, schools, health care facilities, or places of public assembly, that exceeds the following standard or any other more restrictive standard that may be established as a condition of a specific permit. Noise from the subject project shall be considered in excess of the standard when the average sound level, measured over one hour, is greater than the standard that follows. The determination of whether a violation has occurred shall be made in accordance with the provisions of the permit in question.

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

The maximum allowable average sound level is as follows:

Average Noise Levels (LEQ)

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

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

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

1. Where the ambient noise levels (excluding the subject facility) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dB(A).
 2. Where the owners/occupants of sensitive *uses* have signed a waiver pursuant to Sec. 8175-5.7.8(w) indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.
- o. Compliance with Noise Standard - When a permittee has been notified by the Planning Division that his operation is in violation of the applicable noise standard, the permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:
1. hammering on pipe;
 2. racking or making-up of pipe;
 3. acceleration and deceleration of engines or motors;
 4. drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by *use* of a slower rotational speed;
 5. picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.

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

- p. Preventive Noise Insulation - If drilling, redrilling, or maintenance operations, such as pulling pipe or pumps, are located within 1,600 feet of an occupied sensitive *use*, the work platform, engine base and draw works, crown block, power sources, pipe rack, and other probable noise sources associated with a drilling or maintenance operation shall be enclosed with soundproofing sufficient to ensure that expected noise levels do not exceed the noise limits applicable to the permit. Such soundproofing shall be installed prior to the commencement of drilling or maintenance activities, and shall include any or all of the following: acoustical blanket, coverings, soundwalls, or other soundproofing materials or methods that ensure that operations meet the applicable noise standard. The requirements may be waived by the Planning Commission if the permittee can demonstrate that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to 8175-5.7.8(w). (AM.ORD.4451-12/11/12)
- q. Waiver of Preventative Noise Insulation - The applicant may have a noise study prepared by a qualified acoustical consultant, approved by the County. If the findings of the study conclude that the proposed project will meet the County Noise standards contained in Sec. 8175-5.7.8(m) and do not constitute a nuisance, then the soundproofing requirement may be waived. If the findings show a noise level will be generated above and beyond the County standards, then soundproofing must be installed sufficient to meet

the applicable noise standard. Where a waiver pursuant to Sec. 8175-5.7.8(w) is signed, no preventative noise insulation will be required.

- r. Soundproofing Material - All acoustical blankets or panels used for required soundproofing shall be of fireproof materials and shall comply with California Industrial Safety Standards and shall be approved by the Ventura County Fire Protection District prior to installation.
- s. Hours of Well Maintenance - All non-emergency maintenance of a well, such as the pulling of pipe and replacement of pumps, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. of the same day if the well site is located within 3,000 feet of an occupied residence. This requirement may be waived by the *Planning Director* if the permittee can demonstrate that the applicable noise standards can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.8(w).
- t. Limited Drilling Hours - All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur less than 800 feet from an occupied sensitive use. Night time drilling shall be permitted if it can be demonstrated to the satisfaction of the *Planning Director* that the applicable noise standard can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.8(w).
- u. Signs - Signs shall comply with Sec. 8175-5.13 and the development standards per Sec. 8178-5.13.10.7 *Identification Signs*, Oil and Gas Development.
- v. Fencing - All active well sites (except submersible pumps), sumps and/or drainage basins or any machinery in use or intended to be used at the well site or other associated facilities shall be securely fenced, if required, based on the *Planning Director's* determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. A single adequate fence that is compatible with surrounding area, may be used to enclose more than one oil well or well site and appurtenances. Location of fences shall be shown on a submitted plot plan and/or landscape plan, if required. Fences must meet all DOGGR regulations. (AM.ORD.4451-12/11/12)
- w. Screening and Landscaping - All oil and gas production areas shall be landscaped so as to screen production equipment in a manner consistent with the natural character of the area, if required, based on the *Planning Director's* determination that landscaping is necessary. Required landscaping shall be implemented in accordance with a landscape and irrigation plan to be approved by the *Planning Director* or his/her designee after consultation with the property owner. The landscape plan shall be consistent with Sec. 8178-8, Water Efficient Landscaping Requirements, or Coastal Area Plan policies, whichever are more restrictive. This landscape plan shall include, but not be limited to, measures for adequate screening of producing wells and permanent equipment from view of public roads or dwellings, revegetation of all cut and fill banks, and the restoration of disturbed areas of the site not directly related to oil and gas production. Low water usage landscaping and use of native plants shall be encouraged.

(AM.ORD.4451-12/11/12)

1. Landscaping and Above Ground Pipelines. Consideration shall also be given to above ground pipelines that are part of the project. Landscape maintenance shall be subject to periodic inspection by the County, in accordance with Sec. 8178-8.9 Landscape Documentation Package Approval and Inspections. The permittee shall be required to remedy any defects in landscape maintenance within 30 days of notification by the County (AM.ORD.4451-12/11/12)
2. Landscaping and Well Drill Pads
 - a. If wells are brought into production, the site shall be landscaped so as to screen production equipment from view from neighboring residences in a manner consistent with the natural character of the area.
 - b. The landscaping associated with the wells shall also be intended to provide screening from glare that may result from on-site facilities (e.g., tanks, buildings, other).
 - c. The permittee shall not install production equipment until the *Planning Director* has approved the landscaping plan and a *Zoning Clearance* has been issued.
 - d. At the expense of the permittee, the County, or a County approved *landscape architect*, shall determine whether the visual impacts of the production facilities have been screened from view. The timing and schedule for subsequent review shall be determined prior to the issuance of a *Zoning Clearance* for the production facilities.
- x. Waivers - Where provisions exist for the waiver of an ordinance requirement, the waiver must be signed by the owner and all adult occupants of a *dwelling*, or in the case of other sensitive *uses*, by the owner of the *use* in question. Once a waiver is granted, the permittee is exempt from affected ordinance requirements for the life of the waiver. Unless otherwise stated by the signatory, a waiver signed pursuant to Sec. 8175-5.7.7.n.(2) shall also be considered a waiver applicable to Secs. 8175-5.7.7.p. and 8175-5.7.7.s. and t.
- y. Application of Sensitive Use Related Standards - The imposition of regulations on petroleum operations that are based on distances from occupied sensitive *uses* shall only apply to those occupied sensitive *uses* that were in existence at the time the permit for the subject oil operations was approved. (AM.ORD.4451-12/11/12)
- z. Inspection, Enforcement and Compatibility Review - To ensure that adequate funds are available for the legitimate and anticipated costs incurred for monitoring and enforcement activities associated with new or modified oil and gas related Conditional Use Permits, the permittee shall deposit with the County funds, determined on a case by case basis, prior to the issuance of a *Zoning Clearance*. The funds shall also cover the costs for any other necessary inspections or the resolution of confirmed violations that may occur. One deposit may be made to cover all of the permittee's various permits. In addition, all new or modified Conditional Use Permits for oil and gas related *uses* shall, at the discretion of the *Planning Director*, be conditioned to require a compatibility review on a periodic basis. The purpose of the review is to determine whether the permit, as conditioned, has remained consistent with its findings for approval and if there are

grounds for proceeding with public hearings concerning modification, suspension, or revocation of the permit.

Sec. 8175-5.8 - Produce Stands

- a. One *produce stand* per *lot* is allowed.
- b. A *produce stand* shall be permitted only if accessory to permitted crop production on the same *lot*.
- c. A *produce stand* may sell raw, unprocessed fruits, vegetables, nuts, seeds and cut flowers grown on the same *lot* as such stand or grown on other *lots* in the County.
- d. A *produce stand* may sell only those ornamental plants that are grown on the same *lot* as such stand.
- e. No commodities other than those listed above may be sold from a *produce stand*.
- f. The floor area of such stand shall not exceed 400 square feet each.
- g. Such stand shall not be located or maintained within 30 feet of any *public road*, street or highway.
- h. The construction thereof shall be of a temporary nature and shall not include a permanent foundation.
- i. Sign area shall not exceed the total permitted for the *lot*, pursuant to Sec. 8175-5.13, Signs.

Sec. 8175-5.9 - Public Works Facilities

Public Works facilities are subject to the provisions of this Section and all other provisions of this Chapter and the LCP land *use* plan. The types of facilities include, but are not limited to, the following: Roads, reservoirs, drainage channels, watercourses, flood control projects, pump stations, utility lines, septic systems, water wells and water storage tanks.

- a. New or expanded *public works facilities* (including roads, flood control measures, water and sanitation) shall be designed to serve only the potential population of the unincorporated and incorporated areas within LCP boundaries, and to eliminate impacts on *agriculture*, open space lands, and environmentally sensitive *habitats*.
- b. New service extensions required beyond the stable urban boundary (as shown on the LCP Land Use Plan maps) must be designed to mitigate any effects on agricultural viability.
- c. Electrical transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the *coastal zone*, especially in scenic rural areas, and to avoid locations that are on or near sensitive *habitats*, or recreational or *archaeological resources*, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired and the affected areas revegetated with plants similar to those in the area to the extent that safety and economic considerations allow. (AM.ORD.4451-12/11/12)
- d. In important scenic areas, where aboveground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When aboveground facilities

are necessary, design and color of the support towers shall be compatible with the surroundings to the extent that safety and economic considerations allow.

Sec. 8175-5.10 - Recreational Vehicle Parks

Sec. 8175-5.10.1 - Applications

All conditional *use* permit applications for such parks shall be accompanied by the following:

- a. Site plan.
- b. Complete topographic and geologic information for the site, including a *soils report*.
- c. Reports that describe the existing on- and off-site systems, facilities and services that are available to serve the proposed *development*; such reports shall state the name of the responsible agency, present capacity, present level of demand or *use*, projected capacity and the anticipated load resulting from the proposed *development*.
- d. Detailed landscaping and irrigation plans and specifications prepared by a State *licensed landscape architect*, in accordance with Sec. 8178-8.8- Landscape Documentation Package.
- e. A biological survey of the site including the identification of any environmentally sensitive *habitats*.

Sec. 8175-5.10.2 - Development Standards

- a. Minimum *lot area* for an RV park shall be three acres. Minimum size of each recreational campsite shall be 1,000 square feet with a minimum width of 25 feet.
- b. Maximum number of trailer spaces per net acre of land, computed as a simple geometric figure, shall be 18, unless a lower maximum is specified in the conditional *use* permit. The precise density to be allocated to the subject *development* will be based on the nature of the proposed site as it currently exists, particularly *slope*, *erosion* hazard, soil stability, fire hazard, water availability, seismic safety, septic tank suitability, accessibility to all-weather roads, adjacent land *use*, prevailing noise level, proximity to a flood plain, *emergency* ingress and egress, unique natural land features, proximity to environmentally sensitive *habitats*, and other pertinent factors.
- c. At least 60 percent of the *net area* of each RV park shall be left in its natural state or be landscaped, in accordance with Sec. 8178-8- Water Efficient Landscaping Requirements.
- d. The maximum size of a *recreational vehicle* occupying a space in the park shall be 220 square feet of living area. Living area does not include built-in equipment such as wardrobes, closets, cabinets, *kitchen* units or fixtures, or bath and toilet rooms.
- e. *Building height* and *setbacks* shall be as prescribed in the applicable zone, except where Title 25 of the California Administrative Code is more restrictive.
- f. No *recreational vehicle*, travel trailer or accessory *building* shall be located less than six feet from any other *recreational vehicle*, travel trailer or accessory *building* on an adjacent space.
- g. All *setback* areas from streets and other areas in an RV park not used for driveways, parking, *buildings* or service areas shall be landscaped, in

accordance with Sec. 8178-8- Water Efficient Landscaping Requirements. (AM.ORD.4451-12/11/12)

- h. Trash disposal areas shall be adequately distributed and enclosed by a six foot high *landscape screen*, solid wall or *fence*, in accordance with Sec. 8178-8.4.2.2- Landscape Screening.
- i. Where needed to enhance aesthetics or to ensure public safety, a *fence*, wall, landscaping screening, earth mounds or other means approved by the *Planning Director* that will complement the landscape and assure compatibility with the surrounding environment shall enclose the park, in accordance with Sec. 8178-8.4.2.2- Landscape Screening. (AM.ORD.4451-12/11/12)
- j. Asphalt pavement or other suitable materials for dust abatement as approved by the *Planning Director* shall be provided for all interior roadways and parking areas and shall be suitably marked for traffic flow.
- k. Any cut and/or *fill slopes* shall be revegetated and adequately maintained to prevent *erosion*.
- l. All *protected, native, historic, or heritage trees* with a three inch or greater diameter shall be preserved unless their removal is approved by both the *Planning Director* and the County Landscape Coordinator.
- m. Any of the foregoing standards may be modified, subject to the provisions of Title 25, if evidence presented at the public hearing establishes that such modification is necessary to ensure compatibility with the established environmental setting.

Sec. 8175-5.10.3 - Site Design Criteria

- a. Signs shall be in accordance with Sec. 8175-5.13, Signs.
- b. Off-street parking shall be provided in accordance with Article 6.
- c. The front of each space should include a level, landscaped area with picnic table and a grill or campfire ring. (AM.ORD.4451-12/11/12)
- d. The office should be located near the entrance, which should also be the exit.
- e. The site should be designed to accommodate both tent and vehicle campers (travel trailers, truck campers, camping trailers, motor homes).
- f. Drive-through spaces should be provided for travel trailers.
- g. There should be a minimum six-foot-wide walk in parking areas.
- h. Walls or landscaped earthen berms should be used to minimize noise from highway sources.
- i. The distance from any picnic table to a toilet should be not less than 100 feet nor more than 300 feet.
- j. Each site plan should also incorporate a recreational or utility *building*, laundry facilities and an entrance sign in accordance with Sec. 8175-5.13, Signs.
- k. At least 30 percent of the spaces should have full hookups, including electricity, water and sewer. Permitted utilities shall be installed underground in conformance with applicable state and local regulations.
- l. Each park shall be provided with sewer connections or dump stations, or a combination thereof.

- m. Roadways and vehicle pads shall not be permitted in areas of natural *slope* inclinations greater than 15 percent or where grading would result in *slope heights* greater than ten feet and steeper than 2:1.

Sec. 8175-5.10.4 - Additional Provisions

- a. Each park may include a commercial establishment on-site, not exceeding 500 square feet of floor area, for the sole *use* of park residents.
- b. Each park is permitted one on-site *mobilehome* to be used solely for the management and operation of the park, pursuant to Title 25.
- c. No permanent *building* or cabana shall be installed or constructed on any trailer space; however, portable *accessory structures* and fixtures are permitted.
- d. No travel trailers, trailer coaches, motor homes, campers or tents shall be offered for sale, lease or rent within an RV park.
- e. Off-road motor vehicle *uses* that might cause damage to vegetation or soil stability are not permitted. (AM.ORD.4451-12/11/12)
- f. The maximum time of occupancy for any *family* or travel trailer within any RV park shall not exceed 90 days within any 120 day period.

Sec. 8175-5.11 - (Reserved for future use)

Sec. 8175-5.12 - Shoreline Protection Devices

Sec. 8175-5.12.1

The following standards shall apply to the construction or maintenance of *shoreline protective devices* such as seawalls, jetties, revetments, groins, or breakwaters:

- a. Proposed *shoreline protective devices* shall only be allowed when they are necessary to protect existing *developments, coastal-dependent land uses,* and public beaches.
- b. All shoreline protective *structures* that alter natural shoreline processes must be designed to eliminate or mitigate adverse impacts on local shoreline sand supply. (AM.ORD.4451-12/11/12)
- c. Permitted shoreline *structures* shall not interfere with public rights of *access* to the shoreline.
- d. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetments, groins, breakwaters and related arrangements.
- e. The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.

Sec. 8175-5.12.2

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

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

(AM.ORD.4451-12/11/12)

Sec. 8175-5.13 – Signs

Sections:

- 8175-5.13.1 Purpose
- 8175-5.13.2 Permit Requirements
- 8175-5.13.3 Prohibited Signs
- 8175-5.13.4 Signs Exempt from a Permit
- 8175-5.13.5 Zoning Clearance Sign Permit
- 8175-5.13.6 Planned Development Sign Permit
- 8175-5.13.7 Sign Permit Application Requirements and Processing
- 8175-5.13.8 Design Criteria
- 8175-5.13.9 General Sign Standards
- 8175-5.13.10 Specific Regulations by Type of Sign
- 8175-5.13.11 Legal Nonconforming Signs
- 8175-5.13.12 Unauthorized Signs
- 8175-5.13.13 Summary Removal Unauthorized Signs

Sec. 8175-5.13.1 – Purpose

The purpose of this Sec. 8175-5.13 is to promote and safeguard the life, health, property, and public welfare, including traffic safety and the aesthetics of the

visual environment, by regulating the design, quality of materials and construction, illumination, location and maintenance of all *signs* within the unincorporated areas of the coastal zone.

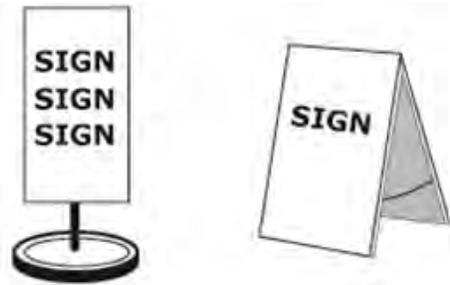
Sec. 8175-5.13.2 – Permit Requirements

No person shall place, erect, modify, alter or repaint any *sign* unless the *sign* and sign-related activity is exempt from a permit pursuant to Sec. 8175-5.13.4. If the *sign* or *sign*-related activity is not exempt from a permit, it either requires the issuance of a Zoning Clearance pursuant Sec. 8175-5.13.5 and/or a Planned Development Permit pursuant to Sec. 8175-5.13.6 in accordance with the provisions of the *Sign Permit Application Procedures* of Sec. 8175-5.13.7.

Sec. 8175-5.13.3 – Prohibited Signs

The following *signs* are prohibited:

- a. A-frame or sandwich-board *signs*;

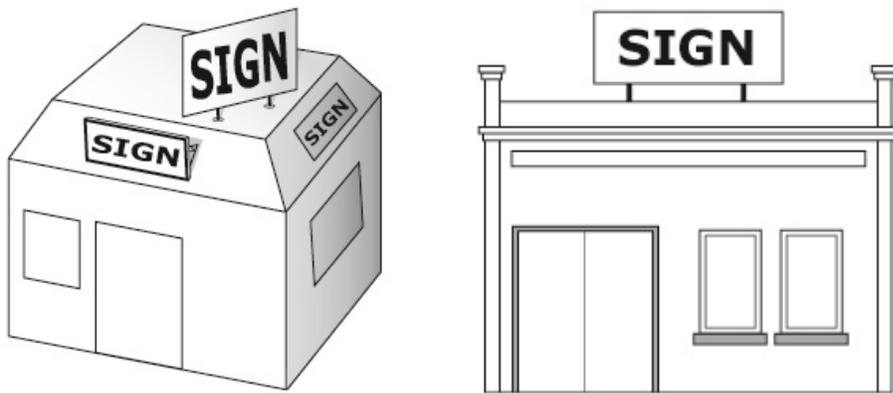


Examples of Prohibited Freestanding Signs

- b. Any *sign* that emits sound, smoke or bubbles.
- c. Any *sign* located within ESHA or its associated buffer except:
 - 1. A *road sign*;
 - 2. An *interpretive sign* that describes the *ESHA*, provided that the sign is located and designed in accordance with Sec. 8175-5.13.10.12.1(c) and Sec. 8175-5.13.10.12(b); or
 - 3. A *temporary sign* that is intended to protect ESHA, such as a *sign* restricting access to an active shorebird nesting area in accordance with Sec. 8175-5.13.6(e)
- d. Except as authorized under Sec. 8175-5.13.9.2(d), any *sign* located within the public right-of-way.
- e. Any *sign* erected in such a manner that it may interfere with, obstruct, confuse or mislead traffic.
- f. Any *sign* erected in such a manner that any portion of the *sign* or its support is attached to or will interfere with the free use of any fire escape, exit or standpipe, or will obstruct any stairway, door, ventilator or window.
- g. Any *sign* or *sign* structure that is structurally unsafe or constitutes a hazard to health or safety by reason of design, location, or inadequate maintenance.
- h. Any *sign* that obstructs or degrades public views to *scenic resources*, except as authorized by Sec. ~~8175-5.13.9.2(d)~~.
- i. Any *sign* that is intended to deter, ~~without legitimate purpose,~~ public access to or along tidelands, shorelines, beaches and public waterways, public

trails, public parks, public open space, or public access easements to any of the foregoing locations, except where necessary to direct public access to ensure safety, minimize erosion, and protect ESHA.

- j. Bench signs, except for the following: (1) memorial placard attached to a bench as authorized by Sec. 8175-5.13.4(b); and (2) at bus stops as authorized by Sec. 8175-5.13.10.2.
- k. A banner, pennant, or inflatable object used as *commercial sign*, except if used as a *promotional temporary sign* in accordance with Sec. 8175-5.13.5(d).
- l. Except for *road and locational signs*, new freestanding *signs* greater than six feet in height;
- m. Except for *temporary signs* painted on a window as authorized pursuant to Sec. 8175-5.13.5(b)(4), *permanent signs* attached to the exterior surfaces of windows;
- n. *Off-site commercial* and *subdivision signs* including but not limited to billboards.
- o. Trailer mounted *portable sign* that is parked within the public right-of-way, in *coastal access parking areas, recreational areas (beaches and parks)*, or otherwise no longer mobile, unless parked wholly on the lot of the owner of the portable sign.
- p. *Roof signs*.



Examples of Prohibited Roof Signs

- q. *Commercial signs* in residential zones, except for *real estate* and *open house signs*.
- r. *Signs* that automatically change color;
- s. *Signs* that flash, move or rotate, except for clocks and time and temperature *signs* in accordance with Sec. 8175-5.13.6(a);
- t. The use of any item of merchandise or other commodity related to the business as a *sign*, except as such commodity may be permanently incorporated into a *sign* structure as otherwise permitted by this Article;

Sec. 8175-5.13.4 - Signs Exempt from a Permit

The following signs are exempt from the requirement to obtain a Planned Development Permit or Zoning Clearance *sign permit* except when the *sign* is proposed as part of a larger development project that requires a discretionary permit under this Chapter:

- a. One *identification sign* up to two square feet in *sign area* affixed directly to the exterior wall of a building or structure. One *identification sign* up to six square feet in *sign area*, if affixed directly to an exterior wall of a building or structure for agricultural uses (i.e. produce stands, barns, stables, etc.)
- b. One memorial bench plaque, up to 36-inches in area (e.g. 18" x 2"), that is attached directly to the bench.
- c. Flags with *noncommercial content* affixed to a building and temporarily displayed to commemorate an event or holiday, consistent with Sec. 8175-5.13.10.9, Flags.
- d. Repair and maintenance of an existing permitted *sign*, provided the proposed repair and maintenance activities:
 1. Do not result in an addition to or enlargement of the existing *sign*;
 2. Comply with the sign copy requirements in Sec. 5.13.9.5, Message Substitution;
 3. Will not result in any disturbance to *ESHA* or *ESHA buffer*, See Sec. 8175-5.13.6(e); and
 4. Are consistent with Sec. 8175-5.13.9.4, Maintenance.
- e. Natural gas, chilled water and steam facility *signs* placed by a public utility, which conveys information on the location of facilities in the furtherance of service or safety, provided there is no removal of major vegetation, the *sign(s)* is located within a public utility easement, and the *sign* is the minimum size necessary to convey the information.
- f. *Temporary signs* and *incidental signs* limited to the following:
 1. *Incidental signs* attached directly to a building. One sign of not more than six square feet, on a developed legal parcel, or if multiple businesses are located on a parcel, one sign for each business.
 2. *Construction signs*, provided that:
 - i. Only one *sign* is displayed per construction site;
 - ii. The *sign* does not exceed six square feet in total *sign area* in Coastal Open Space (COS), Coastal Agricultural (CA), Coastal Rural (CR), Harbor Planned Development (HPD), and coastal residential zones (CR1, CR2, RB, RBH, CRPD, and M Overlay), or 24 square feet in total *sign area* in Coastal Commercial (CC) and Coastal Industrial (CM) zones;
 - iii. The *sign* is used only to indicate the name of the construction project and the names and locations (state and city or community only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and/or financing company;
 - iv. The *sign* is displayed during construction only;
 - v. The *sign* does not exceed six feet in height, if freestanding;
 - vi. The *sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8; and
 - vii. The *sign* is located not less than five feet from the inside line of the sidewalk or, if there is no sidewalk, from the property line.

3. *Real estate signs.* One unilluminated *real estate sign* subject to the following:
 - i. The *sign* may be single- or *double-faced* and shall be limited to a maximum of three square feet in total *sign area* and six feet in height. See also Sec. 8175-5.13.10.1.
 - ii. The *sign* shall only contain information on the sale or rental of the premises on which located.
 - iii. The *sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8;
 - iv. The *sign* shall be situated no less than five feet from the inside line of the sidewalk, or if there is no sidewalk, from the property line.
 - v. The *sign* shall remain on the premises only during the period of time that the premises are being offered for sale or lease and shall be removed seven days after the property is sold or rented or the offer for sale or rent is terminated.
4. *Open house signs* subject to the following provisions:
 - i. Such *signs* are only permitted during the period when real estate is offered for sale or rent and while an agent is physically present on the premises.
 - ii. Only one such *sign* is allowed on each street frontage of the property on which the open house is being held.
 - iii. Such *signs* shall not exceed three square feet in area.
 - iv. Such *signs* are only allowed during daylight hours.
5. A maximum of three *temporary, noncommercial signs* on a residential-zoned lot pursuant to Sec. 8175-5.13.10.15.
6. *Political signs* pursuant to Sec. 8175-5.13.10.17.
7. Memorial tablets or *signs*, including those indicating names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar noncombustible material affixed to the building. The total maximum *sign area* shall not exceed two square feet.

Sec. 8175-5.13.5 – Zoning Clearance Sign Permit

A Zoning Clearance *sign permit* is required for all of the following *signs*:

- a. A physical modification or alteration of an existing permitted *sign* or legal non-conforming sign if the change is consistent with the development standards in Sec. 8175-5.
- b. *Signs* affixed directly to a non-residential structure, other than public works facilities, in compliance with Sec. 8174-6.3.4 including but not limited to:
 1. *Identification signs* larger than two square feet in sign area affixed directly to the exterior wall of a structure or building, or *identification signs* larger than six square feet in sign area if affixed directly to the exterior wall of a structure or building for agricultural uses (i.e. produce stands, barns, stables, etc.). See Sec. 8175-5.13.9.1 for allowable number and dimensions.

2. Memorial tablets or *signs* larger than two square feet but less than 10 square feet. Such signs may include names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar noncombustible material affixed to the building.
 3. *Projecting sign* (See Sec. 8175-5.13.10.18).
 4. *Window signs* 10 square feet in area or 25 percent of the window area, whichever is less; consistent with the provisions of Sec. 8175-5.13.10.22.
- c. Replacement of existing permitted *signs* (other than *legal nonconforming signs*) destroyed by a disaster pursuant to Sec. 8174-6.3.5.
- d. *Promotional temporary signs* provided that:
1. Such *signs* are only displayed on a developed parcel zoned Coastal Commercial (CC) for a maximum of 30 days;
 2. Such *signs* are not located in the clear sight triangle pursuant to Sec. 8175-3.8; and
 3. Such *signs* are located not less than five feet from the inside line of the sidewalk or, if there is no sidewalk, from the property line.

Sec. 8175-5.13.6 – Planned Development Permit Sign Permit

The following *signs* require a Planned Development Permit:

- a. New *free standing signs* including but not limited to the following:
1. *Road and locational signs*.
 2. Clocks and thermometers not directly affixed to a building or structure, see Sec. 8175-5.13.10.4.
 3. *Directional signs*, see Sec. 8175-5.13.10.5.
 4. *Sign display structures*, not affixed directly to a building, see Sec. 8175-5.13.10.6.
 5. One freestanding flag affixed to a flagpole per developed parcel, see Sec. 8175-5.13.10.9.
 6. *Interpretive signs*, see Sec. 8175-5.13.10.12.
 7. *Menu Board*, see Sec. 8175-5.13.10.13.
 8. *Monument signs*, see Sec. 8175-5.13.10.14.
- b. Illuminated signs, see Sec. 8175-5.13.10.11.
- c. *Sign mural*.
- d. A new *sign program* not associated with a larger development project for which a new discretionary permit is sought.
- e. *Temporary signs* in *ESHA* or *ESHA buffer*, provided that:
1. The temporary *sign* has a maximum cumulative *sign area* of 16 square feet.
 2. The *sign* is installed prior to the start of the nesting season of each calendar year (March 15th) and is removed after all shorebirds have fledged.

Sec. 8175-5.13.7 – Sign Permit Application Requirements and Processing

- a. When a Zoning Clearance *sign permit* or Planned Development Permit is required for a *sign* or *sign*-related activity, an application shall be filed with the Ventura County Planning Division in accordance with Sec. 8181-5. The application shall be signed by the owner and applicant or authorized agent thereof. In addition to providing the information and materials required pursuant to Sec. 8181-5, the application shall also set forth and contain the following information and materials, as applicable:
 1. A site plan showing the dimensions of the parcel, location and size of any existing or proposed buildings or structures on the property, and adjacent streets and land uses.
 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where *directional signs* are proposed.
 3. The proposed *sign* dimensions, *sign* copy, height, colors, materials, lighting, and location of the *sign* or *sign* structure.
 4. The method of attachment of the proposed *sign* to any structure.
 5. Other information that the Planning Division may require to secure compliance with this Chapter.
 6. Signs requiring a Planned Development Permit shall provide a Sign Maintenance Plan that describes future requirements for sign repair or replacement, sign cleaning or repainting, and the clearing of vegetation, other than *major vegetation*, that blocks the sign.
- b. A separate permit application is required for each legal lot where *signs* are located.
- c. Permit applications for a *sign* or *sign*-related activity shall be processed in accordance with the applicable provisions of Article 11, Entitlements – Process and Procedures. Following the approval of a Planned Development Permit, the permittee shall obtain a separate Zoning Clearance prior to initiating the permitted use or activity in accordance with Sec. 8181-3.1.

Sec. 8175-5.13.8 – Design Criteria

The following design criteria apply to *signs* and *sign*-related activities requiring a *sign permit* and shall, to the extent applicable, be utilized during the County's review, consideration and conditioning of the requested permit:

- a. The size, color and style of *sign* structures should be designed to complement the visual character of the surrounding buildings and landscape features.
- b. *Sign* poles and other non-copy elements should blend visually with the color(s) and texture(s) of the background, including any buildings.
- c. The number of light fixtures shall be kept to a minimum and integrated into the design of the structure.
- d. On developed sites, landscaping should be used to enhance the appearance of the *sign* and to allow the *sign* to blend with the remainder of the site.
- e. Planter boxes should be used to improve the appearance of the *sign* base, and trees should be used to mask the unused side of a single-faced *sign*.

- f. The location of the proposed *sign* and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions) should be legible under normal viewing conditions where the sign is to be installed.
- g. The location and design of the proposed *sign* should not obscure from view or unduly detract from existing or adjacent *signs*;

Sec. 8175-5.13.9 - General Sign Standards

The following standards shall apply to the specified *sign* types and locations unless otherwise stated in the regulatory notes.

Sec. 8175-5.13.9.1 - Number and Dimensions of Signs

COASTAL OPEN SPACE (COS) COASTAL AGRICULTURAL (CA) COASTAL RESIDENTIAL (CR, CR1, CR2, RB, RBH, CRPD) (a)						
Sign Type	On-Site				Off-Site	
	Attached	Freestanding (n)			Freestanding	
	Identification/ Noncommercial Sign(o)	Monument Sign	Flags	Display Structure/ Interpretive/ Location and Road (m)	Residential Subdivision (b)	
Maximum number per lot	1	1	(c), (d)	1	1	1
Maximum sign area (sq. ft.) (n)	Lesser of 20 or F/20 (e)	Lesser of 25 or F*/10 (square feet)	48 sf including the base	See Sec. 8175-5.13.10.9	6(f)	12 (g)
Maximum Height (feet)	Not above the wall to which it is attached.	6(i)	6(i)		6(i)	6(i)
Maximum Length (feet)	(j)	10	10		3	12
COASTAL COMMERCIAL (CC)(a), (k) COASTAL INDUSTRIAL (CM)						
Sign Type	On-Site				Off-Site	
	Attached	Freestanding (n)			Residential Subdivision (b)/ Locational and Road (m)	
	Identification/ Commercial Sign	Monument Sign	Directional Signs	Flags		
Maximum number per lot	No limit	(d)	1 per entrance to the lot (see Sec. 8175-5.13.10.5)	1	1	
Maximum sign area (sq. ft.)	(l)	48 sf including the base	4	See Sec. 8175-5.13.10.9	12 (g)	

COASTAL OPEN SPACE (COS) COASTAL AGRICULTURAL (CA) COASTAL RESIDENTIAL (CR, CR1, CR2, RB, RBH, CRPD) (a)					
Sign Type	On-Site			Off-Site	
	Attached	Freestanding (n)		Freestanding	
	Identification/ Noncommercial Sign(o)	Monument Sign	Flags	Display Structure/ Interpretive/ Location and Road (m)	Residential Subdivision (b)
Maximum Height (ft.)	(h)	6(i)	3		6(i)
Maximum Length (ft.)	(j)	10	4		12

F* = Total street frontage of lot in linear feet.

Regulatory Notes:

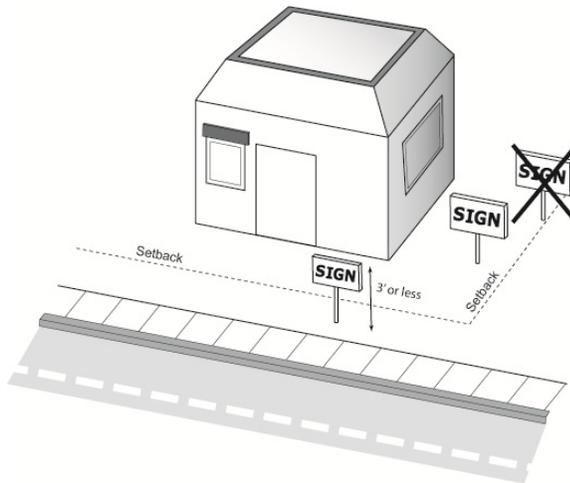
- (a) Assembly Uses may have up to 20 square feet of *attached sign area* regardless of lot width.
- (b) On-site *residential subdivision signs* are shall only be installed on a legal lot where an approved residential subdivision will be developed.
- (c) A produce stand may have one freestanding *monument sign* and one *attached sign* totaling 100 square feet. The advertising signs shall indicate the location of the farm products but not the price of any product.
- (d) Two *monument signs* at either side of an entry road may be allowed pursuant to Sec. 8175-5.13.10.14.
- (e) Principal Structures Related to Agriculture, Except Shade/Mist Structures over 20,000 square feet in size, may have one square foot of *sign area* per two linear feet of wall length, regardless of the number of *signs*. The Planning Director may approve additional *sign area*, up to a maximum total of 120 square feet per qualified building, as part of a complete *Sign Program* for the site. The *Sign Program* may be approved as a modification to an existing permit, such as a Conditional Use Permit or Planned Development Permit. If no such permit exists for the site, the applicant shall submit the *Sign Program* as part of a Planned Development Permit.
- (f) Display structures and *interpretive signs* may have up to nine square feet in *sign area* or as recommended by the reviewing agency per Sec. 8175-5.13.10.6 and Sec. 8175-5.13.10.12.
- (g) *Residential Subdivision Signs* are limited to 12 square feet in area, but the length or width of the *sign* may be increased by one foot for each 10 feet that the width of the lot, or two or more contiguous lots in single ownership, exceeds 70 feet. The maximum area of the *sign* shall not exceed 36 square feet.
- (h) *Signs* may not extend above the eaves of a gable roof, nor more than two feet above the face of the canopy or a parapet wall to which it is attached.
- (i) *Signs* shall be limited to a maximum 3 feet in height if located in a clear sight triangle pursuant to Sec. 8175-5.13.9.2(c).
- (j) *Signs* may be as long as the building wall to which it is attached, and may wrap around a corner, but may not project beyond a corner.
- (k) In addition to the number of *signs* allowed in the Coastal Commercial zone, a drive-through restaurant may also have a 16-square foot menu board; see Sec. 8175-5.13.10.13.

- (l) In the Coastal Commercial (CC) zone, each wall or building face is permitted one square foot of *sign area* per linear foot of wall length; maximum 120 square feet, regardless of the number of signs. In the Coastal Industrial (CM) zone, see Sec. 8175-5.13.10.7, Identification Signs for Oil and Gas Development.
- (m) *Display structures, interpretive and locational signs* are prohibited in the residential zones. *Road and locational signs* are subject to the design standards for traffic control devices administered by the State Department of Transportation or local road agency, the California Coastal Commission or Ventura County.
- (n) The area of a free standing sign for a flag lot shall be equivalent to the area of a sign allowed for the intervening lot or lots that separate the bulk of the flag lot from the access road.
- (o) *Non-commercial signs* in the residential zones are limited to three.

Sec. 8175-5.13.9.2 - Location

Signs are subject to the structural setbacks set forth in Sec. 8175-2; the setback shall be measured from the property line to the outermost projection of the *sign* structure on the side where the setback is being measured. Exceptions are as follows:

- a. *On-site temporary freestanding signs* three feet or less in height may be located within a setback adjacent to a street.
- b. A sign attached to an existing wall or fence is exempt from the setback requirements, provided that the *sign* does not project beyond any edge of such wall or fence.



- c. Clear Sight Triangles - No *sign* shall be erected within a clear sight triangle unless such *sign*, in compliance with the provisions of this Article, is less than three feet and no part of its means of support has a single or combined horizontal cross section exceeding 12 inches (see Sec. 8175-3.8.3).
- d. Public Rights-of-Way – No *sign* shall be placed within a public right-of-way except for the following:
 - 1. *Road and locational signs*.
 - 2. Bus stop *signs* installed by a public transit agency.
 - 3. Informational *signs* of a public utility regarding its lines, pipes, poles or other facilities.

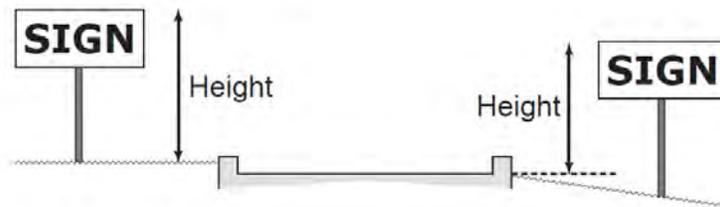
4. Emergency warning *signs* erected by a governmental agency, a public utility company, or a contractor doing authorized work within the public right-of-way.

Installation of any new sign within a State or County right-of-way shall not interfere with the public's right of access to the coast. Any sign that has the potential to interfere with the public's right of access to the coast shall be approved only where allowed consistent with all other policies and provisions of the Local Coastal Program and shall require a Planned Development Permit and an Encroachment Permit issued by the Transportation Department of the Public Works Agency or by Caltrans if located in the State right-of-way of U.S. Highway 101 or State Highway.

- e. Lots Without Street Frontage - If a lot has no street frontage, the easement providing for access to the lot shall be considered part of said lot for purposes of *sign* placement.

Sec. 8175-5.13.9.3 - Measurement of Sign Height

Where the average grade of the lot or right-of-way on which a *sign* is placed is at or above the adjacent street grade, the *sign* shall be measured from the grade level adjacent to the *sign*. Where the average grade of the lot or right-of-way is below the adjacent street grade, the *sign* height shall be measured from the adjacent street grade.



Sec. 8175-5.13.9.4 - Maintenance

Every *sign* permitted by this Article shall be maintained in good condition. The Planning Director may require any improperly maintained *sign*, *temporary* or *permanent*, to be repaired or removed upon the failure of the owner(s) to repair or remedy a condition of any *sign* declared by the Department of Building and Safety to be unsafe, or declared by the Planning Director to be improperly maintained, within 30 days from the receipt by the owner(s) of a written notice to that effect.

Sec. 8175-5.13.9.5 - Message Substitution

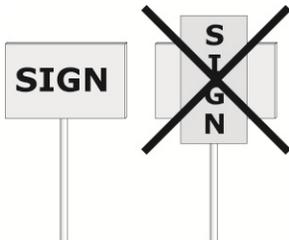
A *noncommercial* message of any type may be substituted, in whole or in part, for any *commercial* message or any other *noncommercial* message provided that the *sign*, including the *sign* structure and mounting device, is consistent with the standards of this Article and its permitting requirements without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Article. The purpose of this provision is to prevent any inadvertent favoring of *commercial* speech over *noncommercial* speech, or favoring of any particular *noncommercial* message over any other *noncommercial* message. This provision does not create a right to increase the total amount of *signage* on a parcel, nor does it affect the requirement that a *sign*, including the *sign*

structure and mounting device, be consistent with the standards of this Article and its permitting requirements.

Sec. 8175-5.13.10 – Specific Regulations by Type of Sign

Sec. 8175-5.13.10.1 - Back-Mounted Freestanding Signs

Any *sign* erected on the back of an existing permitted *freestanding sign* shall not extend beyond the edges of the existing *sign*.

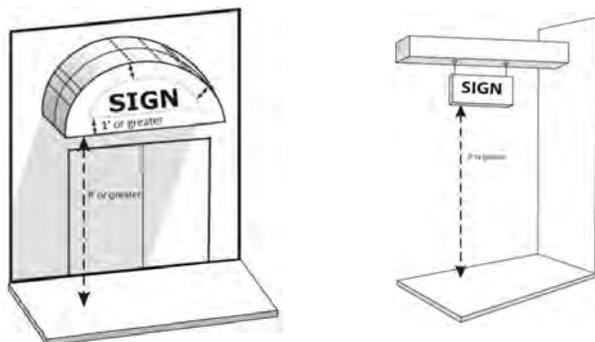


Sec. 8175-5.13.10.2 - Bench Signs

Bench *signs* are permitted at bus stops designated on a valid bus schedule. The total *sign area* of such *signs* shall be a maximum of four square feet in open space, agricultural and residential zones, and eight square feet in commercial and industrial zones. No bench *sign* shall extend beyond the edges of the bench backrest.

Sec. 8175-5.13.10.3 - Canopy Signs

Canopy signs may extend to within one foot of the edge of a canopy from which the *sign* is suspended. *Signs* painted on or affixed to canopies shall be considered part of the total allowable *sign area* of attached *signs* for that building. *Signs* suspended under canopies that project over private walks or drives open to the public shall be limited to a total *sign area* of eight square feet per *sign*. *Canopy signs* shall be located a minimum of eight feet above sidewalks.



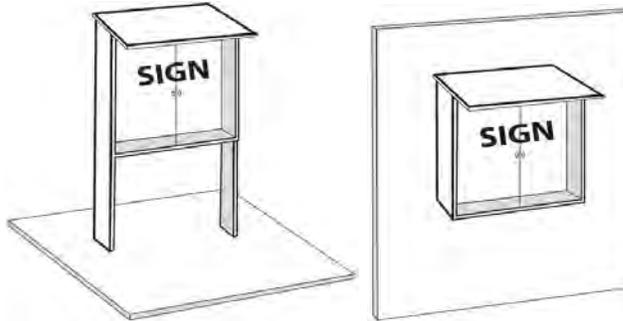
Sec. 8175-5.13.10.4 - Clocks and Thermometers

Clocks and thermometers shall have a maximum total *sign area* of 24 square feet.

Sec. 8175-5.13.10.5 – Directional Signs

Directional signs are only permitted in the Coastal Commercial (CC) and Coastal Industrial (CM) zones, not exceeding three feet in height and four square feet in area per *sign*, and limited to one such *sign* per entrance to the lot or premises to direct pedestrian or vehicular traffic on the same property. Additional *directional signs* may be permitted, if authorized by the Planning Director, to the extent required to direct traffic and provide parking information to the public.

Sec. 8175-5.13.10.6 - Display Structures



Display structures are only permitted in commercial zones and the Coastal Open Space (COS) zone, and are only permitted in these zones as part of a Conditional Use Permit or Planned Development Permit for a land use to which the display structure relates. Display structures may include enclosed displays of products sold or enclosed outdoor bulletin boards. Display structures may also serve additional purposes, such as providing shelter or visual enhancement at a site.

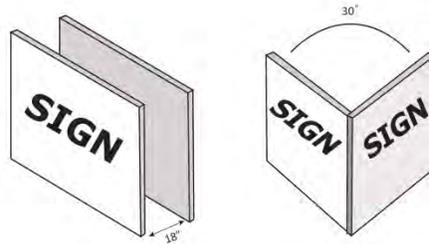
- a. Location - Display structures shall not be located in any required setbacks.
- b. Area - The area of display structures shall be in accordance with Sec. 8175-5.13.9.1, and may be allowed in addition to *sign area* otherwise permitted for the lot.
- c. Lighting - *Illumination* of display structures such as kiosks shall be by indirect or *diffused light* only.

Sec. 8175-5.13.10.7 - Identification Signs, Oil and Gas Development

- a. Signs required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and Federal laws may be placed in areas subject to an oil and gas Conditional Use Permit. Identification signs shall be a maximum four square feet in size and contain the following information:
 1. DOGGR well name and number.
 2. Name of owner/operator.
 3. Name of lease and name and/or number of the well.
 4. Name and telephone number of person(s) on 24-hour emergency call.
- b. The well identification sign(s) shall be maintained at the well site from the time drilling operations commence until the well is abandoned.

Sec. 8175-5.13.10.8 – Double Faced Signs

A double faced *sign* with two attached parallel faces shall be not more than 18 inches apart or form an angle more than 30 degrees.



Sec. 8175-5.13.10.9 - Flags

Flags are permitted as follows:

- a. A Planned Development Permit is required for a *freestanding* flagpole.
- b. Flag poles are considered accessory structures subject to Sec. 8175-2 Schedule of Specific Development Standards by Zone.
- c. Flags shall only contain *noncommercial* content and shall not be used as a *commercial sign*.
- d. In addition to the land use permit required under this Article, a building permit shall also be required for flag poles taller than 35 feet.
- e. The maximum *sign* area allowed for flags shall be in accordance with the following table and consistent with the height regulations applicable to each zone:

Flagpole Height (ft)	Maximum Flag Area (sf)
6 feet or less	6
Up to 25	24
25 to 29	28
30 to 34	40
35 to 39	60
40 to 49	96
50 to 59	150

Sec. 8175-5.13.10.10 – Freestanding Signs

Except for flags and flag poles pursuant to Sec. 8175-5.13.10.9, and *road signs* and *location signs*, the maximum height for a *free standing sign* is six feet.

Sec. 8175-5.13.10.11 - Illuminated Signs

Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties in compliance with the following:

- a. *Temporary illuminated* traffic control *signs* placed on or adjacent to a street or highway (by authority of a public body or official having

jurisdiction), shall comply with the U.S. Department of Labor Occupational Safety and Health Administration Manual on Uniform Traffic Control Devices.

- b. *Illuminated signs* are prohibited within *ESHA* and their associated 100 foot buffer, except for *road signs*.
- c. *Illuminated signs* are only permitted in the Coastal Agricultural (CA) and Coastal Commercial (CC) zone and shall have indirect or *diffused illumination*.
- d. *Illuminated signs* shall not exceed the brightness of a *diffused light* panel with cool white fluorescent 800 milliampere lights spaced at least 10 inches on center.
- e. In no case shall an *illuminated sign* or lighting device be so placed or directed as to permit the beams and/or *illumination* therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a nuisance, traffic or safety hazard.
- f. Except for automated teller machines (ATM), no *sign* shall be illuminated after 11:30 pm or close of business, whichever occurs last.

Sec. 8175-5.13.10.12 - Interpretive Signs

- a. A Zoning Clearance *sign permit* is required for an *interpretive sign* affixed to the structure pursuant to Sec. 8175-5.13.5(b).
- b. *Illumination* of free standing *interpretive signs* is prohibited.

Sec. 8175-5.13.10.12.1 - Types of Interpretive Signs

- a. Historical Sites - *Interpretive signs* in association with historical sites should be developed based on the recommendations of the Cultural Heritage Board. *Sign copy* shall be directly related to the historic structure or point of interest.
- b. Cultural Resource Sites - *Interpretive signs* in association with cultural resources sites should be developed based on the recommendations of the State Historic Preservation Officer. *Sign copy* shall designate a point of cultural interest and not an undisclosed confidential cultural resource site that would encourage potential site vandalism.
- c. *Environmentally Sensitive Habitat Areas* - *Interpretive signs* should be developed based on the recommendations of a qualified biologist and/or in consultation with the U.S. Fish and Wildlife Service. *Sign copy* shall be directly related to the resource it is protecting and/or describing. The *sign* shall be located in an area that is the least damaging to ESHAs and associated buffer areas.

Sec. 8175-5.13.10.13 - Menu Boards for Drive-Through Restaurants

A drive-in or drive-through restaurant is permitted one menu board subject to the following standards:

- a. The menu board shall not exceed 16 square feet in *sign area*, which shall not be counted toward the *sign area* or permitted number of *signs* otherwise allowed for the lot or premises.

- b. The menu board shall not exceed a height of six feet.
- c. The menu board shall include an intercom that customers speak into with an attendant while placing orders.
- d. A preview board and/or ordering board are not permitted in addition to the menu board.

Sec. 8175-5.13.10.14 – Monument Signs

The following standards apply to *monument signs*:

- a. *Monument signs* are limited to a maximum height of six feet including the support structure.
- b. *Monument signs* shall be ground mounted, have a solid-appearing base constructed of a permanent material, such as concrete block or brick.
- c. Two *monument signs* may be permitted on either side of an entrance road provided the *monument sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8 or required setback area adjacent to a street.

Sec. 8175-5.13.10.15 – Sign, Noncommercial

A *noncommercial sign* may be installed for a maximum of 60 days per calendar year in all residentially zoned lots. The number, size and location of said *sign(s)* shall comply with the following:

- a. Location: The *sign* shall meet all setbacks of the underlying zone.
- b. Number: No more than three.
- c. Dimensions: Each *sign* shall not exceed a *sign area* of three square feet (18" x 24") and the maximum height shall be 15 inches.

Sec. 8175-5.13.10.16 – Sign, Plug-In Electric Vehicle (PEV) Charging Stations

The following sign copy shall be incorporated into PEV charging station signs:

- a. Voltage and amperage levels;
- b. Safety information;
- c. Hours of operations if time limits or tow-away provisions are to be enforced by the property owner;
- d. Usage fees;
- e. Contact information for reporting when the equipment is not operating or other problems; and
- f. PEV parking spaces must be designated with signage stating "Electric Vehicle Charging Only."

Sec. 8175-5.13.10.17 - Political Signs

The purpose of this section is to prevent damage to public property, protect the integrity of the electoral process, and prevent the erosion of aesthetic quality and historic values within the coastal zone. It is specifically recognized that if *political signs* on private property are not removed after the election is held, the deteriorating *signs* and accumulating debris become a blight, defacing the landscape and creating a public nuisance.

a. Location

Political signs may not be affixed, installed, or erected within 100 feet of a polling place or historic site, nor within the right-of-way of any highway, nor within 660 feet of the edge of a "Scenic Highway" or landscaped freeway, nor in any location where the *sign* will impair sight distance or create a hazard to traffic or pedestrians, nor on any telephone pole, lamppost, tree, wall, fence, bridge, bench, hydrant, curbstone, sidewalk or other structure in or upon any public right-of-way, nor upon any other public property.

b. *Political Signs* on Private Property

No *political sign* face shall exceed thirty-two (32) square feet in *sign area*. The aggregate *sign area* of all *temporary political signs* placed or maintained on any lot in one ownership shall not exceed ninety-six (96) square feet.

c. Time Frames

Political signs shall not be posted sooner than 90 days prior to a scheduled election administered by the County Elections Division. Said *signs* shall be removed within 10 days after the election.

d. Enforcement

Any *political sign* not posted or timely removed in accordance with the provisions of this Article shall be deemed to be a public nuisance and shall be subject to removal by the candidate, property owner, or, when a ballot proposition is involved, the authorized agent of the group or organization sponsoring the sign or, upon their failure to do so after reasonable attempt at notice by the County, by County officers or zoning inspectors. Any *political sign* that is not removed within the specified period following an election shall be subject to summary removal and confiscation or disposal by the County at the expense of the responsible party.

Sec. 8175-5.13.10.18 - Projecting Signs

Projecting signs shall comply with the following:

- a. Total *sign area* shall not exceed eight square feet
- b. All *projecting signs* shall be located a minimum of eight feet above sidewalks and more than 13½ feet above roads. In no case shall *projecting signs* go beyond the maximum height of the structure.
- c. *Projecting signs* shall not extend over more than two-thirds of the adjacent sidewalk.

Sec. 8175-5.13.10.19 - Residential Subdivision Signs

- a. Maximum Number - One *on-site residential subdivision sign* is permitted on the legal lot where an approved residential subdivision will be developed and may only be erected after a final subdivision map has been recorded.
- b. A *residential subdivision sign* shall comply with the setback requirements of the underlying zone and Sec. 8175-3.8, Clear Sight Triangles.
- c. Duration - *Residential subdivision signs* are permitted for a maximum period of 12 months from the date of issuance of the Zoning

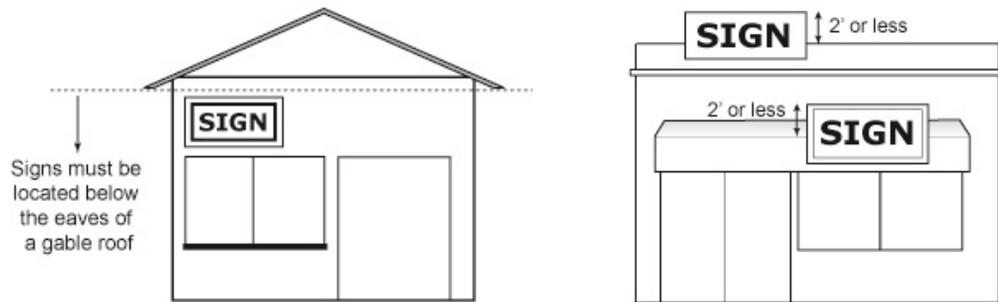
Clearance *sign permit* for such *sign* or until all developed lots have been sold, whichever is the first to occur.

- d. *Sign Copy - Residential subdivision signs* shall advertise only residential subdivisions located within the County.

Sec. 8175-5.13.10.20 - Service Station Signs

On-site service station signs are only permitted in accordance with the following regulations:

- a. *Attached Signs* are permitted as follows:
 - 1. Maximum permitted area in square feet is three times the square root of the area (in square feet) of the wall or canopy face. The total maximum area is 200 square feet for all *attached signs*, except when the wall area exceeds 5,000 square feet, the *sign area* may be increased by 10 square feet for each additional 500 square feet of wall area over 5,000, to a maximum of 300 square feet.
 - 2. The maximum height of *attached signs* shall be no more than 16 feet, provided that the sign does not extend above the eaves of a gable roof nor more than two feet above the face of the canopy or parapet wall to which it is attached.



- 3. Brand name insignia, emblems or medallions may be attached to the building frontage of the service station. Symbol background area shall be no more than 14 square feet per symbol, and no more than 10 feet horizontally or eight feet vertically.

- b. *On-site Freestanding Signs*

Freestanding signs are permitted as follows:

- 1. One *monument sign* pursuant to Sec. 8175-5.13.9.1.
 - 2. One *directional sign* pursuant to Sec. 8175-5.13.9.1.

- c. *Overall Sign Area Limit*

The maximum total *sign area* for all *signs* on a service station site is 300 square feet.

- d. *Numerical Sign Limit*

There is no limit on the number of *signs* on a service station site.

- e. *Identification Sign*

An *identification sign* may be mounted on the side of a pump island canopy or may be attached to hang below the canopy provided that

there is a minimum vehicle clearance of 13½ feet. No *identification sign* shall be located on top of the canopy.

Sec. 8175-5.13.10.21 – Symbol Signs

- a. One *symbol sign* with a graphic presentation of goods or services sold or rendered on the premises, or a traditional emblem associated with a trade, shall be permitted on each building frontage of the enterprise, provided that it bears no written message or trademark.
- b. *Symbol signs* shall be affixed to the building, to a canopy, or to a wall that is part of the building frontage. *Symbol signs* shall not project over any publicly maintained right-of-way more than two feet above a canopy or wall.
- c. No *symbol sign*, if attached to a building, shall exceed sixty-four (64) square feet in *sign area*.
- d. No *symbol sign*, if hanging from a canopy or fascia, shall exceed two square feet in *sign area*.
- e. *Symbol signs* shall be included in the total *sign area* of *signs* allowed on the lot where they are located.

Sec. 8175-5.13.10.22 - Window Signs

Window signs shall not exceed 25 percent of a given window's area. Any portion of the total window signage area that exceeds 10 square feet for an individual business shall be counted toward the attached *sign area* permitted for that business. *Temporary signs* painted on the exterior surface of the window are permitted for a period not to exceed 30 days (see Sec. 8175-5.13.5(d) Promotional Temporary Signs). *Permanent window signs* attached to the exterior surfaces of windows are prohibited.

Sec. 8175-5.13.11 – Legal Nonconforming Signs

- a. A *legal nonconforming sign* is a *sign* that does not conform to the current development standards of this Article but was lawfully in existence and in use prior to and at the time the provisions of this Article with which it does not conform became effective.
- b. Except as provided in subsections 1 and 2 below, no person shall replace, alter, relocate or expand in any way, any *legal nonconforming sign*, including its supporting structure, unless the resulting *sign* is fully in conformance with the current development standards and permitting requirements of this Article.
 1. Routine maintenance and repair may be performed in accordance with Sec. 8175-5.13.4(d) provided that said maintenance and repair is not otherwise prohibited by the following subsection.
 2. Changing only the *sign's copy* or content shall not be considered an alteration for purposes of this Section. However, any change to the surface of the *sign* including, but not limited to, a background color change, shall be considered an alteration.
- c. Use of a *legal nonconforming sign* shall be considered to have been terminated and abandoned, and cannot thereafter be reestablished if, at any point in time:

1. The use of the *sign* has ceased, or the *sign* or its structure have been abandoned, not maintained, or not used to identify or advertise an ongoing business or operation for 60 days or more; or
 2. The *sign* has been damaged or destroyed and its repair or restoration, including its supporting structure, will cost more than 50 percent of the cost to replace the *sign* and its supporting structure in entirety.
- d. Except as provided in subsection e. below, all *legal nonconforming signs* shall be removed or made to comply with the provisions of this Article within five years from the effective date of the development standards of this Article which caused the *sign* to become *legal nonconforming*. If evidence is presented that a *sign's* value has not been fully amortized upon expiration of said five-year period, such *sign* may remain classified as a *legal nonconforming sign* until its value has been recovered. The Planning Director shall determine the validity of the claim and establish a new expiration and removal date. Such Planning Director determinations may be appealed in accordance with the provisions of this Chapter.
- e. Subsection d. above shall not apply to *legal nonconforming signs* for which State laws, such as Business and Professions Code secs. 5412 et seq. and 5490 et seq., prescribe time schedules and procedures for requiring the *sign's* removal without the need to compensate the *sign's* owner. Such *signs* shall be removed or made to comply with the provisions of this Article upon expiration of the shortest prescribed time period for requiring the *sign's* removal without the need to compensate the *sign's* owner.

Sec. 8175-5.13.12– Unauthorized Signs

- a. A *sign* is unauthorized and illegal, constitutes a public nuisance, and must be removed by its owner or the owner of the property where the *sign* is located if any of the following apply:
1. It does not comply with the provisions of this Article and is not a *legal nonconforming sign* pursuant to Sec. 8175-5.13.11.
 2. It was a *legal nonconforming sign* but that designation has expired pursuant to Sec. 8175-5.13.11.
 3. The use of the *sign* has ceased, or the *sign* or its structure have been abandoned, not maintained, or not used to identify or advertise an ongoing business or operation for 90 days or more.
 4. It identifies, advertises or otherwise pertains to a business or occupant that has permanently vacated the site or premises where the *sign* is located.
 5. It has been damaged or destroyed and its repair or restoration, including its supporting structure, will cost more than 50 percent of the cost to replace the *sign* and its supporting structure in entirety, and the *sign* owner takes no action to repair or restore the *sign* in accordance with this Article for a period of 90 days or more.

Sec. 8175-5.13.13 Summary Removal of Unauthorized Signs

- a. The Planning Director shall give written notice to the owner of the premises as shown in the last equalized assessment roll, or as known to him or her, and to each person other than the owner who appears to be

in possession or control of the premises. The notice shall be mailed by certified mail addressed to the premises where the violation exists and to the property owner at the address shown on the last equalized assessment roll. The notice shall contain the following:

1. A general description of the *sign* which is allegedly in violation.
 2. A copy of the Section(s) of this Chapter which is being violated.
 3. A notice of time and place at which time the owner or the person responsible may appear and present evidence as to the absence of a violation.
- b. The Planning Director shall hold a hearing at the time and place set forth in the notice. At the hearing either the owner or the occupant of the premises, or both, may appear and be heard.
 - c. If, at the conclusion of the hearing, the Planning Director finds that a violation of this Chapter is continuing to exist, then the Planning Director may order the *sign* to be summarily removed within a specified number of days. The Planning Director shall give notice that if the *sign* is not removed by the end of the period specified, the County may remove the *sign*.
 - d. The notice provided pursuant to subsection a. above shall be appropriate given the type of *sign* and circumstances but, in no event, shall it be less than 14 calendar days before the hearing date.
 - e. Each person who erects a *sign*, which is subject to removal under this section, and each owner of the property upon which the *sign* is erected, are jointly and severally liable for the cost of removal.
 - f. The County may dispose of the *sign* 60 days after removal by giving the owner notice that the owner may redeem the *sign* by paying the cost of removal, or if he or she fails to do so, the County will dispose of the *sign* as it sees fit without further liability to the owner for this action.
 - g. The summary *sign* removal provisions of this Section are cumulative and in addition to all other available code enforcement remedies and penalty provisions set forth in this Chapter, including but not limited to Article 13, and other applicable law.
 - h. This Section shall not apply to the summary removal of *political signs* by the County pursuant to Sec. 8175-5.13.10.17(d).

Sec. 8175-5.14 - Temporary Building During Construction

A *mobilehome*, *recreational vehicle* or commercial coach may be used as a temporary *dwelling unit* or office on a construction site in accordance with Sec. 8174-5, provided that a *building* permit for such construction is in full force and effect on the same site. Said *mobilehome* or *recreational vehicle* shall be connected to a permanent water supply and sewage disposal system approved by the Ventura County Environmental Health Division, and shall be removed from the site within 45 days after a clearance for occupancy is issued by the Ventura County Division of Building and Safety. (AM.ORD.4451-12/11/12)

Sec. 8175-5.14.1 - Temporary Dwellings During Reconstruction

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

- a. The temporary *dwelling* is on the same *lot* on which the reconstruction is occurring and the *lot* is legal.
- b. The *dwelling(s)* to be reconstructed were legally established and inhabited at the time they were damaged or destroyed.
- c. The temporary *dwelling* is deemed habitable by the Building Official following the issuance of a *Zoning Clearance* by the Planning Division and the issuance of a Building Permit for the temporary *dwelling* by the Building and Safety Division.
- d. The temporary *dwelling* may remain on the site for six months, and the *Planning Director* may grant one additional six month extension if substantial progress toward reconstruction has occurred and a "temporary *building* during construction" cannot be authorized.
- e. The granting of a temporary *dwelling* does not serve to legalize an illegal *lot*, authorize subsequent permanent *dwelling(s)* or supersede the permit process for permanent *structures*. (AM.ORD.4451-12/11/12)
- f. The temporary *dwelling* shall be replaced as soon as practical by a "temporary *building* during construction", but no later than 45 days after the authorization of such a *building* during construction.
- g. Unless otherwise authorized by the *Zoning Ordinance*, the temporary *building* during reconstruction shall be removed within 45 days of the occupancy of the permanent *dwelling* undergoing reconstruction.

(ADD. INT. URG. ORD. 4044 - 11/2/93; AMEND AND EXTENDED INT. URG. ORD. 4050 - 12/14/93)

Sec. 8175-5.15 - Caretaker Recreational Vehicle, Accessory

In a park or recreation area owned or operated by the County of Ventura, the owner(s) of a *recreational vehicle* that is licensed and equipped for highway travel may reside in the *recreational vehicle* for up to six months in any twelve-month period, in accordance with an approved Park Host program. Sewage disposal shall be provided by means of a system approved by the Environmental Health Division. (AM.ORD.4451-12/11/12)

Sec. 8175-5.16 - Storage of Building Materials, Temporary

The temporary storage of construction materials is permitted on a *lot* adjacent to one on which a valid *Zoning Clearance* and Building Permit allowing such construction are in force, or on a project site within a recorded subdivision. Such storage is permitted during construction and for 45 days thereafter.

Sec. 8175-5.17 - Grading and Brush Removal

The following standards shall apply to all *developments* involving more than 50 cubic yards of grading or more than one-half acre of brush removal. Public Works Agency and Resource Management Agency staff shall review all proposals in the *coastal zone* for conformance with these standards. (REPEALED AS 8175-5.4 AND RE-ENACTED AS 8175-5.17 BY ORD.3882-12/20/88)

Sec. 8175-5.17.1

Grading plans shall minimize cut and *fill* operations. If it is determined that a project is *feasible* with less alteration of the natural terrain than is proposed, that project shall be denied.

Sec. 8175-5.17.2

All *development* shall be designed to minimize impacts and alterations of physical features and processes of the site (i.e., geological, soils, hydrological, water percolation and *runoff*) to the maximum extent *feasible*. The clearing of land (grading and brush removal) is prohibited during the winter rainy season (November 15 – April 15).

Sec. 8175-5.17.3

For permitted grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during *development*, and the length of exposure shall be kept to the shortest practicable amount of time. All measures for removing sediments and stabilizing *slopes* shall be in place prior to or concurrent with any on-site grading activities.

Sec. 8175-5.17.4

Where appropriate, sediment basins (e.g., debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading operations and maintained by the applicant through the *development* process to remove sediment from *runoff* waters. All sediment shall be retained on-site unless removed to an appropriate approved dumping location.

Sec. 8175-5.17.5

Where construction will extend into the rainy season, temporary vegetation, seeding, *mulching*, or other suitable stabilization methods shall be used to protect soils subject to *erosion*. The appropriate methods shall be prepared by a *licensed landscape architect*, and approved by the County.

Sec. 8175-5.17.6

Cut and *fill slopes* shall be stabilized at the completion of final grading. To the greatest extent *feasible*, planting shall be of native grasses and shrubs or appropriate nonnative plants, using accepted planting procedures. Such planting shall be adequate to provide 90 percent coverage within 90 days, and shall be repeated if necessary to provide such coverage. This requirement shall apply to all disturbed soils.

Sec. 8175-5.17.7

Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent *erosion*. Drainage devices shall be designed to accommodate increased *runoff* resulting from modified soil and surface conditions as a result of *development*. Where *feasible* and appropriate, water *runoff* shall be retained on-site to facilitate groundwater recharge, unless to do so would require significant grading or brush removal not otherwise necessary, and the cumulative impacts of such on-site retention would be greater than the cumulative impacts of not facilitating recharge, within the same drainage area.

Sec. 8175-5.17.8

In addition to any other requirement of this Article, hillside (defined as land with *slopes* over 20 percent) grading and brush clearance shall be regulated to maintain the biological productivity of coastal waters, protect environmentally sensitive areas and park and recreation areas, and minimize the alteration of natural landforms.

Sec. 8175-5.17.9

A discretionary permit is required for all substantial hillside grading (over 50 cu. yds. of cut or *fill*) or brush clearance (greater than one-half acre), including that related to agricultural activities. The application for the permit shall contain an *erosion* control plan. Such plan shall be prepared by a licensed engineer

qualified in soil mechanics and hydrology, and approved by appropriate County agencies, to ensure compliance with the Coastal Plan and all other County ordinances.

Sec. 8175-5.17.10

Degradation of the water quality of groundwater basins, nearby *streams*, or *wetlands* shall not result from *development* of the site. Pollutants such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal *streams* or *wetlands* either during or after construction.

Sec. 8175-5.17.11

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

(Repealed as 8175-5.4 and re-enacted as 8175-5.17 by ORD.3882-12/20/88, AM.ORD. 4451-12/11/12)

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

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

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

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

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

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

(ADD.ORD. 4451-12/11/12)

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

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

8175-5.19.1

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

8175-5.19.2

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

8175-5.19.3

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

(AM.ORD.4451-12/11/12)

ARTICLE 6:

PARKING AND LOADING REQUIREMENTS

Sec. 8176-0 Parking and Loading Requirements

Sections:

- 8176-0 Purpose
- 8176-1 Applicability
- 8176-2 General Requirements
- 8176-3 Number of Parking Spaces Required
- 8176-4 Motor Vehicle Parking Design Standards
- 8176-5 Bicycle Parking Design Standards
- 8176-6 Drive-Through Facilities
- 8176-7 Loading Areas
- 8176-8 Private Streets
- 8176-9 Plug-In Electrical Vehicle (PEV) Charging Stations

Sec. 8176-0 - Purpose

This Article establishes requirements for the amount, location, and design of off-street motor vehicle and bicycle parking and loading areas. As part of a balanced transportation system, these requirements are intended to promote public safety and environmental quality. Specifically, these requirements are intended to address the following objectives:

Mobility:

- Balance the motor vehicle parking needs of development, including the range of land uses that might locate at a site over time, with the needs of pedestrians, bicyclists, transit users, and the need to preserve community character.
- Ensure that sufficient loading and unloading areas are provided for freight services (i.e. food and beverages, office materials and other deliverable goods).
- Ensure that the design of motor vehicle and bicycle parking areas facilitates safe, convenient, and comfortable movement for the driver, pedestrian, and bicyclist.
- Allow for transportation options and movement efficiency.

Flexibility:

- Provide for exceptions to parking design requirements that reflect the nature and circumstance of the proposed land use, development, and site characteristics while accommodating the parking needs of individual projects.
- Accommodate changing transportation technology and trends, as well as innovative uses of parking infrastructure.

Resource Conservation:

- Encourage reduced driving and the use of alternative modes of transportation in order to reduce traffic congestion, air pollution, and greenhouse gas emissions.
- Avoid installation of excess motor vehicle parking spaces.
- Minimize the use of impervious surfaces.

- Reduce the adverse environmental effects of motor vehicle parking areas, including increased and contaminated stormwater runoff, the urban heat island effect, and resource consumption.
- Create neighborhoods designed to encourage walking rather than neighborhoods dependent on automobiles.

Coastal Access and Recreation:

- Provide sufficient off-street parking for development in areas where street parking is used for coastal access and recreation.
- Preserve existing parking areas that serve coastal access and recreation.
- Prohibit restrictions on public parking that would impede or restrict public *coastal access*, except where there is no feasible alternative to protect public safety.

Compatibility With Adjacent Uses:

- Promote compatibility between parking facilities and surrounding land uses through the use of landscaping, walls and setbacks.
- Ensure that new or modified parking areas within residential areas are compatible with adjacent military base requirements and uses.
- Ensure that adequate off-street parking is provided for new development.
- Reduce the adverse effects of motor vehicle parking areas on neighborhood character, such as the creation of non-compact sprawling development that discourages walking.
- Ensure that the design of motor vehicle and bicycle parking areas is attractive, efficient, and reduces the visual dominance of pavement.

Sec. 8176-1 – Applicability

Sec. 8176-1.1 – New Uses

New development projects shall be designed to provide for the installation and maintenance of off-street parking and loading facilities in compliance with the provisions of this Article, except for parking requirement reductions authorized by Sec. 8176-3.8.

Sec. 8176-1.2 – Changes to or Expansions of Existing Land Uses

Changes to or expansions of existing land uses shall provide off-street parking and loading facilities in compliance with the provisions of this Article, except for parking requirement reductions authorized by Sec. 8176-3.8.

Sec. 8176-2 - General Requirements

Sec. 8176-2.1 - Use of Parking Spaces

- a. Required covered and uncovered parking spaces shall be maintained in a condition that allows for the temporary parking and maneuvering of vehicles unless otherwise provided herein.
- b. Required parking spaces shall not be converted to other uses or used for the sale, lease, display, repair, or storage of trailers, boats, campers, mobile homes, waste containers, merchandise, or equipment.
- c. Required parking spaces at automobile repair shops, service stations, or similar land uses shall not be used for the storage of vehicles for repair or servicing.

- d. *Parking lots* that serve commercial or mixed use developments should be shared as authorized by this Article. Where feasible, such *parking lots* should accommodate public *coastal access parking*.
- e. Excess motor vehicle parking spaces may either remain as motor vehicle parking spaces or be converted to bicycle parking spaces, motorcycle parking spaces, landscaping, or other allowable uses.

Sec. 8176-2.2 - Maintenance

The permittee and property owner must ensure that required parking and loading areas and associated facilities are permanently maintained in good condition as determined by the Director and in compliance with permit conditions. This maintenance requirement includes but is not limited to curbs, directional markings, accessible parking symbols, screening, pavement, signs, striping, lighting fixtures, landscaping, water quality best management practices (BMPs), and trash and recyclables receptacles.

Sec. 8176-2.3 - Proximity to Land Use

Required parking spaces shall be located on the same site as the building or land use they serve or off-site pursuant to Secs. 8176-3.3.1 through 8176-3.3.3 below.

Sec. 8176-2.3.1 - Off-site Parking for Non-Residential Uses

Off-site parking for non-residential land uses may be provided at a site remote from the land use if all of the following conditions can be met:

- a. The off-site parking area is located within 500 feet of the land use to be served. The distance from the off-site parking area to the land use to be served shall be measured along an ADA approved sidewalk or other pedestrian pathway from the nearest off-site parking space to the nearest public entrance to the building.
 - 1. Planning Director Modifications. The provision of off-street parking spaces at a site more than 500 feet from the land use to be served may be approved if the applicant can demonstrate to the Director that such off-site parking will actually be used as intended and the displacement of on-street parking used for public coastal access is avoided.
- b. The applicant provides documentation demonstrating that the off-site parking area is capable of meeting parking demand for both the land use to be served and any other land uses dependent upon the off-site parking area, including coastal access.
- c. The off-site parking area meets the design standards of Sec. 8176-4.
- d. The off-site parking area can be accessed easily from the primary land use and does not expose pedestrians to hazardous traffic safety conditions or create a traffic hazard.
- e. The number of off-site parking spaces assigned to the property to be served does not exceed the allowed number of parking spaces for the land use.

Sec. 8176-2.3.2 - Off-Site Parking for Residential Beach (RB) Zone

- a. RB Zoned Property - Required parking for existing dwellings may be satisfied in an off-site garage subject to the issuance of a Planned Development Permit applicable to both the dwelling and the garage if all of the following requirements are met:

1. The lot with the principal dwelling is either too small to construct two covered parking spaces without approval of a variance, or there is no room on the lot for two covered spaces because of the location of the existing, legally constructed principal dwelling;
2. The neighboring lot where the garage would be located is smaller than the minimum lot area required for the RB zone, is not served by a community sewer system, is located within 1,000 feet of the lot with the principal dwelling, and owned by the same person(s) or entity as the lot with the principal dwelling;
3. Both lots must be held in common ownership pursuant to a condition in the Planned Development Permit;
4. Only garage, a maximum 800 square feet in size, may be built. Carports, or other open-type structures are not allowed;
5. The garage may not be leased or rented separately from the principal dwelling;
6. The garage must be constructed to look like a dwelling to the extent feasible, all RB zone setbacks must be met, the maximum height to any point must be no greater than 15 feet, and a paved driveway must be provided;
7. No services except electrical are permitted inside the building; and
8. Landscaping may be required for compatibility with the neighborhood.

Sec. 8176-2.3.3 - Off-site Parking Agreements

The following requirements shall apply whenever the motor vehicle parking required by this Article is not located on the same site as the land use it serves.

- a. The lot or part of a lot on which the parking is provided shall be legally encumbered by a recorded lease or similar agreement between the off-site property owner and permittee and in a form approved by the Planning Director to ensure continued use of the lot or part of a lot for motor vehicle parking. The approved agreement shall be recorded with the Ventura County Recorder so that it appears on the off-site property's title. The agreement shall include the following provisions:
 1. The agreement may not be released or terminated without the prior notice and written consent of the Director.
 2. The agreement shall identify the permittee(s), successors, and assigns authorized to utilize the parking area, and addresses of the other land uses sharing the parking.
 3. The agreement shall identify the location and number of parking spaces that are being shared.
 4. The agreement shall identify the persons responsible for maintaining the parking area.
- b. The permittee shall ensure that permanent, weatherproof signs providing clear and easy-to-follow directions for access to and from the off-site parking location are placed and maintained as follows:
 1. There shall be one sign at each site or parking area entrance. The signs may be placed at building entrances or other appropriate locations if it is

demonstrated that such placement would provide superior information to parking users.

2. Information on the signs shall be readable by a person seated in a vehicle at the nearest driveway. Use of graphics (e.g., maps and arrows) is encouraged to supplement written directions.
3. Signs shall be placed and designed pursuant to the provisions of Non-Coastal Zoning Ordinance Article 10 if the off-site parking area is in the non-coastal area, or the Coastal Zoning Ordinance Article 5 Sec. 8175-5.13 if the off-site parking area is in the coastal area, and are subject to approval by the Planning Director.

Sec. 8176-2.4 – Accessory Parking and Storage of Oversized Vehicles

The accessory parking and storage of *oversized vehicles*, including boats, attendant trailers and/or equipment, is allowed on residential, agricultural, or open space zoned lots if one of the following findings can be made:

- a. The *oversized vehicle* is located on a legally developed lot and meets all of the following criteria:
 1. The vehicle is owned and operated by the person who resides on the property;
 2. The vehicle is operable; and
 3. The parking space does not displace the required parking for the designated land use and is in compliance with Sec. 8175-2, Schedule of Specific Development Standards.
- b. The *oversized vehicle* is required for emergency purposes and is either a government vehicle or under contract to a governmental entity; or
- c. The *oversized vehicle* is used for agricultural production, shipping, or delivery associated with the agricultural land use on the lot on which the vehicle is located.
- d. The *oversized vehicle* is temporarily parked for emergency repairs for a time period not to exceed 24 hours.
- e. If parking for the *oversized vehicle* is included in the project description for a discretionary permit, and the Planning Director determines that the use of the on-site parking space for an *oversized vehicle* substantially degrades the existing visual character of the neighborhood, then the *oversized vehicle* shall be screened by a fence, wall or similar structure, or landscape screenings. Storage of an *oversized vehicle* shall be denied where the vehicle or its screening will adversely impact scenic or visual resources.

Sec. 8176-2.5 - Solar Structures

The installation of solar photovoltaic or hot water systems on canopies or other structures over parking areas/spaces is encouraged and allowable, but only if such structures do not obstruct any required fire apparatus access lanes and provided that the canopy or other structure is consistent with all other policies and provisions of the LCP.

Sec. 8176-2.6 – Green Roofs

The installation of green roofs on structures over parking areas/spaces is encouraged and allowable, but only if such structures do not obstruct any required fire apparatus access lanes and provided that the structure is consistent with all

other policies and provisions of the Local Coastal Program. Green roofs shall be compatible in scale, materials, color, and character with the surrounding permitted development.

Sec. 8176-2.7 – Coastal Access

- a. In order to minimize impacts on the availability of on-street parking for *coastal access* and recreation, new development shall be designed to include off-street parking spaces sufficient to serve the proposed use.
- b. Existing parking areas serving *coastal access* and recreational uses shall not be displaced, except where there is no feasible alternative and the loss of parking spaces is mitigated with a commensurate number of replacement spaces that serve a *coastal access* function in the same vicinity as the removed parking.
- c. Restrictions on public parking, including but not limited to red-curbing, no parking signs, and physical barriers, that would impede public *coastal access* are prohibited except as follows: ~~where such restrictions are necessary for the protection of public safety.~~
 - i. The parking restriction is necessary to protect public safety or military security, and evidence is provided that demonstrates there is no feasible alternative;
 - ii. A temporary parking restriction is necessary to repair, maintain, or upgrade public roads;
 - iii. The parking restriction is removed once the public safety issue is resolved or the temporary road repair/maintenance activities are complete; and
 - iv. Mitigation is required for permanent parking restrictions.

Sec. 8176-3 - Number of Parking Spaces Required

Sec. 8176-3.1 - Calculation of Required Parking

- a. Except as otherwise provided, when calculating the number of required parking spaces results in a fraction, such fractions shall be rounded to whole numbers pursuant to Sec. 8171-16.
- b. When calculating required parking spaces based on gross floor area or sales and display area, areas used for parking are not included.
- c. When the number of required parking spaces for motor vehicles or bicycles is calculated based upon the number of employees or students, and the number of employees or students is not known at the time of permit application, the Director shall determine the parking requirements based upon the gross floor area, type of land use, or other appropriate factors. The number of employees shall mean the number of employees on the largest shift and the number of students shall mean the maximum number of students expected onsite at any one time.
- d. When the number of required parking spaces is calculated based upon the number of seats and seats are provided by benches or the like, 2 feet shall be considered one seat.
- e. When there are two or more separate primary land uses on a site, the required number and type of off-street parking spaces shall be the sum of the requirements for the various individual land uses, unless otherwise provided for in Sec. 8176-4.6.

- f. Mechanical parking lifts may be used to meet motor vehicle parking requirements.
- g. Parking for Automated Public Facilities - Off-street parking shall not be required for any completely automated, unattended public facility use.

Sec. 8176-3.2 - Motorcycle Parking

At least one designated space for the parking of motorcycles or other two-wheeled motorized vehicles shall be provided for every 20 automobile parking spaces provided. Existing parking areas may be converted to take advantage of this provision, provided the converted spaces do not exceed the one motorcycle space per 20 automobile space ratio. Land uses that require additional motorcycle parking in excess of this ratio may, with Director approval, convert required automobile parking spaces to motorcycle spaces if the converted automobile spaces are designed and kept available for future conversion back to the automobile spaces.

Sec. 8176-3.3 - Bicycle Parking

A minimum number of bicycle parking spaces shall be provided, as set forth in Sec. 8176-3.7. Where there are two or more separate primary land uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for each of the individual land uses.

Sec. 8176-3.3.1 – Planning Director Modifications

The number of required bicycle parking spaces may be reduced when the applicant demonstrates, to the satisfaction of the Planning Director, that providing the otherwise required bicycle parking spaces is not practical because of the remote project location or because the nature of the land use precludes the use of bicycle parking spaces (e.g. the use has no on-site employees).

Sec. 8176-3.4 - Accessible Parking for Disabled Persons

Accessible parking for disabled persons shall be provided as follows:

- a. Number. The following table establishes the minimum number of disabled parking spaces that shall be provided for new discretionary development or the expansion of a previously approved project:

Number of Disabled Parking Spaces Required	
Total Number of Parking Spaces in Lot or Garage	Minimum Required Number of Disabled Spaces
1-25	1 - Van
26-50	2
51-75	3

- b. Location and Design. Parking spaces for disabled persons shall be located as near as practical to a primary entrance and shall be of the dimensions and design required by the Building Official.
- c. Accessible parking for disabled persons may be counted towards meeting the total number of motor vehicle parking spaces required by this Article.

Sec. 8176-3.5 - Carpool Parking

The requirement to provide carpool parking spaces is intended to encourage carpooling, but should not result in parking spaces that consistently go unused.

- a. Number of Spaces. Except for residential land uses, one carpool or vanpool parking space shall be provided for every 35 employees employed at the site. Carpool or vanpool parking spaces shall be reserved during business hours. In addition, for professional, vocational, art and craft schools, colleges, universities and the like, one out of every 25 student parking spaces on a site shall be reserved for carpool or vanpool parking at all times. This requirement does not preclude designation of more than the minimum required number of carpool spaces.
- b. Signs. Signs shall be posted clearly indicating carpool and vanpool restrictions.
- c. Planning Director Waivers/Modifications. The Director may modify or waive carpool parking requirements when the applicant demonstrates that the nature of the land use precludes carpooling.

Sec. 8176-3.6 - Shared Parking

Shared use of required motor vehicle parking spaces is allowable where two or more land uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Shared use of required parking spaces may be allowed if an analysis is provided to the satisfaction of the Director, using an authoritative methodology, documenting the parking demand for each land use by hour-of-day, showing that the peak parking demands of the land uses occur at different times, and demonstrating that the parking area will be large enough for the anticipated demands of all the land uses that utilize the shared parking area. The lot or part of a lot on which the parking is provided shall be identified in and subject of a lease or other agreement between the two affected property owners, in a form approved by the Director, ensuring continued availability of the shared parking spaces for all the land uses that utilize the shared parking area. Such shared parking agreement shall include all required provisions set forth in Sec. 8176-2.3.3(a)(1) through (4) and shall be recorded with the Ventura County Recorder so that it appears on the subject property's title. When shared parking is provided at an off-site location, the other applicable requirements of Secs. 8176-2.3.1 through 8176-2.3.3 shall be met.

Sec. 8176-3.7 - Table of Parking Space Requirements by Land Use

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land uses. For residential and non-residential land uses, the number of motor vehicle parking spaces set forth in the table below represents the minimum required number of spaces, unless a reduction to that requirement is granted pursuant to Sec. 8176-3.8.

The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses, storage of vehicle inventory, or other specialty parking needs related to the operation of specific land uses.

The Planning Director has the authority to determine the parking space requirements for any land use not specifically listed based on the requirements for the most comparable land use. For such uses, the Planning Director or decision-making body must find that the required number of parking spaces is sufficient to

avoid displacement of parking spaces utilized by off-site land uses or by the public for costal access. The required number of parking spaces is subject to the calculation procedures, including exceptions and allowances, specified in Sec. 8176-3.8, Reduction to the Required Number of Motor Vehicle Parking Spaces.

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
AGRICULTURAL		
Buildings for the Growing, Packing, Storage or Preliminary Processing of Agricultural Products	1 space per full time employee plus 2 spaces per acre. Or as determined by decision-making body.	
Contractor's Service and Storage Yards and Buildings	As determined by decision-making body	
Produce Stands, Retail, Accessory to Crop Production	Minimum of 3 spaces	
Retail Nurseries not in an Enclosed Building.	1 space per 2,000 sf of outside display area	LT: 1 space per 25 employees ST: 3% of required motor vehicles
Agricultural Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
COMMERCIAL AND INSTITUTIONAL		
Art Galleries and Studios	1 per 250 s.f. of GFA	LT: 1 space per 25 employees ST: 6% of required motor vehicle spaces
<i>Assembly Uses</i>	First 3,000 sf of GFA: 1 space per 125 sf; plus over 3,001 sf of GFA: 1 space per 550 sf; plus auditorium or main assembly room: 1 space per 70 sf of GFA; plus spaces as needed for accessory uses as determined by decision-making body.	ST: 10% of required motor vehicle spaces.
Automobile Repairing	1 per 150 s.f. of GFA	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Automobile Service Station, Without Retail	1 space Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements	ST: 3% of required motor vehicle spaces; minimum of 1 space

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
Automobile Service Station, With Retail	1 space, plus 1 space per 250 sf GFA of retail use Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements	ST: 3% of the required motor vehicle spaces; minimum 1 space
Banks, savings and loans and related offices and institutions	1 space per 250 sf GFA	LT: 1 space per 30 employees ST: 5% of the required motor vehicle spaces
Barber and Beauty Shops	2 spaces for each of the first 2 beauty or barber chairs, plus 1 space for each additional chair.	As determined by decision-making body
Bars, Taverns and Nightclubs	See "Restaurants, Cafes and Cafeterias"	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Boardinghouses, Rooming Houses, Bed-And-Breakfast Inns	1 space per bedroom, plus 1 space per caretaker-manager	ST: 2 spaces
Bus Terminals	1 space per 20 sf of waiting area, plus 1 space per 300 sf of office space, plus parking for any accessory uses	As determined by decision-making body
<i>Day Care Center</i>	1 space per each employee, plus 1 space per 5 children	As determined by decision-making body
<i>Family Day Care Home</i>	See "Single-Family and Two-Family Dwellings"	As determined by the decision-making body
Care Facility, Residential	.5 spaces per bed	LT: 1 space per 15 residents (not required if the care facility is for people unable to use bicycles, such as convalescents or the physically disabled) and 1 space for 25 employees. ST: 1 space per 20 residents
Carwashes, Automatic	Queuing for 6 vehicles pursuant to Sec. 8176-6.1.4	
Carwashes, Self-Service	1 space per washing stall	
Conference Center/Convention Center	See "Assembly Uses"	See "Assembly Uses"

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
Health Clinic, Medical and Dental	1 space per 200 sf GFA	LT: 3% of the required motor vehicle spaces, or 1 space per 30 employees (as determined appropriate by decision-making body) ST: 3% of the required motor vehicle spaces, minimum one space
Hotels, Motels, Boatels	1 space per unit, plus 1 space per caretaker-manager	LT: 1 space per 25 employees ST: 1 space per 1,000 sf GFA of banquet and meeting room space; minimum of 2 spaces
Kennels	1 space per each employee, plus 1 space for each 500 sf outdoor shelter areas	As determined by decision-making body
Laundry and Dry Cleaning Establishments	1 space per 200 sf of GFA	As determined by decision-making body
Libraries	1 space per 250 sf GFA	LT: 1 space per 25 employees ST: 8% of the required motor vehicle spaces
Liquor Store	1 space per 250 sf of GFA	ST: 3% of required motor vehicle spaces.
Offices: Business, Professional and Administrative	1 space per 250 sf GFA	LT: 3% of the required motor vehicle spaces or 1 space per 30 employees (as appropriate per Planning Director). ST: 3% of required motor vehicle spaces.
<i>Parking Lots, Public</i>	As determined by decision-making body	ST: 5% of required motor vehicle parking spaces
Public Service and Public Utility Buildings	Offices: 1 space per 250 sf Other buildings: specified by permit Automated and unattended: None	LT: 1 space per 30 employees
Restaurants, cafes, cafeterias and similar establishments	1 space per 100 sf GFA including outdoor customer dining area. Minimum: With public seating: 10 spaces Without public seating (take out or delivery only): 6 spaces	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
Retail Trade	1 space per 250 sf of GFA	As determined by decision-making body
Schools: Boarding	As determined by decision-making body	As determined by decision-making body
Schools: Elementary, Junior High, Middle	1 space per 8 students of planned capacity See Sec. 8176-6.2 for on-site queue storage length to accommodate parent vehicles drop-off and pick-up.	LT: 1 space per 30 employees ST: 1 space (gated) per 12 students of planned capacity.
Schools: High Schools, Community College Facilities	1 space per 4 students of planned capacity	LT: 1 space per 30 employees ST: 1 space (gated) per 16 students of planned capacity.
Veterinary Clinics	1 space for each 200 sf GFA	LT: 1 space per 25 employees ST: 2% of the required motor vehicle spaces
Youth Hostel	1 space per 2 beds 1 space per 200 sf gross floor area for eating establishment 1 space per 100 sf of assembly areas	ST: 2 spaces
Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
INDUSTRIAL		
Laboratories, Research, Scientific, Medical or Dental	1 space for each 200 sf GFA	LT: 1 space per 30 employees
Recycling Facilities and Centers	As determined by decision-making body	LT: 1 space per 25 employees
Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
RECREATION		
Camps	1 space per 2 overnight guests (see Sec. 8175-5.4.2), plus 1 space per every three persons allowed as total daily on-site population (see Sec. 8175-5.4.3), plus 1 space per full-time employee	As determined by decision-making body
Campgrounds/Recreational Vehicle Parks	1 space per campsite or table, plus 1 space per full-time employee, plus 1 space per 25 campsites (or fraction thereof) for guest parking, to be located near the facility office (3 guest spaces minimum).	As determined by decision-making body

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
Clubhouses and Community Centers	See "Assembly Uses"	See "Assembly Uses"
Fields, Athletic	1 parking space per 3,000 sf of field area; 1 parking space per six linear feet of portable (or fixed) spectator seating area; Minimum 20 spaces	ST: 10% of the required motor vehicle spaces
Golf Course	3 spaces per hole	
Commercial Use (i.e. pro shop)	1 space/200 s.f. of building area for commercial purposes	LT: 1 space per 25 employees
Eating or Drinking Establishment (i.e. café, restaurant)	See "Restaurants, Cafes and Cafeterias"	ST: 2% of the required motor vehicle spaces
Driving Range	1 space per tee	
Parks and Picnic Grounds	Minimum 5 spaces	ST: 10% of the required motor vehicle spaces
Campgrounds	1 space per campsite or table, plus 2 spaces per 25 campsites, plus parking for any accessory uses	As determined by the decision-maker
Swimming Pools, Public	1 space per 200 sf of pool area 1 space per 300 sf of GFA area related to the pool and facilities	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Tennis and Racquetball Courts	2 spaces per court	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Uses not Otherwise Listed	As determined by decision-making body	As determined by the decision-maker
RESIDENTIAL		
Bachelor or Studio Type Dwelling	1 covered space per unit	
Caretaker or Farmworker Single Family Dwellings	1 space for 1 bedroom or less 2 spaces for 2-4 bedrooms 3 spaces for 5 bedrooms	

LAND USE	MOTOR VEHICLE SPACES REQUIRED + / - 10% OF THE TOTAL	BICYCLE SPACES REQUIRED
Mobilehome Parks Resident Parking Visitor Parking <i>(required if internal streets are less than 32 feet wide)</i>	2 spaces per unit 1 space per each 4 units, in addition to parking spaces required for residents	
Multi-Family Dwelling Units	See Section 8176-4.7.1	
Second Dwelling Units	1 space for units up to 700 sf of GFA; 2 spaces for units over 700 sf of GFA (in addition to the spaces required for the principal dwelling unit)	
Single-Family and Two-Family Dwellings		
1-4 Bedrooms (per unit)	2 covered ¹ spaces	
5 Bedrooms (per unit)	3 spaces (2 shall be covered ¹)	
6 or More Bedrooms (per unit)	4 spaces (2 shall be covered ¹)	

ST: Short-term bicycle parking spaces, generally bike racks.

LT: Long-term bicycle parking spaces, generally enclosed lockers.

See Sec. 8176-5, Bicycle Parking Design Standards

¹ Except that on parcels larger than one acre located in CA, OS, and CRE zones, parking may be uncovered.

Sec. 8176-3.7.1 Table of Parking Space Requirements for Multi-Family Dwelling Units

Parking for multi-family dwelling units shall be covered, except for visitor parking and all parking on parcels larger than one acre in the COS, CA, CR, and CRE zones. The number of required spaces depends upon both the number of bedrooms and whether provided parking is assigned or unassigned, as indicated in the table below.

Living Unit Size	Motor Vehicle Spaces Required (per unit) by Type of Parking			Required Visitor Parking (per unit)
	No Assigned Parking	1 Assigned Space or 1-Car Garage	2 Assigned Spaces or 2-Car Garage	
Studio	1.0 space	1.33 spaces	2.0 spaces	0.25 spaces
One Bedroom	1.25 spaces	1.4 spaces	2.0 spaces	0.25 spaces
Two Bedrooms	1.5 spaces	1.7 spaces	2.2 spaces	0.25 spaces
Three or More Bedrooms	2.0 spaces	2.15 spaces	2.3 spaces	0.25 spaces

Each Additional Bedroom	0.20 space	0.20 space	0.20 space	
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Sec. 8176-3.8 - Reductions to the Required Number of Motor Vehicle Parking Spaces

The number of off-street parking spaces required in Sec. 8176-3.7 may be reduced for a particular project so that the parking supply of individual land uses better corresponds with actual parking demand. Parking reductions also may be authorized for affordable housing or existing commercial and residential development pursuant to the provisions in Sec. 8176-3.8.1 below.

Sec. 8176-3.8.1 –Justifications for Reductions in Number of Required Motor Vehicle Parking Spaces

An applicant may use one or more of the following measures and approaches to justify a reduction in the number of required motor vehicle parking spaces.

- a. **Parking Study.** Applicant provides a parking study to assess the land use’s parking needs. Parking studies shall be prepared by a registered transportation engineer.
- b. **Transportation Demand Management Plan.** Applicant prepares a Transportation Demand Management Plan to reduce motor vehicle trips to the land use. Transportation Demand Management Plans shall be prepared by a person/firm qualified to prepare such plans, as determined by the Planning Director. Such plans shall provide documentation describing the measures that will be used to reduce parking demand. Such measures may include, but are not limited to:
 - 1. Locating a project within 1,500 feet of a stop for bus, rail, shuttle, or other public transit services.
 - 2. Installing transit stops or enhancing existing adjacent transit stops by incorporating additional landscaping, shelters, informational kiosks, or other amenities.
 - 3. Locating the project adjacent to a designated bicycle route or path.
 - 4. Improving existing bicycle routes and paths in the vicinity of the project.
 - 5. Providing residents or employees with transit passes.
 - 6. Providing shuttle services for employees, visitors, or residents.
 - 7. Creating ridesharing programs.
 - 8. Improving the pedestrian environment surrounding the project by the provision of sidewalks, marked crosswalks, additional landscaping, street furniture, lighting, and/or other safety features.
 - 9. Allowing flexible work schedules or telecommuting.
 - 10. Providing on-site amenities, which could include daycare, restaurants, and/or personal services such as banking or dry cleaning.
 - 11. Installing additional bicycle parking facilities above the minimum requirements.
 - 12. Providing shower and locker facilities. The provision of showers and associated lockers may be provided in lieu of required motor vehicle

parking under some circumstances. Requirements for this reduction include:

- i. The number of showers provided shall be based on demonstrated demand. At least six lockers for personal effects shall be provided per shower and shall be located near showers and dressing areas. Lockers shall be well ventilated and of a size sufficient to allow the storage of cycling attire and equipment. Showers and lockers should be located as close as possible to the bicycle parking facilities.
- ii. For every two showers (one per gender) and six clothing lockers per shower provided, the amount of motor vehicle parking spaces provided may be reduced by three spaces, up to a maximum reduction of three percent (3%) of required motor vehicle spaces. Existing parking may be converted to take advantage of this provision.

13. Other measures to encourage transit use or to reduce parking needs.

- c. **Affordable or Senior Housing.** The total number of spaces required may be reduced for affordable (low income, very low income, extremely low income) or senior housing units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, only where the reduction can be substantiated by data that evidences the residents cannot or will not own vehicles. The reduction shall consider proximity to transit and support services and include traffic demand management measures in conjunction with any approval.
- d. **Drive-Through Land Uses.** A reduction in the required number of parking spaces may be approved if documentation is provided which demonstrates to the satisfaction of the Director that the required number of parking spaces will not be needed due to the drive-through nature of the land use.
- e. **Parking Reserve.** When parking spaces required by this article for non-residential uses are not needed by the current land use occupants or are not needed in the current phase of development, the land for those spaces may be held in reserve. This parking reserve shall be limited to one parking space or up to ten percent (10%) of the total number of required parking spaces, whichever is greater. The parking reserve area shall be included in the determination of lot coverage as though the spaces were in use. To take advantage of reserved parking, the following provisions shall be met:
 1. The applicant must demonstrate that the reduced number of parking spaces will be adequate to provide sufficient parking for the land uses on the property.
 2. The area designated as reserve parking must be clearly depicted on the approved site plan, and the terms and conditions of the reserved parking shall be clearly set forth in the approved site plan notations.
 3. Landscaping must be provided in lieu of the required parking spaces in compliance with Sec. 8178-8, Water Efficient Landscaping Requirements.
 4. The reserved parking spaces must be maintained in a manner that leaves them available for conversion to required parking spaces. No above-ground improvements shall be placed or constructed upon the reserve parking area.

5. The permit shall be conditioned to require the conversion of the reserved spaces into usable parking spaces as initiated by occupant use or phased development, or at any time that the Director determines necessary.
- f. **Reduced Parking Requirements for Existing Commercial Development.** When an existing commercial use does not meet current parking requirements for the number of motor vehicle spaces, the parking requirements for a change of use on parcels zoned Coastal Commercial (CC) shall occur as follows:
1. No intensification of use: No additional parking is required when the change of use results in the same motor vehicle parking requirements as the prior use.
 2. Intensification of use: When a proposed intensification of use results in increased parking requirements when compared to the prior use, then the required number of additional parking spaces shall be limited to the difference between those required for the prior use and the intensified use.
 3. Preservation of existing commercial use: When a proposed intensification of use results in an increased parking requirement when compared to the prior use (see Sec. 8176-3.8.1(f)(2) above), and an additional reduction in parking requirements may be granted when the applicant demonstrates all of the following:
 1. No physical expansion of the existing commercial development is proposed;
 2. Adequate space is unavailable on-site for additional on-site parking, and all feasible on-site parking is included in the project description;
 3. Shared parking, pursuant to Sec. 8176-3.6, is not available to meet parking requirements;
 4. Other transportation incentives programs, listed in Sec. 8176-3.8.1(b), are not feasible or will not lessen the number of parking spaces required; and
 5. Parking demand for the commercial business will be reduced by one or more of the following factors:
 - i. The business operation is limited to the evening hours, when beach recreational uses are low or non-existent; or
 - ii. The primary customer base consists of nearby residents or beachgoers that do not generate additional parking demand.
- g. **Expansion of an Existing Single-Family or Two-Family Dwelling:** An existing, single-family or two-family dwelling that does not meet current parking requirements for number of motor vehicle spaces may be expanded if all of the following conditions exist:
1. The dwelling has at least one covered motor vehicle parking space;
 2. The existing lot configuration does not allow for a second space or does not allow for access to a second space;
 3. The driveway provides a minimum of 20 feet from the property line to the existing covered space that can be utilized as a parking space;

4. The addition contains no habitable, interior space (i.e., the addition consists of a garage expansion, outdoor patio expansion, etc.);
5. The addition will not result in an increased demand for on-street parking; and
6. The proposed addition otherwise conforms to the provisions of this Chapter.

Sec. 8176-3.8.2 – Findings for Parking Space Reductions. Reductions to the motor vehicle parking requirements of this Article shall only be approved when supported by written findings of fact in the final project approval letter. Written findings shall describe how the reduction of motor vehicle parking requirements for the particular project is justified by one or more of the measures or approaches in Sec. 8176-3.8.1 above. Such findings shall demonstrate that the proposed parking reduction:

- a. Is supported by evidence contained within a parking study, provided by the applicant and prepared by a registered transportation engineer; and
- b. Will not adversely affect existing or potential land uses adjoining, or in the general vicinity of, the project site (see Sec. 8176-3.1(c)); and
- c. Will not result in the displacement of public parking spaces used for access to coastal beaches or public recreation areas.

Sec. 8176-3.8.3 - Parking Space Reduction Documentation

The applicant shall provide documentation that describes the proposed parking reduction and identifies the parties responsible for implementing any parking measures associated with the proposed reduction. The documentation shall discuss the estimated parking demand for the land use, describe how parking demand will be met with the requested reduction, explain how the proposed measures will effectively decrease parking demand at the site, and include proposed performance targets for parking. Required documentation shall include information regarding specific parking reduction measures as described in Sec. 8176-3.8.1. Required documentation may also include existing parking counts, parking counts at similar land uses, calculation of future parking demand based on industry standards, the number of parking spaces on adjacent public streets, and identification of *coastal access parking* areas.

- a. **Monitoring Reports.** Monitoring reports shall be submitted to the Director three years after building occupancy and again six years after building occupancy. Monitoring reports shall identify daily, annual and, as applicable, seasonal peak parking periods based on a minimum of one parking survey per year, unless a seasonal peak occurs in which case two surveys per year will be required. The monitoring reports shall also describe the effectiveness of the approved parking reduction measures as compared to the initial performance targets. If necessary, the monitoring reports should provide suggestions for modifications to enhance parking availability or reduce parking demand. Where the monitoring reports indicate that performance measures are not met, the Director may require further program modifications or the provision of additional parking.
- b. **Recordation.** As a condition of approval of the parking reduction, the property owner, if different than the applicant, may be required to record agreements on the subject property prior to issuance of a land use permit to ensure that appropriate measures are implemented to justify the parking reduction.

Sec. 8176-4 - Motor Vehicle Parking Design Standards

The following standards shall apply to all proposed off-street motor vehicle parking areas/spaces, except for temporary parking areas.

Sec. 8176-4.1 - Parking Plans

Applications for land use developments that include parking areas shall include a detailed parking plan(s) with a corresponding preliminary grading and drainage plan. These plans shall be prepared by a California-licensed civil engineer, and shall clearly illustrate compliance with all applicable requirements of this Article. The applicant shall submit these plans to the Public Works Agency Director and the Building and Safety Division Director for their approval prior to issuance of any land use entitlement.

Sec. 8176-4.2 - Stormwater Management

To enhance, protect and preserve water quality, a hydrology and hydraulics report may be required to demonstrate compliance with stormwater management requirements. Parking area design should incorporate methods of accommodating infiltration or filtration of stormwater onsite through use of pervious pavements, vegetated drainage swales, bioretention areas, tree box filters, dry swales, or other means.

Sec. 8176-4.3 - Location

Off-street parking areas and spaces shall be located in the following manner:

Sec. 8176-4.3.1 - Behind or Beside Buildings

To promote attractive urban form and facilitate pedestrian circulation, the preferred location of required parking areas (when provided above ground) relative to the street is as follows:

- First priority: to the rear of buildings or land uses.
- Second priority: to the side of buildings or land uses.
- Last priority: in front of buildings or land uses.

Sec. 8176-4.3.2 - Parking in Setbacks

Parking in setbacks is limited to situations authorized by Secs. 8175-3.4 and 8181-14.1 of this Chapter. Except as provided for in these sections, required uncovered single or two-family residential parking spaces shall not be located within the front set back.

Sec. 8176-4.3.3 - Motorcycle Parking

Motorcycle parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

Sec. 8176-4.3.4 - Carpool Parking

Carpool parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

Sec. 8176-4.3.5 - Bicycle Parking

See Sec. 8176-5.3.

Sec. 8176-4.3.6 - Floodways and Floodplains

- a. Parking areas are prohibited in Federal Emergency Management Agency (FEMA) designated regulatory floodways.
- b. Parking areas located in a FEMA designated one percent annual chance floodplain (100-year floodplain) are subject to special design requirements. These requirements may include, but are not limited to, flood warning signage, design measures to contain motor vehicles in the parking area in the event of a flood, special lighting, mechanical and electrical system design requirements, and fencing restrictions.

Sec. 8176-4.4 - Circulation

Sec. 8176-4.4.1 - Cross Access

Cross access is encouraged between adjacent sites in commercial, industrial, and multi-family housing developments. A joint cross access agreement between two or more participating adjacent property owners must be executed where cross access is provided so that cross access between the properties is legally established, enforceable and maintained. This joint cross access agreement must be approved by the Director, recorded by the parties to the agreement and run with the respective properties.

Sec. 8176-4.4.2 - Pedestrian Safe Access

- a. Parking areas serving commercial, institutional, and multi-family 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. 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.

Sec. 8176-4.4.3 - Fire Apparatus Access

Approved fire apparatus access roads ~~shall be provided when~~ required by the Ventura County Fire Protection District ~~in order to minimize risks to life and property.~~ Fire access roads shall be located, designed and constructed such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Generally this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access

driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.

Sec. 8176-4.4.4 - Adequate Turning Radii

All internal circulation and queuing areas shall be designed to accommodate the turning radii of the vehicles that will be using the site.

Sec. 8176-4.4.5 - Contained Maneuvering

Parking areas shall be designed so that motor vehicles will exit onto a public street in a forward direction. Circulation of vehicles among parking spaces shall be accomplished entirely within the parking area. The Director may modify this requirement, in consultation with the Public Works Agency Transportation Director, when the applicant can demonstrate that it is not appropriate to the land use or location.

Sec. 8176-4.4.6 Short Parking Rows

Parking areas should be divided both visually and functionally into smaller parking courts. Interior rows of parking spaces shall be no more than 270 feet in length, inclusive of landscape planters but not including cross aisles or turnarounds. The Director may modify this requirement when the applicant can demonstrate that it is not appropriate to the land use or location.

Sec. 8176-4.4.7 - Directional Signs

Maneuvering areas within parking areas shall be clearly marked with directional signs or painted arrows to ensure the safe and efficient flow of vehicles, bicycles, and pedestrians (see Article 5 Sec. 8175-5.13 Signs).

Sec. 8176-4.5 - Driveways

Sec. 8176-4.5.1 - Driveway Width

- a. Portion Within Right-of-Way: Driveway width shall be the minimum necessary to provide access to the land use.
- b. Portion Outside Right-of-Way: Driveway widths shall be minimized where possible.

Sec. 8176-4.5.2 - Number of Driveways

Each site is limited to one driveway unless more than one driveway is required to handle traffic volumes or specific designs, such as residential circular driveways. Additional driveways shall not be allowed if they are determined to be detrimental to traffic flow and the safety of adjacent public streets, adversely impact coastal resources, or reduce on-street public parking. Whenever a property has access to more than one road, access shall be limited to the lowest traffic-volume road whenever possible.

Sec. 8176-4.5.3 - Shared Driveways

The number of driveways should be minimized where feasible by the use of shared driveways between adjacent properties. A joint access agreement between two or more participating adjacent property owners must be executed where driveways are shared, so that shared driveway access by the properties is legally established, enforceable and maintained. This joint access agreement must be approved by the Director, recorded by the parties to the agreement and run with the respective properties.

Sec. 8176-4.5.4 - Driveways Clearly Designated

Parking areas shall be designed to prevent entrance or exit at any point other than driveways. Appropriate barriers and entrance and exit signs shall be provided within parking areas. Stop signs shall be installed at all exits from parking areas (see Article 5 Sec. 8175-5.13 Signs).

Sec. 8176-4.6 - Parking Area and Space Dimensions

Sec. 8176-4.6.1 - Planning Director Waivers/Modifications

Motor vehicle parking design standards may be modified when the applicant can demonstrate, to the satisfaction of the Planning Director, that the required motor vehicle parking design standard is not appropriate to the land use or location.

Sec. 8176-4.6.2 - Space Angle

Ninety-degree parking, which uses the least amount of pavement per parking space, is preferred wherever possible.

Sec. 8176-4.6.3 - Standard Spaces

Each standard parking space shall be 9 feet wide by 18 feet long, with the following exceptions:

- a. The length of the parking space may be decreased by two feet where parking spaces face into landscape planters so that the concrete curb around the planter functions as the wheel stop, allowing motor vehicles to overhang the landscape planter. Use of such a bumper overhang reduces impervious surfaces and is encouraged. Plant material and irrigation equipment in the outside two feet of these landscape planters shall conform to the requirements of Sec. 8178-8 Landscaping and Screening. Utilization of a bumper overhang shall not allow a vehicle to extend into or over a pedestrian pathway or drive aisle.
- b. Required parking space dimensions do not apply if mechanical parking lifts are used to stack cars.
- c. The width of parking spaces may be reduced to 8 feet on legal lots that are less than 26 feet wide and where two or more parking spaces are required.
- d. The width or length of parking spaces may be increased for land uses that cater to larger vehicles such as trucks, shuttles, or vans.
- e. Parking space width shall be increased by 6 inches to 9 feet 6 inches (114 inches) if adjacent on one side to a wall, fence, hedge, or structure; and by 1 foot 6 inches to 10 feet 6 inches (126 inches) if adjacent on both sides to a wall, fence, hedge, or structure.

Sec. 8176-4.6.4 - Motorcycle Spaces

Each motorcycle parking space shall be a minimum of 4 feet wide by 8 feet long.

Sec. 8176-4.6.5 - Compact Spaces

Up to 30 percent of the total parking spaces required for low-turnover, nonretail parking areas serving primarily employees, residents, or students may be provided as compact spaces. Each compact space shall be a minimum of 8 feet 6 inches wide by 16 feet long and be clearly designated for compact vehicles.

Sec. 8176-4.6.6 - Parallel Spaces

The minimum size of a parallel parking space shall be 8 feet 6 inches wide by 22 feet long.

Sec. 8176-4.6.7 - Bicycle Spaces

See Sec. 8176-5 – Bicycle Parking Design Standards.

Sec. 8176-4.6.8 - Clear Height in Parking Structures

At least one floor in parking structures shall be designed with a minimum height of 9 feet 6 inches to allow for vanpool vehicles and accessible parking for disabled persons.

Sec. 8176-4.6.9 - Dead End Turnout

Where drive aisles terminate at a dead-end, adequate provision shall be made for vehicles to turn around. Depending on the situation, this may be satisfied by provision of at least six feet between the end of parking rows and the end of the drive aisle. Dead-end drive aisles shall be avoided or otherwise minimized.

Sec. 8176-4.6.10 - Drive Aisles and Modules

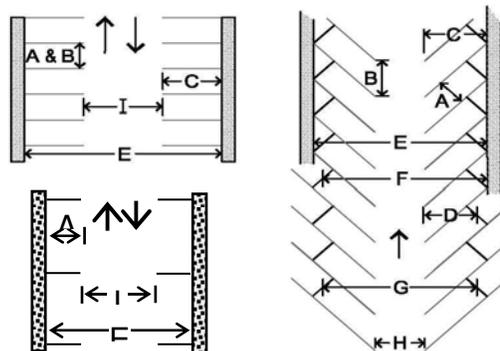
Parking area drive aisles and modules shall be designed following the standard dimensions included in the table in Sec. 8176-4.6.11 and the figure in Sec. 8176-4.6.12 and as required to meet Sec. 8176-5.4. Wider aisles may be approved when appropriate for truck maneuvering. Two-way aisles are permitted in conjunction with 90-degree and parallel spaces only.

Sec. 8176-4.6.11 – Table of Parking Area Layout Dimensions

Angle	Stall Width in feet (A)	Stall Width in feet, parallel to aisle (B)	Stall Length in feet, perpendicular to aisle		Module Width in feet			Aisle Width in feet	
			Wall to Aisle (C)	Interlock to Aisle (D)	Wall to Wall (E)	Wall to Interlock (F)	Interlock to Interlock (G)	One-way (H)	Two-way (I)
Standard Space (9 x 18)¹									
90	9.0	9.0	18.0	18.0	60.0	60.0	60.0	24	24
75	9.0	9.3	19.7	18.5	60.0	58.9	57.7	21.6	NA
60	9.0	10.4	20.1	17.8	55.5	53.3	51.0	15.3	NA
45	9.0	12.7	19.1	15.9	48.5	45.3	42.1	10.3	NA
Parallel	9.0	NA	NA	NA	42	NA	NA	12	24

¹Parking area design for full rows of compact spaces shall be reviewed on a case-by-case basis.

Sec. 8176-4.6.12 - Figure 1: Parking Area Layout Dimensions



Sec. 8176-4.7 - Tandem Parking

Required parking may be provided in tandem for residential land uses with the following restrictions:

- a. Tandem parking shall not be more than two cars in depth.
- b. Both tandem spaces shall serve the same dwelling unit.
- c. For multi-family residential dwellings, tandem parking may be provided to meet up to 50 percent of the required parking spaces, only where it is demonstrated that such a reduction has no potential to adversely affect public parking available for public coastal access.

Sec. 8176-4.8 - Slope

Accessible parking spaces for disabled persons shall be the minimum possible and shall not exceed 2 percent slope in any direction. All other parking spaces shall slope no more than 5 percent in any direction and no less than 0.5 percent in the direction of drainage. The slope in drive aisle and turnaround areas shall be no more than 10 percent.

Sec. 8176-4.8.1 – Planning Director Modifications

Slope requirements may be modified, but not for disabled person accessible parking spaces, when appropriate given site constraints.

Sec. 8176-4.9 - Surfaces

- a. The surface of all required uncovered off-street motor vehicle parking spaces, aisles, driveways and loading areas shall be constructed and maintained with permanent all-weather, load-bearing pervious or impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. The use of pervious surfaces is encouraged to facilitate on-site infiltration of stormwater. To reduce heat generation from parking area surfaces, the use of light-colored/high-albedo surfaces is encouraged.
- b. The surface of fire apparatus access driveways shall be subject to review by the Ventura County Fire Protection District.
- c. The surface of the portion of driveways in the right-of-way design shall be subject to review by the Public Works Transportation Department or Caltrans if located on a State highway.
- d. Ribbon driveways outside of the right-of-way may be installed as an alternative to fully paved driveways, subject to review by the Ventura County Fire Protection District.

Sec. 8176-4.9.1 – Surfacing Plans

When pervious surfaces are used, the parking area plans shall document that:

- a. The pervious materials have been designed to support anticipated vehicle weights and traffic volumes.
- b. The pervious materials have been designed to minimize surface cracking, crumbling, eroding, and other maintenance problems for the pervious surface as well as any adjacent surfaces or structures.

Pervious surfaces used for parking spaces in single- and two-family dwellings or other *parking lots* with less than 5 spaces are not subject to the above documentation requirements.

Sec. 8176-4.10 – Parking Space Marking

Parking spaces within parking areas shall be clearly marked with paint striping or another durable, easily distinguishable marking material. Concrete wheel stops shall be provided for all parking spaces. Space marking shall be four inches in width and maintained in good condition.

Sec. 8176-4.10.1 – Exception

Space marking requirements may be modified if the applicant can demonstrate, to the satisfaction of the Planning Director, that they are not appropriate to the land use or location, including but not limited to parking areas surfaced with gravel or other aggregate materials.

Sec. 8176-4.11 - Clear Visibility and Safety

Clear visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking area, and when entering and exiting a parking area.

- a. Each driveway shall be constructed and maintained pursuant to the sight distance requirements as determined by the Ventura County Transportation Department or Caltrans, as appropriate.
- b. Landscaping at any interior parking area intersection shall not obstruct a driver's vision of vehicle and pedestrian cross traffic.
- c. With the exception of trees, landscaping adjacent to pedestrian pathways shall be no more than three feet in height.

Sec. 8176-4.12 - Lighting

Lighting shall be provided for all parking areas in compliance with the following:

- a. Parking areas that serve night-time users shall be lighted with a minimum one foot-candle of light at ground level for security.
- b. All lights in parking areas that serve non-residential land uses, except those required for security per subsection (a) above, shall be extinguished at the end of the working day. Lights may be turned on no sooner than one hour before the commencement of working hours.
- c. Light poles shall be located so as not to interfere with motor vehicle door opening, vehicular movement or accessible paths of travel. Light poles shall be located away from existing and planned trees to reduce obstruction of light by tree canopies. Light poles shall be located outside of landscape finger planters, end row planters, and tree wells. Light poles may be located in perimeter planters and continuous planter strips between parking rows.
- d. Any light fixtures adjacent to a residential land use, a residentially zoned lot, agricultural or open space lots, or an environmentally sensitive habitat area, shall be arranged and shielded so that the light will not directly illuminate the adjacent lot or land use. This requirement for shielding applies to all light fixtures, including security lighting.
- e. In order to direct light downward and minimize the amount of light spilled into the dark night sky, any new lighting fixtures installed to serve above-ground, uncovered parking areas shall be full cut-off fixtures. New lighting fixtures installed for parking area canopies or similar structures shall be recessed or flush-mounted and equipped with flat lenses.

Sec. 8176-4.13 - Trash and Recyclables Receptacles

At least one trash and one recyclables receptacle shall be provided for parking area users for the first 20 motor vehicle parking spaces. Receptacles shall be enclosed to prevent access by animals and wind, placed in convenient, accessible locations, and serviced and maintained appropriately.

Sec. 8176-5 - Bicycle Parking Design Standards

The following design standards shall apply to all bicycle parking facilities. The layout and design of required bicycle parking facilities shall ensure safety, security, and convenience to the satisfaction of the Planning Director.

Sec. 8176-5.1 - Short-Term Bicycle Parking (Bicycle Racks)

Short-term bicycle parking facilities shall have the following characteristics:

- a. Support a bicycle by its frame in two places in a stable upright position without damage to the bicycle or its finish.
- b. Enable the frame and one or both wheels to be secured with a user-provided U-shaped lock (U-lock) or cable.
- c. Be anchored to an immovable surface or be heavy enough that the rack cannot be easily moved.
- d. Be constructed such that the rack resists being cut, disassembled, or detached with manual tools such as bolt or pipe cutters.
- e. Not have sharp edges that can be hazardous to bicyclists or pedestrians.
- f. Provide easy access to each parked bicycle without awkward movements or moving other bicycles, even when the rack is fully loaded.
- g. The Director may approve other short-term bicycle parking designs that provide adequate safety, security, and convenience, including designs that accommodate the parking of 3-wheeled, recumbent, or other styles of bicycles.

Sec. 8176-5.2 - Long-Term Bicycle Parking

Long-term bicycle parking facilities shall be covered and secured. These facilities shall protect the entire bicycle and accessories from theft, vandalism, and inclement weather by the use of:

- a. Bicycle Lockers. A fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle, or
- b. Restricted-access Enclosure. A locked room or enclosure containing one bicycle rack space for each bicycle to be accommodated and accessible only to the owners or operators of the bicycles parked within it. Said racks shall meet the requirements of Sec. 8176-5.1.
- c. Check-in Facility. A location to which the bicycle is delivered and left with an attendant with provisions for identifying the bicycle's owner. The stored bicycle is accessible only to the attendant, or
- d. Other. Other means that provide the same level of security as deemed acceptable by the Director.

Sec. 8176-5.3 - 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 land 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 facilities may be separated from short-term bicycle facilities.

In addition, the following location criteria shall be met:

Sec. 8176-5.3.1 - Proximity to Main Entrances

Short-term bicycle parking facilities shall be conveniently located to 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 as close as possible to the building entrance. Bicycle parking shall not obstruct pedestrian access.

Sec. 8176-5.3.2 - Outside Pedestrian Pathway

Bicycle parking racks located on pedestrian pathways shall maintain a minimum of four feet of unobstructed pathway outside the bicycle parking space.

Sec. 8176-5.4 - Layout

The following design criteria apply to short-term facilities. Because of the additional security level, the layout of long-term facilities shall be determined on a case-by-case basis.

Sec. 8176-5.4.1 - Bicycle Parking Facility Delineation

Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

- a. All parking facility boundaries shall be delineated by striping, curbing, fencing, or by other equivalent methods. Boundaries shall include all applicable dimensions as outlined in Sec. 8176-5.4.3 and Sec. 8176-5.4.4.
- b. Bicycle parking locations near roadways, parking areas, or drives shall be protected from damage by motor vehicles by use of bollards, curbs, concrete planters, landscape buffers, or other suitable barriers.

Sec. 8176-5.4.2 - Bicycle Parking Facility Signage

Where bicycle parking facilities are not clearly visible to approaching bicyclists, conspicuous signs shall be posted to direct cyclists to the facilities. Long-term bicycle parking facilities that incorporate bicycle lockers shall be identified by a sign at least 1 foot by 1 foot in size that lists the name or title and the phone number or electronic contact information of the person in charge of the facility.

Sec. 8176-5.4.3 - Bicycle Parking Space Dimensions

Bicycle parking spaces shall have the following dimensions.

- a. Space Length: Each bicycle parking space shall be a minimum of 6 feet in length.
- b. Space Between Racks: The minimum space between bicycle parking posts or racks shall be 2 feet 6 inches.
- c. Space Between Adjacent Walls/Obstructions: A minimum of 2 feet 6 inches shall be provided between the end of a bicycle parking rack and a perpendicular wall or other obstruction (e.g., newspaper rack, sign pole, furniture, trash can, fire hydrant, light pole). A minimum of 2 feet 6 inches

shall be provided between the side of a bicycle parking rack and a parallel wall or other obstruction.

- d. Bicycle parking space dimensions may be modified if the applicant can demonstrate, to the satisfaction of the Planning Director, that they are not appropriate to the land use or location, and to accommodate the parking of 3-wheeled or recumbent bicycles or other non-standard bicycles.

Sec. 8176-5.4.4 - 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 six 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.

Sec. 8176-5.5 - Lighting

Lighting of not less than one foot-candle of illumination at ground level shall be provided in both interior and exterior bicycle parking facilities during hours of use.

Sec. 8176-6 - Queuing Lanes

Sec. 8176-6.1 - Drive-Through Facilities

A lane that is physically separated from other traffic circulation on the site shall be provided for motor vehicles waiting for drive-through service. The queuing lane for each drive-through window or station shall be at least 12 feet wide, with sufficient turning radii to accommodate motor vehicles. Queuing lanes shall be designated by paint-striping, curbs, or other physical means as appropriate. Queuing lanes shall be designed to avoid interference with on-site pedestrian access. The principal pedestrian access to the entrance of the drive-through facility shall not cross the drive-through lane.

Sec. 8176-6.1.1 – Planning Director Modification

The Director may modify this standard if the applicant can demonstrate through an interior circulation analysis that the relationship of the length of the queuing lane, the nature of the land use, or the physical constraints of the lot make this standard infeasible and that an alternative configuration can safely accommodate vehicle queuing.

Sec. 8176-6.1.2 - Directional Signs

Signs shall be provided to indicate the entrance, exit, and one-way path of drive-through lanes. **Sec. 8176-6.1.3 - Location**

Drive-through facilities shall not be located between the street and the main building entrance.

Sec. 8176-6.1.4 - Queuing Capacity

The vehicle queuing capacity for land uses containing drive-through facilities shall be as follows:

Land Use	Queuing Lane Requirements
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Restaurants	Queuing for 8 vehicles behind the pickup window
Banks	Queuing for 5 vehicles for each queuing lane
Other Land Uses	Queuing for 6 vehicles for each queuing lane

Sec. 8176-6.2 – Schools

For the purpose of providing a safe, on-site stacking space for parent drop-off and pick-up, and to prevent traffic congestion or public safety hazards related to vehicle queues on adjacent roadways, the following standards shall apply for public or private schools:

- a. Drop-off/pick-up zones should provide a one-way traffic flow in a counterclockwise direction so that students are loaded and unloaded directly to the curb/sidewalk.
- b. An adequate driveway length shall be provided on-site for queuing vehicles.
- c. Calculate the vehicle queuing capacity as follows:
 - 1. The length of the queuing lane shall provide 20 feet per vehicle; and
 - 2. Calculate the number of vehicles within the queue by multiplying 1.35 times the projected number of peak hour trips (excluding employees). The number of peak hour trips may be reduced, at the discretion of the Planning Director, when the applicant demonstrates that walking, bicycling, or transit will result in a reduced number of peak hour trips.

Sec. 8176-7 - Loading Areas

Sec. 8176-7.1 - Materials Loading Areas

All commercial and industrial land uses shall provide and maintain off-street materials loading spaces as provided herein.

Sec. 8176-7.2.1 – Planning Director Waiver/Modification

The Director may modify this standard if the applicant can demonstrate that the site configuration, nature of the land use, or other considerations make off-street loading spaces unnecessary or infeasible.

Sec. 8176-7.2.1.1 – Table of Required Materials Loading Areas

Gross Floor Area	Loading Spaces Required
0-15,000	1
15,001-40,000	2
40,001-90,000	3
90,000-150,000	4
150,000 and over	5
Educational Land Uses	
0-50,000	1
50,001-100,000	2
100,000 and over	3
Hotels, motels, boatels and restaurants	1

Sec. 8176-7.2.3 - 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 Sec. 8178-8 Landscaping and Screening.
- 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.

Sec. 8176-8 - Private Streets

With the exception of driveways, internal streets and access ways which are not part of the public right-of-way are private streets and shall meet the following minimum standards:

- a. All private streets shall comply with road standards established by the Ventura County Fire Protection District.
- b. New private streets shall be approved only if such street(s) would better serve the occupants of a development and detrimental effects, such as blocked road connections or restrictions on access to coastal resources, are avoided.
- c. In order to provide essential ingress routes for emergency vehicles or escape routes for residents during a wildfire or other public emergency, private gates shall comply with the Ventura County Fire Protection District requirements for access gates.

Sec. 8176-9 – Plug-In Electric Vehicle (PEV) Charging Stations

The use of Plug-in Electrical Vehicles (PEVs) is an effective means of reducing the global warming emissions associated with car travel. The standards set forth below serve to encourage alternative modes of transportation that do not rely on vehicles powered by gasoline or diesel fuel.

Sec. 8176-9.1 – Definition of types of PEV Charging Stations

An electric vehicle charging station is an off-street public or private parking space(s) that is (are) served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle and is classified based on the following levels:

- a. Alternating Current (AC) Level 1 Slow Charging (120 volts, 15/20 amps) Standard wall outlet charging, typically comes with the car; slowest but simplest charging.
- b. Alternating Current (AC) Level 2 Medium Charging (208-240 volts, max 80 amps) Level 2 requires a dedicated circuit and may require an electrical panel upgrade.
- c. Direct Current (DC) Fast Charging (450 volts, 60 amps or higher): DC Fast Chargers require electrical panel and service upgrades and allow for faster recharging of electric vehicles.

Sec. 8176-9.2 - Residential PEV Charging Systems

AC Level 1 and AC Level 2 PEV charging systems are permitted in all residential zones and Santa Monica Mountains (M) Overlay zone in accordance with the following:

- a. A PEV charging station is permitted only on a legally developed residential parcel.
- b. A PEV parking space may be counted towards the required off-street parking pursuant to Sec. 8176-3.7, Table of Parking Space Requirements by Land Use.

Sec. 8176-9.3 – Non-Residential PEV Charging Systems

AC Level 1, AC Level 2 and DC Fast Charging PEV charging systems are permitted in the Coastal Agricultural (CA), Coastal Open Space (COS), Coastal Commercial (CC), and Coastal Industrial (CM) zones. Non-residential PEV charging stations shall be designed in conformance with the following:

- a. A Non-Residential PEV Charging Station shall only serve off-street parking facilities.
- b. The first PEV charging space shall be designed to allow access for persons with disabilities pursuant to Sec. 8176-3.4, Accessible Parking for Disabled Persons. No signage or space marking indicating a handicap parking space is required.

Sec. 8176-9.4 – Permit Requirements

No person shall place, erect, or install a new PEV charging station or modify, alter, or incorporate electrical or mechanical upgrades to a legally permitted PEV charging station without first obtaining zoning clearance per Sec. 8176-9.4.1 and/or a Planned Development Permit per Sec. 8176-9.4.2 in accordance with the provisions of the PEV Application Procedures in Sec. 8176-9.4.3.

Sec. 8176-9.4.1 – PEV Charging Station - Zoning Clearance

A zoning clearance is required for the following PEV charging stations except when proposed in a location described in Sec. 8176-9.4.2.

- a. PEV charging stations affixed directly to a legally authorized building or structure in compliance with Sec. 8174-6.2.2, Improvements to Existing Single-Family Dwellings, and Sec. 8174-6.3.4, Improvements to Non-Residential Structures, Other than Public Works Facilities.
- b. Any modification or alteration of an existing permitted PEV charging station that does not result in an addition to, or enlargement or expansion of, the PEV charging station.
- c. Replacement of existing permitted PEV electrical charging stations destroyed by disaster pursuant to Sec. 8174-6.3.5.

Sec. 8176-9.4.2 – PEV Charging Station - Planned Development Permit

A Planned Development Permit is required for the following PEV charging stations:

- a. Direct Current (DC) Fast Charging PEV charging stations.
- b. PEV charging stations not affixed to a building or structure and where the construction of the PEV charging station requires earth disturbing activities for which a grading permit is required.
- c. Repair, maintenance or upgrades to a permitted PEV charging where the proposed method of repair, maintenance or upgrade will involve substantial adverse effects on a coastal resource.

Following approval of a Planned Development Permit, the permittee shall obtain a Zoning Clearance prior to initiating the permitted use in accordance with Sec. 8181-3.1

Sec. 8176-9.4.3 – PEV Charging Station Permit Application Requirements

When a Planned Development Permit and/or a Zoning Clearance is required, an application shall be filed with the Planning Division in accordance with Sec. 8181-5, and shall be signed by the owner and the applicant or authorized agent thereof. The application shall be processed pursuant to Article 11, Entitlements – Process and Procedures. In addition to providing the information and materials required by Sec. 8181-5, the application shall also provide the following information and materials:

- a. A site plan showing the dimensions of the parcel, location and size of any existing or proposed buildings or structures on the property, and adjacent streets and land uses.
- b. The location of off-street parking facilities, parking space dimensions, points of entry and exit for motor vehicles, and proposed charging system location including location of additional meter, if applicable;
- c. The proposed PEV charging station dimensions (height, width and depth).
- d. The method of attachment of the PEV charging station to any structure; if applicable.
- e. Single line electrical plan that graphically depicts points of connection from electrical source to PEV charging system.
- f. Type of charging system: Level 1, Level 2, or DC Fast Charging, with approved Underwriters Laboratories product listing agency verifying safety-related certification and inspection of the PEV charging system electrical devices and components.
- g. Manufacturer’s specifications, installation guidelines, and, if applicable, ventilation requirements;
- h. Existing panel rating and proposed charging load and calculations;
- i. If a second electrical meter and dedicated breaker is installed for the purpose measuring only a PEV’s energy use separate from a home or business electric load, the second meter must be labeled as “PEV Charging Only”.

- j. Other information that the Planning Division may require to secure compliance with this Chapter.

Sec. 8176-9.5 –PEV Charging Station Design Standards

a. Location – Outdoor Sites

1. On-street PEV charging stations are prohibited. Vehicles must be parked outside of the public right-of-way while being charged.
2. PEV charging station outlets and connector shall be no less than thirty-six inches or no higher than forty-eight inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface, unless the manufacturer instructions for the electrical vehicle supply equipment recommends otherwise.
3. When attached to the side of a building, the charging system must be at least three feet from the property line.
4. Equipment shall be protected by wheel stops or concrete-filled bollards.
5. In no case shall PEV charging station equipment encroach into public right-of-ways. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create hazards within the right-of-way.

b. Location – Indoor Sites

1. Indoor sites shall be limited to garages, parking structures, and agricultural buildings.
2. The electrical vehicle supply unit shall be located to permit direct connection to the electric vehicle.
3. PEV charging stations shall be stored or located at a height of no less than eighteen inches and no more than four feet unless the manufacturer instructions for the electrical vehicle supply equipment recommends otherwise.
4. Where the electric vehicle charging equipment requires ventilation for indoor operation, ventilation equipment connected to the outdoors shall be installed and permanently maintained.

c. Lighting

1. In no case, shall direct light from a PEV charging station illuminate a public street, walkway, or adjacent property in a manner that causes a nuisance, traffic hazard or safety hazard.
2. Illuminated PEV charging stations are prohibited within 100 feet of environmentally sensitive habitat areas.

d. Signage. Signage shall be designed in conformance with Article 5 Sec. 8175-5.13 of this Chapter. The following information shall be displayed on PEV charging station signs:

1. Voltage and amperage levels;
2. Safety information;

3. Hours of operations if time limits or tow-away provisions are to be enforced by the property owner;
4. Usage fees;
5. Contact information for reporting when the equipment is not operating or other problems.
6. PEV parking spaces must be designated with signage stating "Electric Vehicle Charging Only."

ARTICLE 7: STANDARDS FOR SPECIFIC ZONES

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

Sec. 8177-1.1 - Subzones and Density Standards

See Sec. 8171-9.2.

Sec. 8177-1.2 - General Standards

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

- a. In order to develop a CRPD project, there shall be single ownership or unified control of the site, or written consent or agreement of all owners of the subject property for inclusion therein.
- b. The parking standards of Article 6 shall apply in the CRPD zone, with the additional provision that a minimum of one visitor parking space for each two *dwelling units*, either on- or off-street, is required.
- c. *Buildings* and circulation systems shall be designed so as to be integrated with the natural topography where *feasible*, and to encourage the preservation of *trees* and other natural features.
- d. Mechanical heating and cooling equipment shall be screened from public view.
- e. Lighting may be required along internal roadways for the safety of pedestrians.

(AM.ORD.4451-12/11/12)

Sec. 8177-1.3 - Setback Regulations

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

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

(AM.ORD.4451-12/11/12)

Sec. 8177-1.4 - Circulation

Circulation shall be designed as follows, where *feasible*:

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

Sec. 8177-1.5 - Open Space Requirements

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

- a. In *single-family* projects where each *dwelling* has its own *lot*, at least 20 percent of the *net area* of the site shall be private or common open space, or a combination thereof. All open *setback* areas around *dwellings*, except for *side setbacks*, shall be counted toward the 20 percent requirement. (AM.ORD.4451-12/11/12)
- b. In all other residential projects, at least 20 percent of the *net area* shall be preserved as common open space.
- c. Common open space shall be suitably improved for its intended purpose and generally accessible to all residential areas of the *development*.
- d. Among the land *uses* considered as common open space for the purposes of this section are parks, recreational facilities, greenbelts at least ten feet wide, bikeways and pedestrian paths.
- e. At least 50 percent of the area designated as common open space shall be comprised of land with *slopes* of ten percent or less.
- f. Seventy-five percent of the area of golf courses, lakes and reservoirs may be used in computing common open space.
- g. The following areas may not be used to fulfill the open space requirement:
 1. Streets and street rights-of-way;
 2. Paved parking areas and driveways;
 3. Improved drainage facilities with restricted recreational *use*.
- h. Appropriate arrangements shall be made, such as the establishment of an association or nonprofit corporation of all property owners within the project area, to ensure maintenance of all common open space.
- i. The minimum open space standards above may be modified by the *decision-making authority* if alternative amenities of comparable value are provided.

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

Sec. 8177-2.1 - Lighting

There shall be no illumination or glare from commercial sites onto adjacent properties or streets that may be considered either objectionable by adjacent residents or hazardous to motorists. Flashing lights are prohibited. (AM.ORD.4451-12/11/12)

Sec. 8177-2.2 - Undergrounding of Utilities

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

Sec. 8177-2.3 - Enclosed Building Requirement

All *uses* shall be conducted within a completely enclosed *building* unless the *use* is listed in Article 4 as an outdoor *use*, or one that must be outdoors in order to function. (AM.ORD.4451-12/11/12)

Sec. 8177-2.4 - Building Coverage

No more than 40 percent of the area of any *lot* in the CC zone shall be covered with *buildings*. (AM.ORD.4451-12/11/12)

Sec. 8177-2.5 - Construction Materials

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

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

Sec. 8177-3.1 - Use of Required Setback Areas

Setback areas may be used for driveways, walkways, landscaping and appurtenant fixtures, and similar *uses*. Off-street parking may also be located in required *setback* areas provided it is located at least ten feet from a street property line and separated by the street by appropriate walks, fencing, or landscaping. (AM.ORD.4451-12/11/12)

Sec. 8177-3.2 - Undergrounding of Utilities

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

Sec. 8177-3.3 - Private Streets

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

Sec. 8177-3.4 – Exterior Storage

All areas used for exterior storage shall be fenced for security and public safety. All materials stored shall be accessory to the *principal use* conducted on the property. (AM.ORD.4451-12/11/12)

Sec. 8177-3.5 - Construction Materials

All metal *buildings* shall be faced along any street side with masonry, stone, concrete, wood, or similar material. Such facing treatment shall extend along the interior *side setbacks* of such *building* a distance of at least ten feet. The metal portion of the principal *building* and all metal accessory *buildings* shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similar finished surface. (AM.ORD.4451-12/11/12)

Sec. 8177-3.6 - Performance Standards

The following standards constitute the minimum permitted levels of operational characteristics for *uses* allowed in the CM zone. The point of measurement shall be at the *lot* or ownership line surrounding the *use*. (AM.ORD.4451-12/11/12)

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

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

Sec. 8177-3.6.2 - Hazards

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

Sec. 8177-3.6.3 - Liquid and Solid Wastes

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

Sec. 8177-3.6.4 – Exceptions

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

Sec. 8177-3.7 - Compliance

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

Sec. 8177-3.7.1 - Required Data

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

- a. A description of any machinery, process, and products;

- b. Measurements of the amount or rate of emission of any possibly objectionable elements;
- c. Methods or techniques that could be used in restricting the emission or generation of such elements. (AM.ORD.4451-12/11/12)

Sec. 8177-3.7.2 - Failure to Submit Data

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

Sec. 8177-3.7.3 - Report by Expert Consultants

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

Sec. 8177-3.7.4 - Decision on Compliance

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

Sec. 8177-3.7.5 - Revocation of Approvals

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

Sec. 8177-3.7.6 - Effect of Other Regulations

Any *use* or process subject to these regulations shall comply with all other authorized governmental standards or regulations that are in effect in Ventura County. More restrictive performance standards or regulations enacted by any authorized governmental agency having jurisdiction in Ventura County on such matters shall take precedence over these regulations. (AM.ORD.4451-12/11/12)

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

The standards and procedures found in this Article shall apply to all property in the Santa Monica Mountains whose zoning district carries the (M) suffix [example: COS(M)]. All other pertinent standards in this Chapter shall also apply. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1 - Development Standards

The following additional resource protection standards shall apply to *developments* proposed in the Santa Monica Mountains overlay zone (M). (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.1

New *development*, including all private and public recreational *uses*, shall preserve all *unique vegetation* such as *Coreopsis gigantea* (giant coreopsis) and *Dudleya cymosa* ssp. *Marcescens* (marcescent dudleya). (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.2

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

- a. In cases where *environmentally sensitive habitat areas* are located on a project site where the impacts of *development* are mitigated consistent with the LCP Land Use Plan, the County shall assure that all *habitat* areas are permanently maintained in open space through a recorded easement or deed restriction.
- b. When such impacts of *development* would be unavoidable, the County shall ascertain within the specified project review period whether any public agency or nonprofit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State Department of Parks and Recreation, County Property Administration Agency, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property that would be affected by the proposed *development* and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit is denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reasons.

(AM.ORD.4451-12/11/12)

Sec. 8177-4.1.3

Construction and/or improvements of driveways or accessways that would increase *access* to any property shall be permitted only when it has been determined that environmental resources in the area will not be adversely impacted by the increased *access*. Grading cuts shall be minimized by combining the accessways of adjacent property owners to a single road where possible. The intent is to reduce the number of direct ingress-egress points from *public roads* and to reduce grading. At *stream* crossings, driveway *access* for nearby residences shall be combined. Hillside roads and driveways shall be as narrow as is *feasible* and shall follow natural contours. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.4

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

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

(AM.ORD.4451-12/11/12)

Sec. 8177-4.1.5

New *development* shall be sited and designed to protect public views to and from the shoreline and public *recreational areas*. Where *feasible*, *development* on sloped terrain shall be set below road *grade*. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.6

Development shall not be sited on ridgelines or hilltops when alternative sites on the *parcel* are available, and shall not be sited on the crest of major ridgelines. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.7

Except within the existing South Coast community, as shown on the south coast subarea Land Use Plan map, all *development* proposals located within 1000 feet of publicly owned park lands shall be sited and designed to mitigate potential adverse visual impacts upon park lands. Appropriate mitigation measures include additional landscaping, *use* of natural materials, low *building* profiles, earth tone colors, and the like. *Development* shall not be sited within 500 feet of a park boundary unless no alternative siting on the property is possible consistent with the policies of the Plan. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.8

Development shall neither preclude continued *use* of, nor preempt, the option of establishing inland recreational trails along routes depicted on the LCP Land Use Plan maps. A recorded offer of dedication or a deed restriction creating a trail easement shall be required as a condition of approval on property crossed by trails shown on the LCP Land Use Plan maps. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.9

All new trail corridors shall be a minimum of 25 feet in width, with a larger corridor width for major feeder trails. The routing of trails shall be flexible in order to maintain an adequate buffer from adjacent *development*. Where *feasible*, *development* shall be sited sufficiently distant from the trail so as not to interfere with the trail route. (AM.ORD.4451-12/11/12)

Sec. 8177-4.1.10

Before a permit for *development* of any *lot* is approved, the suitability of that *lot* for public recreational *use* shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service. If the County determines that the property may be suitable for such *use*, the County shall ascertain whether any public agency or nonprofit organization (see Sec. 8177-4.1.2b for examples) is planning or contemplating acquisition of any part of the subject property, or whether such agencies are specifically authorized to acquire any portion of the

property that would be affected by the proposed *development*, or whether funds for the acquisition are available or could reasonably be expected to be available within one year from the date of application for permit. If a permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again for the same reasons.

(AM.ORD.4451-12/11/12)

Sec. 8177-4.1.11

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

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

(AM.ORD.4451-12/11/12)

ARTICLE 8: GENERAL DEVELOPMENT STANDARDS/CONDITIONS – RESOURCE PROTECTION

Sec. 8178-1 – Purpose

The purpose of this Article is to provide *development* standards and conditions necessary for the protection of environmental and other resources in the *Coastal zone*. This Article must be used in conjunction with any specific *development* standards found in Articles 5, 6, and 7, and with all provisions and policies of the LCP Land Use Plan, to determine all the standards and conditions for a proposed *development*.

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

The provisions of this section apply to all areas of the County's *Coastal Zone* that fall within the definition of "*environmentally sensitive habitat areas*," or within the designated *buffer areas* around such habitats. (AM.ORD.4451-12/11/12)

Sec. 8178-2.1 - Permitted Uses

See Sec. 8174-4 for *uses* permitted within *environmentally sensitive habitat areas* and *buffer areas*. (AM.ORD.4451-12/11/12)

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

If a new ESHA is identified by the County on a *lot* or *lots* during application review, the provisions of this Article shall apply. The County shall periodically review and update its maps pertaining to *environmentally sensitive habitat areas* in the *coastal zone*. (AM.ORD.4451-12/11/12)

Sec. 8178-2.3 - Recreational Projects

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

Sec. 8178-2.4 - Specific Standards

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

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

parking areas. Findings to be made shall include proper wastewater disposal.

c. Creek Corridors

1. All *developments* on land either in a *stream* or creek corridor or within 100 feet of such corridor (*buffer area*), shall be sited and designed to prevent impacts that would significantly degrade *riparian habitats*, and shall be compatible with the continuance of such *habitats*. (AM.ORD.4451-12/11/12)
2. Substantial alterations (channelizations, dams, etc.) to river, *stream*, or creek corridors are limited to: water supply projects necessary to agricultural operations or to serve *developments* permitted by the LCP Land Use Plan designations; flood control projects where no other method for protecting existing *structures* in the flood plain is *feasible*, and where such protection is necessary for public safety or to protect existing *development*; or *developments* where the primary function is the improvement of fish and wildlife *habitat*.
3. *Developments* allowed per the above policies shall incorporate the best mitigation measures *feasible*.

d. Wetlands

1. All *developments* on land either in a designated *wetland*, or within 100 feet of such designation, shall be sited and designed to prevent impacts that would significantly degrade the viability of the *wetland*. The purposes of such projects shall be limited to those in Section 30233(a) of the Coastal Act. (AM.ORD.4451-12/11/12)
2. Where any dike or *fill development* is permitted in *wetlands*, mitigation measures shall, at a minimum, include those listed in Section 30607.1 of the Coastal Act. Other reasonable measures shall also be required as determined by the County to carry out the provisions of Sections 30233(b and c) of the Coastal Act.
3. *Habitat* mitigation shall include, but not be limited to, timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of *native vegetation*, reclamation or enhancement as specified in the California Coastal Commission "Interpretive Guidelines for Wetlands" and a plan for spoils consistent with paragraph (4) below. The Department of Fish and Game, as well as other appropriate agencies, shall be consulted as to appropriate mitigation measures.
4. Dredge spoils should not be used for beach replenishment unless it can be shown that the process would not adversely impact coastal processes or *habitats*, such as intertidal reefs, grunion spawning grounds, or marsh. The California Department of Fish and Game, as well as other appropriate agencies, must be consulted when spoils deposition on a beach is under consideration.

Sec. 8178-3 – Archaeological and Paleontological Resources

Sections:

- 8178-3.0 Archaeological and Paleontological Resources
- 8178-3.1 Archeological Resources
 - 8178-3.1.2 Methodology
 - 8178-3.1.3 Monitoring
 - 8178-3.1.4 Mitigation

- 8178-3.2 Paleontological Resources
- 8178-3.2.1 Applicability
- 8178-3.2.2 Methodology
- 8178-3.2.3 Monitoring
- 8178-3.2.4 Mitigation

Sec. 8178-3.1 - Archaeological Resources

The purpose of this section is to protect *archaeological resources* in the coastal zone.

Sec. 8178-3.1.1 - Applicability

The following standards shall apply to all proposed development in order to protect *archaeological resources* that can be disturbed by human activities. Development that does not have the potential to affect *archeological resources*, does not require further review.

Sec. 8178-3.1.2 – Methodology

Sec. 8178-3.1.2.1 – Initial Evaluation

- a. The Planning Division shall conduct a search of County records to determine if areas proposed to be disturbed, including but not limited to all building envelopes, access roads, subsurface structures, well sites, trenching sites, or other ground disturbance sites), have undergone a Phase I Inventory in accordance with Sec. 8178-3.1.2.2 (below).
- b. If a Phase I Inventory was conducted for the area proposed for development, the findings and recommendations shall be reviewed by the Planning Division to verify that all areas proposed for development were included in the Phase I Inventory.
- c. If the project area is undeveloped and no archaeological survey has been conducted, or portions of the project site were not included in a previous Phase I Inventory, the Planning Division shall contact the South Central Coast Information Center at Cal State Fullerton (SCCIC) to determine if a Phase I Inventory will be required.

Sec. 8178-3.1.2.2 – Phase I Inventory

- a. A Phase I Inventory shall be prepared by a *Qualified Archaeological Consultant* and shall include a record search, Sacred Lands File search, and a surface survey as follows:
 1. A record search shall procure information from the SCCIC or Regional Historical Resources Information Center and shall determine the following:
 - Whether a part or all of the project area was previously surveyed for *archaeological resources*;
 - Whether any known *archaeological resources* were already recorded on or adjacent to the project area; and,
 - Whether the probability is low, moderate, or high that *archaeological resources* are located within the project area.
 2. A Sacred Lands File search shall be requested from the Native American Heritage Commission to determine the presence of Native American *archaeological resources* and to obtain the most recent list of Native American individuals/organizations that may have knowledge of *archaeological resources* in the project area.

3. A surface survey shall be performed to determine the presence or absence of *archaeological resources*. The qualified archaeological consultant, in consultation with the Planning Division, shall determine if a subsurface analysis should be performed. Subsurface exploration techniques shall be limited to hand excavations, shovel test pits, or trenches that do not require a grading permit and will not result in substantial disturbance of environmentally sensitive habitat areas.
- b. The Phase I Inventory Report shall include:
 1. An overview of the archaeological context within which to evaluate the type, nature and significance of prehistoric resources (i.e. material remains of Native American societies and their activities) or ethnohistoric resources (i.e. Native American settlements occupied after the arrival of European settlers in California) that may be encountered in the project area;
 2. An historical context to determine if any *archaeological resources* meet the criteria for an *historic resource* pursuant to Sec. 8178-3.1.2.3;
 3. A description of how the surface survey was conducted;
 4. An assessment identifying the importance or absence of subsurface *archaeological resources* and any potential direct or indirect effects from the proposed development on *archaeological resources*;
 5. Resource management recommendations;
 6. Copies of the records search; and
 7. Official state forms (i.e. Building, Structure and Object (BSO) Record, Archaeological Site Record and/or District Record) if *archaeological resources* are encountered.

A copy of the Phase I Inventory shall be reviewed and approved by the Planning Director and filed with the South Central Coastal Information Center (California State University Fullerton) or Regional Historical Resources Information Center.

- c. Where, as a result of the Phase I Inventory, the *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, that the potential for encountering *archaeological resources* is low, no further analysis is required. However, the project will be conditioned that in the event of an unanticipated discovery, construction shall be halted in the area of the find and the permittee shall contact the Planning Director, the *qualified archaeological consultant* and the State Historic Preservation Officer to assess the significance and treatment options.
- d. Following the submittal of a Phase I Inventory, and within 14 days of deeming the application complete, the Planning Division shall notify the designated contact or tribal representative of traditionally and culturally affiliated California Native American tribes that requested, in writing, to be notified of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.
 1. The Planning Division shall provide written notification that includes a brief description of the proposed project and its location, the assigned case planner's contact information, and a notification that

the California Native American tribe has 30 days to request a consultation.

2. Mandatory topics of the consultation include significance of the resource, alternatives to the project, and recommended mitigation measures.
3. Environmental issues and possible mitigation measures identified during the consultation will be considered in determining the scope of environmental review.

Sec. 8178-3.1.2.3 – Archaeological Resources Determined to be Historic Resources

- a. Where, as a result of the Phase I Inventory, the, *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, the archaeological site is also an *historic resource*, the Planning Director, in consultation with the *Qualified Archaeological Consultant*, the Ventura County Cultural Heritage Board, and the State Historic Preservation Officer, shall develop a plan for mitigating the effect of the project on the qualities that make the resource significant consistent with the criteria for mitigation in Sec. 8178-3.1.4, with an emphasis on avoiding impacts to the resource and preserving it in place.
- b. Where the, *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, the archaeological site does not meet the criteria for an *historic resource* as defined in Article 2 but does meet the definition of *archaeological resource*, the *Qualified Archaeological Consultant's* recommendations, with the approval of the Planning Director, shall determine the subsequent course of action.

Sec. 8178-3.1.2.4 – Phase II Evaluation

- a. Where the approved Phase I Report identifies a moderate to high potential for encountering significant *archaeological resources* in the project area, a Phase II Evaluation of *archaeological resources* shall be required.
- b. Notwithstanding the foregoing, the Planning Director may waive the preparation of a Phase II Evaluation if all of the following conditions are met:
 1. Based upon substantial evidence, the Planning Director determines that although the Phase I Inventory indicates the presence of prehistoric or ethnohistoric resources are present, it is unlikely that the project site will contain *archaeological resources* (as for example, where the site is in an area of low density of artifacts or other remains, the suspected amount of the site deposit to be disturbed is small, or where it appears the artifacts or other remains have been historically redeposited);
 2. Project applicant provides monitoring of all excavation and trenching by an *Archaeologist, Qualified Consultant* and qualified Native American monitor, chosen in consultation with the Native American Heritage Commission if the resource is significant to Chumash or Native American prehistory or history; and
 3. A *Qualified Archaeological Consultant* prepares a Construction Monitoring Plan that includes the following:

- Procedures for archaeological and Native American monitoring of all earth-moving activities related to project construction;
 - An action plan for treating discoveries of archeological resources including sampling procedures to be used, data recovery methods to be employed, and the anticipated approach to post-field data analysis and reporting.
- c. If a Phase II Evaluation is required, the applicant in consultation with the *Qualified Archaeological Consultant*, shall provide a written scope of work that details the recording, mapping, and collection procedures, time frames and cost. Prior to initiating the Phase II Evaluation pursuant to Sec. 8178-3.1.2.4, the Planning Director shall review and approve the scope of work.
- d. During the Phase II Evaluation, the *Qualified Archaeological Consultant* shall recover sufficient samples to allow the formulation of more complete interpretations regarding the spatial disposition of artifacts across the site, as well as the likely age and function of discreet components or activity areas within the site. The evaluation shall consist of the following:
1. Subsurface exploration techniques including hand and/or auger excavations, and shovel test pits or trenches, as determined by the *Qualified Archaeological Consultant*;
 2. A delineation of the site boundaries of the *archaeological resources*;
 3. A detailed analysis of the material recovered; and
 4. An assessment of resource integrity.
- e. Earth disturbing activities associated with the Phase II Evaluation shall be confined to the direct area of the project's potential effects except when otherwise indicated in the approved scope of work.
- f. Prior to approval of a Planned Development Permit for the project, a final Phase II Evaluation report with recommendations of impact mitigation shall be submitted to the Planning Director for review and approval and shall be filed with the South Central Coastal Information Center (California State University Fullerton) or Regional Historical Resources Information Center.

Sec. 8178-3.1.2.5 – Phase III Mitigation

- a. Where as a result of the Phase II Evaluation the *Qualified Archaeological Consultant* determines that the project may adversely affect *archaeological resources* that yield or have the potential to yield significant information regarding prehistory or history only with archaeological methods, and therefore data recovery necessary for cultural and scientific discovery would serve as the primary mitigation method, with the approval of the Planning Director, a Phase III archaeological mitigation plan for the treatment of impacted archaeological resources shall be prepared.
- b. Where the *Qualified Archaeological Consultant* determines that the project may adversely affect archaeological resources other than those that have the potential to yield significant information regarding history or prehistory, with the approval of the Planning Director, the project shall be subject to the mitigation criteria in Sec. 8178-3.1.4. The Phase

III archaeological mitigation plan shall be prepared by the *Qualified Archaeological Consultant* and shall include a Data Recovery Plan that proposes how the archaeological excavation will be carried out, and shall require the preparation of a Data Recovery Report summarizing the results of the archaeological excavation(s).

- c. Excavations shall be confined to the direct area of the project's potential effects except when otherwise indicated in a Data Recovery Plan. The Data Recovery Plan shall include but not be limited to the following:
 - 1. The nature and purpose of the Data Recovery Plan, dates of the fieldwork, names, titles, and qualifications of personnel involved, and nature of any permits or permission obtained;
 - 2. The level of excavation needed;
 - 3. The analytical protocols for the data;
 - 4. Detailed notes, photographs, and drawings of all excavations and soil samples; and
 - 5. The location of where archaeological resources will be curated.
- d. The Data Recovery Plan shall be submitted with the permit application, shall be reviewed for adequacy by the Planning Director, and shall be subject to approval as part of the permit application for the development. A follow-up Data Recovery Report shall be submitted to the Planning Division following the archaeological excavation detailing the implementation of the Data Recovery Plan and recovery measures that were performed, including the integrity of the site deposits and any other information, as necessary.

Sec. 8178-3.1.3 - Monitoring

- a. Where as a result of the Phase I Inventory and/or Phase II Evaluation, the *Qualified Archaeological Consultant* recommends archaeological monitoring to occur during earth moving activities related to project construction, with the approval of the Planning Director, the *Qualified Archaeological Consultant* retained by the permittee shall select a qualified archaeological monitor and, if the resource is significant to Chumash or Native American prehistory or history, a Native American monitor shall be retained in consultation with the Native American Heritage Commission to be used for that site only.
- b. If any *archaeological resources* are found in the course of excavation or trenching, work shall immediately cease in the area of the find. Work shall be redirected, where feasible, until the *Qualified Archaeological Consultant* can provide an evaluation of the nature and significance of the resources and recommend appropriate mitigation measures. The Planning Director shall review and approve additional mitigation measures, as recommended, where such measures are in substantial conformance with the approved permit. The permittee shall obtain the Planning Director's written concurrence of the approved recommendations before resuming construction activities. Where mitigation measures comprise additional development that is not substantially in conformance with the approved permit, a new permit or permit modification shall be required.
- c. If human remains are encountered, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Medical Examiner has been contacted.

- d. If the County Medical Examiner determines that the human remains are those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours.
- e. Upon the discovery of Native American remains, the permittee shall ensure that the immediate vicinity is not damaged or disturbed by further development activity until the permittee has discussed and conferred with the most likely descendants regarding the descendants' preferences and all reasonable options for treatment and disposition of the remains, in accordance with Public Resources Code section 5097.98.
- f. Whenever the Native American Heritage Commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect the sites, the landowner shall record the site with the Native American Heritage Commission, South Central Coastal Information Center (California State University Fullerton) and/or Regional Historical Resources Information Center.

Sec. 8178-3.1.4 – Mitigation

Where new development may adversely impact *archaeological resources*, mitigation shall be required. Mitigation measures subject to the review and approval of the Planning Division shall be prepared by a *Qualified Archaeological Consultant* to minimize impacts to archaeological resources to the maximum extent feasible, in consultation with Native American tribal groups approved by the Native American Heritage Commission for the area, and the State Historic Preservation Officer, and consistent with the following mitigation criteria.

- a. The following mitigation measures to reduce impacts to *archaeological resources* shall be undertaken in the following order:
 - 1. Except as allowed pursuant to Sec. 8178-3.1.2.5, preserve the resources in place or in an undisturbed state using the following methods:
 - i. Planning construction to avoid archaeological sites;
 - ii. Planning parks, green space, or other open space to incorporate archaeological sites;
 - iii. Capping or covering archaeological sites only when avoidance is not possible and with a sufficiently thick protective layer of soil before building tennis courts, parking lots or other paved surfaces;
 - iv. Protecting archaeological sites pursuant to easements or other legal instruments recorded with the Office of Ventura County Recorder in the property's chain of title.
 - 2. Where in-situ preservation is not feasible, or where specifically allowed pursuant to Sec. 8178-3.1.2.5, partial or total recovery of *archaeological resources* shall be conducted pursuant to the recommendations included in the Phase I and II reports approved by the Planning Director.

3. Other mitigation measures, as appropriate.

Sec. 8178-3.2 - Paleontological Resources

The purpose of this section is to protect important paleontological resources in the coastal zone.

Sec. 8178-3.2.1 - Applicability

The following standards shall apply to all proposed development in order to protect important *paleontological resources* that may be damaged or destroyed by the proposed development.

Sec. 8178-3.2.2 - Methodology

a. The Planning Division shall perform a preliminary assessment of the proposed project and all areas that will be disturbed and the depth of disturbance. As part of the assessment, the geologic formation in which the project shall be located, and its relative paleontological importance, shall be identified using the following table:

Table 1

GEOLOGIC FORMATION	TYPE	GEOLOGIC AGE	PALEONTOLOGICAL IMPORTANCE
<i>Artificial fill</i>	af	Holocene	None
Active beach deposits	Qb	Holocene	None. Deposits displaced or disrupted
Active coastal eolian (sand dune) deposits	Qe	Holocene	
Active coastal estuarine deposits	Qes	Holocene	
Active wash deposits within major river channels	Qw	Holocene	
Wash deposits	Qhw1/ Qhw3	Holocene	None. Deposits disrupted or displaced
Alluvial fan deposits	Qhfy/ Qhf/Qhff	Holocene	None. Deposits displaced or disrupted
Alluvial deposits and colluvial deposits	Qha	Holocene	
Stream terrace deposits	Qht	Holocene	None. Deposits displaced or disrupted
Paralic deposits of the Sea Cliff marine terrace	Qhps	Holocene	Moderate
Landslides deposits	Qls	Holocene/ Pleistocene	None Deposits displaced or disrupted
Paralic deposits of Punta Gorda marine terrace	Qppp	Pleistocene	Moderate
Undivided mass-wasting deposits	Qpmw	Pleistocene	None Deposits displaced or disrupted
Alluvial deposits	Qpa	Pleistocene	Moderate
Alluvial deposits	Qoa	Pleistocene	None. Deposits displaced or disrupted
Casitas formation	Qca	Pleistocene	Moderate
Saugus Formation	Qs	Pleistocene	High

GEOLOGIC FORMATION	TYPE	GEOLOGIC AGE	PALEONTOLOGICAL IMPORTANCE
Las Posas Formation	Qlp	Pleistocene	Moderate to High
Santa Barbara Formation	Qsb	Pleistocene	Moderate to High
Pico Formation	Tp/Tps/ Tpsc	Pliocene	Moderate to High
Sisquoc Formation	Tsq	Pliocene/ Miocene	Moderate
Undivided diabase and mafic hypabyssal intrusive rocks	Tdb	Miocene	None
Monterey Formation	Tmy	Miocene	Moderate
Topanga Formation	Tt/Tts	Miocene	Moderate
Conejo Volcanics	Tcv, Tcvab, Tdb	Miocene	None
Vaqueros Sandstone	Tv/Tvs	Oligocene	Moderate to High

Table 1 Legend - Paleontological Importance:

Bureau of Land Management Paleontological Classifications:

Paleontological Resource, High – Geologic units containing a high occurrence of scientifically significant fossils known to occur and have been documented, but may vary in occurrence and predictability. Surface disturbing activities may adversely affect these paleontological resources in many cases.

Paleontological Resource, Moderate – Geologic units may contain vertebrate fossils or scientifically significant non-vertebrate fossils, but where occurrences are widely scattered. The potential for a project to be sited on or impact a scientifically significant fossil locality is low; however the potential still exists.

Paleontological Resource, Low – Geologic units that are not likely to contain vertebrate fossils or scientifically significant non-vertebrate fossils. Units are generally younger than 10,000 years before present in sediments that exhibit significant physical and chemical changes. The probability for impacting vertebrate or non-vertebrate or plant fossils is low.

Paleontological Resource, None – No potential for geologic units to contain vertebrate fossils because the formation is Conejo volcanics, granite or basalt, or the area that will be disturbed is imported or *artificial fill*.

- b. The Planning Division shall utilize the results of its preliminary assessment as follows:
 1. No further assessment is required for the following areas unless important *paleontological resources* are discovered during earth moving activities:
 - The proposed development is located on *artificial fill*, igneous or metamorphic rock.
 - If the underlying geologic formation is located in an area of Quaternary Deposits (*alluvium*), Holocene and Pleistocene epochs, and has an importance rating of Low or None.
 2. An assessment of the proposed development, which shall be conducted by a *qualified paleontological consultant* or registered geologist, shall be

required for the following:

- If the underlying geologic formation is located in an area of Quaternary Deposits (*alluvium*), Holocene and Pleistocene epochs, and has an importance rating of Moderate, Moderate to High, or High.
- If the underlying geologic formation is located within the Tertiary geologic period, Pliocene, Miocene, Oligocene epochs.

The assessment shall include literature and archival reviews at the appropriate museum (Natural History Museum of Los Angeles County or other curating facility), consultations with geologists and paleontologists knowledgeable about the paleontological potential of rock units present in the vicinity of the proposed project, and a field survey of the areas where earth-moving activities such as grading, trenching, drilling, tunneling, and boring are proposed.

3. If the assessment determines that there is a potential for important paleontological resources to be buried at a depth beneath *alluvium* or *artificial fill* that will not be disturbed by earth-moving activities, documentation from a qualified paleontologist or registered geologist shall be submitted demonstrating that the project will have no impact on paleontological resources.
4. Where as a result of the assessment, the *qualified paleontological consultant*, with approval by the Planning Director, determines proposed earth-moving activities have the potential to disturb important paleontological resources, the *qualified paleontological consultant* shall prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) that includes:
 - Documentation of the location of recorded fossil sites within the area of proposed development;
 - Documentation of other stratigraphic levels, as determined necessary by the paleontological consultant or registered geologist;
 - Verification or modification of the level of paleontological importance assigned to each formation within the area of proposed development;
 - Identification of any potential adverse effects from the proposed development on important paleontological resources;
 - Evaluation of all mitigation opportunities pursuant to Sec. 8178-3.2.4, including siting and design alternatives to avoid impacting the resources;
 - Identification of alternatives where there is a potential to impact important paleontological resources; and
 - Procedures for preconstruction coordination including informing construction personnel of the possibility of encountering fossils, how to recognize paleontological resources, and proper notification procedures, discovery procedures, and where approved, sampling and data recovery, cataloguing, and museum curation for specimens and data recovered.
5. The documentation or PRMMP shall be reviewed for adequacy by the Planning Director and shall be subject to approval as part of the permit

application for the development.

6. For those projects requiring a PRMMP, after all earth-moving activities are completed, a final report shall be submitted to the Planning Director for approval. The final report shall include but not be limited to the following:
 - Documentation of the location of any paleontological resources identified during earthmoving activities;
 - Description of the paleontological importance;
 - The curation location; and
 - Documentation of the monitoring activities.
7. The *qualified paleontological consultant* shall inform the Ventura County Cultural Heritage Board of important paleontological resource discoveries.

Sec. 8178-3.2.3 – Monitoring

- a. Where earth-moving activities may impact important *paleontological resources*, a paleontological monitor must be present during earth-moving activities. After 50 percent of excavations are complete in either an area or rock unit and no fossils of any kind have been discovered, the level of monitoring can be reduced or suspended entirely subject to written approval of the Planning Director where specifically allowed in the approved permit conditions.
- b. If fossil remains are found during earth moving activities, the earth moving activities must halt and the *qualified paleontological consultant* shall be notified to assess the site and determine further mitigation measures, as appropriate. The Planning Director shall review and approve additional mitigation as recommended where such measures are in substantial conformance with the approved permit. The permittee shall obtain the Planning Director's written concurrence of the approved recommendations before resuming earth moving activities. Where mitigation measures comprise additional development that is not substantially in conformance with the approved permit, a new permit or permit modification shall be required.

Sec. 8178-3.2.4 – Mitigation

Where earth-moving or other development activities may adversely affect *important paleontological resources*, mitigation shall be required. Mitigation measures subject to the review and approval of the Planning Division shall be prepared by a *qualified paleontological consultant* or registered geologist to minimize impacts to important paleontological resources to the maximum extent feasible and consistent with the following mitigation criteria. Mitigation measures shall be subject to approval as part of the discretionary permit application.

- a. The following mitigation measures to reduce impacts to *important paleontological resources* shall be undertaken in the following order:
 - i. Planning construction to avoid paleontological sites;
 - ii. Protecting significant paleontological areas pursuant to easements or other legal instruments recorded with the Office of Ventura County Recorder in the property's chain of title.

- b. Where in-situ preservation is not feasible, partial or total recovery of paleontological resources shall be conducted pursuant to the recommendations included in the approved PRMMP pursuant to Sec. 8178-3.2.2.b.
- c. Other mitigation measures, as appropriate.

Sec. 8178-4 – Mitigation of Potential Hazards

Sec. 8178-4.1

All new *development* shall be evaluated for potential impacts to, and from, geologic hazards (including seismic hazards, landslides, expansive soils, subsidence, etc.), flood hazards and fire hazards. New *development* shall be sited and designed to minimize risks to life and property in areas such as floodplains, blufftops, 20% or greater *slopes*, or shorelines, where such hazards may exist. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works. *Feasible* mitigation measures shall be required where necessary.

Sec. 8178-4.2

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

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

8. Effects of marine *erosion* on seacliffs;
9. Potential effects of seismic forces resulting from a maximum credible earthquake;
10. Any other factors that might affect *slope* stability.

(AM.ORD.4451-12/11/12)

- b. *Shoreline Protective Devices* - See Sec. 8175-5.12.

Sec. 8178-4.3

Structures for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.

Sec. 8178-5 – Agricultural Lands

To maintain agricultural viability, the following standards must be met, or be capable of being met with appropriate conditions and limitations. These standards apply to all *developments*, including land divisions, either in or adjacent to agricultural areas. The applicant shall have the burden of proving these standards can be met:

- a. The establishment or maintenance of the *use* or *development* will not significantly reduce, restrict or adversely affect agricultural resources or the economic viability of commercial agricultural operations on-site or in the area.
- b. All *structures* will be sited to minimize conflicts with agricultural operations.
- c. The minimum amount of agricultural land shall be removed from production.

Sec. 8178-6 – Beach Access

The following conditions shall apply to all proposed *developments* located between the first *public road* and the ocean:

Sec. 8178-6.1

The granting of an easement to allow *vertical access* to the *mean high tide line* shall be mandatory unless:

- a. Adequate public *access* is already available within a reasonable distance (one-quarter mile) of the site measured along the shoreline, or
- b. *Access* at the site would result in unmitigable adverse impacts on areas designated as "sensitive habitats" or tidepools by the land *use* plan, or
- c. Findings are made, consistent with Section 30121 of the Coastal Act, that *access* is inconsistent with public safety or military security needs, or that *agriculture* would be adversely affected, or
- d. The *parcel* is too narrow to allow for an adequate *vertical access* corridor without adversely affecting the privacy of the property owner. This shall mean that the possibility does not exist to site the accessway five feet or more from the residential *structure* and that the *structure* cannot be redesigned to accommodate the accessway with the five-foot separation.

Sec. 8178-6.2

The granting of lateral easements to allow for public *access* along the shoreline shall be mandatory unless findings are made, consistent with Section 30212 of the Coastal Act, that *access* is inconsistent with public safety or military security needs, or that *agriculture* would be adversely affected. In coastal areas where the bluffs

exceed five feet in *height*, all beach seaward of the base of the bluff shall be dedicated for public *use*. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for *lateral access* during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential *structure*. In addition, all *fences*, "no trespassing" *signs* and other obstructions that may limit public *lateral access* shall be removed as a condition of *development* approval. For new *development*, including additions seaward of an existing residence, the improvements shall not extend seaward to an extent which does not provide the required ten-foot separation between the high tide *lateral access* and the improvements, unless there is a protective *structure*, e.g., a seawall, in which case the separation between the *structure* and the *lateral access* may be less than 10 feet.

Sec. 8178-7 – Tree Protection Regulations

Sections

- 8178-7.1 Purpose
- 8178-7.2 Applicability
- 8178-7.3 Types of Protected Trees
- 8178-7.4 Development Standards for Protected Trees
- 8178-7.5 Tree Permits
- 8178-7.6 Mitigation Requirements
- 8178-7.7 Tree Permit Application Requirements

Sec. 8178-7.1 – Purpose

Ventura County recognizes that *trees* contribute significantly to the County's unique aesthetic, biological, cultural, and historical environment. *Trees* also absorb carbon dioxide, reduce heat gain, and reduce stormwater runoff, thereby affecting energy use, climate change, and water quality. It is the County's specific intent, through the regulations that follow, to encourage the responsible management of these resources by employing public education and recognized conservation techniques to achieve an optimal cover of healthy *trees* of diverse ages and species.

Sec. 8178-7.2 – Applicability

This Sec. 8178-7 applies to the *alteration*, *transplantation*, or *removal* of every *tree* within the coastal zone.

Sec. 8178-7.3 – Types of Protected Trees

Each of the following types of trees identified in Sec. 8178-7.3 is considered to be a *protected tree* for purposes of Sec. 8178-7.

Sec. 8178-7.3.1 – Trees that contribute to the function and habitat value of an ESHA

Any *tree* that meets one or more of the following criteria shall be classified as *ESHA*:

- a. The *tree* is located within any *ESHA* or is classified as *ESHA* by a *qualified biologist*.
- b. The *tree* exhibits evidence of *raptor* nesting, *breeding colony*, *colonial roost (for migratory birds)*, or has been identified as a Monarch butterfly roosting site, as determined in writing by a *qualified biologist* or *ornithologist* or as determined by the County biologist based on historic or current data.

- c. The *tree* was required to be planted or protected pursuant to a *habitat restoration plan*.

Sec. 8178-7.3.2 – Native Trees

- a. A *native tree*, which includes but is not limited to the *trees* listed as Native Trees in Appendix T-1, Table 1, shall be classified as a *protected tree* if it meets one or more of the following criteria:
 1. The *tree* is a minimum of three inches in *diameter* at 4.5 feet above existing grade.
 2. The *tree* is a multi-trunk *tree* with two or more trunks forking below four and 4.5 feet above the uphill side of the *root crown* with two of the trunks having a sum of six inches in *diameter*.

Sec. 8178-7.3.3 – Historic Trees

- a. *Historic trees* embody distinguishing characteristics that are inherently valuable and are associated with landscape or land use trends that shaped the social and cultural history of Ventura County. To be considered an *historic tree*, a tree or group/grove of trees shall be identified by the County as a *Cultural Heritage Site*, or the tree or group/grove of trees shall be listed in or formally determined eligible for listing in the California Register of Historic Resources and/or National Register of Historic Places. In addition to the foregoing requirements, a *tree* must meet one or more of the following criteria to be a *historic tree*:
 1. The tree(s) is associated with events or persons that made a significant contribution to the history of Ventura County, California or the nation.
 2. The tree(s) functions as an important biological, visual, or historic resource within the context of an historic landscape.
 3. The location of the tree(s) is associated with an historically significant view or setting.

Sec. 8178-7.3.4 – Heritage Trees

- a. *Heritage trees* are defined as non-native, non-invasive *trees* or group/grove of *trees* with unique value that are considered irreplaceable because of the tree's rarity, distinctive features (e.g. size, form, shape color), or prominent location with a community or landscape. To be considered a *heritage tree*, a *tree* (or group/grove of *trees*) shall meet either of the following criteria:
 1. The tree has a single trunk of 28 inches or more in diameter or with multiple trunks, two of which collectively measure 22 inches or more in diameter; or
 2. If the tree species has naturally thin trunks when full grown (such as Washington Palms), or trees with unnaturally enlarged trunks due to injury or disease (e.g. burls and galls), the tree must be:
 - i. at least 60 feet tall; or
 - ii. at least 75 years old, as verified by historical accounts, photographs, or associations with historic structures. Age shall not be determined by growth ring counts in cores taken from the edge to the center of the *tree*.

Sec. 8178-7.4 – Development Standards for Protected Trees

The purpose of these development standards is to ensure the conservation of *protected trees* that may provide habitat for breeding and nesting birds protected

by the Fish and Game Code, the Migratory Bird Treaty Act, and for all bird species of special concern. The development standards are also intended to ensure that *protected trees* are preserved where they are an important component of the visual character of the coastal zone.

Sec. 8178-7.4.1 General Standards

- a. A new principal use or structure shall be sited and designed to avoid damage to a native, historic, and heritage protected trees to the maximum extent feasible, as evidenced through an *alternatives analysis*. If there is no feasible alternative that can avoid damage to a *protected tree*, then the project alternative that would result in the least damage to such a *tree* shall be selected, and damage to a *protected tree* that cannot be avoided through implementation of siting and design alternatives shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- b. A new principal use or structure shall be sited and designed to avoid damage to protected trees that are classified as ESHA pursuant to Sec. 8178-7.3.1. However, if there is no feasible alternative that can avoid all impacts to a protected tree designated as ESHA, and still allow a principal use or structure that is the minimum necessary to provide reasonable economic use of the property (as evidenced through an alternatives analysis), the project alternative that would result in the least damage to such a tree shall be selected. Impacts that cannot be avoided through implementation of siting and design alternatives, including reduction of the building footprint, shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- ~~c. b-~~ Once the original land use entitlement has been issued for a principally permitted use or structure, and the use has commenced or the structure has been built, an addition or expansion that would require the removal of a protected tree, or alteration/protected zone encroachments that damage of a protected native or historical tree, shall be prohibited (see Sec. 8178-7.6.1). A *heritage tree* is excluded from this prohibition.
- ~~d. e-~~ Development shall be sited and designed to avoid *encroachment* into the *protected zone* of a *protected tree* to the maximum extent feasible ~~except when a qualified tree consultant demonstrates in writing that the encroachment will not damage the protected tree. Encroachments shall be fully mitigated consistent with the mitigation requirements in Section 8178-7.6.~~
- ~~e. d-~~ The removal of, ~~or substantial damage to,~~ a *protected tree,* or alterations/protected zone encroachments that damage a protected tree, shall be prohibited for accessory uses or structures except for existing, legal when such structures (see Sec. 8178-7.6.1) were previously approved through a discretionary permit. Notwithstanding the foregoing, a *heritage tree* may be removed for the purpose of constructing a second dwelling unit.
- ~~f. e-~~ New discretionary development shall be sited and designed to comply with the following:
 - 1. Irrigation and landscaping shall be prohibited within the *protected zone* except where the *protected tree* is tolerant of water, the landscape is comprised of shallow-rooted, herbaceous perennials, bulbs or *groundcover*, and a *qualified tree consultant* verifies the *protected tree* would not be adversely affected by the level of irrigation, compaction of soil, or root disturbance associated with the proposed landscaping.

2. A minimum buffer of five feet from edge of the *tree protected zone* shall be provided to allow for future growth of a *protected tree* unless a *qualified tree consultant* provides justification in writing that the buffer may be decreased in size because the *protected tree* is regarded as "tolerant" due to the *tree species, age, health or location*.
 3. New drainage systems shall be directed away from all *root zones* of all *protected trees, replacement offset trees, and transplanted trees*.
- g. ~~f.~~ When a public works project includes the repair or maintenance of drainage devices and road-side slopes, the project may not result in the *alteration* or *removal* of a *protected tree* except as follows:
1. The development is the minimum design necessary to protect existing public roads;
 2. The project avoids *removal* or *alteration* of *protected trees* to the maximum extent feasible, and
 3. All impacts to *protected trees* are mitigated pursuant to Sec. 8178-7.6.

This provision shall not apply to trees classified as ESHA, which are subject to more protective requirements pursuant to Section 8178-2.

Sec. 8178-7.4.2 - Tree Removal and Alteration

- a. The *alteration* or *removal* of a *tree* that is *ESHA* pursuant to Sec. 8178-7.3.1 shall only be permitted when:
 - i. ~~The tree poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety-~~ (See Sec. 8178-7.5.4 *Emergency Tree Alteration or Removal*) or;
 - ii. Tree *alteration* or *removal* is necessary to allow a new principal use that is the minimum necessary to provide a reasonable economic use of the property (See Sec. 8178-7.4.1 *General Standards*); or
 - iii. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.
- b. The *alteration* of a *protected tree* shall only be permitted for pruning to maintain the health and structure of the tree or for the same reasons set forth in subsection (c) below for removal of a *protected tree*.
- c. Except as authorized pursuant to Sec. 8178-7.5.4 - *Emergency Tree Alteration or Removal*, *removal* of a *protected tree* shall not be deemed necessary when a feasible alternative development plan exists that does not require the *removal* of the *protected tree*. In addition, the *removal* of a *protected tree* shall only be permitted for one or more of the following reasons:
 1. Is required to provide necessary access to development approved in a planned development permit;
 2. Is required to allow the development of a principal permitted use or structure at a particular location, and is the minimum area necessary to provide a reasonable economic use of the property, as evidenced through an *alternatives analysis*;
 3. Is required to allow the construction of a second dwelling unit, provided that the tree is classified only as a *heritage tree*.

4. Is required to establish the required *fuel modification zone* for new development where no feasible alternative location for the development exists; or
 5. The tree is dead, diseased or poses a danger to healthy trees in the immediate vicinity, or is in a condition that poses a hazard to persons or property that cannot be remedied through other means or alterations. In these circumstances, a *qualified tree consultant* shall verify the status and health of the tree and provide recommendations and evaluation of alternatives for restoring the health of the tree where feasible.
- d. Timing. To safeguard *protected trees* that may provide habitat for breeding and nesting birds protected by the Fish and Game Code and the Migratory Bird Treaty Act, all *tree removal* and *tree alteration* is prohibited during the bird breeding and nesting season (January 1 to September 15) unless the Planning Director, in consultation with a *qualified tree consultant*, determines that the *tree* poses an imminent hazard to life or property. This prohibition may also be waived when a bird survey is conducted, pursuant to Sec. 8178-7.7.4.1.1, and evidence of active breeding or nesting birds is not discovered within the project site. Any discretionary action approved, pursuant to this section, for *tree alteration* or *removal* during the bird breeding and nesting season shall be conditioned to require a bird survey no more than three days prior to commencement of the approved work to confirm that no bird breeding or nesting activity is present.
 - e. If the Planning Director determines, based upon substantial evidence, that the *removal* or *alteration* of a *protected tree* may result in unintentional damage to existing development including but not limited to utilities, buildings, other *protected trees*, or *ESHA*, a *qualified tree service company* or *qualified tree trimmer* shall be retained to *alter* or *remove* the *protected tree*.

Sec. 8178-7.4.3 – Determining the Tree Protected Zone

The *tree protected zone* is the area that encompasses the above-ground portion of the *protected tree* as well as the area in which a critical amount of the *tree's roots* may be found. To avoid damage to a *protected tree's roots*, the calculation noted in (a) below shall be performed for all *protected trees* where the tree canopy is within 20 feet of areas proposed to be disturbed, including disturbance associated with fuel modification. The Planning Director may increase the 20-foot distance from disturbed areas where necessary to ensure that *protected tree zones* are calculated for all *protected trees* that could potentially be damaged by new development. The *tree protected zone* calculation shall be based on a surveyed map or site plan of the canopy of each *protected tree*.

- a. The *tree protected zone* shall be calculated using one of the following methods. The calculation that provides the largest area of protection shall constitute the *tree protected zone*, and shall be depicted on a site plan.
 1. Draw a circle around the tree that is no less than 15 feet from the trunk of the *protected tree*;
 2. Multiply the *tree's diameter* in inches by one and a half feet (i.e. one inch equals one and a half feet). For example, if a *tree's diameter* at a height of 4.5 feet above existing grade is 11 inches, the *tree protected zone* would be 16.5 feet from the trunk of the *protected tree*; or

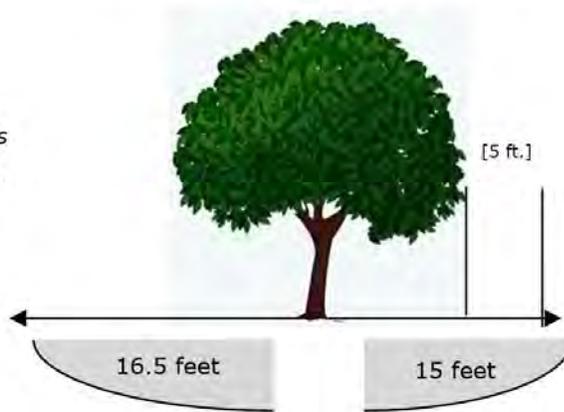
3. Draw a circle that extends a minimum five feet outside the edge of the *protected tree's dripline*.

Example of Tree Protected Zone

DBH = Diameter of trunk
at 4.5 feet above ground.

Example. DBH = 11 inches

☐ : Tree Protection Zone



Sec. 8178-7.4.4 – Project Construction Standards

- a. Construction impacts to *protected trees* shall be avoided. Before the commencement of any clearing, grading, ground disturbance, or other construction activities, erosion control and tree protection measures shall be installed including but not limited to protective fencing at the edge of the *tree protected zone* of each *protected tree*.
- b. ~~a.~~ For *trees with an active raptor nest*, a *buffer* shall be provided during construction that is no less than 500 feet. For all other active bird nests, the *buffer* shall be no less than 300 feet. The required *buffer* shall be provided during construction until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. If the required buffer cannot be achieved, the maximum setback shall be provided and construction activities that occur within the required buffer shall be monitored by a *qualified biologist* or *ornithologist* to detect any breeding or nesting behavior. In the event nesting birds are encountered, construction shall be halted in the area of the nest until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. A weekly report shall be submitted to the Planning Division that discloses the findings of the observations conducted for that time period. The *buffer* shall be designated by protective fencing.
- c. ~~b.~~ No ground disturbances, grading, trenching, construction activities, or structural development shall occur within the *tree protected zone* or *buffer* except where it may be allowed pursuant to Sec. 8178-7.4.1 or 8178-7.4.2, consistent with the standards of this Sec. 8178-7, and as specifically authorized by the permit and the approved Tree Protection, Planting, and Monitoring Plan.
- d. ~~c.~~ Any approved development (e.g. paving, or the installation of fence posts), including grading or excavation (e.g. utility trench) that *encroaches* into the *tree's protected zone* shall be constructed using only hand-held tools.
- e. ~~d.~~ If disturbance is permitted within the *tree protected zone* or *buffer*, a *qualified biologist* shall monitor the temporary disturbance and fencing shall

be temporarily modified to allow work to be completed. Fencing shall remain in place until all construction and grading activities have ceased.

- ~~f.~~ ~~e.~~ Construction equipment storage and staging areas shall be located outside of the fencing area or *buffer* described above, and graphically depicted on approved site, grading, and building plans.
- ~~g.~~ ~~f.~~ Unless the activity is conducted in accordance with Sec. 8178-7.4.1 and 8178-7.4.2 and is specifically authorized by the development's land use permit, the burning, application of toxic substances, overwatering, storing materials, operating machinery, or any other disturbance within the *tree protected zone* or *buffer*, is prohibited.
- ~~h.~~ ~~g.~~ Prior to earth disturbing activities, project construction standards and any additional recommendations in the approved Tree Protection, Planting, and Monitoring Plan, shall be implemented.

Sec. 8178-7.5 –Tree Permits

- a. A *tree permit* is required for the *alteration, transplantation, or removal* of a tree unless exempt from a *permit* pursuant to Sec. 8178-7.5.3. There are three types of *tree permits*: a Planned Development Permit (see Sec. 8178-7.5.1), Zoning Clearance (see Sec. 8178-7.5.2), and an Emergency Coastal Development Permit (see Sec. 8178-7.5.4 and Sec. 8181-3.7).
- b. If *tree alteration, removal, or transplantation*, is part of a development requiring a discretionary permit, then the *tree permit* application and approval process shall accompany the development project that requires a discretionary permit.
- c. If a person applies for a permit to *alter or remove* a *tree* located in an area subject to state or federal regulations (e.g. Fish and Game Code or Clean Water Act) that are more stringent than the regulations set forth in this Sec. 8178-7, the stricter requirements shall prevail in establishing the conditions of approval for that permit.

Sec. 8178-7.5.1 - Planned Development Permit

No person shall *remove, alter, or transplant* a *protected tree* without obtaining a Planning Director approved Planned Development Permit, unless it is exempt from a permit (pursuant to Sec. 8178-7.5.3) or requires only a Zoning Clearance (pursuant to Sec. 8178-7.5.2) or Emergency Permit (see Sec. 8178-7.5.4). A Planned Development Permit shall also be required for:

- a. Post-Removal, -Alteration, or -Transplantation. A Planned Development Permit shall be required when a *protected tree* was *removed, altered or transplanted* without the required permit and/or a person seeks to *remove the tree, roots or limbs* from the lot.
- b. *Tree Alteration*. A Planned Development Permit shall be required for the following types of *alterations* to a *protected tree*:
 - 1. The *alteration* may compromise the health of the *tree* and results in a *qualified tree consultant's* recommendation for *tree removal*.
 - 1. *Encroachment* into the *tree protected zone*. Examples of encroachments include but are not limited to changing the existing grade, landscaping or irrigation, excavating for utilities or fence posts, or paving associated with driveways and streets.
 - 2. *Pruning* of *tree canopy* greater than 20 percent.

- c. *Emergency Tree Alteration or Removal*. A Planned Development Permit shall be required following issuance of an Emergency Permit in accordance with Sec. 8178-7.5.4.

Sec. 8178-7.5.1.1 – Planned Development Permit Findings

- a. A Planned Development Permit may be approved only when the applicable decision-maker makes one or more of the following findings, as applicable:
1. The proposed project conforms to the development standards in Sec. 8178-7.4.
 2. The proposed project is sited and designed to avoid the *removal* or *transplantation* of *protected trees* except as allowed by this Sec. 8178-7 and where no feasible alternative exists that would avoid or further minimize the *removal, transplantation, or damage to protected trees*.
 3. To the maximum extent feasible, the proposed project is sited and designed to avoid any *encroachment* into the *protected zone* of a *protected tree* that would lead to the decline or death of the *protected tree*.
 4. The adverse impact of *tree removal, tree transplantation, or encroachment* in the *tree protected zone* cannot be avoided because such impacts cannot be reduced or avoided through a feasible alternative.
 5. All feasible mitigation measures that would substantially lessen any damage to *protected trees* were incorporated into the approved project through project design features or conditions of approval.
- b. In addition to the required findings in subsection “a” above, one or more of the following findings may be used to substantiate the reason for *removal, transplantation, or encroachment of a protected tree*:
1. A *protected tree’s* continued existence in its present form or location denies reasonable access to the subject property or denies the development of the principal permitted use that is the minimum necessary to provide a reasonable economic use of the property.
 2. The location of a *protected tree* prevents the continuation or safe operation of an existing utility service and there are no feasible alternatives that would eliminate or reduce the impacts.
 3. The *protected tree(s)* proposed for *removal* has a debilitating disease or is in danger of falling, and such conditions cannot be remedied through preservation procedures and practices, and the *tree(s)* is located in an area where falling limbs or trunks would be a danger to persons or property (i.e. existing structures).
 4. The alteration or removal of a *protected tree* is required for a public works project that entails the repair and/or maintenance of drainage devices and road-side slopes and is the minimum design necessary to protect existing public roads.

8178-7.5.1.2 – Modifications to a Discretionary Permit

A *protected tree* that was planted pursuant to a Tree Protection, Planting, and Monitoring Plan, a mitigation measure, or an approved *landscape plan*,

and that is proposed to be *removed* due to its decline or death, may be substituted with an alternate species subject to the following:

- a. The requested substitution is justified in writing by a *qualified biologist* and/or *qualified tree consultant* and fulfills the mitigation requirements or performance standards set forth by the original discretionary permit, and the monitoring and successful establishment of the substituted species is required by a permit condition.
- b. An application for modification of the subject permit is filed in compliance with Sec. 8181-10.4.2.

Sec. 8178-7.5.2 – Zoning Clearance

- a. A person may *alter* or *remove* a *non-native* or *non-native invasive tree* with a Zoning Clearance when such actions occur outside the bird *breeding and nesting season* (January 1 to September 15). Within the bird *breeding and nesting season*, tree removal may also occur in accordance with Sec. 8178-7.7.4.1.1, which allows *tree removal* if a bird survey is conducted and no nesting birds are found in the project area.
- b. Overhead Utility Lines. *Alteration* of a *protected tree* below or adjacent to public overhead lines located in State Responsibility Areas (as mapped by the Department of Forestry and Fire Protection), where the primary financial responsibility for preventing and suppressing wildland fires rests with the State and when necessary to maintain existing overhead lines. *Alteration* shall be the minimum necessary to provide safe fire clearance.

Sec. 8178-7.5.2.1 – Zoning Clearance with Inspection

- a. Development that encroaches less than 10 percent into a *protected tree's tree protection zone*. A *certified arborist* or *qualified tree consultant* shall submit the following, in writing:
 1. The purpose of the encroachment, degree of encroachment within the *tree protected zone*, recommendations to avoid and minimize potential impacts to *tree roots* during construction, in accordance with Sec. 8178-7.4.4 – Project Construction Standards, and a statement that the proposed encroachment is not expected to result in permanent damage to the *protected tree*.
 2. In the event that the *certified arborist* or *qualified tree consultant* determines the proposed *tree encroachment* is below 10 percent but *development* has the potential to harm the *protected tree*, a Planned Development Permit shall be required in accordance with Sec. 8178-7.5.1.
- b. Pruning of a *protected tree's* live limbs, provided such trimming does not endanger the life of the *tree* or result in an imbalance in structure, or remove more than 20 percent of its *tree canopy*. Unless justification is provided in writing by a *qualified tree consultant*, removing a *protected tree's* branches larger than four inches in *diameter* shall be prohibited.

Sec. 8178-7.5.3 - Exemptions

The *alteration* or *removal* of *protected trees* is only exempt from a permit under the following circumstances, and in accordance with timing requirements of Sec. 8178-7.7.4.1.1 which prohibits *tree alteration* or *removal* during the bird *breeding and nesting season* (January 1 to September 15) unless a bird survey determines no nesting birds are present in the project area:

- a. Commercial *Tree Operations*:

1. The *removal* or *alteration* of trees planted, grown, or held for sale by lawfully established nurseries and tree farms, or trees removed or transplanted from such a nursery as part of its operation.
 2. In areas zoned Coastal Agricultural (CA), trees such as avocado, citrus, and nut bearing trees planted, grown, and presently harvested for commercial agricultural purposes. This does not include the alteration, transplanting, or removal of protected trees or their limbs that were not planted for agricultural purposes. Examples of generally accepted agricultural activities that do not require a permit include but are not limited to the following:
 - i. Converting land planted with for mature avocado trees to grazing (animal husbandry) or crop production uses.
 - ii. Replacement of mature lemon trees with young lemon trees.
 - iii. Thinning of trees in an orchards to allow more vigorous growth and production on the part of the remaining trees.
 - iv. Harvesting, planting, and tending crops and crop-type conversions (e.g. orchards to grapes, or lemon trees to avocado trees).
- b. *Minor Tree Alterations:*
1. *Fuel Modification Zone Maintenance.* Maintenance of protected trees within the required fuel modification zone, including but not limited to alteration of a protected tree's live limbs to effectively manage fuels or to prevent the transmission of fire from native vegetation to a structure.
- c. *Dead or Fallen Tree or Limb:*
1. Any naturally fallen dead protected tree or dead limb that no longer exhibits the structural integrity of a healthy protected tree or limb and is determined to be a fire hazard by the Fire Department or is in danger of falling and threatening public safety, may be removed, unless that tree is located in ESHA. Naturally fallen dead trees located in ESHA shall not be removed unless that tree poses a serious nuisance (i.e. the tree blocks a primary access road) or the fallen tree poses an imminent threat to persons or property. Artificial, mechanical, or human induced damage to a protected tree does not constitute a naturally fallen tree.
 2. Removal of trees destroyed by natural disaster (flood, fire, earthquake, etc.), or a catastrophic (sudden and complete) failure (vehicle accident, structure collapse, etc.).
 3. Prior to tree removal or alteration, property owners are encouraged to submit documentation verifying the tree removal was exempt from a tree permit pursuant to Sec. 8178-7.7.1.

Sec. 8178-7.5.4 - Emergency Tree Alteration or Removal

- a. An *emergency*, as defined in this Sec. 8178-7.5.4, is a sudden unexpected occurrence where a protected tree, because of its lack of structural integrity, demands immediate action to prevent or mitigate loss or damage to life, a significant loss of property, and where there is no feasible alternative to ensure public health and safety.
- b. In an *emergency* situation, tree alteration or removal may proceed without first obtaining a tree permit and shall be limited to such actions that are

necessary to address an imminent hazard to life, health, property or essential public services.

- c. In an *emergency* situation, permit applications shall be made and processed in accordance with Sec. 8181-3.7 (Emergency Coastal Development Permits).
- d. Within 90 days following the issuance of an emergency coastal development permit, a Planned Development Permit application for the emergency *removal or alteration* of a *protected tree* shall be submitted.

Sec. 8178-7.6 – Mitigation Requirements

To protect the ecological value and visual quality of *protected trees*, all appropriate and practicable steps shall be taken to avoid and minimize damage to *protected trees* consistent with the provisions of this Sec. 8178-7.6. The following mitigation measures to reduce damage to *protected trees* shall be undertaken in the following order:

- a. Avoidance. Avoid direct and indirect impacts to *protected trees* through project siting and design. Adverse impacts to *protected trees* shall be avoided if there is a feasible alternative with less adverse impacts.
- b. Onsite Mitigation. If damage to *protected trees* cannot be avoided, mitigation for the *removal, alteration, or transplantation* of a *protected tree* shall be in the form of *transplanting* or planting replacement *trees* on the same property where the *protected trees* were impacted.
- c. Off-Site Mitigation. When avoidance or onsite mitigation is infeasible, all or in part, due to crowding or other physical constraints, *transplanting* or planting replacement *trees* may be allowed, all or in part, in an off-site location that contains suitable habitat that is sufficient in area to accommodate the numbers and required types of replacement trees. Off-site locations must be within the Ventura County coastal zone and, whenever feasible, within the same watershed in which the *protected tree* was removed.
- d. In-lieu Fees. In special circumstances, required *tree* mitigation may be in the form of an in-lieu fee into the Planning Division’s Tree Mitigation Fund. Special circumstances shall be limited to situations where no appropriate on- or off-site locations are identified for *tree* replacement (i.e. on- and off-site mitigation is infeasible), and such circumstances shall be confirmed by documented site characteristics or other evidence. Mitigation measures that include payment of in-lieu fees shall be approved by the Planning Director and administered as follows:
 - 1. The County’s Tree Mitigation Fund shall be the depository for all in-lieu fee payments.
 - 2. The amount of the in-lieu fee shall be established by the Planning Division using the most current edition of the International Society of Arboriculture’s “Guide to Plant Appraisal,” which represents the cost to replace and install a tree of the same species and size as the *protected tree* being removed or encroached upon. The in-lieu fee shall also include an amount to cover the costs to maintain and monitor required replacement trees for a 10-year period.
 - 3. The County Tree Mitigation Fund shall be used to plant *protected trees* at suitable sites in the coastal zone of unincorporated Ventura County and, if possible, within the same watershed as the *protected tree(s)* being removed. Suitable sites shall be limited to land restricted from development

(public land, land owned by conservation organizations, or land subject to a conservation easement or equivalent legal instrument). Suitable sites shall also be limited to habitats that support the *protected tree*. Preference shall be given to sites zoned Coastal Open Space (COS), including but not limited to *native tree* woodland or savanna habitat areas, properties containing areas designated ESHA, or public parkland. Project funds may only be awarded to public agencies or conservation organizations. Projects selected may provide habitat restoration and shall, at a minimum, result in an equivalent number of as would occur through on-site or off-site mitigation.

4. No more than seven percent of the in lieu fees collected may be used by the Planning Division to develop and implement appropriate programs for the above-described in-lieu mitigation measures.

Sec. 8178-7.6.1 Tree Replacement for Altered or Removed Protected Trees

Where unavoidable adverse impacts to *protected trees* may result from development, including the *alteration* or *removal* of a *protected tree*, the impacts shall be mitigated in accordance with the following standards:

- a. *Native tree* replacement shall occur as follows:
 1. *Native trees* shall be replaced at a ratio of no less than 10 replacement *native trees* for every *native protected tree removed* and for any *tree alteration* that results in the loss or decline in health or vigor of a *native protected tree*.
 2. Seedlings shall be grown from acorns collected from the same watershed the *protected tree* was removed from, or from nursery stock grown from locally-sourced acorns.
 3. Naturally occurring *native tree* seedlings or *saplings* that have trunks less than 3 inches at 4.5 feet above existing grade, growing on the same lot as the *removed tree* may be counted as *offset replacement trees*. Seedlings/ *saplings* shall be boxed for future planting and/or protected in place as shown on the approved Tree Protection, Planting, and Monitoring Plan.
 4. When available, replacement planting locations shall be selected that provide supportive habitat (i.e. habitat characteristics similar to those found in riparian and valley/foothill woodland habitat) for the replacement *trees*.
- b. *Historic Trees*. Mitigation for the removal of a *historic tree* shall be determined by the Planning Director in consultation with the Cultural Heritage Board.
- c. *Heritage Trees*. Mitigation for the removal of a *heritage tree* shall be determined by the following:
 1. If the *heritage tree* (or grove of *trees*) is not an *invasive tree* species and is located in a public area or a prominent location as seen from *public viewing areas*, then mitigation shall include: (1) the planting of replacement *trees* of the same species on a 1:1 ratio; (2) the size of the replacement *tree* shall be comparable to the *tree(s)* being removed; and (3) the replacement *tree(s)* shall be planted in location that is close to where the *heritage tree(s)* was removed.

2. If a *heritage tree* is not located in a public area or a prominent location as seen from *public viewing areas*, then mitigation shall include the planting of replacement *native trees* on a 1:1 ratio.
- d. *Transplanted Protected Trees*. In the event that a transplanted tree dies during the required 10-year monitoring period, or the tree health is poor or declining during the monitoring period, replacement trees shall be planted pursuant to Sec. 8178-7.6.1(a) above.
- e. *Encroachment into the Tree Protected Zone*. When permitted development results in encroachment within the *tree protected zone*, potential impacts shall be mitigated in accordance with the following standards:

Encroachment	Mitigation Ratio (Number of replacement trees required for every one tree impacted/removed)
Less than 10% encroachment	Zoning Clearance with Inspection. No mitigation required when conducted pursuant to Section 8178-7.5.2.1(a).
10 to 30% encroachment (or less than 10% pursuant to Sec. 8178-7.5.2.1(a)(2))	Leave tree in place, and Mitigate at 5:1 in accordance with Sec. 8178-7.6 and Sec. 8178-7.6.1; or Pay an in-lieu fee in accordance with Sec. 8178-7.6(d)
Greater than 30% encroachment, or within 3 feet of a tree trunk	Remove tree or keep in place. Mitigation is same as tree removal for the species. See Sec. 8178-7.6 and Sec. 8178-7.6.1

- f. *Emergency Tree Alteration or Removal*. If an emergency permit is issued for the *alteration or removal* of a *protected tree*, the follow-up Planned Development Permit shall include corrective measures to restore and stabilize the disturbed areas after the *tree* has been removed in accordance with a *habitat restoration plan*. Alternatively, such areas may be restored or stabilized through the application of mulch, pheromone traps or insecticides in accordance with a Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d). The requirements for mitigating the loss of the *protected tree* shall be waived unless the following applies:
 1. *Tree replacement* shall be at a 1:1 ratio for the *emergency removal* of a *protected tree* that is required by an approved *landscape plan* or *habitat restoration plan*.

Sec. 8178-7.7 – Tree Permit Application Requirements

Sec. 8178-7.7.1 Exemptions

No permit application is required if the proposed *tree alteration or removal* is exempt from the requirements for a *tree permit* pursuant to Sec. 8178-7.5.3(c), Dead or Fallen Tree or Limb. However, to verify that *tree alteration or removal* was authorized by Sec. 8178-7.5.3(c), prior to *alteration or removal* of the *protected tree* or immediately following a natural disaster or catastrophic failure that caused the *protected tree* or *limb* to fall down, the property owner should submit the following:

- a. Two to four colored photographs of the affected *tree*. The photos should be taken from different vantage points, clearly illustrate the reason for the request to remove the fallen *protected tree* or limbs, and should identify the *tree's* location relative to nearby vegetation or landmarks; and
- b. Site Sketch or Plan, drawn to scale with north arrow that shows the location and species name of the affected *tree(s)*. The Site Sketch or Plan shall illustrate existing development, access, or any other identifying benchmarks to identify where the natural disaster occurred, if applicable.
- c. No application fee is required.

Sec. 8178-7.7.2 Zoning Clearance

A Zoning Clearance *tree permit* application shall be filed with the Planning Division for *tree alteration* and *removal* in accordance with Sec. 8178-7.5.2 and Sec. 8178-7.5.2.1. Zoning Clearance applications shall contain the following information and materials:

- a. Two to four colored photographs of the affected *tree* proposed to be *altered* or *removed*. The photos should be taken from different vantage points, clearly illustrate the reason for the request, and should identify the *tree's location* relative to nearby vegetation or landmarks.
- b. Site Sketch or Plan, drawn to scale with north arrow that shows the location and species name of *trees* to be *removed* or *altered*. The Site Sketch or Plan shall include existing development, access, location of *protected trees* in relation to site improvements, and identification of *trees* to be *altered* or *removed*. If *tree removal* or *alteration* is proposed because a *tree* interferes with an existing sewer line or structure, then the sewer line or structural interference/obstruction shall be shown and labeled on the Site Sketch or Plan. The project plans shall also indicate the *tree protected zones* for all *protected trees* and any proposed encroachments.
- c. Compliance with Sec. 8178-7.7.4.1.1 and the requirement for a bird survey if *tree alteration* or *removal* is proposed during the bird *breeding and nesting season* (January 1 to September 15).
- d. Arborist Verification Form, provided by the Planning Division, that includes written confirmation from a *qualified biologist, certified arborist or qualified tree consultant* that the basic *tree* information and site conditions described in the application form are correct.
- e. If necessary, other information will be requested by the Planning Division to determine compliance with this Chapter.

Sec. 8178-7.7.3 Zoning Clearance with Inspection

A *tree permit* application shall be filed with the Planning Division in accordance with Sec. 8181-5 to *alter* a *protected tree*. Zoning Clearance with inspection applications shall contain the following information and materials:

- a. Application. All items required for a Zoning Clearance permit application (see Sec. 8178-7.7.2 above, items a-e).
- b. Inspection. A standard condition shall be included in the Zoning Clearance stating that a final inspection will be conducted by the Planning Director's designee following approval of the Zoning Clearance to verify that *protected tree* alterations are consistent with the approved permit.
- c. Non-Compliance. If the *protected tree alteration* is not in compliance with the approved permit, then a *qualified tree consultant* shall describe, in

writing, required corrective measures that include, but are not limited to, a Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d).

Sec. 8178-7.7.4 Planned Development Permit

A *tree permit* application shall be filed with the Planning Division in accordance with Sec. 8181-5 and signed by the applicant or authorized agent. A Planned Development Permit application shall include the following:

- a. Application. All items required for a Zoning Clearance permit application (see Sec. 8178-7.7.2 above, items a-e).
- b. *Tree Transplantation* Specifications. For *protected trees* proposed to be *transplanted*, the applicant shall submit a written evaluation by a *qualified tree consultant* that includes but is not limited to the location of *roots*, limits of disturbance, *pre-removal* treatments and care, and safety measures, to ensure the method used to *transplant* the affected *tree* will not cause the death of the *tree*.
- c. *Tree Survey*. A *Tree Survey* shall be submitted for the following: (1) If a *protected tree* is proposed to be *removed* or *transplanted*; (2) If construction or grading activities occur within a *tree protected zone* (see Sec. 8178-7.4.4); and (3) If new development requires alteration or removal of a protected tree or where any new development is proposed within a tree protected zone.

If a *tree survey* is required, it shall be prepared by a *qualified tree consultant* and include the following:

1. Contact information. Names, phone numbers and addresses of the property owner, applicant, and project consultants, and the street address and Assessor Parcel Number (APN) of the project site.
2. Background and project information. A description of the physical characteristics of the project site including topography, adjacent land uses, existing and proposed development, construction methods, timing and sequence of development activities, construction storage and staging areas, etc.
3. Site observations. A summary of the proposed survey method including but not limited to the date and time the survey was conducted, extent of any unpermitted *protected tree alterations* or *removal* (if applicable), the presence or absence of any nests, areas of potential sensitivity that may influence how the proposed *tree removal* or *alteration* would be conducted (e.g. butterfly roosting site, previous *raptor* nesting site, creeks and streams, wetlands or oak woodlands).
4. An inventory and assessment of the health of all *protected trees* on the site.
5. A Site Sketch or Plan, drawn to scale with north arrow and bar scale, that provides the following information:
 - i. The identification of *trees* proposed to be *altered* or *removed* by the project, as well as the location and dimension of nearby development (buildings, other structures, access roads, utilities, etc.).
 - ii. Any proposed change in grade within the *tree protected zone*, shown at 2 foot or less contour intervals.

- iii. Identification of *tree* species, location, trunk size, and surveyed extent of *tree canopy* of all *protected trees*.
- iv. Depiction of the tree protected zone for *protected trees* and identification of areas where proposed development *encroaches* into the *tree protected zone*.
- v. Identification of *trees* to be *transplanted* and location of receiving site.

The information above may be provided separately or added to the Site Sketch or Plan submitted for the permit application.

- 6. If necessary, additional information may be requested by the Planning Division to determine compliance with this Chapter.
- d. A Tree Protection, Planting, and Monitoring Plan. A Tree Protection, Planting, and Monitoring Plan shall be prepared in the event that a *protected tree* is ~~approved~~ proposed for *removal, alteration, or encroachment* and replacement *trees* will be required, or relocation of a *protected tree*. The Tree Protection, Planting, and Monitoring Plan shall be submitted prior to approval of the Planned Development Permit and shall include the following information:
 - 1. Recommendations for onsite or off-site mitigation measures.
 - 2. A requirement for a bird nesting survey to be conducted pursuant to Sec. 8178-7.7.4.1.1 no more than three days prior to earth disturbing and/or construction activities unless such activities are conducted outside the bird nesting season (January 1 through September 15).
 - 3. Identification of the work area limits where tree alteration or removal will occur, including a requirement that prior to tree alteration or removal activities, flagging and stakes or construction fencing will be installed that define a boundary that contains all tree alteration or removal activities.
 - 4. Replacement Trees. The species and number of replacement trees to be planted as mitigation for the *removal of protected trees*.
 - 5. Replacement tree locations.
 - 6. Identification of protected trees to be transplanted and the receiving site.
 - 7. Planting specifications for transplanted and replacement trees.
 - 8. Tree Care. Recommendations for existing trees during construction including but not limited to pruning, irrigation, aeration, and mulching.
 - 9. A Monitoring Program pursuant to Sec. 8178-7.7.4(d) described above.
 - 10. Any other measures deemed necessary to protect, replace, or otherwise mitigate impacts associated with the proposed alteration or removal of protected trees.
 - 11. If necessary, additional information will be requested by the Planning Division to determine compliance with this Chapter.
 - 12. Any changes to an approved Tree Protection, Planting, and Monitoring Plan shall only be approved in accordance with Sec. 8181-10.4.2, Discretionary Modifications.

- e. Agricultural Commissioner Verification. If *removal* of one or more *protected trees* in a *tree row* presently serving commercial *crop production* is proposed, the Agricultural Commissioner shall verify in writing that the proposed action will not increase the potential for loss of agricultural soils due to increased wind erosion. If the Agricultural Commissioner determines the *tree removal* will result in the loss of agricultural soils, a Planned Development Permit pursuant to Sec. 8178-7.5.1 shall be required.
- f. *Farm Plan*. If a *protected tree* is *removed* for the purpose of expanding existing or the establishment of new *crop production*, a *farm plan* shall be prepared.
- g. Structure or Sewer Line Verifications:
 - 1. Structure: If a *protected tree* is proposed to be altered or removed because the *tree* interferes with an existing structure (e.g., a sidewalk or house foundation), then the applicant must submit written verification from a licensed structural engineer or licensed building contractor that the *alteration* of the *tree(s)* is necessary to avoid structural damage. Verification must be submitted, and must include the engineer or contractor's license number and contact information, the parcel address, and a brief description of the *tree*, its location, the nature of the interference or obstruction, and alternatives available to avoid tree removal or alteration.
 - 2. Private Sewer Line: If a *protected tree* is proposed to be altered or removed because a *tree* interferes with an existing sewer line, the necessity of the proposed action, and alternatives available to avoid tree removal or alteration must be verified by a qualified plumbing contractor, sewer service provider, or other qualified professional approved by the Planning Director.

Sec. 8178-7.7.4.1 Zoning Clearance following approval of a Planned Development Permit

Following the approval of a Planned Development Permit, the applicant shall obtain Zoning Clearance pursuant to Sec. 8181-3.1. Such Zoning Clearance application shall include the following:

Sec. 8178-7.7.4.1.1 Bird Nesting Survey

If tree alteration, transplantation, or removal occurs during the bird *nesting season* (January 1 through September 15), the Permittee shall provide a *Bird Nesting Survey* Report that includes, but is not limited to, a schedule for breeding and nesting bird surveys and construction protocols. The bird breeding and nesting protocol shall conform to the following:

- a. A *qualified biologist* or *ornithologist* shall perform an initial breeding and nesting bird survey 30 days prior to the initiation of construction or tree modification activities. The project site must continue to be surveyed on a weekly basis with the last survey completed no more than 3 days prior to the initiation, or re-initiation, of construction or tree modification activities.
- b. All *trees* to be *altered* or *removed* and areas 300 feet from these trees (or 500 feet for active *raptor* nests), shall be surveyed for bird breeding and nesting behaviors, herein called the "survey area."

- c. The *qualified biologist* or *ornithologist* shall walk the entire “survey area” to determine if juveniles are present and, if they have fledged any nests, evaluate whether any adults appear to be starting a new clutch (preparing to mate and lay eggs).
- d. After inspecting all *trees* for *active nests* in the specific area scheduled for *tree alterations* or *removal*, the *qualified biologist* or *ornithologist* shall identify those *trees* containing *active nests* with temporary fencing, caution tape, flags, ribbons, or stakes.
- e. The *qualified biologist* or *ornithologist* shall prepare a Bird Nesting Survey Report that includes but is not limited to the following:
 - 1. The results of the initial nesting bird survey and a plan for continued surveys.
 - 2. Protocols and methods that will be implemented to avoid and minimize impacts to nesting birds including establishment of mandatory setback areas during construction of the project.
- f. The *qualified biologist* or *ornithologist* shall conduct a pre-construction meeting, to be held no more than three days prior to the initiation of *tree altering* or *removal*, to instruct the *qualified tree trimmer* and permittee to avoid disturbing all *trees* within the “survey area” during scheduled *tree alterations* or *removal*.
- g. In the event the *qualified tree trimmer* discovers an *active nest* (eggs, nest construction, other evidence of breeding) not previously identified by the project’s *qualified biologist* or *ornithologist*, the *qualified tree trimmer* shall immediately cease all *alteration* or *removal* activities in that area of operation and notify both the *qualified biologist* or *ornithologist* and the Planning Division. Thereafter, the *qualified biologist* or *ornithologist* must perform re-inspection of the *tree* containing an *active nest* following the procedures described in this Section.
- h. If active nests are found, construction or tree modification activities within the relevant setback area (i.e., the 500-foot setback for raptors and 300-foot setback for all other birds as described in 8178-7.7.4.1.1(b), above) shall be postponed or halted. If *tree alteration* or *removal* activities must be performed within 300 feet of a *tree* with an *active nest* (500 feet in the case of an active *raptor* nest) due to an imminent threat to persons or property, the work must be performed with hand tools.
- i. Construction activities may commence, or re-commence, in the relevant setback area (i.e., the 500-foot setback for raptors and 300-foot setback for all other birds as described in 8178-7.7.4.1.1(b), above) when the nest is vacated (juveniles have fledged) provided that there is no evidence of a second attempt at nesting, as determined by the County-approved biologist.
- j. *Inactive/unoccupied nests* may be removed only after a *qualified biologist* or *ornithologist* documents and photographs the occurrence and confirms that the nests are *inactive* and unoccupied. Copies of photographs and reports shall be filed with the Planning Division.

Sec. 8178-7.7.4.1.2 In-Lieu Fee

If an in-lieu fee is approved as part of a Planned Development Permit, the permittee shall submit payment of the in-lieu fee in accordance with Sec. 8178-7.6(d). Payment shall be made by certified or cashier's check.

Sec. 8178-7.7.4.1.3 Contract for Services

The permittee shall provide a copy of a signed contract (financial information redacted) for the following services:

- a. The preparation and implementation of a Bird Nesting Survey and Report by a *qualified biologist* or *ornithologist* including any monitoring of any *active/occupied nests* discovered.
- b. *Tree alteration, transplantation or removal* by a *qualified tree service company* or *qualified tree trimmer* that includes but is not limited to: qualifications of the individuals responsible for conducting the work to be performed; scope of work; *tree removal* and *alteration* specifications; and schedule.

Sec. 8178-7.7.5 Post-Approval Requirements

As set forth in the conditions of the discretionary entitlement for the project requiring the submittal of a Tree Protection, Planting, and Monitoring Plan, the permittee shall submit Annual Monitoring Reports in accordance with the following.

- a. An Annual Monitoring Report shall be prepared by a *qualified tree consultant* to ensure replacement trees are healthy and growing normally and procedures for periodic monitoring and implementation of corrective measures are implemented in the event that the health of a replacement or transplanted *tree* declines. Monitoring shall be required for the following:
 - 1. Replacement *trees* required to mitigate for the *removal* of a *protected tree* including volunteer native *tree saplings* counted as mitigation.
 - 2. *Protected trees* that have been *transplanted*.
- b. Monitoring shall be performed by a *qualified tree consultant* and include but not be limited to the following inspections:
 - 1. During grading and construction, the *qualified tree consultant* shall confirm *tree* project construction standards pursuant to Sec. 8178-7.4.4 are implemented and if necessary require immediate corrective action where standards are not being met.
 - 2. Prior to final inspection by the Building & Safety Division, or prior to the Zoning Clearance expiration date, a site inspection shall be conducted by the Planning Division and the *qualified tree consultant* to verify that all replacement or *transplanted trees* were installed per the approved Tree Protection, Planting, and Monitoring Plan.
 - 3. As needed inspections to evaluate compliance with the health performance targets in the approved Tree Protection, Planting, and Monitoring Plan.
- c. Monitoring reports shall be submitted annually to the Planning Division for a minimum 10 year monitoring period that demonstrates the continued viability of *native tree seedlings/saplings* and/or *native replacement trees*.

- d. For replacement *trees* that have not successfully been established the annual monitoring report as required (or intervening report) shall provide recommendations from a *qualified tree consultant* that include but are not limited to the application of soil amendments, insecticides or other treatment, or planting alternate *trees* in the same or new locations, if necessary. The conditions of approval for the permit shall not be met until all replacement *trees* are capable of surviving without artificial inputs, the need for physical protection measures and supplemental watering; however, in no case shall the monitoring period be less than the monitoring period pursuant to Sec. 8178-7.7.5(c) above.
- e. No additional monitoring reports are required if, at the end of the 10 year monitoring period, and after a final inspection is conducted by the Planning Division, the following findings are made:
 1. The replacement or *transplanted protected trees* are in good health as documented in the monitoring report by the *qualified tree consultant*,
 2. All *protected trees* are capable of surviving without artificial inputs, physical protection measures, or supplemental watering; and
 3. The applicant has satisfied the tree mitigation conditions of the permit.
- f. The annual report shall be submitted for review and approval by the Planning Division and maintained on file as public information.

Sec. 8178-7.7.6 Encroachment Permit

- a. *Street Tree Removal at County Public Works Agency Request.* If the Public Works Agency issues a written notice to a property owner to *prune* or *remove a street tree* and/or repair an existing sidewalk, the property owner shall have 90 days from the date of the Public Works Agency’s written notice to obtain an encroachment permit from County Public Works Agency to complete the required repairs.
- b. *Street Tree Removal at Property Owner’s Request.* If a property owner proposes to *remove a street tree*, the property owner will be responsible for obtaining an encroachment permit from the Public Works Agency prior to removing the *street tree*.

Sec. 8178-8 – Water Efficient Landscaping Requirements

Sections

- 8178-8.1 Purposes
- 8178-8.2 Applicability
- 8178-8.3 Minimum Landscape Area
- 8178-8.4 Landscape Area Development Standards
- 8178-8.5 Irrigation Development Standards
- 8178-8.6 Water Budget and Projected Water Use
- 8178-8.7 Authority to Modify or Waive Landscaping Requirements and Standards
- 8178-8.8 Landscape Documentation Package
- 8178-8.9 Landscape Documentation Package Approval and Inspections

Sec. 8178-8.1 – Purpose of Required Landscaping

The purposes of the landscaping and screening requirements of Sec. 8178-8 are to:

- a. Provide visual relief and integration. Landscaping enhances the aesthetic quality of the built environment, adding visual interest to blank facades, expanses of pavement, vehicular transportation corridors, and other potentially barren areas. Required landscaping also helps integrate large-scale buildings and other incompatible features into the surrounding community or natural setting.
- b. Screen undesirable public views and separate incompatible land uses. Landscaping reduces the impact of development by screening equipment, service and storage areas, glare, *trash enclosures*, parking areas, and other uses or features that visually detract from, or are incompatible with, surrounding development.
- c. Shade buildings and pavement. Landscaping provides shade for buildings and large areas of pavement, which reduces heat gain within buildings or atmospheric heating from paving. Landscaping helps create comfortable conditions where people live, work, park vehicles, walk, or use outdoor spaces.
- d. Support public health. Landscaping is used to define and enhance public and private *recreational areas*, and to enhance pathways used for pedestrian circulation. The availability of *recreational areas* and public trails contribute to overall public health.
- e. Retain and treat stormwater. Landscaping can provide stormwater retention and treatment when adequate site conditions are present.
- f. Support ecosystem functions. Landscaping can provide a plant palette that includes climate-appropriate native trees and plants characteristic of the diverse coastal areas of Ventura County and that provide habitat for wildlife.
- g. Stabilize slopes and control erosion. Landscape plants can stabilize soils to limit erosion.
- h. Use water efficiently. New or updated landscaping helps minimize wasted water through water-efficient design.
- i. Implement the California Model Water Efficient Landscape Ordinance, set forth at Chapter 2.7 of Division 2 of Title 23 of the California Code of Regulations.

Sec. 8178-8.2 - Applicability

- a. Sec. 8178-8 shall apply to the following discretionary projects:
 - 1. All discretionary development where a *Landscape Plan* is required pursuant to the Coastal Zoning Ordinance (Chapter 1.1).
 - 2. All development located within 1,000 feet of publically owned park lands in the Coastal Open Space (COS) Santa Monica Mountains (M) Overlay zone.
 - 3. The following grading activities, unless previously addressed in a discretionary permit:
 - i. Excavations for wells, tunnels, or trenches for public utilities.
 - ii. Grading for access roads or pads created for exploratory excavations
 - iii. Estimated earthwork that generates more than 50 cubic yards.
 - 4. New residential development with a *landscape area* equal to or greater than 500 square feet.
 - 5. All development located in areas zoned Coastal Commercial (CC) or Coastal Industrial (CM), all government facilities (such as fire and police stations)

located in all zones, and facilities, such as libraries, schools and hospitals developed for *assembly uses*, located in all zones.

6. *Parking lots* that contain four or more parking spaces.
7. Landscaping within a required *fuel modification zones*.
8. *Rehabilitated landscape* projects.
9. All *Habitat Restoration Plans*.

Sec. 8178-8.2.1 - Exemptions

Notwithstanding Sec. 8178-8.2(a) above, Sec. 8178-8 does not apply to the following facilities and development sites:

- a. Above-ground public utilities in the public right-of-way.
- b. Cultural heritage sites where installation of landscaping pursuant to Sec. 8178-8 will compromise the historical integrity of that site.
- c. Exhibit areas within *botanical gardens* or *arboreta*.

Sec. 8178-8.3 – Minimum Landscape Area

- a. Unless otherwise stated in the subject discretionary permit or permit modification, the *landscape area* of the lot(s) where the development is located shall comprise no less than the minimum lot coverage for the applicable zone as specified below, with the *landscape area* percentages computed on the basis of the lot's or lots' *net area*.
 1. Coastal Industrial (CM): 5 percent
 2. Coastal Commercial (CC): 10 percent
 3. Residential, Institutional and other uses: As specified by the subject discretionary permit or permit modification.
- b. Up to 10 percent of the required *landscape area* may be covered with *hardscapes* such as pathways, patio areas, gazebos, or *public art*. Additional *hardscapes* are permitted, but shall not be applied towards the minimum required *landscape area*.
- c. A larger *landscape area* may be required to fulfill landscaping requirements of Sec. 8178-8.

Sec. 8178-8.4 – Landscape Area Development Standards

The following standards apply to all *landscape areas* required under this Sec. 8178-8.

Sec. 8178-8.4.1 – General Standards

- a. Native drought-tolerant vegetation shall be used for landscaping with the following exceptions:
 - Drought tolerant, non-native, non-invasive vegetation may be used when located within the approved *building envelope* for discretionary projects.
 - Drought tolerant plants, and fire resistant non-native plants approved by the Ventura County Fire Protection District, may be used in the fuel modification zone except when located within an ESHA buffer.
 - When located in areas not conducive to native plant establishment.

Invasive plants are prohibited.

- b. *Landscape areas* shall include a variety of plant species, heights, colors and textures and shall be installed according to size constraints, spacing requirements and compatibility with the surrounding area.
- c. The plant palette for a *Habitat Restoration Plan* shall be restricted to locally-indigenous *native vegetation*.
- d. Landscaping shall be sited and designed to protect *coastal resources*, including ESHA, scenic resources, water quality, and water supply.

Sec. 8178-8.4.1.1 –Existing Vegetation

- a. All existing *protected trees* may be incorporated into the *landscape area* unless removal is separately permitted as part of the proposed development pursuant to Sec. 8178-7.5.1, Planned Development Permit.
- b. Existing non-invasive vegetation may be integrated into the *landscape plan* provided existing vegetation is compatible with required landscaping.
- c. Existing vegetation that is considered invasive shall be removed from the *landscape area*.
- d. Existing vegetation that will remain shall be protected and maintained during the construction phase of the development.

Sec. 8178-8.4.1.2 - Trees

- a. Trees required to be planted as a mitigation measure or as part of an approved landscape plan shall comply with the following standards:
 - 1. Native Trees. The planting of native trees shall comply with the planting specifications included in the Tree Protection, Planting and Monitoring Plan. (See Section 8178-7.7.2.)
 - 2. Non-Native Trees. The planting of new, non-native trees is subject to the following requirements:
 - i. Non-native trees shall not be planted in ESHA or associated buffer;
 - ii. In the Coastal Open Space (COS) zone, the planting of new non-native trees shall be restricted to the approved building envelope only; and
 - iii. In the Coastal Industrial (CM) zone, non-native trees shall be restricted to developed areas for the purpose of screening approved structures.
- b. Replacement trees shall be planted immediately after grading activities are completed for site development or in accordance with the approved Tree Protection, Planting and Monitoring Plan.
- c. The planting of *invasive trees* is prohibited in the *coastal zone*.
- d. In the Coastal Open Space (COS) and Santa Monica Mountains (M) overlay zone, only *native trees* shall be used in the *landscape area*.
- e. Trees shall be planted wherever adequate space is available, except in the following circumstances:

1. *Non-native trees* shall not be substituted for *native trees* when *native trees* are used to fulfill a mitigation measure for the development.
 2. New trees at maturity shall not extend into overhead utility lines.
- f. At least one tree shall be planted in any required *landscape planter*. Additional trees shall be planted if adequate spacing between trees can be provided.
 - g. Trees shall not be planted where they would generate substantial interference with the operation of approved lighting fixtures.
 - h. Trees shall not be planted where they would interfere with site access driveways, access to fire suppression equipment such as hydrants.
 - i. Trees shall not be located where the tree will interfere with public accessways, public access easements, or where they would otherwise interfere with *coastal access*.
 - j. Trees shall not be planted closer than 10 feet from the rear of any traffic or directional sign and 25 feet from the front of any traffic or directional sign. Trees shall be set back further from such signs if necessary for traffic safety.
 - k. Trees located in *parking lots* shall be kept trimmed to maintain at least 8½ feet of ground clearance for adjacent parking spaces and pedestrian areas, and shall maintain at least 13½ feet of vertical ground clearance over driveways and drive aisles.
 - l. The *tree protection zone* of a tree shall be kept free from other types of landscaping except as allowed by Sec. 8178-7.4.1
 - m. Trees shall not be planted where the tree would reduce visibility within a *clear sight triangle*.

Sec. 8178-8.4.1.2.1 - Street Trees

Street trees required as a condition of approval of a discretionary permit, or that are proposed within a public road right-of-way, shall be installed in conformance with the following:

- a. New street trees shall comply with the Ventura County Public Work Agency's required setbacks from edge of sidewalk, except when *tree wells* are provided in the sidewalk.
- b. Street trees shall be planted where the tree's growth will not damage the components of the street (sidewalk, curb/gutter, etc.) or overhead utility lines.
- c. Street trees shall be selected and planted so the tree does not interfere with pedestrian or vehicular circulation.
- d. When street trees are provided, they shall be spaced an average of 40 feet on center.
- e. Street trees shall be single trunk, not multi-trunked species.
- f. The planting of any street tree shall comply with Section 8175-3.8 Clear Sight Triangles and the planting specifications prescribed by the County Public Works Agency or qualified tree consultant.

- g. Should a street tree be removed that is part of an approved landscape plan, that tree shall be replaced pursuant to Section 8178-7.5.2.2.
- h. The applicant shall obtain a separate encroachment permit from the Ventura County Public Works Agency prior to installing a street tree.

Sec. 8178-8.4.1.3 – Shrubs

Shrubs are used within a *landscape area* to provide foliage, texture, and color to landscape themes. Shrubs provide variety of height and mass within a *landscape area*, bring buildings into human scale, provide privacy for outdoor areas, and screen undesirable views.

Shrubs should be included in a *landscape area* and shall comply with the following:

- a. One- to 15-gallon size shrubs shall be planted and spaced in accordance with their size at maturity but no less than one shrub for every five linear feet of *landscape planter* or fraction thereof.
- b. Hedges and shrubbery over three feet in height are prohibited within parking lot islands and clear site triangles.

Sec. 8178-8.4.1.4 – Groundcover

Groundcover, when established, can prevent the germination of weeds, protect soil from erosion and water loss, provide habitat and cover for beneficial insects, and function as an attractive element within a landscape.

Groundcover shall be incorporated into the *landscape area* using the following standards:

- a. Irrigated *groundcovers* may be planted from root cuttings or applied as *hydromulch*.
- b. *Groundcover* applied as *hydromulch* is subject to the following:
 - 1. The *hydromulch* must be comprised of a locally-indigenous *native* seed mix.
 - 2. *Hydromulch* seeds should be applied following the first measurable rainfall in the fall of the year or a temporary irrigation method shall be provided to ensure germination and initial growth.
 - 3. Such planting shall be adequate to provide 90 percent coverage within 90 days. Additional applications shall be repeated as necessary to provide such coverage.
- c. Manufactured (human-made) slopes shall be planted with *groundcover*. See Sec. 8178-8.4.2.5.1(c) Revegetation of Disturbed Areas, Manufactured Slopes.

Sec. 8178-8.4.1.5 – Turf (Grass)

The typical California lawn can require several times more water than *groundcover* consisting of *native* or other drought-tolerant plants. To help reduce urban water demand for outdoor purposes, the installation of *turf* shall be limited to the following:

- a. Unless a modification is granted pursuant to Sec. 8178-8.7, *turf* shall not exceed 25 percent of the *landscape area* for residential development and

no *turf* shall be allowed in non-residential development except as authorized by 8178-8.4.1.5(b) below.

- b. A higher percentage of irrigated *turf* on sports fields, golf courses, playgrounds, parks, bioswales, or other areas may be approved to serve a functional need. The use of irrigated *turf* within these areas shall be minimized to the greatest extent possible.
- c. All *turf* shall be a warm season variety, except within areas used for recreation, which may use cool season varieties.
- d. *Turf* shall not be used on slopes greater than 10 percent, except within designated stormwater management areas.
- e. *Turf* shall not be planted in street medians, traffic islands, *landscape planters*, or bulb-outs of any size.
- f. Approved *turf* shall be irrigated by sub-surface irrigation or by technology that creates no *overspray* or *runoff*.

Sec. 8178-8.4.1.6 – Mulch

To conserve moisture and improve the fertility and health of the soil, a layer of *mulch* shall be applied to *landscape areas* as follows:

- a. Whenever possible, prior to any earth disturbance, topsoil shall be removed and stockpiled for future use. Topsoil shall be spread as the final surface layer of soil (prior to the application of mulch) in the *landscape area*, except when the soil is characterized by invasive plants and seeds.
- b. Exposed soil in all non-*turf* and non-*groundcover landscape areas* shall be covered with at least three inches of *mulch* but no more than 12 inches in depth.
- c. Except as allowed by Sec. 8178-8.4.1.6(c) below, organic *mulch* materials shall be used in required landscape areas. Composted organic material is preferred over other products such as bark and wood chips.
- d. The following inorganic materials may be used in conjunction with organic mulch, subject to the following limitations:
 - 1. Plastic: Opaque plastic tarps may be used to cover an area of soil for the purpose of killing weeds and preventing germination of weed seeds. Plastic tarps shall be temporary and removed within six to eight weeks from the date of installation.
 - 2. Stone/Gravel: May be used for *stormwater management landscaping*. When used for other purposes, stone/gravel is considered *hardscape* subject to the limitations specified by Sec. 8178-8.3(b).
 - 3. Sand: May be used to improve the drainage characteristics of the soil.
 - 4. Landscape Fabric: On property with steep slopes, landscape fabric may be used to control erosion and stabilize or protect plants from rain water and soil washout. A minimum two to three inches of organic *mulch* shall be placed over the landscape fabric to prevent weed growth and to promote plant growth.
- e. *Mulch* is not considered *groundcover* for the purpose of meeting minimum landscape requirements.

Sec. 8178-8.4.1.7 – Public Safety

- a. Crime Deterrence. To avoid potential interference with police surveillance, landscaping required for discretionary projects in the Coastal Commercial (CC) and Coastal Industrial (CM) zones shall not obstruct views of exterior doors from an adjacent public street. Plants also shall not block security light sources or restrict access to emergency apparatuses.
- b. Clear Sight Triangles. *Landscape areas* shall provide plantings that are consistent with safe sight distances for vehicular traffic as required by Sec. 8175-3.8. No landscaping material (plants and *hardscape*) shall exceed the three-foot height limit within a required clear sight triangle. The *landscape plan* shall include measures that ensure that the required safe site distance is maintained.
- c. Fuel Modification Zones. See Sec. 8178-8.4.2.3 for landscape development standards within a *fuel modification zone*.

Sec. 8178-8.4.1.8 Solar Access

New vegetation shall not be planted that would impair the function of an existing building using passive solar heat collection or that would cast a shadow greater than 10 percent of the collector absorption area on existing solar collector surface or photovoltaic cells at any time between the hours of 10 a.m. and 2 p.m.

Sec. 8178-8.4.1.9 - Public Art

Public art, including but not limited to a mural or sculpture, is a landscape feature that, if proposed for inclusion in the *landscape area*, must be included in the *landscape documentation package* submitted pursuant to Sec. 8178-8.8. Such art shall be consistent with the resource protection policies and provisions of the LCP and shall comply with the following:

- a. The art shall complement the scale, materials, form and content of the development where it is located.
- b. The art shall conform to height and setback standards pursuant to Sec. 8175-2, Schedule of Specific Development Standards by Zone.
- c. The art should be designed to last as long as the related building or structure and be vandal/theft resistant.
- d. The art shall not contain advertising.
- e. The permittee shall maintain the public art.

Sec. 8178-8.4.2 – Specific Standards

To provide for an attractive landscape appearance, the following specific standards, where applicable, apply to all *landscape areas* required under this Sec. 8178-8.

Sec. 8178-8.4.2.1 – Perimeter Landscaping

Perimeter landscaping provides a physical and visual separation between development and the public right-of-way. *Perimeter landscaping* shall include the following:

- a. Minimum Planter Area – *Landscaped planter* areas shall be a minimum of four feet wide (including curbs). Narrower *landscaped planter* areas may

be permitted, but shall not be counted toward meeting the minimum *landscape area* site coverage requirements.

- b. Landscape Strip – A landscape strip shall be provided along property lines adjacent to the public or private street right-of-way as follows:
 1. For *commercial* and *institutional land* uses, the landscape strip shall be at least five feet wide.
 2. For *industrial land* uses, the landscape strip shall be at least 10 feet wide, except for parcels zoned Coastal Industrial (CM) that are developed for oil and gas production that cannot be seen from the public rights-of-way. In such cases, a landscape strip is not required.
 3. The landscape strip shall be measured from the inside edge of the public right-of-way.
 4. Frontage *perimeter landscaping* may be crossed by walkways and access drives.
- c. Bus shelters may be located within the *perimeter landscape* area but the area occupied by a bus shelter shall not count towards the required minimum *landscape area*.

Sec. 8178-8.4.2.2 – Landscape Screening

Landscaping and other screening features can be used to define an area, modify or hide a view, create privacy, block wind and dust, control noise, filter light, and direct traffic flow. The following standards shall apply to “landscape and other screens” proposed or required for developments where structures are visible from *public viewing areas*. Where feasible, *landscape screens* shall be the preferred method of screening.

- a. Plants shall be used as a landscape screen for the following structures:
 1. A blank wall or building façade (e.g. lacks windows, doors, or other type of articulation) of a commercial, industrial, or multifamily building that can be seen from a *public viewing area*.
 2. Fences and walls greater than six feet in height, with the exception of fences used for farm or ranch purposes as provided by Sec. 8174-6.1(a)(2).
 3. *Non-commercial antenna* and *wireless communication facilities* that are prominently visible from a *public viewing area*.
 4. *Trash enclosures*, with the exception of single-family residential lots served by individual trash and recycling containers (64-gallon or smaller).
 5. Outdoor storage of materials and equipment accessory to commercial, industrial, institutional, and multi-family residential uses that exceed a height of six feet.
 6. Above ground utility structures including, but not limited to, an electrical transformer box, gas meter, telephone switch box, and *backflow prevention device* that are located outside of the public right-of-way and in public view unless a waiver is granted pursuant to Sec. 8178-8.7.

7. *Hardscape* landscape elements such as retaining walls, cut-off walls, abutments, bridges, and culverts that are located within a *public viewshed*.
 8. Materials loading areas adjacent to a street, residentially zoned parcel, or residential land use.
- b. Landscape or other screening methods shall not be used as a substitute for project alternatives such as re-siting or reducing height or bulk of structures.
 - c. *Landscape screens* may be in the form of dense hedges, tree rows, or other plant configurations. Where the screening would be visible from a *public viewing area*, the *landscape screen* shall be visually compatible with the surrounding area. Landscape material shall be selected based on the following:
 1. Size, scale and type of plant material. Establish compatibility through plant material selections that are similar in size, scale and type to plant materials in the surrounding area. Plants shall be selected based on their size at maturity, shall enhance views of the coastal areas, and shall not hinder or block coastline views from *public viewing areas*.
 2. Landscaping in public places and commercial areas. *Landscape screens* shall improve the visual character of public facilities and commercial businesses by utilizing a diverse selection of plants that provide visual interest, color, and contrast.
 3. Use native plants. A *landscape screen* should utilize native *tree* or plant species that are similar to, and compatible with, nearby natural habitats.
 4. Enhance abandoned areas. *Landscape screens* shall visually hide or improve areas where landscaping is non-existent or neglected. Existing shrubbery and trees shall only be allowed if the existing plant material can be revitalized and used to augment and blend with the new plant material.

The following projects shall include information that demonstrates compliance with the above standards: large projects, development within a half-mile of a scenic highway, projects located on a prominent ridgeline, and at the request of the Planning Director. To demonstrate compliance, the applicant shall submit photographic simulations that show how the *landscape screen* will blend with the surrounding environment, avoid being a visual point of interest, and not significantly detract or degrade the public view.

- d. Where the plants are intended to form a dense hedge, a minimum of 50 percent of the plants shall be 15-gallon container size or greater and the rest shall be five-gallon container size or greater. The applicant shall demonstrate that the plants, at maturity, will form a dense hedge.
- e. Where plants alone do not provide sufficient *landscape screening* pursuant to (d) above, a *landscape screen* shall be composed of a landscaped berm or solid wall plus plant material that complies with the following:

1. Where walls are used, the wall shall be set back a minimum of four feet from the property line. Trees and shrubs shall be planted in front of a wall that is visible from a *public viewing area*.
 2. Where earth berms are used, the berm slope shall be a maximum one foot rise for every three feet of linear distance (3:1 horizontal to vertical).
 3. At the discretion of the Planning Director, *see-through fencing* may be substituted for a wall or berm. (See Sec. 8175-3.11 Fences, Walls and Hedges.) Where *see-through fencing* is visible from a *public viewing area*, such fencing shall be set back a minimum of four feet from the property line and trees or shrubs shall be planted in front of the fence.
 4. The plant material shall comply with Sec. 8178-8.4.1 – General Standards.
- f. Height of *Landscape Screens*.
1. Except as provided in Sec. 8178-8.4.2.2(e)(2) and (3) above, a *landscape screen* located within a setback area adjacent to a public street shall have a maximum height of three feet.
 2. *Landscape screens* installed along interior lot line(s) shall have a maximum height of six feet.
 3. When located within a *public viewshed*, *landscape screens* that only use plant material for the purpose of blocking objectionable views (e.g., exterior storage, or manufacturing/production equipment) shall be tall enough to conceal the storage, equipment, or structure. If walls or fences are used and are in excess of six feet, a Planned Development Permit is required pursuant to Sec. 8174-5.
- g. Where the ground level adjoining the street is below or above street grade, the visual screen height may be reduced or increased, as determined appropriate by the applicable County decision-maker, when the height adjustment achieves the same objective as standard height requirements.
- h. At the time of installation, the screening must be at least 40 inches high. The 40-inch height can be achieved by the landscape, berm, wall, or combination thereof.
- i. Trash enclosures shall be constructed with masonry or wood walls. Chain-link is prohibited. Finishes and colors shall be similar to the building materials of the primary structure(s) on the site.
- j. The required height and visual opacity (density) of *landscape screening* shall be achieved within three years of installation. An exception shall be provided for trees, where a five-year period is allowed when needed to meet the *performance criteria*.

Sec. 8178-8.4.2.3 – Landscaping in a Required Fuel Modification Zone

Landscaping in a *fuel modification zone* shall be designed, installed and maintained in conformance with the following standards:

- a. Except as provided in subsection “b” below, only drought tolerant and *fire resistant native* and *non-native plant* species, as recommended by a

qualified biologist, shall be used in *fuel modification zones*. *Invasive plants* are prohibited.

- b. *Fuel modification zones* within ESHA buffer shall consist only of locally-indigenous, *native* plant species as recommended by a *qualified biologist*. *Invasive plants* are strictly prohibited.
- c. Except as permitted by Sec. 8178-7.5.4, in no case shall the *fuel modification zone* result in the removal of a *native tree* nor create a bare ring of earth around structures. Other vegetation may be retained provided it avoids the spread of fire to other vegetation or to a building or structure and is located and maintained as follows:
 - 1. Tree canopies and shrubs shall be spaced a minimum of 15 feet from other shrubs or trees.
 - 2. All trees and shrubs shall be trimmed to a minimum vegetative (leaf and branch) clearance of either 5 feet from the ground surface or one-third the height of the tree, whichever is less.
- d. All vegetation and *mulch* proposed to be planted in the *fuel modification zone* shall be consistent with the Ventura County Fire Protection District fuel modification plan approved for the site.
- e. Approved landscaping installed within a required *fuel modification zone* shall be maintained for the life of the project.

Sec. 8178-8.4.2.4 – Landscaping Adjacent to an Environmentally Sensitive Habitat Area

The plant palette for a *landscape area* within 100 feet of Environmentally Sensitive Habitat Areas (ESHA) shall be in accordance with an approved *Habitat Restoration Plan* and shall consist of locally-indigenous native plant species as recommended by a *qualified biologist*.

Sec. 8178-8.4.2.5 Slope Planting and Erosion Control

To minimize erosion, sedimentation, slope instability, and degradation of water quality due to surface water runoff, the following slope landscaping measures shall be implemented.

Sec. 8178-8.4.2.5.1 Revegetation of Disturbed Areas

Grading activities pursuant to Sec. 8178-8.2(a)(43) that may require the revegetation of disturbed slopes shall be designed and maintained in compliance with the following revegetation measures:

- a. All graded and disturbed areas shall be landscaped or otherwise revegetated at the completion of grading.
- b. A combination of locally-indigenous native hydro-seed mix, plants, trees, shrubs, *mulching*, and other suitable stabilization methods shall be used to protect soils subject to erosion to assure soil stabilization and to promote varying height and mass of landscaping.
- c. Manufactured Slopes. Cut and fill slopes three feet in height or greater shall be planted pursuant to the following standards:
 - 1. If permanent *groundcover* is applied as *hydromulch*, there shall be a minimum of one shrub for every 125 square feet of slope area.

2. If rooted cuttings are utilized as *groundcover*, there shall be one shrub for every 300 square feet of slope area.
3. There shall be a minimum of one *native tree* for every 500 square feet of slope area.
4. Sloped areas are subject to the following:
 - i. Slopes less than eight feet in height are not required to be planted in shrubs.
 - ii. Slopes less than five feet in height are not required to be planted with trees.
- d. A mix of one-gallon and 15-gallon trees and shrubs shall be used to promote varying height and mass.

Sec. 8178-8.4.2.6 Stormwater Management Landscaping

- a. The siting and design of *stormwater management landscaping* shall be reviewed and approved by the Public Works Agency for conformance with regulations aimed at stormwater quality control. Landscape design features shall include but not be limited to the following:
 1. Graded surfaces shall convey runoff to *bioretention* stormwater treatment facilities, *vegetated swales*, and other *landscape areas*.
 2. To avoid flooding, overflow from large storms shall discharge to another landscaped area or the storm drain system.
 3. The designed water flow shall not cause erosion or damage to required parking area features and pavement.
 4. Plant material shall be selected to withstand inundation of water and be capable of pollutant uptake. *Stormwater management landscaping* shall not interfere with the movement of vehicles, pedestrians, or bicycles and shall not impede public access to the shoreline.
- b. *Stormwater management landscaping* may count towards the required minimum site coverage for the *landscape area* if the following criteria are met:
 1. The *stormwater management landscaping* does not compromise the number, type, size, location, or health of *protected trees*.
 2. The *stormwater management landscaping* does not compromise required *landscape screening* requirements.

Sec. 8178-8.4.2.7 – Parking Lot Landscaping

All open (uncovered) automobile *parking lots* shall be landscaped in accordance with the following:

- a. Minimum *Parking Lot* Landscaping. Landscaping shall be computed on the basis of the net parking facilities, which includes parking stalls, access drives, aisles and walkways, but shall not include required landscaping adjacent to streets.
- b. Open parking areas shall consist of at least six percent landscaping, which is counted toward the minimum *landscape area* requirement, except that no *parking lot* landscaping is required when there are fewer than four parking spaces.

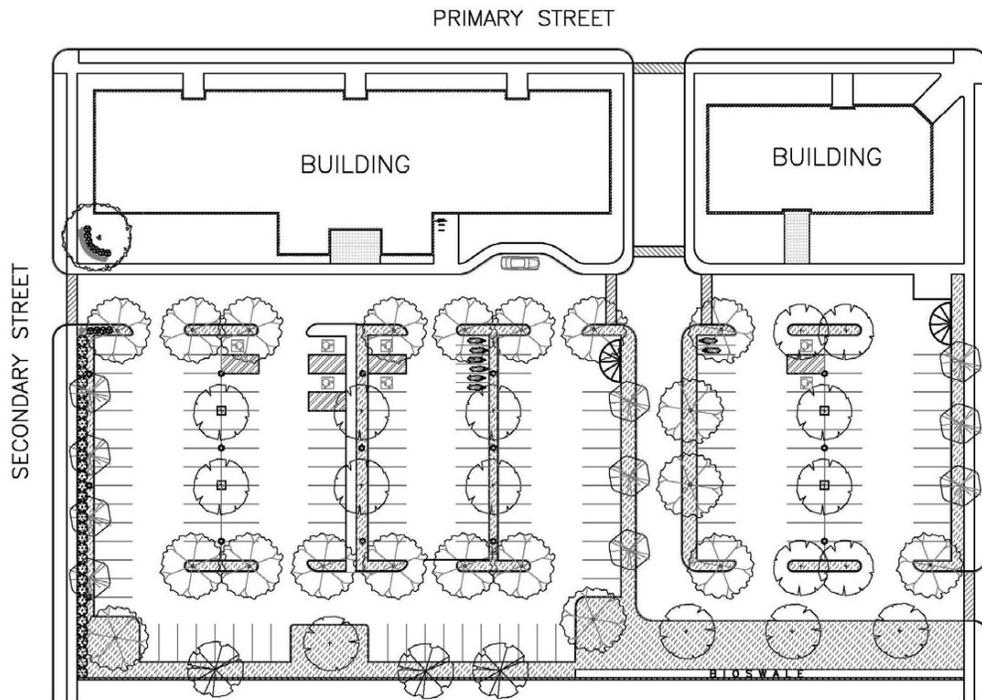
- c. Parking structures and covered parking spaces are exempt from these requirements but may be conditioned on a case-by-case basis to ensure the purposes of this section are met.
- d. New commercial and institutional projects with more than 10 motor vehicle spaces shall provide a concentration of landscape 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 Sec. 8178-8.4.1.9.
- e. Landscaping shall be designed so that pedestrians are not likely to cross *landscape planters* to reach building entrances.

Sec. 8178-8.4.2.7.1 – Interior Parking Lot Landscaping

Parking lots shall include interior landscaping as outlined below.

- a. *Planter Dimensions.*
 - 1. *Strip Planters.* Interior parking lot *strip planters* shall measure at least four feet wide (inside dimension).
 - 2. *Finger Planters.* *Finger planters* shall be at least five feet wide (inside dimension) and the length shall be the same as the parking space (typically, 18 feet).
 - 3. *Tree well planters* shall be a minimum of 16 square feet, (inside dimension).
- b. All *parking lot landscape planters* shall be protected from vehicular damage by a raised curb or a wheel stop. The raised curb or wheel stop shall be at least four inches in height.
 - 1. Where curbs around *landscape planters* function as wheel stops, plants and other landscape features in the outside two feet of these *planters* shall not extend more than two inches above the four inch curb or wheel stop.
 - 2. 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.
- c. Preferred Layout. The preferred layout for the interior landscaping of parking areas is set forth below.
 - 1. A minimum eight foot wide (inside dimension, inclusive of any bumper overhang) *landscape planter* shall be provided between the street and a *parking lot*, except at driveways, pedestrian pathways, and other pedestrian spaces.
 - 2. The ends of each row of parking spaces should be separated from drive aisles, driveways, or buildings by a *finger planter*.
 - 3. Between *finger planters*, *tree wells* or a continuous *strip planter* should be provided.
 - 4. Where parking areas and associated driveways adjoin a residential use, a vacant residentially zoned property, or a ground-floor residential land use, *perimeter landscaping* shall include the following:

- i. A solid masonry wall at least six feet in height shall be installed and maintained along the property line except where it would adversely impact *scenic resources*.
 - ii. Where such *parking lot* is across the street from an R-zoned property, the parking lot shall be separated from the street by an opaque ornamental fence, wall, landscaped earth mound, or evergreen hedge having a height of at least three feet except where it would adversely impact *scenic resources*.
 - 5. Where a parking area or driveway adjoins a side or rear property line, side and rear *perimeter landscaping* shall be provided. The *perimeter landscaping* shall be at least two feet wide (inside dimension) when the *planters* do not include trees and a minimum of four feet wide (inside dimension) when the *planters* include trees.
 - 6. Where a parking area or driveway is adjacent to a building on the same site, the area should be separated from the building by a *landscaped planter* at least four feet wide.
 - 7. When approving a *landscape plan* for a development that includes a *parking lot*, the preferred layout will be based on functional considerations and site constraints.
- d. Tree Locations
- 1. Trees shall be spaced out evenly throughout the *parking lot* in order to maximize shading of pavement.
 - i. Double-sided Parking Rows. Provide one *finger planter* with two trees (one per eight spaces). Between *finger planters*, either provide two *tree wells* (one per eight spaces) or a continuous *planter* containing two trees (one per eight spaces).
 - ii. Single-sided Parking Rows. Provide one *finger planter* with one tree. Between *finger planters*, either provide two *tree wells* (one per four spaces) or a continuous *planter* containing two trees (one per four spaces).



Examples of Landscaping for Single- and Double-Sided Parking

- e. Shrubs planted in *parking lot planters* shall not grow above three feet in height.
- f. Trees planted in *parking lot planters* shall not interfere with *parking lot* lighting illumination that is required for safety or security purposes.

Sec. 8178-8.4.2.7.2 – Acceptable Substitutions for Interior Landscaping

If the applicant can demonstrate that compliance with interior landscaping requirements would result in the loss of required parking spaces, the interior landscaping requirement may be modified if the parking area includes acceptable substitutions for the required interior landscaping that would otherwise be provided. Acceptable substitutions for interior landscaping include the following:

- a. The use of a light-colored/high-*albedo* (minimum of 0.3) paving surface, or use of a *pervious paving* surface pursuant to Sec. 8176-4.9. Such surfaces may be substituted for landscaping at a rate of three times the area required for landscaping.
- b. Installation of *public art* at the site pursuant to Sec. 8178-8.4.1.9.
- c. Shading in the form of canopies with solar photovoltaic or hot water systems, off-site trees and structures, sidewalk canopies, and other shade structures.

Whenever feasible, substitutions shall not replace more than 50 percent of the interior landscaping requirement, with priority given to planting shade trees.

Sec. 8178-8.4.2.8 – Model Home Landscaping

Residential projects that include a model home(s) shall provide at least one model home with landscaping and irrigation that complies with the requirements set forth in this Sec. 8178-8.

Sec. 8178-8.5 –Irrigation Development Standards

The following standards apply to irrigation systems that serve a required *landscape area*.

Sec. 8178-8.5.1 – Irrigation System Standards

- a. Dedicated landscape water meters, which may be provided by a local water purveyor or a privately owned meter or submeter, shall be required for the following:
 1. Irrigated landscapes of 1,000 square feet or more for non-residential developments.
 2. Irrigated landscapes of 5,000 square feet or greater for residential developments.
- b. At a minimum, landscape irrigation systems shall be designed and operated in conformance with the following requirements:
 1. A *master valve* shall be installed unless the sprinklers are individually controlled, pressurized, and equipped with low pressure shut down features.
 2. A pressure regulator and *check valves* shall be installed at the low end of the irrigation lines to prevent unwanted draining of irrigation lines.
 3. The system shall be equipped with automatic, self-adjusting irrigation controllers that automatically activate and deactivate the irrigation system based on changes in the weather or soil moisture.
 4. Sprinkler heads (*micro-spray* or *drip*) shall be located to minimize landscape water *overspray* onto unplanted areas or areas of dissimilar water demand.
 5. All sprinkler heads installed within the *landscape area* must have a documented distribution uniformity low quarter of 0.65 or higher.
 6. The irrigation system shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings.
 7. Low precipitation sprinklers shall be employed to conserve water and promote continued, healthy growth of the planting.
 8. To protect the irrigation equipment and ensure adequate water coverage, all sprinklers shall be placed outside of any parking space bumper overhangs.
- c. Prior to installation of plants, the soil shall be in a *friable* condition.
- d. Slopes that range from three to five feet in height, and that total less than 1,000 square feet in area, are not required to be equipped with a permanent irrigation system and may be irrigated with hose bibs located not more than 50 feet from the area to be irrigated.
- e. Slopes that exceed five feet in height, and that total more than 1,000 square feet in area, shall be equipped with a permanent irrigation system.

Sec. 8178-8.5.2 – Efficient Water Use

- a. *Estimated Total Water Use (ETWU)* shall be less than or equal to *Maximum Applied Water Allowance (MAWA)* as described in Appendix L1.
- b. All irrigation water shall be retained within the required *landscape area* to the extent feasible.
- c. Recirculating water systems shall be used for decorative *water features*, and all water sprayed into the air from decorative *water features* shall remain within the feature.

Sec. 8178-8.5.3 – Use of Non-Potable Water

Irrigation systems should be designed to collect and distribute stormwater, *reclaimed water*, and *graywater* when feasible.

- a. *Water Harvesting. Landscape plans* should include passive *water harvesting* methods for landscape irrigation, such as the use of *graywater* or rain catchment systems that capture water from roof and site runoff.
 - 1. *Graywater systems* shall be designed in conformance with the California Plumbing Code Chapter 16A Non-Potable Water Reuse Systems.
 - 2. Rainwater catchment systems shall be designed in conformance with the California Plumbing Code Chapter 17 Non-Potable Rainwater Catchment Systems.
 - 3. To encourage the reuse of non-potable water, projects with less than 2500 square feet of *landscape area* that meet the *Estimated Total Water Use* entirely using *graywater* shall only be required to submit an Irrigation Plan pursuant to Sec. 8178-8.8(c) of the *Landscape Documentation Package* for the permit application.
- b. *Reclaimed Water.* Landscaping shall utilize *reclaimed water* where the resource can feasibly be provided. If *reclaimed water* is determined to be required for the project, the irrigation system shall be designed, installed, and operated in compliance with state and local laws, requirements and regulations applicable to non-potable water use.

Sec. 8178-8.6 Water Budget and Projected Water Use

- a. Each *landscape area* shall be allowed a certain amount of water for landscaping, *water features* and other allowable components, called a *water budget*. Calculations shall be performed for the *Maximum Applied Water Allowance (MAWA)* and *Estimated Total Water Use (ETWU)* in accordance with Appendix L3, *Water Budget Calculations*.
- b. The *water budget* and projected water use calculations shall be submitted as part of the *landscape documentation package* (see Sec. 8178-8.8).

Sec. 8178-8.7 Authority to Modify or Waive Landscaping Requirements and Standards

- a. When special circumstances or exceptional characteristics are applicable to the property (size, shape, topography, etc.), the size of the required *landscape area* may be waived or modified (reduced or increased), except where the modification would have the potential to adversely impact ESHA, scenic resources, or water quality or supply. Facts and circumstances potentially warranting modifications and waivers include, but are not limited to:
 - 1. Landscaping of proposed *mixed-use developments*, where such development is permitted.

2. Where additional landscaping is necessary to screen undesirable public views.
 3. Where additional landscaping is necessary to provide an effective, vegetated transition to adjacent areas designated ESHA.
 4. Where modifications to a *fuel modification zone* are required by the County Fire Marshall.
 5. Where existing structures, exceptionally small lots, or irregularly configured lots, preclude implementation of the minimum *landscape area* pursuant to Sec. 8178-8.3.
 6. Where compliance with the minimum *landscape area* would result in the loss of existing, required parking spaces due to site size restrictions.
 7. Reductions to the *planter strip* width required pursuant to Sec. 8178-8.4.2.1(b), Landscape Strip.
 8. For development that cannot be seen from a *public viewing areas*.
 9. When evidence is presented to demonstrate that the original plants were not successfully established and that alternative replacement plants meet the standards of this Chapter.
 10. In areas where the County or California Coastal Commission has declared, by resolution, that a critically short water supply exists that must be maintained for *coastal resources* or public recreational use thereby prohibiting the construction or extension of any landscaping irrigation system.
- b. Waivers of landscape standards shall be limited to those justified by the special circumstances identified in (a) above. The applicable County decision-maker may grant a reduction in the minimum landscaping requirements, but in no case shall all landscaping requirements be eliminated, and priority shall be given to planting trees.

Sec. 8178-8.7.1 – Required Findings to Modify or Waive Landscaping Requirements and Standards

Written finding of facts shall be required for all waivers or modifications to landscaping areas as required below:

- a. Modifications or waivers shall only be granted if all of the following findings can be demonstrated:
 1. The modification or waiver will not adversely affect *coastal resources* or public welfare and will not be detrimental or injurious to property or improvements in the surrounding area.
 2. The modification will not result in an increase in water demand.
 3. The modification is consistent with the purpose of the regulations set forth in Sec. 8178-8.1.
- b. In addition to the required findings in subsection “a” above, modifications or waivers pursuant to Sec. 8178-8.7.1 shall only be granted if supported by written findings of fact demonstrating one or more of the following:
 1. Special circumstances apply to the subject property with regard to size, shape, topography and location, and the strict application of the requirements would result in practical difficulties or hardships

inconsistent with the general purpose and intent of the Coastal Zoning Ordinance.

2. Required landscaping would conflict with existing easements or public rights-of-way or established easements.
3. Existing natural landscaping will be preserved where feasible.

Sec. 8178-8.7.2 – Modification to a Landscape Documentation Package

Any document in an approved *landscape documentation package* may be modified as a permit modification that is applied for and processed in accordance with Sec. 8181-10.4.2. The following requirements apply to said modifications:

- a. As part of the permit modification application, the applicant shall submit all documents and information reflecting and supporting all proposed changes to each document in the approved *landscape documentation package*, for County review and approval in accordance with Sections 8178-8.8 and -8.9, that would be modified or affected by the proposed modification. If a modification proposes to change one or more documents that requires the signature and/or stamp of a *licensed landscape architect, landscape contractor, qualified landscape designer, qualified biologist, licensed engineer, or other professional*, then the proposed modified documents shall also be signed and/or stamped by the same type of professional(s) as the approved document(s).
- b. Approved modifications to *landscape documentation packages* shall be implemented, inspected and monitored in accordance with Sec. 8178-8.9.
- c. Written findings of fact shall be made pursuant to Sec. 8178-8.7.1 for any requested modification to the extent it requires a waiver or modification of the *landscape area* requirements of this Sec. 8178-8.
- d. *Water budget calculation* revisions where the change is triggered by plant substitutions as approved by a *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist*.

Sec. 8178-8.8 – Landscape Documentation Package

A *landscape documentation package* shall accompany the discretionary permit or permit modification application and shall include the following:

- a. *Landscape Plan*. If Sec. 8178-8 et seq. is applicable, a conceptual *landscape plan* shall be submitted as part of the development application and shall be reviewed by the Planning Division. See Appendix L1 for *landscape plan* requirements.
- b. Landscape plan specifications shall include performance standards for determining the following:
 - i. The health and normal growth of plants/trees included in the *landscape plan*.
 - ii. Procedures for periodic monitoring.
 - iii. Corrective measures that should be used when the health of a plant or tree declines.
- c. *Irrigation Plan*. The irrigation plan shall be a separate document from, but use the same format as, the *landscape plan*. See Appendix L1 for minimum requirements for the irrigation plan.

- d. Water Efficient Landscape Worksheet. The applicant shall submit a Water Efficient Landscape Worksheet, provided by the Planning Division, which contains a *Hydrozone* Information Table and a *Water Budget Calculation*. See Appendix L3 Sample Water Efficient Landscape Worksheet.
- e. *Water Budget Calculations*. See Appendix L3 Water Efficient Landscape Worksheet.
- f. *Estimated Total Water Use (ETWU)*. The *ETWU* calculation shall be based upon the types of plant material used in the *landscape plan*. See Appendix L4 for determining *ETWU*.
- g. *Soils Report*. To achieve optimum growth of *groundcover*, shrubs, and trees, the *Landscape Documentation Package* shall include a *soils report* that indicates the nutrient status and pH of the soil in the *landscape area*. The *soils report* must be prepared by a California licensed engineer with experience in soils engineering.
- h. Ventura County Fire Protection District Construction Permit. Verification that installation of, or modification to, landscaping within the required *fuel modification zone* has been submitted for review and approval by the Ventura County Fire Protection District.
- i. One set of colored photographs of the project site taken from the following three vantage points: (1) close-up; (2) midfield; and (3) entire project site, relative to nearby vegetation, landmarks and structures. Color photo simulations showing proposed landscaping at maturity shall be required for projects which could have an adverse visual impact.
- j. Preparation and Signature of *Landscape Documentation Package*. A *Landscape Documentation Package* shall be prepared, stamped and signed by a *licensed landscape architect*, except for single-family residential development that does not require a grading and drainage plan.

Sec. 8178-8.9 – Landscape Documentation Package Approval and Inspections

Sec. 8178-8.9.1 – Landscape Documentation Package Approval

- a. The *landscape documentation package* shall be submitted to the Planning Division and other required County agencies for review and approval as part of the permit application for the proposed development.
- b. After preliminary review by the Planning Division and other required County agencies, the Planning Division reserves the right to send the *landscape documentation package* to a consulting *licensed landscape architect* for review, at the applicant's sole expense, to determine consistency with Sec. 8178-8, conduct an onsite inspection, and to provide recommendations regarding any document contained in the *landscape documentation package*.
- c. Following approval of the permit application for the proposed development, a zoning clearance shall be required to verify that the proposed landscape construction documents are consistent with the approved *landscape documentation package*.
- d. Prior to issuance of any zoning clearance authorizing construction or use inauguration for the approved development, the permittee shall be responsible for the following:

1. The applicant shall include, on a separate informational sheet to be recorded with the conditions of approval, an 8½ x 11 reduced copy of the approved *landscape plan* and the required *fuel modification zone*.
2. Enter into a reimbursement agreement with the County to cover the Planning Division's costs of monitoring the approved landscaping and irrigation improvements pursuant to Sec. 8178-8.9.2(b) below.

Sec. 8178-8.9.2 – Landscape Inspections

- a. Prior to issuance of a final map, certificate of occupancy, or other milestone set forth in the conditions of the discretionary entitlement for the project requiring landscaping, the permittee shall satisfy the following post-approval requirements:
 1. *Certificate of Completion*. The permittee shall submit to the Planning Division a *Certificate of Completion* as provided by the Planning Division (see Appendix L6).
 2. After the permittee submits the *Certificate of Completion*, County staff shall conduct an onsite inspection to verify that the landscaping was installed as required by the approved *landscape documentation package*.
- b. The property owner shall maintain the required *landscape area* in accordance with the approved *landscape documentation package*.
- c. If required landscaping does not meet the *performance criteria* set forth in the approved *landscape documentation package*, the permittee shall submit a proposed modification to the *landscape documentation package* for the County review and approval pursuant to Sec. 8178-8.7.2 that includes *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist's* recommendations for plant substitutions or remedial efforts.

Sec. 8178-8.9.3 – Landscape Maintenance and Monitoring

- a. Required landscaping shall be maintained for the term of the subject permit to ensure continued compliance with the approved *landscape documentation package* and shall include the following as may be supplemented in the *landscape documentation package*.
 1. Pruning shall be conducted to keep plants within spatial limits, and weeds and litter removed in the *landscape area*.
 2. Plant materials that are not successfully established or that did not meet performance criteria may be replaced with alternative plants as recommended by a *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist*. Plant substitutions that do not change the MAWA or ETWU do not require a permit modification pursuant to Sec. 8178-8.7.2.
 3. Tree supports shall be inspected frequently and removed as soon as the tree can stand without support and be able to resist wind damage.
 4. *Mulch* shall be replenished.
 5. The irrigation equipment shall be monitored for any necessary repairs.
 6. Any defects in landscape maintenance shall be remedied within 30 days following the County's notification.

- b. Failure to maintain required landscaping and/or irrigation systems shall constitute a violation of the subject permit (see Article 13 Enforcement and Penalties).

ARTICLE 9: ZONING MAPS

Sec. 8179 et seq. consists of the Ventura County Coastal Zoning Maps, on file in the Office of the Clerk of the Board of Supervisors. (AM.ORD.4451-12/11/12)

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**ARTICLE 10:
(RESERVED FOR FUTURE USE)**

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ARTICLE 11: ENTITLEMENTS - PROCESS AND PROCEDURES

Sec. 8181-1 – Purpose

The purpose of this Article is to establish procedures for the processing of land *use* entitlements, including permits and variances, and for modification, suspension, or revocation of any permit or variance, and appeals thereto.

Sec. 8181-2 – Legal Lot Requirement

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

(AM.ORD.3788-8/26/86, AM.ORD. 4451-12/11/12)

Sec. 8181-3 – Permits

Permits authorized by this Chapter include the following:

Sec. 8181-3.1 – Zoning Clearances

Zoning Clearances certify that a proposed *structure* and/or *use* of land or *buildings* meets all the requirements of this Chapter, and, if applicable, the conditions of any previously issued permit. Issuance of a *Zoning Clearance* is a *ministerial decision* by the *Planning Director* that is not appealable to the Coastal Commission and is required for *development* exempt or excluded from the requirement to obtain a *Coastal Development Permit*. (AM.ORD.4451-12/11/12)

- a. Issuance - A *Zoning Clearance* is required prior to the initiation of *uses* of land or *structures*, including a change of *use* where a new *use* replaces an existing one, the construction of *structures* requiring *building* permits, and the commencement of any activity authorized by a permit or subdivision granted in accordance with Division 8, Chapters 1, 1.1 and 2 of the County Ordinance Code. A *Zoning Clearance* shall be issued upon the request of an applicant, provided that the proposed *use* or *structure*:
1. Is permissible under the present zoning on the land;
 2. Is compatible with the purpose, intent, goals, policies, programs and land *use* designations specified in the General Plan;
 3. Complies with the applicable terms and conditions of the required discretionary permit granting the *use* in question, and the decision granting said permit is considered "effective" pursuant to Sec. 8181-7.4;
 4. Is not located on the same *lot* where a violation exists of any Ventura County Ordinance regulating land *use*, such as the Ventura County Building Code or any grading ordinance, or of the terms of an existing permit covering the *lot*, unless the *Zoning Clearance* is necessary to the abatement of the existing violation;
 5. Is not being requested by or for a *person* who owes the County outstanding fees; and
 6. Is consistent with the portions of the County Hazardous Waste Management Plan that identify specific sites or siting criteria for *hazardous waste facilities*.

(AM.ORD.4451-12/11/12)

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

Sec. 8181-3.2 - Planned Development Permit

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

(AM.ORD.4451-12/11/12)

Sec. 8181-3.3 - Conditional Use Permit

A Conditional Use Permit or modification thereto is issued through a public hearing and *discretionary decision* by the Planning Commission or Board of Supervisors. Except for projects initiated by a County agency or department, applications for Board of Supervisors-approved Conditional Use Permits shall first be reviewed by the Planning Commission.

Sec. 8181-3.4 - Public Works Permit

A Public Works Permit is a discretionary permit processed by the Public Works Agency in accordance with all applicable requirements of the Government Code and this Chapter regarding findings, public notification and hearings for discretionary permits.

Sec. 8181-3.5 - Required Permit Findings

Discretionary permits may only 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 conditions and limitations, including time limits, as the *decision-making authority* deems necessary are imposed to allow it to meet said standards. 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 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 County's Certified LCP;
- b. The proposed *development* is compatible with the character of surrounding *development*;
- c. The proposed *development*, if a conditionally *permitted use*, is compatible with planned land *uses* in the general area where the *development* is to be located.
- d. The proposed *development* would not be obnoxious or harmful, or impair the utility of neighboring property or *uses*;
- e. The proposed *development* would not be detrimental to the public interest, health, safety, convenience, or welfare.

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

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

- a. That the proposed *hazardous waste* facility is consistent with the portions of the County Hazardous Waste Management Plan that identify specific sites or siting criteria for *hazardous waste facilities*. (ADD.ORD. 3946-7/10/90)

(AM.ORD.4451-12/11/12)

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

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

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

(AM.ORD.4451-12/11/12)

Sec. 8181-3.6 - Validity

All licenses, permits and certificates may become null and void if:

- a. The application request that was submitted was not in full, true and correct form; or
- b. The findings made pursuant to Sec. 8181-3.5 were based on false information; or
- c. The entitlement does not comply with the terms and conditions of the permit originally granting the *use* under this Division; or
- d. The entitlement was issued erroneously.

(AM.ORD.4451-12/11/12)

Sec. 8181-3.7 - Emergency Coastal Development Permits

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

- a. Applications in cases of emergencies shall be made to the *Planning Director* by letter or facsimile during business hours if time allows, and by telephone or in *person* if time does not allow.
- b. The information to be included in the application shall include the following:
 1. The nature of the *emergency*;
 2. The cause of the *emergency*, insofar as this can be established;

3. The location of the *emergency*;
 4. The remedial, protective, or preventive work required to deal with the *emergency*; and
 5. The circumstances during the *emergency* that appeared to justify the course(s) of action taken, including the probable consequences of failing to take action.
- c. The *Planning Director* shall verify the facts, including the existence and nature of the *emergency*, insofar as time allows.
 - d. Prior to the issuance of an *emergency coastal development permit*, when *feasible*, the *Planning Director* shall notify, and coordinate with, the South Central Coast District Office of the California Coastal Commission as to the nature of the *emergency* and the scope of the work to be performed. This notification shall be in *person* or by telephone.
 - e. The *Planning Director* shall provide public notice of the proposed *emergency* action, with the extent and type of notice determined on the basis of the nature of the *emergency* itself. The *Planning Director* may grant an *emergency* permit upon reasonable terms and conditions, including an expiration date and the necessity for a regular permit application later, if the *Planning Director* finds that:
 1. An *emergency* exists and requires action more quickly than permitted by the procedures for administrative permits, or for ordinary permits administered pursuant to the provisions of Section 30600.5 of the Public Resources Code, and the *development* can and will be completed within 30 days unless otherwise specified by the terms of the permit;
 2. Public comment on the proposed *emergency* action has been reviewed if time allows; and
 3. The work proposed would be consistent with the requirements of the County's certified LUP/CAP.
 4. The *Planning Director* shall not issue an *emergency* permit for any work that falls within the provisions of Section 30519(b) of the Public Resources Code.
 - f. The *emergency* permit shall be a written document that includes the following information:
 1. The date of issuance;
 2. An expiration date;
 3. The scope of the work to be performed;
 4. Terms and conditions of the permit;
 5. A provision stating that within 90 days of issuance of the *emergency* permit, a follow-up, regular *coastal development permit* application shall be submitted;
 6. A provision stating that any *development* or *structures* constructed pursuant to an *emergency* permit shall be considered temporary until authorized by a follow-up *coastal development permit*, and that the issuance of an *emergency coastal development permit* shall not constitute an entitlement to the erection of permanent *structures*; and

7. A provision stating that the *development* authorized in the *emergency* permit must be removed unless a complete application for a regular *coastal development permit* for the *development* is filed within 90 days of approval of the *emergency* permit is approved. If a regular *coastal development permit* authorizing permanent retention of the *development*, or a portion of the *development*, is denied, then the *development* that was authorized in the *emergency* permit, or the denied portion of the *development*, must be removed.

g. Reporting

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

(AM.ORD.4451-12/11/12)

Sec. 8181-4 – Variances

Variances are adjustments in the regulations and *development* standards contained in this Chapter. Variances are discretionary, and are granted to permit deviations from regulations governing such factors as *setbacks, height, lot coverage, lot area* and *width, signs, off-street parking and wall, fencing and screening standards*. The procedures of Sec. 8181-6 shall be followed. Variances may not be granted to authorize a *use* or activity that is not otherwise expressly authorized by the zone regulations governing the property. (AM.ORD.4451-12/11/12)

Sec. 8181-4.1 - Purpose

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

Sec. 8181-4.2 - Required Findings for Variances

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

- a. There are special circumstances or exceptional characteristics applicable to the subject property with regard to *size, shape, topography and location*, that do not apply generally to comparable properties in the same vicinity and zone within the *coastal zone*; and

- b. Granting the requested variance will not confer a special privilege inconsistent with the limitations upon other properties in the same vicinity and zone within the *coastal zone*; and
- c. Strict application of the zoning regulations as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations; and
- d. The granting of such variance will not be detrimental to the public health, safety or general welfare, nor to the *use*, enjoyment or valuation of neighboring properties; and
- e. All *development* authorized by the variance is consistent with all applicable standards of the LCP; and
- f. That the granting of a variance in conjunction with a *hazardous waste facility* will be consistent with the portions of the County's Hazardous Waste Management Plan (CHWMP) that identify specific sites or siting criteria for *hazardous waste facilities*. (ADD.ORD. 3946-7/10/90)

(AM.ORD.4451-12/11/12)

Sec. 8181-4.3 - Burden of Proof

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

Sec. 8181-4.4 - Administrative Variances

Applications for routine and minor adjustments in certain types of zoning regulations may be approved by the *Planning Director* as administrative variances, if the standard of Sec. 8181-4.2 are met. The procedures of Sec. 8181-6 shall be followed. An administrative variance may be granted only in the following situations:

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

(AM.ORD.4451-12/11/12)

Sec. 8181-4.5 - Planning Commission Approval

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

Sec. 8181-4.6 - Duration

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

Sec. 8181-5 – Filing and Processing of Application Requests

Application requests shall be filed with the Planning Division. No application request shall be accepted for filing and processing unless it conforms to the requirements of

this Chapter; contains in a full, true and correct form, the required materials and information prescribed by the forms supplied by the Ventura County Planning Division; and is accompanied by the appropriate fees. The County staff may refer any application request to an independent and qualified consultant for review and evaluation of issues beyond the expertise or staffing capabilities of the County. The costs for all such consultant work shall be borne by the applicant and are independent of the fees paid to the Planning Division for processing of the requests.

Sec. 8181-5.1 - Applications

Applications may be filed as provided in the following sections:

- a. Who May Apply - An application for a permit or variance may be filed by the owner of the property or his/her authorized agent, a lessee who holds a lease whose terms permit the *use* applied for, or by any duly constituted government authority or agent thereof.
- b. Co-applicants - All holders or owners of any other interests of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant. In addition, prior to the issuance of a *coastal development permit*, the applicant shall demonstrate the authority to comply with all conditions of approval.
- c. Modification, Suspension and Revocation - An application for modification, suspension or revocation of any variance or permit may be filed by any *person* listed in the preceding section, or by any *person* or political entity aggrieved; or by an official department, board or commission of the county affected.
- d. Appeals - An appeal concerning any order, requirement, permit, determination or decision made in the administration or enforcement of this Chapter may be filed in accordance with Sec. 8181-9.
- e. Violations on Property - No application for any entitlement shall be accepted for filing if a violation of Chapter 1.1 or Chapter 2 exists on the property, provided that the violation was a result of the actions or inactions of the applicant or his predecessor(s) in interest, unless an application is concurrently filed that would abate the existing violation. (AM.ORD.4451-12/11/12)
- f. Completeness of Application - Not later than 30 calendar days after the Planning Division has accepted an application under this Chapter, the applicant shall be notified in writing as to whether the application is complete or incomplete, except in the case of zone changes, which are legislative acts and thus are not subject to the 30-day limit. If the application is determined to be incomplete, the applicant shall be notified in writing of the reasons for such determination and of the information needed to make the application complete.
- g. Supplemental Information - If any application is deemed incomplete and the applicant subsequently submits the required information, the application is then treated as if it were a new filing, and the 30-day review period begins on the day that the supplemental information is submitted.
 1. Review of Supplemental Information - If any application is deemed incomplete and the applicant subsequently submits the required information, the application is then treated as if it were a new filing, and the 30-day review period begins on the day that the supplemental information is submitted.
 2. Termination of Incomplete Application - Upon written notification to the applicant, processing of an incomplete application may be terminated if no reasonable effort has been made by the applicant to complete the

application for a period of six months from the date of notification of incompleteness. All unused fees shall be refunded to the applicant. An extension to this six-month period may be granted by the *Planning Director* on written request by the applicant showing good cause.

Sec. 8181-5.2 - Content of Applications

The form and content of all applications shall be determined by the Planning Division. Additional information may be required to be submitted with an application request, such as elevations, plot plans, and phasing, as deemed appropriate by the *Planning Director* for complete review of the request. For applications to develop oil or gas resources, see Sec. 8175-5.7.2 for additional requirements.

Sec. 8181-5.3 - Vested Rights

No *person* obtains any right or privilege to *use* land or *structures* for any manner described in an application request merely by virtue of the County's acceptance of an application or granting of the subject request. See also Sec. 8171-7. (AM.ORD.4451-12/11/12)

Sec. 8181-5.4 - Fees

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

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

interest charge of two percent of the unpaid balance shall be added and compounded until the bill is paid in full.

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

(AM.ORD.4451-12/11/12)

Sec. 8181-5.5 - Deferral of Applications

Sec. 8181-5.5.1

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

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

(AM.ORD.4451-12/11/12)

Sec. 8181-5.5.2

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

(AM.ORD.4451-12/11/12)

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

If an application for renewal of permit has been filed prior to the expiration date of that permit, and is being diligently pursued, the activities for which the permit was granted may continue during the renewal process, unless otherwise provided for in the conditions of the permit. All the terms and conditions of the original permit must be followed at all times. (AM.ORD.4451-12/11/12)

Sec. 8181-5.7 - Compliance with Conditions

It shall be the responsibility of the property owner, and the permittee when the property owner is not the applicant, to ensure that all conditions placed on a permit are met. (AM.ORD.4451-12/11/12)

Sec. 8181-5.8 - Securities

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

- a. The required amount of the security(s) may be increased periodically by the *Planning Director* in order to compensate for inflation (based on the applicable regional Consumer Price Index) or other factors, so that the same relative value

of the security is maintained over the life of the permit, and to assure that performance securities continue to reflect the actual anticipated costs for completing a required task. No security shall be released until after all of the applicable conditions of the permit have been met.

- b. In the event of any failure by the permittee to perform or comply with any term or condition of a discretionary entitlement, the *decision-making authority* may, after notice to the permittee and after a public hearing, determine by resolution the amount of the penalty, and declare all or part of the security forfeited. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, nor from expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of the permit or of any applicable ordinance or of the security.
- c. The permittee shall maintain the minimum specified amount of a penal security throughout the life of the entitlement. Within 30 days of any forfeiture of a penal security, the permittee shall restore the security to the required level.

(AM.ORD.4451-12/11/12)

Sec. 8181-6 – Hearing Procedures

Sec. 8181-6.1 - Determination of Applicable Procedures

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

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

If the Executive Director's determination is not in agreement with the County's determination, the Coastal Commission shall hold a hearing for purposes of determining the appropriate designation for the *development*. (AM.ORD.4451-12/11/12)

Sec. 8181-6.2 - Public Hearings

The *Planning Director* shall hold at least one public hearing on any duly filed application that requires a *discretionary decision* unless the hearing requirement is waived pursuant to Sec. 8181-6.2.3. If the Director defers the application to the Planning Commission, the Planning Commission shall hold at least one public hearing per the requirements of this Article. (AM.ORD.4451-12/11/12)

Sec. 8181-6.2.1 - Notice Requirements

The County shall give public notice of the hearing by publication in a newspaper of general circulation at least 10 calendar days prior to the hearing. In addition, the County shall provide notice of such hearing by first class mail at least 10 calendar days prior to the public hearing. (AM.ORD.4451-12/11/12)

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

Sec. 8181-6.2.2 – Conduct of Public Hearings

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

(AM.ORD.4451-12/11/12)

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

- a. Consistent with Section 30624.9 of the Public Resources Code, the public hearing requirement for *minor developments* may be waived if all of the following occur:
 - 1. Notice is sent to all *persons* consistent with the provisions of Sec. 8181-6.2.1, as well as all other *persons* known to be interested in receiving such notice;
 - 2. The notice states that a public hearing will be held upon the request of any *person*;
 - 3. No request for public hearing is received by the County within 15 working days from the date of sending the notice.
- b. The notice provided pursuant to Sec. 8181-6.2.3(a) above shall include a statement that failure by a *person* to request a public hearing may result in the loss of that *person's* ability to appeal to the Coastal Commission any action taken by the County on a *coastal development permit* application.
- c. Requests for a public hearing must be made in writing to the Planning Division, and must identify the reasons for such request.

(ADD.ORD. 4451-12/11/12)

Sec. 8181-7 – Decisions

Not more than 40 calendar days following the termination of hearings on an application request requiring a *discretionary 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*). A Resolution or Determination Letter rendering a decision on an application request shall recite such conditions and limitations as are 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 the Planned Development or Conditional Use Permit or variance.

Sec. 8181-7.1 - Decision Options

The *decision-making authority* hearing a discretionary matter may approve, deny or modify, wholly or partly, the request being reviewed. The authority may impose such conditions and limitations as it deems necessary to assure that all applicable policies and specific requirements as well as the general purpose and intent of the LCP, including its land *use* plan and this Chapter, will be carried out, and further that the public interest, health, safety, and welfare will be secured. In the absence of any provision to the contrary in a decision granting a request, said request is granted as set forth in the application. All conditions and restrictions applied to an application request not appealed from shall automatically continue to govern and limit the subject *use* or *structure* unless the action of the *decision-making authority* clearly indicates otherwise. (AM.ORD.4451-12/11/12)

Sec. 8181-7.2 - Finality of Decision

A decision on an application for *development* shall be deemed final when:

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

- c. For decisions appealable to the Coastal Commission, all local rights of appeal have been exhausted.

(AM.ORD.4451-12/11/12)

Sec. 8181-7.3 - Notice of Final Decision

(This section shall not apply to exempt or categorically excluded *developments*.) Within seven calendar days of a final decision on an application for any *development*, the County shall provide notice of its action by first class mail to the applicant, the Coastal Commission, and any *persons* who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the County. Said notice shall contain a brief project description, name and address of the applicant, any conditions of approval and written findings, and the procedures for appeal of the local decision to the Coastal Commission (for *developments* subject to appeal). (AM.ORD.4451-12/11/12)

Sec. 8181-7.4 - Effective Date of Decisions

A decision by the County on a *development* request shall not be considered effective until:

- a. The appropriate appeal period (pursuant to Sec. 8181-9.2) has expired and no appeal has been filed, or
- b. After all valid appeals regarding the decision are settled by the appropriate decision-making body.

(AM.ORD.4451-12/11/12)

Sec. 8181-7.5 - County Failure to Act

- a. If the County fails to provide public notice or hold a hearing on a proposed *development* as required by law, the applicant or their representative may either:
 - 1. file an action to compel the County to provide the public notice or hold the hearing, or both, pursuant to Government Code Section 65956(a); or
 - 2. file an appeal pursuant to sec. 8181-9.2 below.
- b. In the event that the County fails to act to approve or to disapprove a *development* project within the time limits required by Article 5 (commencing with Section 65950) of Chapter 4.5 of Division 1 of Title 7 of the Government Code, the failure to act shall be deemed approval of the permit application, as long as the County (or the applicant) provides the public notice required by law and, if the notice is provided by the applicant, the County is given 60 days to address its failure to act by acting on the application before it can be deemed approved. If the County has failed to provide public notice by the date 60 days prior to the expiration of the time limit established by section 65950 or 65952, the applicant may provide the required public notice in accordance Government Code Section 65956(b), which requires, among other things, that the applicant have first provided the County with seven days advance notice of the applicant's intent to provide such notice.
- c. Notification by the County - When a *development* is deemed approved pursuant to this Section, the County shall, within seven calendar days of such approval, notify any *person* entitled to receive notice that it has taken final action by operation of law pursuant to Government Code Section 65956(b). The appeal period for projects approved by operation of law shall begin only upon receipt of the notice in the Coastal Commission office. (AM.ORD.4451-12/11/12)

Sec. 8181-7.6 - Implementation

The *Planning Director* shall be responsible for preparing the resolutions or letters mentioned in this Article and any other paper or document required by the Planning Commission or Board of Supervisors in order to discharge their duties and responsibilities under this Article and Chapter.

Sec. 8181-7.7 - Expiration

Unless otherwise specified in this Ordinance Code or permit conditions, any permit hereafter granted becomes null and void if a *Zoning Clearance* is not obtained by the permittee within the time specified in such permit. If no date is specified, the permit shall expire one year from the date of issuance unless a *Zoning Clearance* has been issued. After expiration of a permit, the property affected thereby shall be subject to the regulations of the applicable zone classification. The permittee is solely responsible for the timely renewal of a permit; the County has no obligation to notify the permittee of the imminent expiration of the permit.

Sec. 8181-8 – Reapplication

An application request may be denied with prejudice on the grounds that two or more similar application requests have been denied 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.

Sec. 8181-9 – Appeals

Any order, requirement, permit, determination or decision made in the administration or enforcement of this Chapter may be appealed in the manner described herein.

Sec. 8181-9.1 - Application

All appeals shall be filed with the Planning Division on the appropriate application forms and addressed to the decision-making authority hearing the appeal. The appropriate decision-making authorities, unless otherwise stipulated herein, are as follows:

- a. Appeals of decisions by the *Planning Director* shall be heard by the Planning Commission.
- b. Appeals of Planning Commission decisions shall be heard by the Board of Supervisors.
- c. An appeal relating solely to requests for waivers or modifications of policies of the Board of Supervisors need only be heard by the Board.
- d. Appeals of Board of Supervisor's decisions on *developments* subject to appeal shall be heard by the Coastal Commission. (AM.ORD.4451-12/11/12)

Sec. 8181-9.2 – County Appeal Period

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

(AM.ORD.4451-12/11/12)

Sec. 8181-9.3 - Hearing and Notice

Upon receipt of a completed appeal application form, the Planning Division shall establish a date, time, and place for the hearing. Notice shall be given in the same

manner as required for the original request, and shall also be given to the appellant, the applicant, and the Coastal Commission.

- a. The *Planning Director* shall deliver all pertinent information relating to the matter on appeal to the authority hearing the appeal prior to the time of the hearing, unless otherwise directed by that authority.
- b. A matter on appeal may be referred back to the preceding *decision-making authority* for further report, information or study.
- c. Whenever a matter on appeal has been referred back to the preceding *decision-making authority*, said authority shall respond within 30 calendar days following the date of such referral, unless otherwise specified by the *decision-making authority* making the referral.
- d. Hearings on multiple appeals may be consolidated.

Sec. 8181-9.4 - Appellate Decision

The *decision-making authority* shall either approve, deny, or approve with modifications the appeal request.

Sec. 8181-9.5 - Appeals to the Coastal Commission

- a. For *developments* that are subject to the appeals jurisdiction of the Coastal Commission under Section 30603 of the Public Resources Code, appeal of an action on a Permit may be filed with the Coastal Commission. Prior to filing an appeal with the Coastal Commission, all local appeals on the County's action must have been exhausted, unless the exhaustion of local appeals is not required according to Section 13573 of Title 14 of the California Code of Regulations. *Second dwelling unit* applications subject to the appeals jurisdiction of the Coastal Commission shall be appealed directly to the Coastal Commission. (AM. ORD. 4283 – 06/06/03, AM.ORD. 4451-12/11/12)
- b. In accordance with subdivision (a) of Section 30603 of the Public Resources Code, an action taken by the County of Ventura on a permit application for any of the following may be appealed to the Coastal Commission:
 1. *Developments* approved by the County between the sea and the first *public road* paralleling the sea or within 300 feet of the inland extent of any beach or of the *mean high tide line* of the sea where there is no beach, whichever is the greater distance .
 2. *Developments* approved by the County not included within paragraph (1) of this section located on *tidelands*, submerged lands, public trust lands, within 100 feet of any *wetland*, estuary, *stream*, or within 300 feet of the top of the seaward face of any coastal bluff.
 3. Any *development* approved by the County that is not designated as the *principally-permitted use* under this Ordinance.
 4. Any *development* that constitutes a *major public works project* or a *major energy facility*.(AM. ORD. 4283 – 06/06/03, AM.ORD. 4451-12/11/12)
- c. The grounds of appeal for any *development* that is subject to appeal under Sec. 8181-9.5b(1) shall be limited to one or more of the following:
 1. The *development* fails to provide adequate physical access for public or private commercial use, or interferes with such uses.

2. The *development* fails to protect public views from any road or from a recreation area to, and along, the coast.
3. The *development* is not compatible with the established physical scale of the area.
4. The *development* may significantly alter existing natural landforms.
5. The *development* does not comply with shoreline *erosion* and geologic *setback* requirements.
6. The *development* is not in conformity with the LCP.

(AM.ORD.4451-12/11/12)

- d. The grounds of appeal for any *development* that is subject to appeal pursuant to Secs. 8181-9.5b(2), (3), and (4) shall be limited to whether the *development* is in conformity with the LCP. (AM.ORD.4451-12/11/12)
- e. The appeal period for decisions is based on the Coastal Commission's review of the Notice of Final Decision sent by the County pursuant to Sec. 8181-7.3.
 1. Deficient Notice - If the Coastal Commission determines the notice to be deficient, the *Commission* shall notify the County within five calendar days of receipt of said notice, and shall explain the reasons for the deficiency.
 2. Sufficient Notice - Once the Coastal Commission determines the notice to be sufficient, it shall, within five calendar days, notify the County of the appeal period expiration date, which is ten working days from the date of receipt by the Coastal Commission of a sufficient Notice of Final Decision.

(ADD.ORD. 4451-12/11/12)

Sec. 8181-10 – Modification, Suspension and Revocation

Any permit or variance heretofore or hereafter granted may be modified or revoked, or its *use* suspended by the *decision-making authority* that would normally approve the permit or variance, following the same hearing and notice procedures that were followed for approval of the permit or variance. (AM.ORD.4451-12/11/12)

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

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

the general area in which the *use* is located. This section is declaratory of existing law.

Sec. 8181-10.2 - Nonwaiver

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

Sec. 8181-10.3 - Prohibition

No *person* shall carry on any of the operations authorized to be performed under the terms of any permit, during any period of suspension thereof, or after the revocation thereof, or pending a judgment of court upon any application for writ taken to review the decision or order of the final appeal body in the County in suspending or revoking such permit; provided, however, that nothing contained herein shall be construed to prevent the performance of such operations as may be necessary in connection with a diligent and bonafide effort to remedy the default, noncompliance or violation, for which a suspension of the permit was ordered by the applicable County entity, or such operations as may be required by other laws and regulations for the safety or *persons* and the protection and preservation of property.

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

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

Sec. 8181-10.4.1 – Ministerial Modifications

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

Sec. 8181-10.4.2 – Discretionary Modifications

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

- a. Site Plan Adjustment - Any change to a permit that would not alter any of the findings made pursuant to Sec. 8181-3.5, nor any findings of approval for the permit or any findings contained in the environmental document prepared for the project, and would not have any adverse impact on the subject site or surrounding properties, may be deemed a site plan adjustment and acted upon by the *Planning Director* without a hearing. Additionally, these minor changes shall not circumvent the purpose or lessen the effectiveness of the approved permit conditions and must be consistent with all other provisions of the LCP. Such changes include, but are not limited to, the following:
 - 1. Changes to conditions of approval that do not circumvent the purpose or lessen the effectiveness of the approved permit conditions;
 - 2. A cumulative increase not exceeding ten percent of the approved permit area or *building coverage*;
 - 3. A decrease of the approved permit area or *building coverage*, floor area, or *height*;

4. Changes in *structure* location, including reorientation of *structures*, provided the *structures* are situated within the same general footprint as in the approved permit
 5. A cumulative increase not exceeding ten percent of floor area or *height*, including modifications to roof design;
 6. Changes to on-site circulation or to the configuration of any street or *access* driveway, provided such change does not negatively affect connections with an existing or planned street, the performance of the circulation system, public safety, or the ability of the public to *access* coastal waters or nearby inland recreation areas.
 7. A cumulative increase or decrease not exceeding 10 percent of approved motor vehicle or bicycle parking, provided increases can be accommodated on site and the project continues to meet the minimum number of required spaces pursuant to Article 6;
 8. A cumulative decrease not exceeding 10 percent of the approved landscaping or screening, provided the *development* continues to meet the minimum landscape requirements pursuant to Sec. 8178-8 Water Efficient Landscaping Requirements;
 9. A cumulative increase not exceeding ten percent of the approved area of walls, *fences*, or similar *structures*, provided the *development* continues to meet minimum screening requirements, and that the increase does not negatively affect the ability of the public to *access* coastal waters or nearby inland recreation areas;
 10. Minor architectural changes or embellishments involving no change in basic architectural style; or
 11. Internal *remodeling*, consistent with all other County ordinance requirements.
- b. Minor Modification - Any proposed change that exceeds the criteria of a site plan adjustment, but is not extensive enough to be considered a substantial or fundamental change in land *use* relative to the permit, would not have a substantial adverse impact on surrounding properties, and would not change any findings contained in the environmental document prepared for the permit, shall be deemed a minor modification and be acted upon by the *Planning Director* through a public hearing process.
 - c. Major Modification - Any proposed modification that is considered to be a substantial change in land *use* relative to the original permit, and/or would alter the findings contained in the environmental document prepared for the permit, shall be deemed a major modification and be acted upon by the *decision-making authority* that approved the original permit.

(AM.ORD.4451-12/11/12)

Sec. 8181-11 – Compliance With Special Studies Zone

The approval of any application proposing an activity that is defined as a "project" in the Alquist-Priolo Special Studies Zone Act (Chapter 7.5 (commencing with Section 2621) of Division 2 of the Public Resources Code) shall be in accordance with the requirements of said Act and the policies and criteria established by the State Mining and Geology Board pursuant to said Act, and the certified LCP. (AM.ORD.4451-12/11/12)

Sec. 8181-12 – Procedures for Open Space Easements and Public Access Documents

All *development* permits subject to conditions of approval pertaining to public access and open space, conservation, or trail easements shall be subject to the following procedures:

Sec. 8181-12.1

For any easement pertaining to open space, conservation, public trails, or public access to the beach required pursuant to this Chapter, the permittee shall cause to be recorded an irrevocable offer to dedicate to the people of California an easement. Said offer shall run for 21 years from the date of recordation.

Sec. 8181-12.2

The Executive Director of the Coastal Commission shall review and approve all legal documents specified in the conditions of approval of a *development* permit for public access and conservation/open space easements to be granted to any public or private nonprofit agency or to the public.

- a. Upon completion of permit review by the County, and prior to the issuance of the permit, the County shall forward a copy of the permit conditions and findings of approval and copies of the legal documents to the Executive Director of the Coastal Commission for review and approval of the legal adequacy and consistency with the requirements of potential accepting agencies.
- b. The Executive Director of the *Commission* shall have 15 working days from receipt of the documents in which to complete the review and notify the applicant of recommended revisions if any.
- c. The County may issue the permit upon expiration of the 15 working day period if notification of inadequacy has not been received by the County within that time period.
- d. If the Executive Director has recommended revisions to the applicant, the permit shall not be issued until the deficiencies have been resolved to the satisfaction of the Executive Director.

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

Notwithstanding Any Other Provision of this Article:

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

(ADD. ORD. 4283 – 06/06/03, (AM.ORD.4451-12/11/12))

Sec. 8181-14 - Reasonable Accommodation

Sec. 8181-14.1 - Purpose

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

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

Sec. 8181-14.2 - Fair Housing Reasonable Accommodation Requests

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

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

Sec. 8181-14.3 - Fair Housing Reasonable Accommodation Determination

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

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

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

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

- a. The applicant seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. The accommodation(s) is reasonable and necessary to afford the applicant an equal opportunity to use and enjoy a *dwelling unit(s)*.

- c. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- d. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including *zoning ordinances* and will be consistent with the standards and policies of the LCP.
- e. Other factors that may have a bearing on the accommodation request.

Sec. 8181-14.5 – Conditions of Approval

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

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

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

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

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

Sec. 8181-14.7 – Appeals

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

(ADD.ORD. 4451-12/11/12)

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ARTICLE 12:

NONCONFORMITIES AND SUBSTANDARD LOTS

Sec. 8182-1 – Purpose

The purpose of this Article is to provide for the continuation, alteration, conversion or termination of certain classes of lawful, *nonconforming uses* and *structures* (other than *signs* and billboards) under certain conditions, and to regulate substandard *lots*. These provisions apply to *uses* and *structures* that deviate from the regulations of this Chapter. (AM.ORD.4451-12/11/12)

Sec. 8182-2 – Nonconforming Structures Due Only to Changed Standards

Where *structures* have been rendered nonconforming due only to revisions in *development* standards dealing with *lot coverage*, *lot area per structure*, *height* or *setbacks*, and the *use* therein is permitted or conditionally permitted in the zone, such *structures* are not required to be terminated under this Article and may be continued and expanded or extended on the same *lot*, provided that the structural or other alterations for the expansion or extension of the *structure* are either required by law, or are in conformance with the regulations in effect for the zone in which such *structures* are located.

Sec. 8182-2.1 - Carports

Existing nonconforming carports may be enclosed, provided that no additional *living space* is thereby created and a *Zoning Clearance* is obtained.

Sec. 8182-3 – Continuation of Existing Nonconforming Mobilehomes

Sec. 8182-3.1

A nonconforming *mobilehome* used as a residence under a Continuation Permit in lieu of any and all other residences permitted or conditionally permitted for any purpose may continue to be used as a residence by a new owner if a *Planning Director* Conditional Use Permit is obtained and the following conditions are met:

- a. The *mobilehome* is in compliance with the applicable provisions of Section 8175-5.1d, and with the parking requirements of 8176-1 Parking and Loading Requirements; and
- b. The *mobilehome* was being used legally as a residence on the subject site on or before July 24, 1978, and the *mobilehome* has been so used and has remained continuously in place since the actual commencement of such *use*.

Sec. 8182-3.2

Mobilehomes used as residences under a Planning Director Conditional Use Permit between July 24, 1978 and July 2, 1981, may continue to be used as such if no other residence was located on the subject site at any time between July 24, 1978 and the time of issuance of the Planning Director Conditional Use Permit, provided that either 1) a modification to renew the Planning Director Conditional Use Permit through a Planned Development Permit process is obtained or 2) the status of the *mobilehome* as a single family dwelling meets the applicable provisions of Sections 8175- 5.1d, and the parking requirements of Sec. 8176-1 Parking and Loading Requirements.

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

Uses that have been rendered nonconforming due only to revisions in parking requirements, in accordance with Article 6, shall be subject to the following regulations:

Sec. 8182-4.1 - Expansion and Conformance

Expansion of the particular *use* shall be permitted if the current parking requirements, in accordance with Article 6, for the *use* can be met, and the addition or enlargements otherwise conform to the regulations in effect for the zone in which it is located.

Sec. 8182-4.1.1 – Exception

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

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

Sec. 8182-4.2 - Changes of Use

Changes of *use* to a similar *use*, with the same or less parking requirements and type of permit allowed in the same zone, shall be allowed provided that current requirements for parking can be met, in accordance with Article 6. Where parking cannot meet the current requirement for the new *use*, the required permit under this Chapter must be obtained. In such cases, the parking requirements shall be determined to the satisfaction of the Planning Division and be specified by the permit. The parking specified under the permit shall not be considered conforming.

(AM.ORD.4451-12/11/12)

Sec. 8182-5 – The Keeping of Animals

Nonconformities due to the keeping of animals as a *use*, number of animals, type of animals, minimum *lot area* required for animals, or other standards for the keeping of animals as an *accessory use to dwellings*, shall be brought into conformance not later than three years after the same becomes nonconforming, unless a continuance is granted in accordance with Sec. 8182-6.2.5.

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

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

Sec. 8182-6.1 - Uses Not Involving Permanent Structures

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

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

All nonconforming commercial *uses* in Residential (R), Open Space or Agricultural zones, within conforming or *nonconforming structures*, shall be *amortized* from the effective date of this Chapter or a later amendment that renders the *use* nonconforming, based on the square footage of the *structure* at the time the *use* is

rendered nonconforming, as follows: Ten years for 1,000 square feet, plus 1.25 years for each additional 100 square feet over 1,000 square feet; maximum 60 years. At the end of the amortization period, the *use* shall be brought into conformance with this Chapter or terminated, unless a continuance is obtained pursuant to Sec. 8182-6.2.4.

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

Nonconforming uses under Sec. 8182-6.2 above shall not be changed to another *use* or be expanded or extended in any way on the same or any adjoining land nor into any other portion of a *structure* or *lot* during the amortization period, except that *structural alterations* may be made therein as required by law. Furthermore, such *nonconforming uses* shall not be expanded or extended beyond the scope of specific conditions to a continuance of nonconformity granted pursuant to Sec. 8182-6.2.4 of this Article, and subsequent to the period of amortization.

Sec. 8182-6.2.2 - Notice of Amortization

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

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

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

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

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

- a. Grounds for Continuance - A *nonconforming use* or *structure* may be maintained for a reasonable time beyond its period of amortization as specified in this Article if the *Planning Director* makes the following determinations:
 - (1) Special Circumstances - that special circumstances apply to any such *use* or *structure* that do not apply generally to others affected hereby; and
 - (2) Compatibility with Public Welfare - that such a continuance for a prescribed period of additional time is in the public interest and will be reasonably compatible with, and not detrimental to, the *use* of adjacent properties.

- b. Application Process for Continuance - Any application for a continuance of a *nonconforming use* or *structure* must be filed with the Planning Division no later than 30 days following the service of a Notice of Termination and Order to comply, or within 30 days following the continued termination date. An application for a continuance may be filed by the owner of the property, a *person* with a power of attorney from the owner of the property, or a lessee, if the terms of the lease permit the existing *use*. Fees shall be required in accordance with Sec. 8181-5.4.
- c. Determination by Planning Director - Upon filing of a complete application, the *Planning Director* shall investigate the matter, give proper notice, hold an administrative hearing and make a decision thereon based on the criteria set out in this Section and supported by written findings of fact within 75 days from the date the application is filed, or within such extended period of time as may be mutually agreed upon by the applicant and the *Planning Director*. The *Planning Director* may impose such conditions, including time limitations, as may be deemed necessary for the compatibility of such nonconformity with adjacent properties.
- d. Appeals - Appeals shall be filed in accordance with Sec. 8181-9.

(AM.ORD.4451-12/11/12)

Sec. 8182-6.3 - Uses Not Amortized

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

Sec. 8182-6.3.1 – Expansion

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

Sec. 8182-6.3.2 - Change of Use

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

(AM.ORD.4451-12/11/12)

Sec. 8182-7 – Destruction

The following provisions shall regulate the destruction of *structures* in the given situations:

Sec. 8182-7.1 - Uses Not Amortized

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

Sec. 8182-7.1.1

Whenever any such *structure* is voluntarily removed, damaged or destroyed to the extent of 50 percent or less of its floor or roof area that existed before destruction, or is involuntarily damaged or destroyed in whole or in part, the

structure may be restored to its original state existing before such removal, damage or destruction. (AM.ORD.4451-12/11/12)

Sec. 8182-7.1.2

Whenever any such *structure* is voluntarily removed, damaged or destroyed to the extent of more than 50 percent of its floor or roof area that existed before destruction, no *structural alterations*, repairs or reconstruction shall be made unless every portion of such *structure* and the *use* are made to conform to the regulations of the zone classification in which they are located. (AM.ORD.4451-12/11/12)

Sec. 8182-7.2 - Uses Amortized

The following provisions shall apply to *amortized nonconforming structures* and *structures* containing *nonconforming uses* subject to amortization:

Sec. 8182-7.2.1

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

Sec. 8182-7.2.2

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

Sec. 8182-8 – Additional Use

While a *nonconforming use* of any kind except the keeping of animals exists on any *lot*, no additional principal or *accessory use* is permitted, even if such additional *use* would be a conforming *use*.

Sec. 8182-9 – Use Of Nonconforming Lot

The *use* of land as permitted for the zone or subzone in which it is located shall be permitted on a *lot* of less area than that required by the regulations of such zone or sub-zone if and only if the *lot* is a *legal lot*.

(AM.ORD.3788-8/26/86)

Sec. 8182-10 – Involuntary Nonconformance

Notwithstanding any other provision of this Chapter, no *lot* shall be considered nonconforming within the purview of this Article if such *lot* is rendered nonconforming as a result of a conveyance of any interest in said *lot* to a public entity through eminent domain proceedings, under threat of eminent domain proceedings or to meet a requirement of any public entity having jurisdiction.

Sec. 8182-11 – Discontinuance and Change of Use Status

The discontinuance for a period of 180 or more days of the *nonconforming use*, or a change of the *nonconforming use* to a conforming *use*, a dissimilar *use* or a Conditionally Permitted Use, constitutes abandonment and termination of the nonconforming status of the *use*.

Sec. 8182-12 – Effect of Change of Zoning Regulations

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

Any construction, expansion or alteration of a *use* of land or *structures*, and any required *Zoning Clearance* therefor, that is authorized by an approved discretionary entitlement on or before the effective date of an ordinance amendment may be completed as authorized in the entitlement and in accordance with Sec. 8181-7.7 of this Chapter. (AM.ORD.4451-12/11/12)

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

All *uses* involving construction, expansion or alteration of a *use* of land or *structures* that require a *ministerial decision* only shall be required to comply with the new regulations on the effective date of the ordinance amendment. If the required *Zoning Clearance* has been issued and the change of regulation is such that the *Zoning Clearance* no longer conforms to the provisions of this Chapter, a new *Zoning Clearance* that conforms with the newly adopted regulations must be obtained before a *building* permit or other necessary entitlement is issued by any agency. (AM.ORD.4451-12/11/12)

Sec. 8182-12.3 - Where the Only Change is in the Type of Permit Required

If the adoption of this Chapter, or any amendment to this Chapter, results only in a requirement for a different permit for the same existing *use* or *structure*, the *use* shall be governed by the following provisions:

Sec. 8182-12.3.1

If the *use* or *structure* affected is existing lawfully as a permitted or conditionally *permitted use* or *structure* of any kind, the existing *use* is hereby deemed to be conforming without any further action. Any expansions of the *use* or *structure* shall conform to this Chapter, including requirements for type of permit, provided that any conditions imposed on any such new permit shall be reasonably related to the modification or expansion being requested. Internal *remodeling* or minor architectural changes or embellishments involving no change in basic architectural style shall not result in a requirement for a new permit. (AM.ORD.4055-2/1/94)

Sec. 8182-12.3.2

If the *use* affected is under a permit that has an expiration date or clause and the new regulation requires a different permit, the *use* may continue as conforming until the specified point of expiration, at which time one of the following actions shall occur:

- a. Applicant may file, in a timely manner, for a permit or renewal as permitted under this Chapter;
- b. The permit expires and the *use* shall terminate.

ARTICLE 13: ENFORCEMENT AND PENALTIES

Sec. 8183-1 – Purpose

This Article establishes procedures for enforcement of the provisions of this Chapter. The enforcement procedures set forth are intended to assure due process of law in the abatement or correction of nuisances and violations of this Chapter.

Sec. 8183-2 – Pending Violations

No prosecution or action resulting from a violation of zoning regulations heretofore in effect shall be abated or abandoned by reason of the enactment of any ordinance amendment, but shall be prosecuted to finality under the former provisions, the same as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated. Any violation that occurred prior to the effective date of the amendment, for which prosecution or legal action has not been instituted prior to the effective date of the amendment, may be hereafter subject to prosecution or action as if the amendment had not been adopted and, to this end, the former provisions shall remain in effect and be applicable until said prosecution or action has been terminated. (AM.ORD.4451-12/11/12)

Sec. 8183-3 – Penalties

Any *person* who violates any provision or fails to comply with any of the requirements of this Chapter or of any term or condition of, or applicable to any permit, variance or amendment thereto is guilty of a misdemeanor/infraction as specified in Section 13-1 of the Ventura County Ordinance Code and, upon conviction thereof, shall be punishable in accordance with Section 13-2 of the Ventura County Ordinance Code. Each such *person* shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this Chapter is committed, continued, or permitted by such *person*, and shall be punishable therefor as provided in Section 13-2.

Sec. 8183-4 – Public Nuisance

Except as otherwise provided in Section 8183-3 in addition to the penalties hereinabove provided, any condition caused or permitted to exist in violation of any of the provisions of this Chapter shall be deemed a public nuisance and may be summarily abated as such, and each day that such condition continues shall be regarded as a new and separate public nuisance.

Sec. 8183-4.1 - Exception - Agricultural Operations Protection

No agricultural activity, operation, or facility that is consistent with this Chapter and the General Plan, and is conducted or maintained for commercial purposes in a manner consistent with proper and accepted customs and standards as established and followed by similar agricultural operations in the same locality, shall be or become a nuisance, private or public, due to any changed condition in or about the locality, after it has been in operation for more than one year if it was not a nuisance at the time it began.

This exception shall not apply if the agricultural activity, operation, or facility, obstructs the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal, or basin, or any public park, square, street, or highway.

Sec. 8183-5 – Enforcement

The *Planning Director* or the *Planning Director's* designee is hereby designated as the enforcing agent of this Chapter. Pursuant to the authority vested in the Board of Supervisors of the County of Ventura by Section 836.5 of the California Penal Code, the *Planning Director* or the *Planning Director's* designee shall have the power of arrest without warrant whenever he or she has reasonable cause to believe that the *person* to be arrested has committed in their presence a misdemeanor, misdemeanor/infraction, or infraction, consisting of a violation of the provisions of this Code or any other ordinance or statute that the *Planning Director* has a duty to enforce. (AM.ORD.4451-12/11/12)

Sec. 8183-5.1 – Procedure

In any case in which a *person* is arrested pursuant to this Section and the *person* arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the *person* on the *person's* promise to appear as prescribed by Chapter 5C (commencing with Section 853.5) of Chapter 5 of Title 3 of the California Penal Code. The provisions of that Chapter shall thereafter apply with reference to any proceedings based upon the issuance of a written notice to appear pursuant to this Section. (AM.ORD.4451-12/11/12)

Sec. 8183-5.2 - Rights of Entry Upon Land

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

Sec. 8183-5.3 - Enforcement of Performance Standards

Following the initiation of an investigation, the *Planning Director* may require the owner or operator of any *use* that may be in violation of performance standards to submit, in a reasonable amount of time, such data and evidence as is needed by the *Planning Director* to make an objective determination. Failure to submit data required shall constitute grounds for revoking any previously issued approvals or permits and ceasing of operations until the violation is remedied, as provided for in Sec. 8181-8 of this Chapter. (AM.ORD.4451-12/11/12)

Sec. 8183-5.4 - Monitoring and Enforcement Costs

The County may impose fees and charges on permittees as established by resolution adopted by the Board of Supervisors, or as established by conditions of the entitlement to cover the full costs incurred by the County or its contractors for the monitoring of permits issued pursuant to this Chapter to ensure compliance with permit conditions and the requirements of this Chapter. Enforcement activities shall be in response to confirmed violations and may include such measures as drafting and implementing compliance agreements, inspections, public reports, penalty hearings, forfeiture of sureties and suspension or modification of permits. The recovery of costs for the abatement of confirmed violations shall be in accordance with the provisions of this Chapter, adopted charge rates, applicable

compliance agreement terms and other authorized means such as, but not limited to, small claims court and liens on property.

Sec. 8183-5.5 - Frequency of Monitoring Inspections

To ensure compliance with permit conditions and the provisions of this Chapter, all permits issued pursuant to this Chapter may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. The *Planning Director* may institute a more frequent monitoring schedule when he/she determines that the intensity of the *use* or failure to comply with applicable requirements could have a significant effect on the environment, surrounding properties and the public; or there have been violations that suggest the permittee is not assuming responsibility for monitoring his/her own compliance. (AM.ORD.4451-12/11/12)

Sec. 8183-5.6 - Notice of Noncompliance

Whenever the *Planning Director* determines, pursuant to the provisions of Secs. 8183-5.3 and 8183-6 of this Chapter, that violations of the Ventura County Ordinance Code exist or that permit conditions are not being complied with, the *Planning Director* shall notify the permittee, lessee, and/or owner of the property, on which such violations are alleged to exist, of the Director's intent to record a Notice of Noncompliance. If the violations are not corrected within 30 days after such notification, the Director may record a Notice of Noncompliance with the Office of the County Recorder. The permittee, lessee, and/or property owner shall be notified of the recordation of the Notice of Noncompliance. The Notice shall describe the property, specify the Ordinance section or permit conditions violated, and state the date of the most recent notification to the permittee, lessee, and/or property owner of said violation(s). The *Planning Director* shall record a Release of Notice of Noncompliance with the County Recorder when it is determined that the violations have been corrected or abated and the costs incurred by the County in abating the violations have been paid. A fee as set forth in the adopted schedule of fees and charges will be charged the permittee, lessee, and/or property owner for recordation of a Release of Notice of Noncompliance.

Sec. 8183-5.7 - Administrative Civil Penalties

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

Said penalty shall be paid within 30 days after its imposition and the completion of any appeals. Failure to pay the penalty within the allotted time period shall be grounds for suspension of the subject *use*, pursuant to Sec. 8181-10.1, until such time as the penalty is paid. The payment of a civil penalty shall not insulate the

permittee or *person* from liability in excess of the sum of the penalty for damages or injury or expense or liability suffered by the County of Ventura from any failure to perform or comply by a permittee or *person* of any term or condition of said permit or of any provision of the Chapter 1.1 or Chapter 2 of Division 8.

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

(ADD.ORD.4055-2/1/94)

Sec. 8183-6 – Administrative Process

Before any enforcement action is instituted pursuant to this Chapter, the *person* alleged to be responsible for a confirmed violation of regulations of this Chapter or conditions of a permit issued pursuant to this Chapter may be given an opportunity to resolve the complaint through an administrative process. This process involves an informal office hearing to attempt to negotiate a solution to the violations and/or a compliance agreement and payment of office hearing fees and Compliance Agreement fees as set forth by the schedule of fees and charges adopted by the Board of Supervisors. (AM.ORD.4055-2/1/94)

ARTICLE 14:

AMENDMENT TO THE LOCAL COASTAL PROGRAM

Sec. 8184-1 – Purpose

The purpose of this Article is to establish procedures for amending the Ventura County Coastal Zoning Ordinance, which is part of the LCP. These procedures shall apply to all proposals to change any property from one zone to another (i.e. to amend the zoning map) or to amend the text of this Chapter. The Coastal Zoning Ordinance may be amended by the Board of Supervisors whenever the public health, safety, or general welfare, good zoning practice, and consistency with the Coastal Act, the County General Plan, or the Coastal Area Plan justify such action.

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

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

(AM.ORD. 3946-7/10/90, AM.ORD. 4451-12/11/12)

Sec. 8184-2 – Amendments

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

Sec. 8184-2.1 - Initiation of Amendments

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

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

(AM.ORD.4451-12/11/12)

Sec. 8184-2.2 - Application Forms

No application for an amendment shall be accepted for filing or processing without a completed application form. The *Planning Director* may prescribe the form and scope of such application forms. (AM.ORD.4451-12/11/12)

Sec. 8184-2.3 - Filing Fee

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

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

Sec. 8184-2.4 - Study of Additional Area

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

Sec. 8184-2.5 - Frequency of Amendments

The LCP shall not be amended more frequently than three times during any calendar year. The amendments may occur at any time as determined by the County, and each amendment may include several different changes. (AM.ORD.4451-12/11/12)

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

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

(AM.ORD.4451-12/11/12)

Sec. 8184-3 - Hearing and Notice Requirements

The Planning Commission and Board of Supervisors shall each hold at least one public hearing on any amendment request if appropriate as indicated below. The hearing and notice requirements and public hearing procedures shall be the same as those prescribed in Sec. 8181-6.2 of this Chapter.

Sec. 8184-4 - Decisions

Sec. 8184-4.1 - Planning Commission Approval

The Planning Commission shall forward to the Board of Supervisors by resolution those requests for which the Planning Commission recommends approval or recommends the adoption of an ordinance to amend the LCP. Said resolution shall be forwarded to the Board of Supervisors within 40 days following the close of the Planning Commission hearing thereon, unless waived by the Board of Supervisors.

Sec. 8184-4.2 - Planning Commission Denial

Amendment requests to the Coastal Zoning Ordinance initiated by private parties, the Planning Commission, or the *Planning Director* that the Planning Commission has denied shall not be forwarded to the Board of Supervisors, and the action of the Planning Commission shall be final unless an appeal is filed in accordance with Article 11. The sole exception is amendment requests initiated by the Board of Supervisors for which the Planning Commission has recommended denials; such requests shall be forwarded to the Board of Supervisors within 40 days following the close of the Planning Commission hearing. (AM.ORD.4451-12/11/12)

Sec. 8184-4.3 - Board of Supervisors Action

- a. Following a public hearing, the Board of Supervisors may approve, modify or disapprove any Planning Commission recommendation regarding an amendment request to the Coastal Zoning Ordinance, provided that any modification of the proposed amendment by the Board of Supervisors not previously considered by the Planning Commission during its hearing shall first be referred back to the Planning Commission for a report and recommendation. In addition, the public hearing shall be continued to allow sufficient time for the Planning Commission to report back to the Board of Supervisors. The Planning Commission shall not be required to hold a public hearing prior to reporting back to the Board of Supervisors. Failure of the Planning Commission to report back within 40 days after such referral, or within a period of time designated by the Board of Supervisors, shall be regarded as approval by the Planning Commission of the proposed modification. A modification shall be deemed "previously considered" by the Planning Commission if the modification of the proposed amendment by the Board of Supervisors is based upon the issues and evidence initially heard by the Planning Commission. (AM.ORD.4451-12/11/12)
- b. The Board of Supervisors may impose reasonable conditions that must occur prior to the effective date of any amendment request for the protection of public health, safety, and general welfare. (AM.ORD.4451-12/11/12)
- c. The Board of Supervisors action to approve, in whole or part, an amendment request shall not be deemed effective until after the Coastal Commission has reviewed and approved the request.

Sec. 8184-5 - Submittal to Coastal Commission

All amendments to the certified LCP approved by the Board of Supervisors must be reviewed and approved by the Coastal Commission. (AM.ORD.4451-12/11/12)

Sec. 8184-5.1 - Contents of Submittal

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

- a. A Board of Supervisors resolution that states that the amendment is intended to be carried out in accordance with the Coastal Act and the certified LCP. The

resolution must state that the amendment will either, 1) take effect automatically upon Coastal Commission approval, or 2) require formal County adoption after Coastal Commission approval. The resolution shall be accompanied by an exact copy of the adopted amendment. (AM.ORD.4451-12/11/12)

- b. A summary of the measures taken to provide the public and affected agencies and districts maximum opportunity to participate in the LCP amendment process, a listing of members of the public, organizations, and agencies appearing at any hearing or contacted for comment on the LCP amendment; and copies or summaries of significant comments received and of the local government response to the comments. (AM.ORD.4451-12/11/12)
- c. All policies, plans, standards, objectives, diagrams, drawings, maps, photographs, and supplementary data, related to the amendment in sufficient detail to allow review for conformity with the requirements of the Coastal Act. Written documents should be readily reproducible.
- d. A discussion of the amendment's relationship to and effect on the other sections of the certified LCP. (AM.ORD.4451-12/11/12)
- e. An analysis that demonstrates the amendment's conformity with the requirements of Chapter 6 of the Coastal Act (beginning with Section 30500).
- f. Any environmental review documents, pursuant to the California Environmental Quality Act, required for all or any portion of the amendment to the LCP.
- g. An indication of the zoning measures that will be used to carry out the amendment to the LCP Land Use Plan (unless submitted at the same time as the amendment to the Land Use Plan).

Sec. 8184-5.2 - Coastal Commission Action

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

- a. Resubmit the request with additional reasons or evidence to indicate why such terms and conditions are unnecessary.
- b. Modify the amendment request in such a manner as to render the terms and conditions unnecessary, and resubmit if appropriate.
- c. Propose alternative terms and conditions that still meet the Coastal Commission's intent. (AM.ORD.4451-12/11/12)
- d. Withdraw the request.

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

An amendment of the Coastal Zoning Ordinance shall not

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

c. Alter the geographic boundaries of the exclusion areas.

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

(ADD.ORD. 4451-12/11/12)

Sec. 8184-6 – Partial Amendment History

LCP Amendment No. 1-2007 to the LCP changed a portion of land, not to exceed 2.9 acres in size, designated Coastal Commercial in the South Coast Area to a residential designation. To offset the change to a lower priority land *use* designation, the Coastal Area Plan (LUP) requires a payment of a fee by the project proponent. The mitigation fee shall be used for the provision of lower cost overnight visitor serving accommodations providing new lower cost overnight accommodations within the *Coastal zone* of Ventura County, the Santa Monica Mountains (Ventura & Los Angeles Counties), or the City of Malibu. The mitigation fee shall be in the amount of \$557,084 (Five Hundred Fifty Seven Thousand Eighty Four United States Dollars) to offset the loss of the priority land *use* in the South Coast Area. (ADD.ORD.4351-9/16/08)

APPENDICES

The Ventura County Ordinance Code is hereby amended by the addition of the following Appendices:

APPENDIX T1 TREE REMOVAL, ALTERATION, AND PLANTING STANDARDS

A.1 Introduction

The following standards set forth acceptable methods for *protected tree removal, alteration* and planting. All standards must be used in conjunction with Sec. 8178-8 of the Ventura County Coastal Zoning Ordinance, and discretionary permit applications shall be consistent with these standards.

Policy A.2(2) of the Coastal Area Plan specifically defines "*protected trees*" to include trees that are ESHA (or that contribute to ESHA), *native, historical, and heritage trees*. For a list of representative *native, non-native, and invasive trees*, see B1. Except for minor *pruning* practices, the *alteration, transplantation, or removal* of a *protected tree* or the *encroachment* into the *protected zone* of a *protected tree* generally requires a *tree permit*. Consult the Tree Protection provisions of the Coastal Zoning Ordinance or the Planning Division to determine the types of tree modifications that require a *tree permit*.

The practices set forth in this Appendix are consistent with the *pruning* guidelines and Best Management Practices adopted by the International Society of Arboriculture (ISA), the American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices ANSI A300 (Part 1) 2001 Pruning, ISA ANSI A300 1995, the U.S. Forest Service, and the National Arbor Day Foundation. The County of Ventura promotes these guidelines as the expected level of care for all trees. Property owners are strongly encouraged to adhere to these *pruning* guidelines and seek additional advice from *qualified tree consultants* if conflicts or questions arise.

A.2 Safety

- a. *Tree removal, alteration, and maintenance* should be performed by qualified *tree trimmers* under the supervision of an *arborist*, who through related training and on the job experience, are familiar with the practices and hazards of arboriculture and the equipment used in such operations.

A good rule of thumb is that if you have to leave the ground, even on a ladder, to prune your tree, you should hire a professional.

- b. Pursuant to Sec. 8178-7.4.2(e), if the Planning Director determines, based upon substantial evidence, that the *alteration or removal* of a *protected tree* may result in unintentional damage to existing development including but not limited to utilities, buildings, *protected trees*, or ESHA, a *qualified tree service company* or *qualified tree trimmer* shall be retained to *alter* or *remove protected trees*.

A.3 When to Prune or Remove a Tree

Protected Tree alteration or removal is prohibited during the bird *breeding and nesting season* (January 1 to September 15), except in very limited circumstances. See Coastal Zoning Ordinance Article 4 Secs. 8178-7.5.1 (General Permit Requirements) and 8178-7.7.4.1.1 (Bird Nesting Surveys).

A.4 Protected Tree Transplantation

Transplanted protected trees are subject to the following:

- a. A *qualified tree service company* shall perform *tree transplantation* for all *protected trees*;
- b. The applicant must demonstrate that *trees transplanted* will be properly cared for per industry standards;
- c. The *tree* survives for a period of 10 years; and
- d. If the *transplanted native tree* dies or suffers declining health or vigor, the Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d) shall be amended to include replacement *trees*.

A.5 Tree Alteration

The following standards are designed to help manage the overall health of a *tree*, including but not limited to reducing risk of failure, providing an even distribution of branches, and correcting/improving the tree's structural stability. *Alteration/pruning* of a *tree* shall be conducted in accordance with the following standards:

A.5.1 Purpose

Pruning live branches creates a wound, even when the cut is properly made. Therefore, *pruning* objectives should be established prior to beginning any *pruning* operation.

- a. Three reasons trees should be pruned.



HEALTH



SAFETY



AESTHETICS

1. *Pruning* for Health - *Pruning* for health involves removing diseased or insect-infested wood, thinning the crown to increase airflow, and removing crossing and rubbing branches. *Pruning* can best be used to encourage trees to develop a strong structure and reduce the likelihood of damage during severe weather. Removing broken or damaged limbs encourages wound closure.
2. *Pruning* for safety involves removing branches that could fail and cause injury or property damage, trimming branches that interfere with lines of sight on

streets or driveways, and removing branches that grow into utility lines. Safety *pruning* can be largely avoided by carefully choosing species that will not grow beyond the space available to them and have strength and form characteristics that are suited to the site.

3. *Pruning* for aesthetics involves enhancing the natural form and character of trees or stimulating flower and fruit production. *Pruning* for form can be especially important on open-grown trees that do very little self-*pruning*. In some cases, tree *pruning* can be conducted to enhance views beyond the tree itself. This is a reasonable option when the tree's structure and health can be preserved, allowing it to continue to provide benefits that would be lost if the tree were removed altogether.

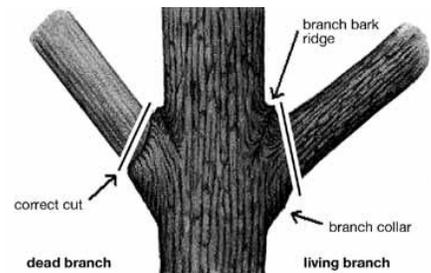
A.5.2 Size of Pruning Cuts

Tree branches shall be removed in such a manner so as to not cause damage to other parts of the tree or to other plants or property. Use the following guide for size of branches to be removed:

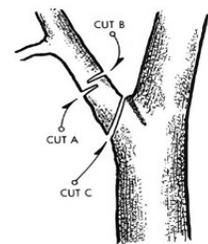
- a. Under two inches in *diameter* – safe to prune.
- b. Between two and four inches in *diameter* – think twice.
- c. Greater than four inches in *diameter* – have a good reason. A *qualified tree consultant* shall be consulted to provide justification in writing that removing a *protected tree's* branches that are larger than four inches will not harm the health of the *tree*.

A.5.3 Pruning Cuts

Tree branches shall be removed in such a manner so as not to cause damage to other parts of the tree or to other plants or property. Just above the point along a branch where leaf or lateral shoot growth originates is also the correct place to make a *pruning* cut. The following standards shall be implemented when *pruning* trees.



- a. Each cut should be made carefully, at the correct location, leaving a smooth surface with no jagged edges or torn bark.
- b. A *pruning* cut that removes a branch at its point of origin shall be made close to the trunk or parent limb, without cutting into the branch bark ridge or collar, or leaving a stub.
- c. When removing a dead branch, the final cut shall be made just outside the collar of living tissue.
- d. Large or heavy limbs should be removed using three cuts. The first cut undercuts the limb one or two feet out from the parent branch or trunk. A properly made undercut will eliminate the chance of the branch "peeling" or tearing bark as it is removed. The second cut is the top cut which is usually made slightly further out on the limb than the undercut. This allows the limb to drop smoothly when the weight is released. The third cut is to remove the stub, while preserving the branch collar and branch bark ridge.



A.5.4 Pruning for Clearance from Overhead Lines

The purpose of utility *pruning* is to prevent the loss of service, comply with mandated clearance laws, prevent damage to equipment, avoid access impairment, and uphold the intended usage of the facility/utility space. Only a qualified line clearance *arborist* under contract with the utility company shall conduct *alteration* or *removal* of trees for the purpose of line clearance work.

A.5.5 Tree Crown Alteration

Pruning of the tree crown removes *hazardous*, declining, and/or dead branches. Proper crown thinning can reduce the risk of storm damage allowing wind to pass through canopies that have a balanced foliage.

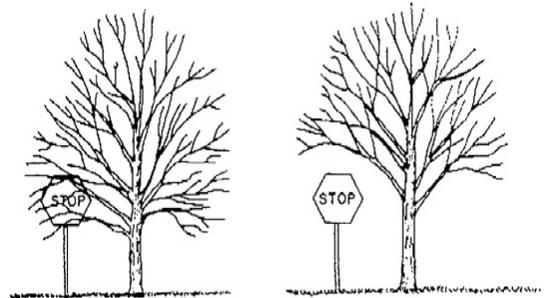
A.5.6 General Standards

- a. No more than 20 percent of a *tree's canopy* shall be removed within an annual growing season.
- b. Branches should be selectively removed, leaving more dominant ones intact that show good development in desired directions
- c. *Pruning* shall maintain the tree's natural shape, and *tree topping* is prohibited.

A.5.8 Tree Crown Raising

Crown raising is the removal of the lower branches of a tree in order to provide clearance on trees that obstruct vision and/or may interfere with pedestrian and vehicular traffic. The following standards shall be implemented when feasible:

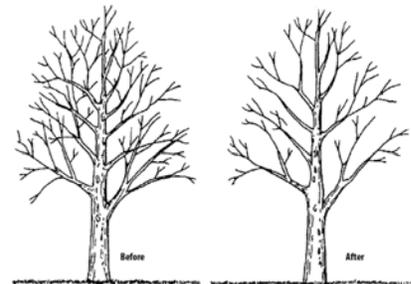
- a. Lower limbs on young trees should remain as long as possible to create and maintain trunk taper and develop a strong trunk.
- b. Shorten low branches regularly and suppress their growth to force more growth in upper branches. The shortened branches can be removed later to raise the crown as needed.
- c. Removal of large *diameter* limbs low on the tree can create large wounds that may not heal and promote decay on the main trunk.



A.5.9 Tree Crown Cleaning

Crown cleaning is a series of *pruning* cuts that remove *hazardous*, declining, and/or dead branches, leaving more dominant ones intact that show good development in desired directions.

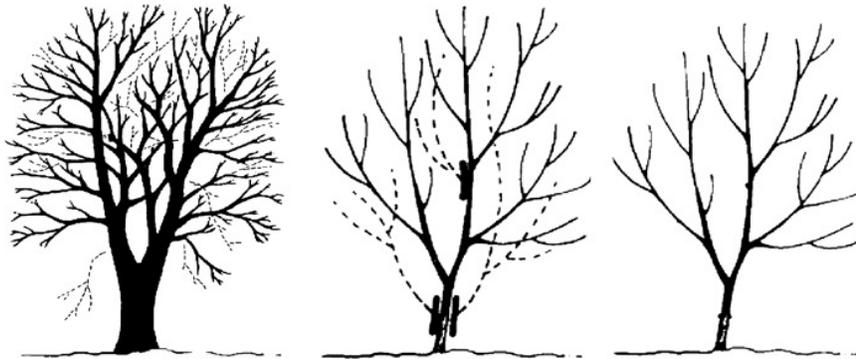
- a. Crown cleaning can be performed on trees of any age but is most common on medium-aged and mature trees that have had minimal maintenance.
- b. Since crown cleaning involves the removal of limbs that may have diseases, to avoid the spread of disease, *pruning* tools should be disinfected between each *pruning* cut.



A.5.10 Tree Crown Thinning

Crown thinning is the selective removal of branches to increase light penetration and air movement and to reduce end weight on tree branches. Crown thinning can reduce risk of storm damage among intact tree canopies, allowing wind to pass through canopies of “balanced” foliage and stems.

- a. Proper thinning involves removing branches at their point of origin or back to appropriate lateral branches.
- b. Thinning does not normally influence the size or shape of the tree and should result in an even distribution of branches along individual limbs, not a grouping toward the ends.
- c. Removal of only interior branches can create an effect known as lion-tailing. This displaces foliar weight to the ends of the branches and may result in sunburned bark tissue, weakened branch structure, and breakage.



A.5.11 Tree Crown Reduction

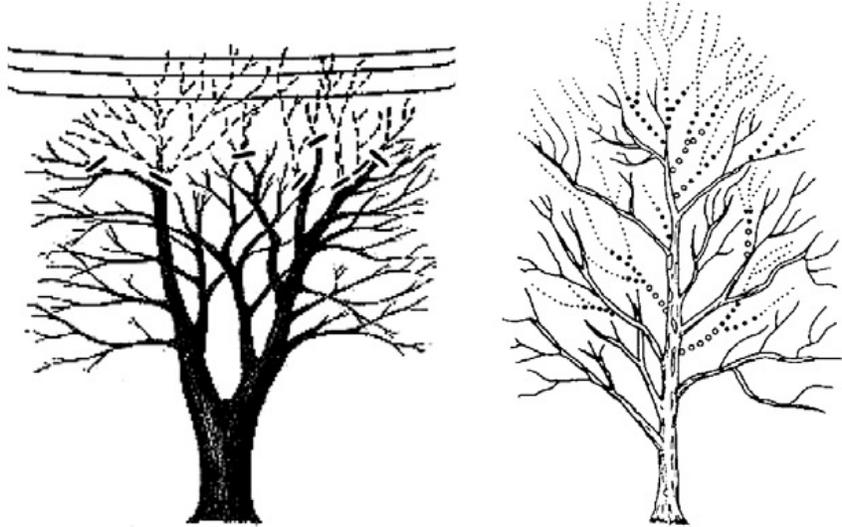
Crown reduction is the cutting of limbs back to their portion of origin or back to a lateral branch capable of sustaining the remaining limb and the main, central stem of the tree is dominant (i.e. grows stronger than) other branches. Reduction is used to reduce the size of a tree by decreasing the length of one of many stems and branches. Crown reduction *pruning* can control the size of the tree, however it is no substitute for matching the correct tree species with the site.

A.5.12 Tree Topping

Topping is used only when removing an unwanted tree. It should never be used as a primary *pruning* practice for reducing the height or spread of a tree. When a tree is topped, several things can occur:

- a. The branch at the point of the heading cut produces a flush of new growth, usually numerous, vigorous and disorganized sprouts. This “witch’s broom” of new growth destroys the tree’s natural growth. Sprouts are often long and upright with little variation in shape and structure.
- b. In producing such profuse growth to replace the lost foliage, the plant is soon as tall as it was before *topping*. But now the crown is denser, requiring extra time and effort to prune.

- c. The sprouts also create a foliage shell, shading the plant's interior, often causing inside branches to die.
- d. New sprouts are weakly attached, crowded and prone to breakage.
- e. Never plant trees near or under utility lines, awnings, or anywhere else that will require extensive *pruning* to keep them from damaging property.



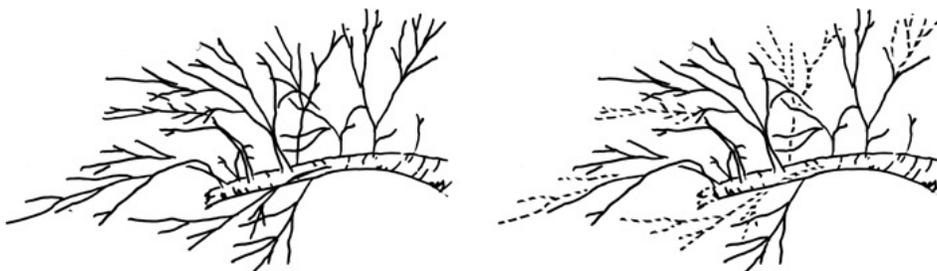
TREE TOPPING

CROWN

A.5.13 Tree Crown Restoration

Tree crown restoration is performed to improve structure, form, and appearance of trees that have been topped, vandalized, or storm damaged. Restoring a tree to a sustainable structure usually requires a number of *prunings* over a period of years as new dominant branches will take time to form.

- a. The process of crown restoration can be a combination of crown cleaning, crown thinning, and crown reduction, depending on the severity of the damage.
- b. Removal of dead or broken limbs should be completed first.
- c. Choose limbs that are U-shaped to remain rather than limbs with a sharper angle of attachment.



A.6 Wound Treatment

Wound treatments such as tree tar or other wound dressing, should not be used to cover wounds or *pruning* cuts, except when a *qualified tree consultant* recommends such treatment for disease, insect, mistletoe, or sprout control.

A.7 Tools and Equipment

Proper *pruning* can extend the useful life of trees, improve their safety, and add significant value to coastal areas. Conversely, improper *pruning* can irreparably damage a tree and possibly make it *hazardous*. The following general standards shall be implemented during tree *alteration*, *removal*, or *transplantation*.

- a. Climbing spurs shall not be used in the *alteration* of trees.
- b. *Pruning* tools used in making *pruning* cuts shall be sharp and should be disinfected between each *pruning* cut. Rubbing alcohol, disinfectant spray, or a 1:10 mixture of bleach and water are the recommended disinfectants.
- c. Selecting the right tools will ensure *pruning* operations progress in a safe manner. Examples of *pruning* tools include the following:

1. Hand *Pruning* Shears are made for cutting branches up to about one-half-inch in *diameter*.



2. Lopping shears have long handles to exert great cutting power when *pruning* branches up to two inches in *diameter*.



A.8 Tree Root Alteration

- a. Pursuant to Sec. 8178-7.5.1, a Planned Development *Tree Permit* is required for the *encroachment* into the *tree protected zone* of a *protected tree* that is a result of a development project. Examples of *encroachments* include but are not limited to changing the natural grade, excavating for utilities or fence posts, or paving associated with driveways and streets.
- b. Pursuant to Sec. 8178-7.5.2, a Zoning Clearance *Tree Permit* is required to *alter* the roots of a *protected tree*, provided that such *alteration* does not involve *encroachment* into the *tree protected zone* and a *qualified tree consultant* states in writing that the root *alteration* will not harm the health of the tree.
- c. The *tree protected zone* is considered the area in which a critical amount of the *tree's roots* may be found. To determine the tree protection zone, the following calculations noted in (1), (2) and (3) below, shall be performed for all *protected trees* within 20 feet of areas proposed to be disturbed. The *tree protected zone* is measured horizontally from the outer circumference of the *tree* outward to the distance of the calculated *tree protected zone*. The calculation that provides the maximum protection is considered the designated tree protection zone.
 1. Draw a circle around the tree that is no less than 15 feet from the trunk of the *protected tree*.

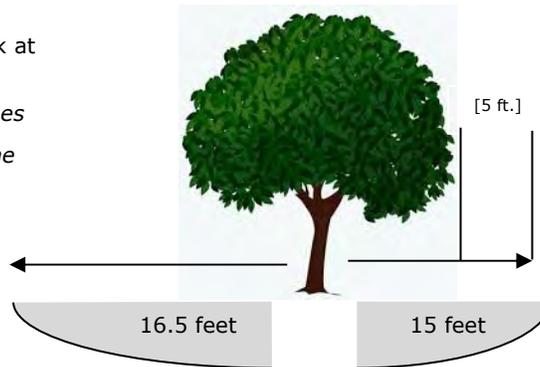
2. Multiply the *tree's diameter* in inches by one and a half feet (i.e. one inch equals one and a half feet). For example, if a *tree's diameter* at a height of 4.5 feet above existing grade is 12 inches, the *tree protected zone* would be 18 feet from the trunk of the *protected tree*.
3. Draw a circle that extends a minimum five feet outside the edge of the *protected tree's dripline*.

Example of *Tree Protected Zone*

DBH = *Diameter* of trunk at 4.5 feet above ground.

Example. DBH = 11 inches

□ : *Tree Protection Zone*



- d. *Tree Root Alteration* shall only be conducted for the following:
 1. When a *protected tree* is being replanted.
 2. If approved grading or construction activities are occurring near a *protected tree* and no alternative that avoids disturbance is feasible.
 3. To *alter/prune roots* from under an existing curb or sidewalk.
 4. As determined by a *qualified tree consultant*, an inspection reveals *root girdling* and the *roots* must be removed in order to preserve the *tree*.
 5. As approved by a Planned Development Permit.
- e. If a *protected tree's roots* must be *altered/pruned*, *pruning* activities shall include but are not limited to the following:
 1. The *alteration/pruning* of *roots* shall be as far away from the *tree trunk* as possible.
 2. Avoid *root alteration/pruning* within the *tree's protected zone* unless there is no feasible alternative (as determined by a *qualified tree consultant*).
 3. Avoid *root pruning* during environmentally stressful times such as droughts, floods, active bud break, and shoot growth.
 4. Avoid large *roots*. No *roots* greater than two inches in *diameter* should be *altered/pruned*.
 5. Prior to *root alteration/pruning*, excavate the soil away from the *roots* by hand or with an air spade.
 6. Do not use backhoes or other equipment that rip or tear *roots*.
 7. Backfill the *roots* as quickly as possible.
 8. Do not *alter/prune roots* for the purpose of landscaping.

B. TYPES OF TREES

Tables 1, 2 and 3 provide lists of trees for the purpose of identification. The list is not exhaustive and is being provided for reference only.

B1. Native Trees

California *native trees* existed in California prior to the arrival of European explorers and colonists in the late 18th century. California's *native trees* shall be conserved not only because of their beauty and intrinsic value, but also because they are essential components of ecosystems and natural processes. The following list of *native trees* may be selected for future planting.

Table 1: Native Trees	
Arroyo Willow (<i>Salix lasiolepis</i>)	Catalina Ironwood, Santa Cruz Island Ironwood (<i>Lyonothamnus floribundus</i> , <i>L. floribundus ssp. aspleniifolius</i>)
Big Cone Douglas Fir (<i>Pseudotsuga Macrocarpa</i>)	Elderberry (<i>Sambucas</i> all species)
Big Leaf Maple (<i>Acer macrophyllum</i>)	Pacific madrona (<i>Arbutus menziesii</i>)
Black Cottonwood, Fremont Cottonwod (<i>Populus balsamifera ssp. trichocarpa</i> and <i>Poplus fremontii ssp. fremontii</i>)	Oak (<i>Quercus</i> , all indigenous species found in Ventura County)
California Ash (<i>Fraxinus dipetala</i>)	Southern California Black Walnut (<i>Juglans californica</i>)
California Bay Laurel (<i>Umbellularia californica</i>)	Sycamore (<i>Platanus racemosa</i>)
California Juniper, Western Juniper (<i>Juniperus californica</i> , <i>Juniperus</i> <i>occidentalis</i>)	White Alder (<i>Alnus rhombifolia</i>)

* The list of *native trees* was compiled using the responsible landscaping tree list developed by the California Native Plant Society, California Invasive Plant Council and Calflora, a nonprofit organization dedicated to providing information about California plant biodiversity.

B2. Non-Native Trees

A *non-native tree* is an introduced species living outside its native distributional range, which has arrived there by human activity, either deliberate or accidental. *Non-native trees* can have a negative effect on a local ecosystem by disrupting native vegetated areas, and eventually dominating the region or habitat. Many *non-native trees* however are not *invasive* and provide visual interest and enhancement to the built environment. Because *non-natives trees* can adversely affect the habitats and bioregions they invade, the planting of *non-native trees* is prohibited in the Coastal Open Space (COS), Coastal Agricultural (CA) and Coastal Industrial (CM) zones and as mitigation for the *removal* of a *protected tree*. The following list identifies common *non-native trees* that are not *invasive* in California and may be appropriate species to plant where *non-native trees* are allowed pursuant to the policies and provisions of the LCP.

Table 2: Non-Native Trees	
Australian Willow (<i>Geijera parvifolia</i>)	Magnolia (<i>Magnolia L.</i>)
Dogwood	Mediterranean Fan Palm

Table 2: Non-Native Trees	
(<i>Cornus</i>)	(<i>Chamaerops humilis</i>)
Fern Pine (<i>Podocarpus gracilor</i>)	Ornamental Pear (<i>Pyrus</i>)
Jacaranda (<i>Jacaranda mimosifolia</i>)	Strawberry Tree (<i>Arbutus unedo</i>)
Japanese Maple (<i>Acer palmatum</i>)	Sweet Gum (<i>Liquidambar</i>)
King Palm (<i>Archontophoenix Cunninghamiana</i>)	Queen Palm (<i>Arecastrum romanzoffianum</i>)
Maidenhair Tree (<i>Ginkgo biloba</i>)	Weeping Birch (<i>Betula pendula</i>)

* The list of *non-native trees* was compiled using the responsible landscaping tree list developed by the California Native Plant Society, California Invasive Plant Council and Calflora, a nonprofit organization dedicated to providing information about California plant biodiversity.

B3. Invasive Trees

Similar to the *non-native trees* listed in Table 2, *invasive* (or “exotic”) *trees* can out-compete and gradually displace native plants, resulting in a loss of wildlife species that depend upon them. *Invasive trees* however, pose a greater threat because they can rapidly spread and suppress growth of surrounding plants by shading them out, chemically poisoning them, or out-competing them for food and water. The planting of *invasive trees* is prohibited in the *coastal zone*.

TABLE 3 INVASIVE TREES	
Canary Island Date Palm (<i>Phoenix canariensis</i>)	Pepper Tree (<i>Schinus molle; terebenthifolius</i>)
Chinese Tallow Tree (<i>Sapium sebiferum</i>)	Russian Olive (<i>Elaeagnus angustifolia</i>)
Common Fig (<i>Ficus carica</i>)	Saltcedar, Athel (<i>Tamarisx aphylla; chinensis; gallica, parviflora, ramosissima</i>)
Eucalyptus (<i>Eucalyptus globulus</i>)	Scarlet Wisteria Tree (<i>Sesbania punicea</i>)
Mexican Fan Palm (<i>Washingtonia robusta</i>)	Tree-of-Heaven (<i>Ailanthus altissima</i>)
Myoporum (<i>Myoporum laetum</i>)	Tree Tobacco (<i>Nicotiana glauca</i>)
Acacia (<i>Acacia decurrens, A. dealdata, A. melanoxylon</i>)	Single Seed Hawthorne (<i>Crataegus monogyna</i>)
Black Locust (<i>Robinia pseudo-acacia</i>)	Silk Oak (<i>Grevillea robusta</i>)
Cherry Plum (<i>Prunus cerasifera</i>)	Silk Tree, Mimosa Tree (<i>Albizzia julibrissin</i>)
Chinese Pistache (<i>Pistacia chinensis</i>)	White and Italian Poplar (<i>Populus alba L.; nigra L. var. italic</i>)
Chinese & Siberian Elm (<i>Ulmus parvifolia Jacquin; pumila</i>)	Weeping Bottle Brush (<i>Callistemon viminalis</i>)
English Walnut	White Mulberry

TABLE 3 INVASIVE TREES	
<i>(Juglans regia)</i>	<i>(Morus alba)</i>
European Olive <i>(Olea europaea)</i>	

* The list of *invasive trees* includes species identified as problematic and/or invasive by the California Native Plant Society and the California Exotic Pest Plant Council.

C. GLOSSARY OF TERMS

Air Spade - A pneumatic soil probe that delivers sudden bursts of air to crack, loosen, or expand the soil to improve the root growing environment or for trench excavation to locate and preserve root tissue.

Arboriculture - The art, science, technology, and business of commercial, public, and utility tree care.

Branch - A secondary shoot or stem arising from one of the main axes (i.e., trunk or leader) of a tree or woody plant.

Branch Collar - Trunk tissue that forms around the base of a branch between the main stem and the branch or a branch and a lateral. As a branch decreases in vigor or begins to die, the branch collar becomes more pronounced.

Branch Bark Ridge - The raised area of bark in the branch crotch that marks where the branch wood and trunk wood meet.

Climbing spurs - Sharp, pointed devices affixed to the climber's leg used to assist in climbing trees (also known as gaffs, hooks, spurs, spikes, climbers).

Closure - The process of woundwood covering a cut or other tree injury.

Co-Dominant - Two main branches that originate at the same point on the main trunk. These create a weak union that is more prone to failure than normal branch development.

Crotch - The angle formed at the attachment between a branch and another branch, leader, or trunk of a woody plant.

Crown - The leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree.

Decay - Degradation of woody tissue caused by biological organisms.

Establishment - The point after planting when a tree's *root system* has grown sufficiently into the surrounding soil to support shoot growth and anchor the tree.

Girdling Roots: Roots located above or below ground whose circular growth around the base of the trunk or over individual roots applies pressure to the bark area, ultimately restricting sap flow and trunk/root growth, frequently resulting in reduced vitality or stability of the tree.

Interfering Branches - Crossing, rubbing, or upright branches that have the potential to damage tree structure and/or health.

Lateral Branch - A branch or twig growing from a parent branch or stem.

Leader - A dominant or co-dominant, upright stem.

Limb - A large, prominent branch.

Lion's Tailing – The removal of an excessive number of inner, lateral branches from parent branches.

Nodes - Point along a branch where leaf or lateral shoot growth originates. Just above a node is also the correct place to make a *pruning* cut.

Parent branch or stem - The tree trunk; or a large limb from which lateral branches grow.

Pruning – The selective removal of plant parts to meet specific goals and objectives.

Topping - An inappropriate technique to reduce tree size that cuts through a stem at an indiscriminant location.

Tree Crown Cleaning – Selective *pruning* to remove dead, diseased, and/or broken branches.

Tree Crown Raising – Selective *pruning* to provide vertical clearance.

Tree Crown Reduction – Selective *pruning* to decrease height and/or spread.

Tree Crown Restoration – Selective *pruning* to improve structure, form, and appearance of trees that have been severely damaged.

Tree Crown Thinning – Selective *pruning* to reduce density of live branches.

Wound - The opening that is created any time the tree's protective bark covering is penetrated, cut, or removed, injuring or destroying living tissue.

APPENDIX L1

LANDSCAPE AND IRRIGATION PLAN REQUIREMENTS

The *Landscape Plan* shall be drawn on clear and legible base sheets prepared specifically for the landscape submittal. Three (3) copies shall be submitted at the time of filing. The following requirements apply to the *landscape plan* and the following information shall be provided as part of or along with the *landscape plan*:

Format

Size: Plans shall be a minimum of 24" by 36" and no larger than 30" x 42".

Scale: All *landscape plans* shall be drawn to scale and be consistent with the project's site plan(s). The *landscape plan* shall be at a scale of 1" = 20'.

Title Block. The title block is a frame that is located at the bottom or right hand side of the *landscape plan* and shall include the following information.

1. Project title/name.
2. Project case number.
3. *Licensed Landscape Architect/Qualified Landscape Designer* name, address, phone number, license number and stamp (if applicable).
4. Project Site Assessor Parcel Number (APN) and street address.
5. Scale. Plans must be at a scale of 1 inch = 20 feet or larger.
6. Dates of submittals and any revisions.
7. Sheet numbers.

Cover Sheet. (Page 1 of the *Landscape Plan*)

1. Water supply (private well or water purveyor if not served by a private well)
2. Project Type (new or *rehabilitated landscape*, private or public, residential, commercial, industrial or institutional)
3. Total *Landscape Area* (square feet)
4. Names, addresses, telephone numbers, and e-mail of the applicant, owner, and consultants.
5. A small-scale vicinity map portraying and orienting the boundaries of the project site with respect to surrounding areas and roads
6. Legend and Abbreviations
7. Applicant signature and date with the following statement:
"I agree to comply with the requirements of the Ventura County Coastal Zoning Ordinance Section 8178-8 Landscape and Screening and submit a complete *Landscape Documentation Package*."

Site Plan. The project site plan shall be used as the underlying base map for the *landscape plan* and shall include but not be limited to the following:

1. The exterior boundaries of the parcel in conformance with existing records, with information as to dimensions and bearings.
2. Location, width, nature and status of all existing and proposed easements, reservations and rights-of-way.
3. Scale and North arrow
4. Gross and net acreage of the property.
5. Building footprints, driveways, parking areas, and other *hardscape* features.
6. Trash enclosures, above-ground utilities, and other features that may require *landscape screening*.
7. The location of all proposed exterior night lighting and an outline of the illuminated area.
8. Water source and point of connection.
9. Drainage channels, creeks, rock outcrops and other natural features.
10. Number, size and location of all existing trees and other significant landscape features.
11. Identification of required *fuel modification zone* (if applicable).
12. Identification of portions of the site and project that are visible from on- or off-site public viewing areas.
13. Identification of portions of the site within 200 feet of environmentally sensitive habitat areas.
14. Identification of Low Impact Development (LID) strategies and landscaping intended to accommodate stormwater flows (e.g., bioretention basins, etc.).

Planting Plan. Proposed landscaping shall be overlaid on the site plan described above and include but not be limited to the following:

1. A legend that includes the proposed plants, their common and botanical plant names, total quantities, container size, and plant spacing.
2. Species, number, size and location of all proposed trees.
3. Identification of any *special landscape areas* (if applicable).
4. Each *hydrozone* delineated by number and identified by water use type (i.e. high, moderate and low).
5. Location and installation details of storm water *best management practices*.

Environmentally Sensitive Habitat Areas (ESHA). Projects within 200 feet of *ESHA* shall demonstrate on the project plans that the proposed landscaping is sited and designed to protect the *ESHA* from adverse impacts. The *Landscape Plan* shall be submitted with the review of the Plan by a qualified biologist confirming that it is protective of the adjacent *ESHA*.

Scenic Elements. Projects visible from public viewing areas shall demonstrate on the project plans and through visual simulations that the proposed landscaping is sited and designed to protect scenic resources and public viewsheds.

Water Quality. A Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) as required.

Design Elements. Planting plans may include design elements such as boulders, mounds, sculptures, public art, etc. All items shall be drawn to scale.

Specifications. Installation and maintenance procedures shall be provided on a separate informational sheet that is included with the *landscape plan*. The installation and maintenance procedures shall include but not be limited to the following:

1. Soil amendment specifications.
2. Specifications for any proposed seed mixes including application rates and relevant germination specifications.
3. Planting requirements including tree staking and guying.
4. The *landscape plan performance criteria* to judge the success of the *landscape plan*.
5. Proposed maintenance and monitoring for growth, survivorship, and cover for a period of one year to ensure the *landscape plan* meets or exceeds the *landscape plan performance criteria* outlined for each of the proposed plantings.

Irrigation Plan. The irrigation plan shall be separate from the planting plan, utilize the same format and at a minimum include the following:

1. Identify location and size of water meters for landscape.
2. Identify location, size and type of all components of the irrigation system, including master valve, controllers, main and lateral lines, *valves*, irrigation heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and *backflow prevention devices*, and power supply, as applicable.
3. Identify static water pressure at the point of connection to the public water supply.
4. Provide flow rate (gallons per minute), application rate (inches per hour) and design operating pressure (pressure per square inch) for each *hydrozone*.
5. Show *reclaimed water* irrigation systems as applicable.

Additional Plan Sheets. Include as a separate sheet, the following (if applicable):

1. A copy of the Preliminary Grading and Drainage Plan.
2. Architectural elevations of all proposed structures including, but not limited to, buildings, walls and fences.

APPENDIX L2
CALCULATING THE WATER BUDGET OF A PROJECT SITE

Reference Evapotranspiration (ET_o) Table*

Monthly Average Reference Evapotranspiration by ET_o Zone (inches/year)

Ventura	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
*	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5

* The values in the table for Ventura County were derived from:

- 1) California Irrigation Management Information System (CIMIS);
- 2) Reference Evapotranspiration Zones Map, University of California Department of Land Air & Water Resources and California Department of Water Resources 1999; and
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922;
- 4) Determining Daily Reference Evapotranspiration, Cooperative Extension University of California and Natural Resources (1987), Publication Leaflet 21426

APPENDIX L3

SAMPLE WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ET_o) 43.5

Landscape Areas								
<i>Hydrozone</i>	Plant Water Use Type(s)	<i>Plant Factor (PF)*</i>	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	<i>Hydrozone Area (HA) (square feet)</i>	ETAF x Area	Estimated Total Water Use (ETWU)
					Totals	(A)	(B)	

Special Landscape Areas								
<i>Hydrozone</i>	Plant Water Use Type(s)	<i>Plant Factor (PF)*</i>	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	<i>Hydrozone Area (HA) (square feet)</i>	ETAF x Area	Estimated Total Water Use (ETWU)
					1.0			
					1.0			
					1.0			
					Totals	(C)	(D)	
			ETWU Total					
			Maximum Allowed Water Allowance (MAWA)					

Water Budget Calculations

New or altered landscaping shall not exceed the *Maximum Applied Water Allowance (MAWA)*. The following *MAWA* calculation shall be used to identify the annual allowance of water needed for a *landscaped area*:

Maximum Applied Water Allowance (MAWA)

The project's *Maximum Applied Water Allowance (MAWA)* shall be calculated using these equation:

$$\text{MAWA} = (\text{ETo}) (0.62) [(\text{ETAF} \times \text{LA}) + ((1-\text{ETAF}) \times \text{SLA})]$$

where:

MAWA	=	<i>Maximum Applied Water Allowance</i> (gallons per year)
ETo	=	Reference Evapotranspiration from Appendix L1 (inches per year)
ETAF	=	Average Evapotranspiration (ET) Adjustment Factor (ETAF) is the Plant Factor (PF) divided by the Irrigation Efficiency (IE). For residential the average ETAF must be 0.55 or below and for non-residential areas must be 0.45 or below.
PF	=	Plant Factor used shall be from Water Use Classifications of Landscape Species (WUCOLS). Plant factors may also be obtained from horticultural researchers with academic institutions or nursery industry professional associations as approved by the California Department of Water Resources (DWR).
IE	=	Irrigation Efficiency (minimum allowed 0.75 for overhead spray devices and 0.81 for drip system)
LA	=	<i>Landscaped Area</i> includes <i>Special Landscape Area</i> (square feet)
0.62	=	<i>Conversion factor</i> (to gallons per square foot)
SLA	=	Recreational areas, areas devoted to edible plants such as orchards and vegetable gardens and areas irrigated with recycled water (square feet).
<1.0	=	Evapotranspiration Adjustment Factor for <i>Special Landscape Area</i> shall not exceed 1.0

APPENDIX L4
ESTIMATED TOTAL WATER USE (ETWU)

The project's *Estimated Total Water Use (ETWU)* is calculated using the following formula:

$$ETWU = ETo \times 0.62 \times ETAF \times Area$$

Legend:

- ETWU = Estimated water use based on plant material (gallons per year)
- ETo = Reference Evapotranspiration (inches per year)
- 0.62 = Conversion factor (to gallons per square foot)
- ETAF = Plant Factor (PF) divided by Irrigation Efficiency (IE)
- Area = Landscaped Area (square feet)

Average ETAF

Total ETAF X Area	(B)
Total Area	(A)
AVERAGE ETAF	(B) ÷ (A)

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential and 0.45 or below for non-residential

All Landscape Areas

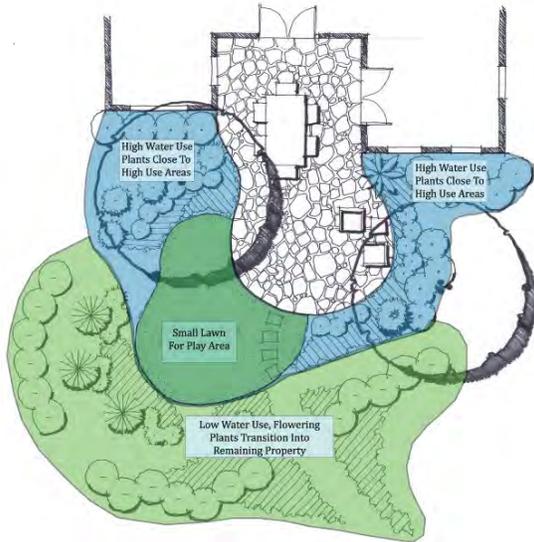
Total ETAF X Area	(B + D)
Total Area	(A + C)
AVERAGE ETAF	(B + D) ÷ (A + C)

APPENDIX L5

EXAMPLES FOR CALCULATING THE WATER BUDGET

Example 1:

A hypothetical residential landscape project in Ventura, California, with an irrigated landscape area of 1,000 square feet; no special landscape area (SLA= 0).



Hydrozone: Label each planting area polygon with a number or letter.

Plant Water Use Types: Identify water demand for each hydrozone.

Plant Factor*: Plant factor range shall be as follows:

- ◆ Low water use plants: 0.1 to 0.3
- ◆ Moderate water use plants: 0.4 to 0.6
- ◆ High water use plants: 0.7 to 1.0

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	Hydrozone Area (HA) (square feet)	ETAF x Area	Estimated Total Water Use (ETWU)
1	High	0.8	Drip	0.81	0.67	100	67	1807
2	High	0.7	Drip	0.81	0.86	100	86	2319
3	Medium	0.5	Drip	0.81	0.61	100	61	1645
4	Low	0.3	Drip	0.81	0.37	350	130	3506
5	Low	0.2	Drip	0.81	0.24	350	84	2265
						1,000 (A)	428 (B)	11,542

* Plant Factors are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species".

Maximum Applied Water Allowance (MAWA)

$$MAWA = (ETo) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$$

$$\text{Average ETWU} = 0.55$$

$$MAWA = (43.5) \times (0.62) [(0.55 \times 1,000 \text{ sf}) + ((0.45 \times 0)]$$

$$MAWA = (43.5) \times (0.62)[(550) + (0)]$$

$$MAWA = (26.97) \times [550]$$

MAWA = 14,834 gallons

To convert from gallons per year to hundred-cubic-feet per year:

$$= 14,834/748$$

$$(100 \text{ cubic feet} = 748 \text{ gallons})$$

$$= 19.83 \text{ hundred-cubic-feet per year}$$

Estimated Total Water Use (ETWU) (gallons per year)

$$ETWU = ETo \times 0.62 \times ETAF \times Area$$

$$\begin{aligned} \text{HA \#1: } & (43.5) \times (0.62) \times (0.67) \times (100) \\ & [26.97] \times [67] = 1,807 \end{aligned}$$

$$\begin{aligned} \text{HA \#2: } & (43.5) \times (0.62) \times (0.87) \times (100) \\ & [26.97] \times [87] = 2,346 \end{aligned}$$

$$\begin{aligned} \text{HA \#3: } & (43.5) \times (0.62) \times (0.61) \times (100) \\ & [26.97] \times [61] = 1,645 \end{aligned}$$

$$\begin{aligned} \text{HA \#4: } & (43.5) \times (0.62) \times (0.37) \times (350) \\ & [26.97] \times [130] = 3,506 \end{aligned}$$

$$\begin{aligned} \text{HA \#5: } & (43.5) \times (0.62) \times (0.24) \times (350) \\ & [26.97] \times [84] = 2,265 \end{aligned}$$

ETWU = 11,569 gallons per year

Compare ETWU with MAWA.

$$MAWA = 14,834 \text{ gallons per year}$$

$$ETWU = 11,569 \text{ gallons per year}$$

- ★ The ETWU (11,569 gallons per year) is less than MAWA (14,834 gallons per year).

In this example, the water budget complies with the MAWA.

APPENDIX L6
SAMPLE CERTIFICATE OF COMPLETION

CERTIFICATE OF COMPLETION

THIS CERTIFICATE IS FILLED OUT BY THE PROJECT APPLICANT UPON COMPLETION OF THE LANDSCAPE PROJECT.

Part 1. Project Information

Date	Project Case Number	
Project Name	Telephone Number	
Name of Project Applicant	Cell Phone Number	Fax Number
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location

Street Address	Assessor Parcel Number (APN), Tract or Lot Number (if applicable)	
Project Name	Latitude/Longitude (optional)	
City	State	Zip Code

Property Owner or His or Her Designee

Name	Telephone Number	Fax Number
Title	Cell Phone Number	Email Address
Company	Street Address	
City	State	Zip Code

Property Owner

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Property Owner Signature Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted: _____
2. Date the Landscape Documentation Package was approved: _____

PART 2. Certification of Installation According to the Landscape Documentation Package

"I/we certify that based upon periodic site observations, the work has been substantially completed in accordance with Section 8178-8, Water Efficient Landscaping, and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone Number	
Title	Cell Phone Number	Fax Number
License No. or Certificate No.	Email Address	
Company	Street Address	
City	State	Zip Code

*Signer shall be the *licensed landscape architect, qualified landscape designer* of the landscape and irrigation plan or a *licensed landscape contractor*.

APPENDIX L7
INVASIVE PLANT LIST

The California Invasive Plant Inventory includes plants that are deemed a potential threat to the state’s wildlands. The list (amended over time), was prepared by the California Invasive Plant Council, and represents the best available information from invasive plant experts in the State of California. Inclusion on the list is based on an assessment of the ecological impacts of each plant, and ratings represent cumulative impacts statewide rather than by individual region.

Table 1	
Invasive Plant List	
Scientific Name	Common Name
Acacia dealbata	Silver wattle
Acacia melanoxylon	Black acacia, blackwood acacia
Acroptilon repens	Russian knapweed
Aegilops triuncialis	Barb goatgrass
Ageratina adenophora	Croftonweed, eupatorium
Agrostis avenacea	Pacific bentgrass
Agrostis stolonifera	Creeping bentgrass
Ailanthus altissima	Tree-of-heaven
Alhagi maurorum	Camelthorn
Alternanthera philoxeroides	Alligator weed
Ammophila arenaria	European beachgrass
Anthoxanthum odoratum	Sweet vernalgrass
Arctotheca calendula (fertile)	Fertile capeweed
Arctotheca calendula (sterile)	Sterile capeweed (synonym of Arctotheca prostrata)
Arundo donax	Giant reed
Asparagus asparagoides	Bridal creeper
Asphodelus fistulosus	Onionweed
Atriplex semibaccata	Australian saltbush
Avena barbata	Slender wild oat
Avena fatua	Wild oat

**Table 1
Invasive Plant List**

Scientific Name	Common Name
Bassia hyssopifolia	Fivehook bassia
Bellardia trixago	Bellardia
Brachypodium distachyon	Annual false-brome, false brome, purple false broom, stiff brome
Brachypodium sylvaticum	Perennial false-brome
Brassica nigra	Black mustard
Brassica rapa	Birdsrape mustard, field mustard
Brassica tournefortii	Saharan mustard, African mustard
Briza maxima	Big quackinggrass, rattlesnakegrass
Bromus diandrus	Ripgut brome
Bromus hordeaceus	Soft brome
Bromus japonicus	Japanese brome, Japanese chess
Bromus madritensis ssp. rubens	Red brome
Bromus tectorum	Downy brome, cheatgrass
Cakile maritima	European sea-rocket
Cardaria chalepensis	Lens-podded white-top
Cardaria draba	Hoary cress
Cardaria pubescens	Hairy whitetop
Carduus acanthoides	Plumeless thistle
Carduus nutans	Musk thistle
Carduus pycnocephalus	Italian thistle
Carduus tenuiflorus	Slenderflower thistle
Carpobrotus chilensis	Sea-fig, iceplant
Carpobrotus edulis	Hottentot-fig, iceplant
Carthamus lanatus	Woolly distaff thistle
Centaurea calcitrapa	Purple starthistle
Centaurea debeauxii	Meadow knapweed
Centaurea diffusa	Diffuse knapweed

**Table 1
Invasive Plant List**

Scientific Name	Common Name
<i>Centaurea maculosa</i>	Spotted knapweed
<i>Centaurea melitensis</i>	Malta starthistle, tocalote
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Centaurea virgata</i> ssp. <i>squarrosa</i>	Squarrose knapweed
<i>Chondrilla juncea</i>	Rush skeletonweed
<i>Chrysanthemum coronarium</i>	Crown daisy
<i>Cirsium arvense</i>	Canada thistle
<i>Cirsium vulgare</i>	Bull thistle
<i>Conicosia pugioniformis</i>	Narrowleaf iceplant
<i>Conium maculatum</i>	Poison-hemlock
<i>Cordyline australis</i>	Giant dracaena, New Zealand cabbage tree
<i>Cortaderia jubata</i>	Jubatagrass
<i>Cortaderia selloana</i>	Pampasgrass
<i>Cotoneaster franchetii</i>	Orange cotoneaster
<i>Cotoneaster lacteus</i>	Parney's cotoneaster
<i>Cotoneaster pannosus</i>	Silverleaf cotoneaster
<i>Cotula coronopifolia</i>	Brassbuttons
<i>Crataegus monogyna</i>	Hawthorn
<i>Crocsmia x crocosmiiflora</i>	Montbretia
<i>Crupina vulgaris</i>	Common crupina, bearded creeper
<i>Cynara cardunculus</i>	Artichoke thistle
<i>Cynodon dactylon</i>	Bermudagrass
<i>Cynoglossum officinale</i>	Houndstongue
<i>Cynosurus echinatus</i>	Hedgehog dogtailgrass
<i>Cytisus scoparius</i>	Scotch broom
<i>Cytisus striatus</i>	Portuguese broom
<i>Dactylis glomerata</i>	Orchardgrass

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Delairea odorata</i>	Cape-ivy, German-ivy
<i>Descurainia sophia</i>	Flixweed, tansy mustard
<i>Digitalis purpurea</i>	Foxglove
<i>Dipsacus fullonum</i>	Common teasel
<i>Dipsacus sativus</i>	Fuller's teasel
<i>Dittrichia graveolens</i>	Stinkwort
<i>Echium candicans</i>	Pride-of-Madeira
<i>Egeria densa</i>	Brazilian egeria
<i>Ehrharta calycina</i>	Purple veldtgrass
<i>Ehrharta erecta</i>	Erect veldtgrass
<i>Ehrharta longiflora</i>	Long-flowered veldtgrass
<i>Eichhornia crassipes</i>	Water hyacinth
<i>Elaeagnus angustifolia</i>	Russian-olive
<i>Emex spinosa</i>	Spiny emex, devil's-thorn
<i>Erechtites glomerata</i> , <i>E. minima</i>	Australian fireweed, Australian burnweed
<i>Erica lusitanica</i>	Spanish heath
<i>Erodium cicutarium</i>	Redstem filaree
<i>Eucalyptus camaldulensis</i>	Red gum
<i>Eucalyptus globulus</i>	Tasmanian blue gum
<i>Euphorbia esula</i>	Leafy spurge
<i>Euphorbia oblongata</i>	Oblong spurge
<i>Euphorbia terracina</i>	Carnation spurge
<i>Festuca arundinacea</i>	Tall fescue
<i>Ficus carica</i>	Edible fig
<i>Foeniculum vulgare</i>	Fennel
<i>Gazania linearis</i>	Gazania
<i>Genista monspessulana</i>	French broom

**Table 1
Invasive Plant List**

Scientific Name	Common Name
Geranium dissectum	Cutleaf geranium
Glyceria declinata	Waxy mannagrass
Halogeton glomeratus	Halogeton
Hedera helix, H. canariensis	English ivy, Algerian ivy
Helichrysum petiolare	Licoriceplant
Hirschfeldia incana	Shortpod mustard, summer mustard
Holcus lanatus	Common velvet grass
Hordeum marinum, H. murinum	Mediterranean barley, hare barley, wall barley
Hydrilla verticillata	Hydrilla
Hypericum canariense	Canary Island hypericum
Hypericum perforatum	Common St. John's wort, klamathweed
Hypochaeris glabra	Smooth catsear
Hypochaeris radicata	Rough catsear, hairy dandelion
Ilex aquifolium	English holly
Iris pseudacorus	Yellowflag iris
Isatis tinctoria	Dyer's woad
Kochia scoparia	Kochia
Lepidium latifolium	Perennial pepperweed, tall whitetop
Leucanthemum vulgare	Ox-eye daisy
Limnobium laevigatum	South American spongeplant
Limonium ramosissimum ssp. provinciale	Algerian sea lavender
Linaria genistifolia ssp. dalmatica	Dalmation toadflax
Linaria vulgaris	Yellow toadflax, butter and eggs
Lobularia maritima	Sweet alyssum
Lolium multiflorum	Italian ryegrass
Ludwigia hexapetala	Uruguay water-primrose
Ludwigia peploides ssp. montevidensis	Creeping water-primrose

**Table 1
Invasive Plant List**

Scientific Name	Common Name
Lythrum hyssopifolium	Hyssop loosestrife
Lythrum salicaria	Purple loosestrife
Marrubium vulgare	White horehound
Medicago polymorpha	California burclover
Mentha pulegium	Pennyroyal
Mesembryanthemum crystallinum	Crystalline iceplant
Myoporum laetum	Myoporum
Myosotis latifolia	Common forget-me-not
Myriophyllum aquaticum	Parrotfeather
Myriophyllum spicatum	Eurasian watermilfoil
Nicotiana glauca	Tree tobacco
Olea europaea	Olive
Ononis alopecuroides	Foxtail restharrow
Onopordum acanthium	Scotch thistle
Oxalis pes-caprae	Bermuda buttercup, buttercup oxalis, yellow oxalis
Parentucellia viscosa	Yellow glandweed, sticky parentucellia
Pennisetum clandestinum	Kikuyugrass
Pennisetum setaceum	Crimson fountaingrass
Phalaris aquatica	Hardinggrass
Phoenix canariensis	Canary Island date palm
Phytolacca americana	Common pokeweed
Picris echioides	Bristly oxtongue
Piptatherum miliaceum	Smilograss
Plantago lanceolata	Buckhorn plantain, English plantain
Poa pratensis	Kentucky bluegrass
Polygonum cuspidatum	Japanese knotweed
Polygonum sachalinense	Sakhalin knotweed

**Table 1
Invasive Plant List**

Scientific Name	Common Name
Polypogon monspeliensis and subspp.	Rabbitfoot polypogon, annual beardgrass
Potamogeton crispus	Curlyleaf pondweed
Prunus cerasifera	Cherry plum
Pyracantha angustifolia, P. crenulata, P. coccinea	Pyracantha, firethorn
Ranunculus repens	Creeping buttercup
Raphanus sativus	Radish
Retama monosperma	Bridal broom
Ricinus communis	Castorbean
Robinia pseudoacacia	Black locust
Rubus armeniacus	Himalaya blackberry
Rumex acetosella	Red sorrel, sheep sorrel
Rumex crispus	Curly dock
Rytidosperma pencillatum	Hairy oat grass
Saccharum ravennae	Ravennagrass
Salsola paulsenii	Barbwire Russian-thistle
Salsola soda	Oppositeleaf Russian thistle
Salsola tragus	Russian-thistle
Salvia aethiopis	Mediterranean sage
Salvinia molesta	Giant salvinia
Sapium sebiferum	Chinese tallotree
Saponaria officinalis	Bouncingbet
Schinus molle	Peruvian peppertree
Schinus terebinthifolius	Brazilian peppertree
Schismus arabicus, Schismus barbatus	Mediterraneangrass
Senecio jacobaea	Tansy ragwort
Sesbania punicea	Red sesbania, scarlet wisteria
Silybum marianum	Blessed milkthistle

**Table 1
Invasive Plant List**

Scientific Name	Common Name
<i>Sinapis arvensis</i>	Wild mustard, charlock
<i>Sisymbrium irio</i>	London rocket
<i>Spartina alterniflora</i> (and <i>S. alterniflora</i> x <i>foliosa</i> hybrids)	Smooth cordgrass and hybrids, Atlantic cordgrass
<i>Spartina anglica</i>	Common cordgrass
<i>Spartina densiflora</i>	Dense-flowered cordgrass
<i>Spartina patens</i>	Saltmeadow cord grass
<i>Spartium junceum</i>	Spanish broom
<i>Stipa capensis</i>	Mediterranean steppegrass, twisted-awned speargrass
<i>Stipa manicata</i>	tropical needlegrass
<i>Taeniatherum caput-medusae</i>	Medusahead
<i>Tamarix aphylla</i>	Athel tamarisk
<i>Tamarix parviflora</i>	Smallflower tamarisk
<i>Tamarix ramosissima</i>	Saltcedar, tamarisk
<i>Tanacetum vulgare</i>	Common tansy
<i>Tetragonia tetragonioides</i>	New Zealand spinach
<i>Torilis arvensis</i>	Hedgeparsley
<i>Trifolium hirtum</i>	Rose clover
<i>Ulex europaeus</i>	Gorse
<i>Undaria pinnatifida</i>	Wakame
<i>Verbascum thapsus</i>	Common mullein, woolly mullein
<i>Vinca major</i>	Big periwinkle
<i>Vulpia myuros</i>	Rattail fescue
<i>Washingtonia robusta</i>	Mexican fan palm
<i>Watsonia meriana</i>	Bulbil watsonia
<i>Zantedeschia aethiopica</i>	Calla lily
<i>Zostera japonica</i>	Dwarf eelgrass

Attachment 6: Coastal Commission Action Letter
dated December 20, 2016

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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



December 20, 2015

Jennifer Welch
County of Ventura
800 South Victoria Ave, L# 1740
Ventura, CA 93009

RE: County of Ventura Local Coastal Program Amendment No. LCP-4-VNT-16-0033-1 (Phase IIA)

Dear Ms. Welch:

On December 8, 2016, the Coastal Commission approved Local Coastal Program Amendment No. LCP-4-VNT-16-0033-1 with suggested modifications. The Commission's resolution of certification is contained in the staff report dated November 17, 2016. The suggested modifications, as approved by the Commission on December 8, 2016, are attached to this correspondence.

Section 13544 of the Commission's Administrative Regulations requires that after certification the Executive Director of the Commission shall transmit copies of the resolution of certification and any suggested modifications and findings to the governing authority, and any interested persons or agencies. Further, the certification shall not be deemed final and effective until all of the following occur:

- (a) The local government with jurisdiction over the area governed by the Local Coastal Program, by action of its governing body: (1) acknowledges receipt of the Commission's resolution of certification, including any terms or modifications suggested for final certification; (2) accepts and agrees to any such terms and modifications and takes whatever formal action is required to satisfy the terms and modifications; and (3) agrees to issue coastal development permits for the total area included in the certified Local Coastal Program. Unless the local government takes the action described above the Commission's certification with suggested modifications *shall expire six months* from the date of the Commission's action.
- (b) The Executive Director of the Commission determines in writing that the local government's action and the notification procedures for appealable development required pursuant to Article 17, Section 2 are legally adequate to satisfy any specific requirements set forth in the Commission's certification order.
- (c) The Executive Director reports the determination to the Commission at its next regularly scheduled public meeting and the Commission does not object to the Executive Director's determination. If a majority of the Commissioners present object to the Executive Director's determination and find that the local government action does not conform to the provisions of the Commission's action to certify the Local Coastal Program Amendment, the Commission shall review the local

government's action and notification procedures pursuant to Articles 9-12 as if it were a resubmittal.

- (d) Notice of the certification of the Local Coastal Program Amendment shall be filed with the Secretary of Resources Agency for posting and inspection as provided in Public Resources Code Section 21080.5(d)(2)(v).

Should you have any questions regarding this matter, please contact Jacqueline Phelps in our Ventura office. The Commission and staff greatly appreciate the County's consideration of this matter.

Authorized on behalf of the California Coastal Commission by:

John Ainsworth
Acting Executive Director



By: Jacqueline Phelps
Coastal Program Analyst

Language proposed to be added by the County of Ventura in this amendment is shown straight type. Language recommended by Commission staff to be inserted is shown underlined. Language proposed to be added by the County of Ventura, but recommended to not be added by the Commission is shown in ~~Strikethrough~~. Other instructional suggested modifications relating to formatting are shown in *italics*.

I. SUGGESTED MODIFICATIONS TO THE LAND USE PLAN

1. Suggested Modification Number One: Signs

Land Use Plan Sign Policy 1 shall be modified as follows:

1. Signs shall be designed and located to ~~in areas that~~ minimize impacts to scenic resources, including that protect views to and along the ocean and other scenic coastal areas.

Land Use Plan North Coast Area Sign Policy 22, Central Coast Sign Policy 21, and South Coast Sign Policy 26 shall be modified as follows:

- Signs that adversely impact public access shall be prohibited ~~located in areas that maintain coastal access~~ except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be temporary and removed once the public safety issue is resolved.

Land Use Plan North Coast Area Sign Policy 24, Central Coast Sign Policy 23, and South Coast Policy Sign 28 shall be modified as follows:

- No signs shall be posted on a ~~public~~ beach unless authorized by a coastal development permit. Signs on a ~~public~~ beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

2. Suggested Modification Number Two: Temporary Film Production

Land Use Plan Film Production Policy 1 in the North, Central, and South Coast area shall be modified as follows:

1. Temporary film production activities shall not result in ~~substantial~~ adverse impacts to wetland, ESHA, or ESHA buffer, including indirect effects from outdoor lighting or noise.

Land Use Plan North Coast Area Film Production Policy 11, Central Coast Film Production Policy 10, and South Coast Film Production Policy 15 shall be modified as follows:

- ~~Temporary film production activities shall result in negligible~~ Impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual

resources, and public coastal beach access to such facilities shall be minimized during temporary film production activities.

3. Suggested Modification Number Three: Parking and Loading

Land Use Plan North Coast Area Parking Policy 17, Central Coast Parking Policy 16, and South Coast Parking Policy 21 shall be modified as follows:

Restrictions on public parking that would impede public coastal access shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.

4. Suggested Modification Number Four: Tree Protection

Land Use Plan Tree Protection Policy 3 shall be modified as follows:

3. The removal of a protected tree that is ESHA, or tree alteration that damages ESHA, shall be prohibited except where:

- a. ‡The tree poses an imminent hazard to life, health, existing structures, or essential public services and where approved through an Emergency Permit; or
- b. Removal or alteration of the tree is necessary to allow for a principal use or structure, and its associated fuel modification, where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; or
- c. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.

Land Use Plan Tree Protection Policy 5 shall be modified as follows:

5. Fire Clearance: With the exception of non-native heritage trees, new development shall be located and designed to minimize fire clearance and fuel modification maintenance that requires the removal of a protected tree, or alterations/protected zone encroachments that damage a protected tree. New accessory buildings or uses that extend fire clearance and fuel modification maintenance in a manner that requires the removal of a protected tree shall be prohibited.

II. SUGGESTED MODIFICATION TO THE IMPLEMENTATION PLAN

5. Suggested Modification Number Five: Signs

Part i of Section 8175-5.13.1- Purpose shall be modified as follows:

The following signs are prohibited:

- ...
- i. Any sign that is intended to deter, ~~without legitimate purpose,~~ public access to or along tidelands, shorelines, beaches and public waterways, public trails, public parks, public open space, or public access easements to any of the foregoing locations, except where necessary to direct public access to ensure safety, minimize erosion, and protect ESHA.

The definition of Recreational Area in Section 8172-1- Application of Definitions shall be modified as follows:

Recreational Area – Areas designed for shoreline/beach, water-oriented, passive, and commercial recreation, including but not limited to, multiple-use paths and trails, natural or wilderness parks, and developed parks. active play, amusement or public assembly such as parks, sports fields, picnic grounds, amphitheaters or golf courses. Does not include private single-family residential areas. Recreational areas include “public” and “privately-operated” recreational opportunities that are available to the general public.

6. Suggested Modification Number Six: Temporary Film Production

Part B of Section 8175-5.6.1.1 – Planned Development Permit shall be relabeled as number 5, and Part C shall be relabeled as Part B.

7. Suggested Modification Number Seven: Parking and Loading

Section 8176-2.7 – Coastal Access shall be modified as follows:

- a. In order to minimize impacts on the availability of on-street parking for coastal access and recreation, new development shall be designed to include off-street parking spaces sufficient to serve the proposed use.
- b. Existing parking areas serving coastal access and recreational uses shall not be displaced, except where there is no feasible alternative and the loss of parking spaces is mitigated with a commensurate number of replacement spaces that serve a coastal access function in the same vicinity as the removed parking.
- c. Restrictions on public parking, including but not limited to red-curbing, no parking signs, and physical barriers, that would impede public coastal access are prohibited except as follows: ~~where such restrictions are necessary for the protection of public safety.~~
 - i. The parking restriction is necessary to protect public safety or military security, and evidence is provided that demonstrates there is no feasible alternative;
 - ii. A temporary parking restriction is necessary to repair, maintain, or upgrade public roads;
 - iii. The parking restriction is removed once the public safety issue is resolved or the temporary road repair/maintenance activities are complete; and
 - iv. Mitigation is required for permanent parking restrictions.

Sec. 8176-4.4.3 - Fire Apparatus Access shall be modified as follows:

Approved fire apparatus access roads ~~shall be provided when required by the Ventura County Fire Protection District in order to minimize risks to life and property.~~ Fire access roads shall be located, designed and constructed such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Generally, this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.

8. Suggested Modification Number Eight: Water Efficient Landscaping

The definition of Fuel Modification Zone in Section 8172-1- Application of Definitions shall be modified as follows:

Fuel Modification Zone – The area around a structure where the existing vegetation is altered (e.g. brush or vegetation removal, including thinning) ~~pursuant to an approved fuel modification plan.~~ ~~The purpose of the fuel modification zone is to reduce fuel load for fire protection purposes.~~

Section 8178-8.4.2.5.1- Revegetation of Disturbed Areas shall be modified as follows:

Grading activities pursuant to Sec. 8178-8.2(a)(43) that may require the revegetation of disturbed slopes shall be designed and maintained in compliance with the following revegetation measures:

9. Suggested Modification Number Nine: Tree Protection

Section 8178-7.4.1- General Standards shall be modified as follows:

- a. A new principal use or structure shall be sited and designed to avoid damage to a native, historic, and heritage protected trees to the maximum extent feasible, as evidenced through an alternatives analysis. If there is no feasible alternative that can avoid damage to a protected tree, then the project alternative that would result in the least damage to such a tree shall be selected, and damage to a protected tree that cannot be avoided through implementation of siting and design alternatives shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- b. A new principal use or structure shall be sited and designed to avoid damage to protected trees that are classified as ESHA pursuant to Sec. 8178-7.3.1. However, if there is no feasible alternative that can avoid all impacts to a protected tree designated as ESHA, and still allow a principal use or structure that is the minimum necessary to provide a reasonable economic use of the property (as evidenced through an alternatives analysis), then the project alternative that would result in the least damage to such a tree shall be selected. Impacts that cannot be avoided through implementation of siting and design alternatives, including reduction of the building footprint, shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.

- c. Once the original land use entitlement has been issued for a principally permitted use or structure, and the use has commenced or the structure has been built, an addition or expansion that would require the removal of a protected tree or alteration/protected zone encroachments that damage of a protected ~~native or historical~~ tree shall be prohibited (See Sec. 8178-7.6.1). A heritage tree is excluded from this prohibition.
- d. Development shall be sited and designed to avoid encroachment into the protected zone of a protected tree to the maximum extent feasible ~~except when a qualified tree consultant demonstrates in writing that the encroachment will not damage the protected tree.~~ Encroachments shall be fully mitigated consistent with the mitigation requirements in Section 8178-7.6.
- e. The removal of, ~~or substantial damage to,~~ a protected tree, ~~or alterations/protected zone encroachments that damage a protected tree,~~ shall be prohibited for accessory uses or structures except for existing, legal ~~when such structures (See Sec. 8178-7.6.1) were previously approved through a discretionary permit.~~ Notwithstanding the foregoing, a heritage tree may be removed for the purpose of constructing a second dwelling unit.
- f. New discretionary development shall be sited and designed to comply with the following:
 - 1. Irrigation and landscaping shall be prohibited within the protected zone except where the protected tree is tolerant of water, the landscape is comprised of shallow-rooted, herbaceous perennials, bulbs or groundcover, and a qualified tree consultant verifies the protected tree would not be adversely affected by the level of irrigation, compaction of soil, or root disturbance associated with the proposed landscaping.
 - 2. A minimum buffer of five feet from edge of the tree protected zone shall be provided to allow for future growth of a protected tree unless a qualified tree consultant provides justification in writing that the buffer may be decreased in size because the protected tree is regarded as “tolerant” due to the tree species, age, health or location.
 - 3. New drainage systems shall be directed away from all root zones of all protected trees, replacement offset trees, and transplanted trees.
- g. When a public works project includes the repair or maintenance of drainage devices and road-side slopes, the project may not result in the alteration or removal of a protected tree except as follows:
 - 1. The development is the minimum design necessary to protect existing public roads;
 - 2. The project avoids removal or alteration of protected trees to the maximum extent feasible, and
 - 3. All impacts to protected trees are mitigated pursuant to Sec. 8178-7.6.

This provision shall not apply to trees classified as ESHA, which are subject to more protective requirements pursuant to Section 8178-2.

Part a of Section 8178-7.4.2- Tree Removal and Alteration shall be modified as follows:

- a. The alteration or removal of a tree that is ESHA pursuant to Sec. 8178-7.3.1 shall only be permitted when:
 - i. ~~The tree poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety; (See Sec. 8178-7.5.4 Emergency Tree Alteration or Removal) or;~~
 - ii. Tree alteration or removal is necessary to allow a new principal use that is the minimum necessary to provide a reasonable economic use of the property (See Sec. 8178-7.4.1 General Standards); or
 - iii. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.

Part d of Section 8178-7.7.4 Planned Development Permit shall be modified as follows:

- d. A Tree Protection, Planting, and Monitoring Plan. A Tree Protection, Planting, and Monitoring Plan shall be prepared in the event that a protected tree is ~~approved~~ proposed for removal, alteration, or encroachment and replacement trees will be required or relocation of a protected tree. The Tree Protection, Planting, and Monitoring Plan shall be submitted prior to approval of the Planned Development Permit and shall include the following information:

Attachment 7: Coastal Commission Staff Report
dated December 7, 2016

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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 89 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 585-1800

Th8c



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 original staff report

ADDENDUM

DATE: December 7, 2016
TO: Commissioners and Interested Parties
FROM: South Central Coast District Staff
SUBJECT: Agenda Item 8c, Thursday, December 8, 2016, County of Ventura Local Coastal Program Amendment LCP-4-VNT-16-0033-1

The purpose of this addendum is to make revisions and clarifications to the suggested modifications of the November 17, 2016 staff report.

Revisions to Suggested Modifications

Note: ~~Strikethrough~~ indicates text deleted from the November 17, 2016 staff report pursuant to this addendum and underline indicates text added to the November 17, 2016 staff report pursuant to this addendum.

1) In order to correct an inadvertent error, Land Use Plan Film Production Policy 1 in Suggested Modification Two (2) shall be replaced by the following:

1. Temporary film production activities shall not result in ~~substantial~~ adverse impacts to wetland, ESHA, or ESHA buffer, including indirect effects from outdoor lighting or noise.

2) In order to allow for the alteration or removal of a tree identified as ESHA for habitat restoration purposes, Land Use Plan Tree Protection Policy 3 in Suggested Modification Four (4) and Part a of Section 8178-7.4.2 in Suggested Modification Nine (9) shall be replaced by the following:

Suggested Modification Four (4):

3. The removal of a protected tree that is ESHA, or tree alteration that damages ESHA, shall be prohibited except where:

a. ~~¶~~The tree poses an imminent hazard to life, health, existing structures, or essential public services and where approved through an Emergency Permit;

b. Removal or alteration of the tree is necessary to allow for a principal use or structure, and its associated fuel modification, where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; or

c. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.

Suggested Modification Nine (9):

- a. The alteration or removal of a tree that is ESHA pursuant to Sec. 8178-7.3.1 shall only be permitted when:
 - i. ~~The tree poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety; (See Sec. 8178-7.5.4 Emergency Tree Alteration or Removal);~~
 - ii. Tree alteration or removal is necessary to allow a new principal use that is the minimum necessary to provide a reasonable economic use of the property (See Sec. 8178-7.4.1 General Standards); or
 - iii. Removal or alteration of the tree is a necessary component of an approved habitat restoration plan.

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Th8c

DATE: November 17, 2016

TO: Commissioners and Interested Persons

FROM: Steve Hudson, Deputy Director
Barbara Carey, District Manager
Shana Gray, Planning and Regulation Supervisor
Jacqueline Phelps, Coastal Program Analyst

SUBJECT: County of Ventura Local Coastal Program Amendment No. LCP-4-VNT-16-0033-1 for Public Hearing and Commission Action at the December 8, 2016 Commission Meeting at the Ventura City Council Chambers.

DESCRIPTION OF THE SUBMITTAL

The County of Ventura ("County") is requesting an amendment to the Land Use Plan (LUP) and Implementation Plan (IP) components of its certified Local Coastal Program (LCP) with regard to signs, temporary film production, parking and loading, water efficient landscaping, tree protection, archaeological and paleontological resources, and public noticing. The proposed amendment also includes a new format and organization of the LUP, as well as the correction of grammatical and typographical errors. Specifically, the proposed amendment would amend the text of the LUP, including the addition of objectives, policies, and programs, and would modify the IP to add development standards and procedures relating to the above mentioned subject areas.

The County of Ventura submitted Local Coastal Program Amendment LCP-4-VNT-16-0033-1 to the Commission on June 30, 2016. The amendment proposal was deemed complete and filed on July 14, 2016. At the September 8, 2016 hearing, the Commission granted a one year time extension to act on the subject amendment pursuant to Coastal Act Section 30517 and California Code of Regulations, Title 14, Section 13535(c).

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission **deny** the proposed County of Ventura LCP Amendment No. LCP-4-CPN-16-0033-1 as submitted, and **approve** the proposed amendment with Nine (9) suggested modifications. The modifications are necessary because the proposed amendment to the LUP, as submitted, is not adequate to ensure consistency with the Chapter Three policies of the Coastal Act, and the proposed IP amendment, as submitted, does not conform with and is inadequate to carry out the provisions of the Land Use Plan, as amended. The motions to accomplish this recommendation are found on **Pages 6-9** of this staff report.

As described above, The County of Ventura (“County”) is requesting an amendment to the Land Use Plan (LUP) and Implementation Plan (IP) components of its certified Local Coastal Program (LCP) with regard to signs, temporary film production, parking and loading, water efficient landscaping, tree protection, archaeological and paleontological resources, and public noticing. The proposed amendment also includes a new format and organization of the LUP, as well as the correction of grammatical and typographical errors.

The proposed LCP amendment has been undertaken by the County as part of a series of amendments that are intended to clarify and standardize regulations, update coastal resource policies, improve enforcement of new and existing coastal regulations, and address issues that are not currently addressed within the certified LCP. Within each of the above mentioned subject areas, the County has proposed a number of policies and provisions to protect coastal resources, including sensitive habitat areas, and public access and recreation, from development impacts.

The County proposes to begin the reformatting of the LUP through the creation of a new Coastal Zone Objectives, Policies, and Programs chapter which will contain the currently proposed LUP text relating to archaeology, paleontology, tree protection, and water efficient landscaping. This proposed chapter will also contain a new visual resources section which will contain policies relating to signs. Currently, the LUP is organized by geographic area for the north, central, and south coast, which results in repetition of objectives and policies within each section. The proposed new format is intended to reduce redundancy and improve readability.

The subject amendment would add new policies relating to signs within a proposed visual resources section, as well as within the existing ESHA and access and recreation sections of the LUP. The proposed policies are intended to ensure that adverse impacts to scenic and visual resources, sensitive habitat areas, and public access and recreation are minimized. Additionally, new provisions that define the permit requirements for the different types of signs and that identify the types of signs that are prohibited are proposed within the IP.

Policies relating to temporary film production are proposed within the ESHA and recreation and access sections of the existing area chapters of the LUP, as there are currently no policies within the existing LUP that address potential impacts to sensitive habitat areas and public access that could result from temporary filming activities. Furthermore, the existing standards in the IP do not adequately ensure that film production activities are compatible with surrounding uses. The County has therefore proposed to expand Article 4- Permitted Uses to define a wider range of permitting requirements for more types of film production activities and to add detailed development standards.

The subject LCP amendment would add policies relating to parking and loading to the Recreation and Access sections of the existing area chapters in the LUP, as the existing LUP does not contain any such policies. Additionally, existing standards in the IP would be replaced with new standards. The County has proposed to add several policies and provisions that protect public access, support multimodal transportation, and that require the replacement of parking spaces when new development results in the removal of existing parking.

As California law requires that local jurisdictions adopt a water efficient landscape ordinance (WELO) to improve water savings throughout the State, the County has proposed to add a new Water Efficient Landscaping section within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP, as well as new standards in the IP. The proposed policies and provisions ensure that landscaping is designed, installed, managed, and maintained with a focus on water use efficiency and native habitat compatibility.

The County also proposes to add a new section titled Coastal Tree Protection within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP, as the existing LUP only contains tree protection policies relating to the Santa Monica Mountains area, and the existing IP does not contain any provisions relating to tree protection. The primary purpose of the proposed policies and provisions is to define the types of protected trees and what types of safeguards will be provided for protected trees.

The County proposes to update both the LUP and IP relating to archaeological and paleontological resources. As proposed, the existing policies located in the LUP would be replaced and relocated into the proposed Coastal Zone Objectives, Policies, and Programs chapter. The proposed LUP policies require that new development protect and preserve archaeological resources from destruction and avoid and minimize impacts to such resources. Additionally, existing standards in the IP would be replaced with standards that detail a procedure to determine if resources may be present on the project site, monitoring requirements during construction, and mitigation measures if resources are discovered.

Lastly, the subject amendment would modify the IP to expand the noticing radius to ensure that at least 15 property owners receive notice of proposed projects on nearby properties, even where this requires going beyond 300 feet of the project site.

Commission and County staffs have coordinated extensively on the contents of the subject amendment. During amendment pre-submittal discussions, our respective staffs identified and addressed the key issues, worked out an approach to various procedures, and coordinated on specific language to be included in the subject amendment. As a result, the suggested modifications reflect clarifications primarily, rather than any overarching issues within the amendment. Specifically, the suggested modifications ensure that maximum public access and recreational opportunities will be provided and that new development will not interfere with the public's right to access the coast. Furthermore, the suggested modifications ensure that impacts to sensitive habitats are avoided to the maximum extent feasible and that unavoidable impacts are mitigated.

Additional Information: For further information, please contact Jacqueline Phelps at the South Central Coast District Office of the Coastal Commission at (805) 585-1800. The proposed amendment to the County of Ventura Local Coastal Program (LCP) is available for review at the Ventura Office of the Coastal Commission.

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EXHIBITS

- Exhibit 1.** [County of Ventura Board of Supervisors Resolution No. 16-062](#)
- Exhibit 2.** [County of Ventura Board of Supervisors Ordinance No. 4492](#)
- Exhibit 3.** [Legislative Format of Proposed LUP](#)

I. PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)...” (Section 30512(c))

The Coastal Act further provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter.

...The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30513)

The Commission may suggest modifications... (Section 30513)

The standard of review that the Commission uses in reviewing the adequacy of the Land Use Plan, as the County is proposing to amend it, is whether the Land Use Plan, as amended, would remain consistent with, and meet the requirements of, the policies of Chapter 3 of the Coastal Act. The standard of review for the proposed amendment to the Implementation Plan of the certified Local Coastal Program, pursuant to Section 30513 and 30514 (regarding amendments) of the Coastal Act, is whether the Implementation Plan, with the proposed amendment, would be in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the County of Ventura’s certified Local Coastal Program, as amended.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held seven public outreach meetings regarding the subject amendment request. Additionally, the County held public hearings on the subject amendment request on March 17, 2016 and June 21, 2016. The hearings were noticed to the public consistent with Sections 13551 and 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the County resolution for submittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or that it is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. In this case, because this approval is subject to suggested modifications by the Commission, if the Commission approves the proposed amendment pursuant to the staff recommendation, the County must act to accept the certified suggested modifications within six months from the date of Commission action in order for the amendment to become effective (California Code of Regulations, Title 14, Sections 13544 & 13544.5; and Sections 13542(b) and 13537(b)). If the Commission certifies the proposed LCP Amendment with suggested modifications and the County acts on those suggested modifications, then pursuant to Section 13544 of the Code of Regulations, the Executive Director shall determine whether the County's action is adequate to satisfy all requirements of the Commission's certification order and report on such adequacy to the Commission. Should the Commission deny the LCP Amendment, as submitted, without suggested modifications, no further action is required by either the Commission or the County, and the LCP amendment is not effective.

II. STAFF RECOMMENDATION, MOTIONS, & RESOLUTIONS ON THE LAND USE PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to each resolution.

A. DENIAL OF THE LAND USE PLAN AMENDMENT AS SUBMITTED

Motion:

*I move that the Commission **certify** County of Ventura Land Use Plan Amendment LCP-4-VNT-16-0033-1 as submitted.*

Staff recommends a **NO** vote. Following the staff recommendation on this motion will result in denial of Land Use Plan Amendment LCP-4-VNT-16-0033-1 as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Resolution:

The Commission hereby **denies** certification of Land Use Plan Amendment LCP-4-VNT-16-0033-1, as submitted by the County of Ventura, and adopts the findings set forth below on the grounds that the Land Use Plan amendment, as submitted, does not meet the requirements

of and is not in conformity with the policies of Chapter Three of the Coastal Act. Certification of the Land Use Plan amendment would not meet the requirements of the California Environmental Quality Act because there are feasible alternatives and/or mitigation measures that could substantially lessen any significant adverse impacts that the Land Use Plan amendment may have on the environment.

B. CERTIFICATION OF THE LAND USE PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS

Motion:

*I move that the Commission **certify** County of Ventura Land Use Plan Amendment LCP-4-VNT-16-0033-1, if it is modified as suggested by staff.*

Staff recommends a **YES** vote. Passage of this motion will result in certification of Land Use Plan Amendment LCP-4-VNT-16-0033-1 with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

Resolution:

The Commission hereby **certifies** Amendment LCP-4-VNT-16-0033-1 to the County of Ventura Land Use Plan if modified as suggested and adopts the findings set forth below on the grounds that the Land Use Plan amendment, with suggested modifications, will meet the requirements of and be in conformity with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment, if modified as suggested, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Land Use Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Land Use Plan if modified.

III. STAFF RECOMMENDATION, MOTIONS, & RESOLUTIONS ON THE IMPLEMENTATION PLAN AMENDMENT

Following public hearing, staff recommends the Commission adopt the following resolution and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to each resolution.

A. DENIAL OF THE IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED

Motion:

*I move that the Commission **reject** County of Ventura Implementation Plan Amendment LCP-4-VNT-16-0033-1 as submitted.*

Staff recommends a **YES** vote. Passage of this motion will result in rejection of the Implementation Plan Amendment LCP-4-VNT-16-0033-1 and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby *denies* certification of County of Ventura Implementation Plan Amendment LCP-4-VNT-16-0033-1, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan amendment, as submitted, does not conform with and is inadequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment as submitted.

B. CERTIFICATION OF THE IMPLEMENTATION PLAN AMENDMENT WITH SUGGESTED MODIFICATIONS

Motion:

*I move that the Commission **certify** County of Ventura Implementation Plan Amendment LCP-4-VNT-16-0033-1 if it is modified as suggested by staff.*

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan amendment LCP-4-VNT-16-0033-1 with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby *certifies* the County of Ventura Implementation Plan Amendment LCP-4-VNT-16-0033-1, if modified as suggested, and adopts the findings set forth below on grounds that the Implementation Plan amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, as amended. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan

Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

IV. SUGGESTED MODIFICATIONS

The staff recommends the Commission certify the proposed LUP/IP amendment, with nine (9) modifications as shown below. Language proposed to be added by the County of Ventura in this amendment is shown straight type. Language recommended by Commission staff to be inserted is shown underlined. Language proposed to be added by the County of Ventura, but recommended to not be added by the Commission is shown in ~~Strikethrough~~. Other instructional suggested modifications relating to formatting are shown in *italics*.

A. SUGGESTED MODIFICATIONS TO THE LAND USE PLAN

1. Suggested Modification Number One: Signs

Land Use Plan Sign Policy 1 shall be modified as follows:

1. Signs shall be designed and located to ~~in areas that~~ minimize impacts to scenic resources, including that protect views to and along the ocean and other scenic coastal areas.

Land Use Plan North Coast Area Sign Policy 22, Central Coast Sign Policy 21, and South Coast Sign Policy 26 shall be modified as follows:

Signs that adversely impact public access shall be prohibited ~~located in areas that maintain coastal access~~ except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be temporary and removed once the public safety issue is resolved.

Land Use Plan North Coast Area Sign Policy 24, Central Coast Sign Policy 23, and South Coast Policy Sign 28 shall be modified as follows:

No signs shall be posted on a ~~public~~ beach unless authorized by a coastal development permit. Signs on a ~~public~~ beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

2. Suggested Modification Number Two: Temporary Film Production

Land Use Plan Film Production Policy 1 in the North, Central, and South Coast area shall be modified as follows:

1. Temporary film production activities shall not result in ~~substantial~~ adverse impacts to wetland, ESHA, or ESHA buffer, including indirect effects from outdoor lighting or noise.

Land Use Plan North Coast Area Film Production Policy 11, Central Coast Film Production Policy 10, and South Coast Film Production Policy 15 shall be modified as follows:

~~Temporary film production activities shall result in negligible~~ Impacts to coastal resources, including but not limited to, public recreation facilities, scenic and visual resources, and public coastal beach access ~~to such facilities~~ shall be minimized during temporary film production activities.

3. Suggested Modification Number Three: Parking and Loading

Land Use Plan North Coast Area Parking Policy 17, Central Coast Parking Policy 16, and South Coast Parking Policy 21 shall be modified as follows:

Restrictions on public parking that would impede public coastal access shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety, and there is no other feasible alternative.

4. Suggested Modification Number Four: Tree Protection

Land Use Plan Tree Protection Policy 3 shall be modified as follows:

3. The removal of a protected tree that is ESHA, or tree alteration that damages ESHA, shall be prohibited except where:

- a. ~~¶~~The tree poses an imminent hazard to life, health, existing structures, or essential public services and where approved through an Emergency Permit; or
- b. Removal or alteration of the tree is necessary to allow for a principal use or structure, and its associated fuel modification, where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis.

Land Use Plan Tree Protection Policy 5 shall be modified as follows:

5. Fire Clearance: With the exception of non-native heritage trees, new development shall be located and designed to minimize fire clearance and fuel modification maintenance that requires the removal of a protected tree, or alterations/protected zone encroachments that damage a protected tree. New accessory buildings or uses that extend fire clearance and fuel modification maintenance in a manner that requires the removal of a protected tree shall be prohibited.

B. SUGGESTED MODIFICATION TO THE IMPLEMENTATION PLAN

5. Suggested Modification Number Five: Signs

Part i of Section 8175-5.13.1- Purpose shall be modified as follows:

The following signs are prohibited:

...

i. Any sign that is intended to deter, ~~without legitimate purpose,~~ public access to or along tidelands, shorelines, beaches and public waterways, public trails, public parks, public open space, or public access easements to any of the foregoing locations, except where necessary to direct public access to ensure safety, minimize erosion, and protect ESHA.

The definition of Recreational Area in Section 8172-1- Application of Definitions shall be modified as follows:

Recreational Area – Areas designed for shoreline/beach, water-oriented, passive, and commercial recreation, including but not limited to, multiple-use paths and trails, natural or wilderness parks, and developed parks. active play, amusement or public assembly such as parks, sports fields, picnic grounds, amphitheaters or golf courses. Does not include private single family residential areas. Recreational areas include “public” and “privately-operated” recreational opportunities that are available to the general public.

6. Suggested Modification Number Six: Temporary Film Production

Part B of Section 8175-5.6.1.1 – Planned Development Permit shall be relabeled as number 5, and Part C shall be relabeled as Part B.

7. Suggested Modification Number Seven: Parking and Loading

Section 8176-2.7 – Coastal Access shall be modified as follows:

- a. In order to minimize impacts on the availability of on-street parking for coastal access and recreation, new development shall be designed to include off-street parking spaces sufficient to serve the proposed use.
- b. Existing parking areas serving coastal access and recreational uses shall not be displaced, except where there is no feasible alternative and the loss of parking spaces is mitigated with a commensurate number of replacement spaces that serve a coastal access function in the same vicinity as the removed parking.
- c. Restrictions on public parking, including but not limited to red-curbing, no parking signs, and physical barriers, that would impede public coastal access are prohibited except as follows: where such restrictions are necessary for the protection of public safety.

- i. The parking restriction is necessary to protect public safety or military security, and evidence is provided that demonstrates there is no feasible alternative;
- ii. A temporary parking restriction is necessary to repair, maintain, or upgrade public roads;
- iii. The parking restriction is removed once the public safety issue is resolved or the temporary road repair/maintenance activities are complete; and
- iv. Mitigation is required for permanent parking restrictions.

Sec. 8176-4.4.3 - Fire Apparatus Access shall be modified as follows:

Approved fire apparatus access roads ~~shall be provided when~~ required by the Ventura County Fire Protection District ~~in order to minimize risks to life and property. Fire access roads~~ shall be located, designed and constructed such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Generally, this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.

8. Suggested Modification Number Eight: Water Efficient Landscaping

The definition of Fuel Modification Zone in Section 8172-1- Application of Definitions shall be modified as follows:

Fuel Modification Zone – The area around a structure where the existing vegetation is altered (e.g. brush or vegetation removal, including thinning) ~~pursuant to an approved fuel modification plan. The purpose of the fuel modification zone is to reduce fuel load for fire protection purposes.~~

Section 8178-8.4.2.5.1- Revegetation of Disturbed Areas shall be modified as follows:

Grading activities pursuant to Sec. 8178-8.2(a)(43) that may require the revegetation of disturbed slopes shall be designed and maintained in compliance with the following revegetation measures:

9. Suggested Modification Number Nine: Tree Protection

Section 8178-7.4.1- General Standards shall be modified as follows:

- a. A new principal use or structure shall be sited and designed to avoid damage to a native, historic, and heritage protected trees to the maximum extent feasible, as

evidenced through an alternatives analysis. If there is no feasible alternative that can avoid damage to a protected tree, then the project alternative that would result in the least damage to such a tree shall be selected, and damage to a protected tree that cannot be avoided through implementation of siting and design alternatives shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.

- b. A new principal use or structure shall be sited and designed to avoid damage to protected trees that are classified as ESHA pursuant to Sec. 8178-7.3.1. However, if there is no feasible alternative that can avoid all impacts to a protected tree designated as ESHA, and still allow a principal use or structure that is the minimum necessary to provide a reasonable economic use of the property (as evidenced through an alternatives analysis), then the project alternative that would result in the least damage to such a tree shall be selected. Impacts that cannot be avoided through implementation of siting and design alternatives, including reduction of the building footprint, shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- c. Once the original land use entitlement has been issued for a principally permitted use or structure, and the use has commenced or the structure has been built, an addition or expansion that would require the removal of a protected tree or alteration/protected zone encroachments that damage ~~of a protected native or historical tree~~ shall be prohibited (See Sec. 8178-7.6.1). A heritage tree is excluded from this prohibition.
- d. Development shall be sited and designed to avoid encroachment into the protected zone of a protected tree to the maximum extent feasible ~~except when a qualified tree consultant demonstrates in writing that the encroachment will not damage the protected tree.~~ Encroachments shall be fully mitigated consistent with the mitigation requirements in Section 8178-7.6.
- e. The removal of, ~~or substantial damage to,~~ a protected tree, or alterations/protected zone encroachments that damage a protected tree, shall be prohibited for accessory uses or structures except for existing, legal when such ~~when such~~ structures (See Sec. 8178-7.6.1) ~~were previously approved through a discretionary permit.~~ Notwithstanding the foregoing, a heritage tree may be removed for the purpose of constructing a second dwelling unit.
- f. New discretionary development shall be sited and designed to comply with the following:
 - 1. Irrigation and landscaping shall be prohibited within the protected zone except where the protected tree is tolerant of water, the landscape is comprised of shallow-rooted, herbaceous perennials, bulbs or groundcover, and a qualified tree consultant verifies the protected tree would not be adversely affected by the level of irrigation, compaction of soil, or root disturbance associated with the proposed landscaping.

2. A minimum buffer of five feet from edge of the tree protected zone shall be provided to allow for future growth of a protected tree unless a qualified tree consultant provides justification in writing that the buffer may be decreased in size because the protected tree is regarded as “tolerant” due to the tree species, age, health or location.
 3. New drainage systems shall be directed away from all root zones of all protected trees, replacement offset trees, and transplanted trees.
- g. When a public works project includes the repair or maintenance of drainage devices and road-side slopes, the project may not result in the alteration or removal of a protected tree except as follows:
1. The development is the minimum design necessary to protect existing public roads;
 2. The project avoids removal or alteration of protected trees to the maximum extent feasible, and
 3. All impacts to protected trees are mitigated pursuant to Sec. 8178-7.6.

This provision shall not apply to trees classified as ESHA, which are subject to more protective requirements pursuant to Section 8178-2.

Part a of Section 8178-7.4.2- Tree Removal and Alteration shall be modified as follows:

- a. The alteration or removal of a tree that is ESHA pursuant to Sec. 8178-7.3.1 shall only be permitted when:
 - i. ~~The tree poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety-~~ (See Sec. 8178-7.5.4 Emergency Tree Alteration or Removal) or;
 - ii. Tree alteration or removal is necessary to allow a new principal use that is the minimum necessary to provide a reasonable economic use of the property (See Sec. 8178-7.4.1 General Standards).

Part d of Section 8178-7.7.4 Planned Development Permit shall be modified as follows:

- d. A Tree Protection, Planting, and Monitoring Plan. A Tree Protection, Planting, and Monitoring Plan shall be prepared in the event that a protected tree is ~~approved~~ proposed for removal, alteration, or encroachment and replacement trees will be required or relocation of a protected tree. The Tree Protection, Planting, and Monitoring Plan shall be submitted prior to approval of the Planned Development Permit and shall include the following information:

V. FINDINGS FOR DENIAL OF THE LUP/IP AMENDMENT AS SUBMITTED, AND APPROVAL OF THE LUP/IP AMENDMENT, IF MODIFIED AS SUGGESTED

The following findings support the Commission's denial of the proposed Land Use Plan and Implementation Plan Amendment as submitted, and approval of the Land Use Plan and Implementation Plan Amendment if modified as indicated in Section IV (Suggested Modifications) above. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION AND BACKGROUND

The County of Ventura ("County") is requesting an amendment to the Land Use Plan (LUP) and Implementation Plan (IP) components of its certified Local Coastal Program (LCP) with regard to signs, temporary film production, parking and loading, water efficient landscaping, tree protection, archaeological and paleontological resources, and public noticing. The proposed amendment also includes a new format and organization of the LUP, as well as the correction of grammatical and typographical errors. As described in further detail below, the proposed amendment would amend the text of the LUP, including the addition of objectives, policies, and programs, and would modify the IP to add development standards and procedures relating to the above mentioned subject areas.

The proposed LCP amendment has been undertaken by the County as part of a series of amendments that are intended to clarify and standardize regulations, update coastal resource protection policies, and improve enforcement of new and existing coastal regulations. An additional objective of the subject amendment is to address issues that are not currently addressed within the certified LCP.

Formatting and Organization

The County proposes to begin the reformatting of the LUP through the creation of a new Coastal Zone Objectives, Policies, and Programs chapter which will contain the currently proposed LUP text relating to archaeology, paleontology, tree protection, and water efficient landscaping. This proposed chapter will also contain a new visual resources section which will contain policies relating to signs. Currently, the LUP is organized by geographic area for the north, central, and south coast, which results in repetition of objectives and policies within each section. The proposed new format is intended to reduce redundancy and improve readability.

The County has also proposed to revise the introductory chapters of the LUP to include an updated LCP history, which includes a description of the LCP certification process, as well as descriptions of subsequent LCP amendments. The LUP Summary of Coastal Act Policies chapter which contains the Chapter 3 policies of the Coastal Act is also proposed to be updated to reflect all policies in their entirety.

Signs

The subject amendment would add new policies relating to signs in the proposed visual resources section in the new Coastal Zone Objectives, Policies, and Programs chapter, as there are no

visual resource policies currently in the certified LCP. Sign policies are also proposed within the existing ESHA sections of the North, Central, and South Coast areas of the LUP to ensure that habitat impacts are minimized, as well as within the recreation and access sections to ensure that signs do not block access to beaches, public recreation areas, or trails. Within the IP, Article 4- Permitted Uses would be updated to indicate the types of signs permitted in the various coastal area zones and to define the permit requirements for the different types of signs. Additionally, new standards would be added to Article 5- Development Standards/Conditions- Use, and new definitions would be added to Article 2- Definitions to help interpret and implement the proposed sign regulations.

Temporary Film Production

Policies relating to temporary film production are proposed within the ESHA and recreation and access sections of the existing area chapters of the LUP. There are currently no policies within the existing LUP that address potential impacts to sensitive habitat areas and public access that could result from temporary filming activities. Furthermore, the existing IP does not contain detailed standards, and the existing standards do not adequately ensure that film production activities are compatible with surrounding uses. The County has therefore proposed to expand Article 4- Permitted Uses to define a wider range of permitting requirements for more types of film production activities, added detailed development standards to Article 5- Development Standards/Conditions- Use, as well as definitions to Article 2- Definitions.

Parking and Loading

As proposed, the subject amendment would add parking policies to the recreation and access sections of the existing area chapters in the LUP, as the existing LUP does not contain any such policies. The proposed policies address public access parking, shared parking, and multimodal transportation. In order to address parking challenges within the County's existing residential and commercial areas that currently lack adequate parking, the existing standards in Article 6- Parking, Access, and Landscaping of the IP would be replaced with new standards. Lastly, Article 2- Definitions would be modified to include definitions relating to parking and loading.

Water Efficient Landscaping

California law requires that local jurisdictions adopt a water efficient landscape ordinance (WELO) to improve water savings throughout the State. As such, the County proposes to add a new Water Efficient Landscaping section within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP, as well as new standards in Article 8- Development Standards/Conditions- Resource Protection of the IP, to ensure that landscaping is designed, installed, managed, and maintained with a focus on water use efficiency and native habitat compatibility. Article 2- Definitions is also proposed to be modified to include definitions relating to landscaping.

Tree Protection

The County proposes to add a new section titled Coastal Tree Protection within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP. Within the existing LUP, tree protection policies only apply within the Santa Monica Mountains (M) Overlay zone, and the

existing IP does not contain any provisions relating to tree protection. The primary purpose of the proposed policies and provisions is to define the types of protected trees and what types of safeguards will be provided for protected trees. Specifically, Article 8- Development Standards/Conditions- Resource Protection is proposed to be modified to include a new section for tree protection standards, and Article 2- Definitions is proposed to be modified to include new definitions. Lastly, Article 4- Permitted Uses would be modified to indicate the permit requirements for tree alteration, which includes trimming, pruning, cutting, and removal.

Archaeological and Paleontological Resources

The County proposes to update both the LUP and IP relating to archaeological and paleontological resources. Specifically, the existing policies located in the area sections of the LUP would be replaced and relocated into the proposed Coastal Zone Objectives, Policies, and Programs chapter. Existing development standards in Article 8- Development Standards/Conditions- Resource Protection would be replaced, and new definitions would be added to Article 2- Definitions. The proposed policies and provisions are intended to ensure that impacts to archaeological and paleontological resources are avoided.

Public Noticing

The County proposes to expand the radius of noticing required. Currently, the IP requires that notice be given to all properties located within 300 feet of the project site. As proposed, the subject amendment would modify the IP to expand the noticing radius to ensure that at least 15 property owners receive notice of proposed projects on nearby properties, even where this requires going beyond 300 feet of the project site.

Background

The subject LCP amendment is Phase 2A of an ongoing comprehensive update to the County's LCP. As mentioned above, the County submitted LCP amendment LCP-4-VNT-16-0033-1 (Phase 2A) to the Commission on June 30, 2016. The amendment proposal was deemed complete and filed on July 14, 2016. At the September 8, 2016 hearing, the Commission granted a one year time extension to act on the subject amendment pursuant to Coastal Act Section 30517 and California Code of Regulations, Title 14, Section 13535(c).

Phase 1 of the update (VNT-MAJ-2-12) was certified by the Commission in February of 2013. This amendment modified the IP portion of the LCP relating to non-controversial updates and clean-up changes to enhance implementation by making the IP more precise and user-friendly, and by accurately reflecting current policies and procedures.

Phase 2B of the update is anticipated to include policies and provisions relating to the California Coastal Trail, Environmentally Sensitive Habitat Areas (ESHA), and Wireless Telecommunication Facilities. Furthermore, the County was awarded grant funding through Round 3 of the Local Coastal Program Local Assistance Grant to support the completion of a sea level rise vulnerability assessment, adaptation plan, and draft LUP policies.

Commission and County staffs coordinated extensively on the contents of the subject amendment. During amendment pre-submittal discussions, our respective staffs identified and addressed the key issues, worked out an approach to various procedures, and coordinated on specific language to be included in the subject amendment. As a result, the suggested modifications reflect clarifications primarily, rather than any overarching issues within the amendment.

B. PUBLIC ACCESS AND RECREATION

The proposed amendment raises issues with the following Coastal Act policies:

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212.5 of the Coastal Act states:

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Section 30213 of the Coastal Act states (in relevant part):

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30214 of the Coastal Act states:

(a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:

- (1) Topographic and geologic site characteristics.*
- (2) The capacity of the site to sustain use and at what level of intensity.*
- (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.*

(4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.

(b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. ...

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30222 of the Coastal Act states:

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

The protection, enhancement, and provision of public access and recreation is one of the strongest mandates of the Coastal Act. The above referenced Coastal Act sections mandate that maximum public access and recreational opportunities be provided.

Parking and Loading

The subject LCP amendment would add policies relating to parking and loading to the Recreation and Access sections of the existing area chapters in the LUP, as the existing LUP does not contain any such policies. The County has proposed to add several polices that protect

public access and support multimodal transportation, including a policy which requires that new development and intensifications of use provide off-street parking to satisfy new parking demand, as well as a policy that requires the replacement of parking spaces within the immediate vicinity when new development results in the removal of existing parking. The County has also proposed to amend the IP to add new definitions relating to parking and loading to Article 2- Definitions, and to replace the existing parking standards in Article 6-Parking, Access, and Landscaping to address parking challenges within the County's existing residential and commercial areas, public access parking, and multimodal transportation.

Within the Coastal Zone of the County there are several small scale existing commercial areas that are located within residential neighborhoods. Currently, most of these commercial establishments are located on small lots which do not have adequate area to meet the parking standards. In order to support the preservation of this existing small-scale commercial development, the County has also proposed policies and provisions to allow exceptions to the off-street parking requirements when there is a change from one commercial use to another if the applicant can demonstrate through a parking study that the increased number of vehicles generated by the project will not impact coastal access parking.

In order to maximize opportunities for public access, the County has proposed a policy and implementing provision that require that new commercial, multifamily residential or mixed-use development provide on-site bus stops, bicycle storage, and other programs that support alternative modes of transportation, as well as language that promotes shared parking between several uses when parking demands occur at different times.

Additionally, the County has proposed a policy and implementing provision to prohibit restrictions that would impede public access. However, as proposed, the restriction of public access would be allowed when necessary for public safety without consideration of alternatives to avoid the restriction, and without the requirement for the restriction to be removed once the public safety issue has been resolved. Therefore, **Suggested Modification Three (3) and Suggested Modification Seven (7)** clarify that any restriction on public parking that would impede public coastal access, including red-curbings, no parking signs, and physical barriers are prohibited except where there is no feasible alternative to protect public safety or military security, the impact is mitigated, and the restriction is removed once the public safety issue is resolved.

Temporary Film Production

Policies relating to temporary film production are proposed within the ESHA and recreation and access sections of the existing area chapters of the LUP. The existing LUP does not contain policies that address potential impacts to sensitive habitat areas and public access that could result from temporary filming activities. Furthermore, the existing standards in the IP do not adequately ensure that film production activities are compatible with surrounding uses. The County has therefore proposed to expand Article 4- Permitted Uses to define a wider range of permitting requirements for more types of film production activities, added detailed development standards to Article 5- Development Standards/Conditions- Use, as well as definitions to Article 2- Definitions.

In order to minimize impacts to public access and recreation that could result from a temporary event such as filming, the County has proposed policies and provisions that are generally consistent with the *Guidelines for the Exclusion of Temporary Events from Coastal Development Permit Requirements* which were adopted by the Commission in 1993 to apply to areas in which the Coastal Commission retains permit authority. These guidelines define a temporary event as an activity or use that constitutes development as defined in Section 30106 of the Coastal Act that is of limited duration, and involves the placement of non-permanent structures and/or involves exclusive use of a sandy beach, parkland, filled tidelands, water, streets or parking area which is otherwise open and available for general public use. The Commission adopted its 1993 Temporary Event Guidelines to identify the types of temporary events that may be exempt from CDP requirements and those types of temporary events which have the potential for significant adverse impacts to public access. Generally, under the guidelines, a coastal development permit may be required for temporary events that are scheduled during the peak summer season (Memorial Day through Labor Day), occupy all or a portion of the beach area, and involve a charge for general public admission. The Guidelines also identify circumstances in which the Executive Director may determine that a permit is required due to potential individual or cumulative impacts to coastal resources.

The County has proposed policies and provisions to maintain public access to and along the coast, including areas up and down the coast from the site of filming activities. The County has also proposed a policy that requires film production activities result in negligible impacts to coastal resources, public recreation facilities, and public access to such facilities. However, to ensure that maximum public access and recreational opportunities are provided, **Suggested Modification Two (2)** clarifies that filming activities must minimize impacts to recreational facilities, as well as public beach access.

Within the IP, the County has defined film production as an activity of limited duration that does not include the placement of permanent structures. The proposed policies and provisions allow limited filming on the beach during the summer months, provided that such activities do not preclude the public from using the beach or negatively affect coastal access to the beach. Specifically, film production activities on the beach are prohibited during summer holidays and weekends, but allowed during summer weekdays, provided that the applicant can demonstrate that public access to the beach will not be restricted and that coastal access parking will not be displaced.

Section 8175-5.6.1.1 of the IP specifies that a planned development permit would be required for film activities that (1) last more than 14 days and less than 180 days in duration; (2) may directly or indirectly impact ESHA; (3) would include grading or landform alteration; (4) would restrict public access to public recreation areas, or (5) would result in inadequate coastal access parking. However, as proposed, number five of this list is mislabeled as part b. To ensure accurate implementation of the proposed measure, **Suggested Modification Six (6)** requires the reformatting of this policy.

Signs

The subject LUP amendment would add new policies relating to signs in the existing recreation and access sections of the North, Central, and South Coast areas of the LUP. The proposed policies are intended to ensure that adequate signs are provided to identify the location of coastal access opportunities and to ensure maximum public access. Specifically, the proposed policies require that coastal access signage be posted in conspicuous areas to ensure that visitors are directed to coastal access parking, beach access points, and public trails, and that the California Coastal Trail should be demarcated by distinct signage, including usage of the Commission's coastal access logo.

The proposed IP amendment would add new standards to Article 5- Development Standards/Conditions- Use, and new definitions to Article 2- Definitions. Furthermore, Article 4- Permitted Uses would be updated to indicate the types of signs permitted in the various coastal area zones, and to define the permit requirements for the different types of signs. The existing IP requires a discretionary permit for all proposed signs, however as proposed in the subject amendment, there would be different permitting requirements for the various types of signs. Signs which are affixed to a permitted building or structure and temporary signs, such as real estate, construction, and political signs are exempt from permitting requirements, provided the content does not adversely impact coastal access. A zoning clearance (ministerial process) would be required for signs that meet certain size and location and which do not involve a risk of adverse environmental impacts, such as signs are affixed to a permitted building or structure. A planned development permit would be required for all freestanding signs, illuminated signs, and sign programs.

The County has proposed a policy in each of the Area Plan sections of the LUP which requires that signs maintain coastal access, however the subject policy also allows for the placement of signs that may adversely impact public access to protect public safety. In order to ensure that signs do not restrict or deter public access unnecessarily, or for an extended period of time, **Suggested Modification One (1)** clarifies that signs which adversely impact public access are prohibited, except where there is no feasible alternative to protect public safety, when the impact is mitigated, and the temporary restriction is removed once the public safety issue is resolved.

The County has also proposed a policy, which prohibits the placement of signs on any public beach that: (1) purport to identify the boundary between state tidelands and private property, or (2) indicate that access to state tidelands or public easement areas is restricted. Furthermore, proposed IP Section 8175-5.13.3, which identifies the types of signs that are prohibited, includes a provision that prohibits signs posted "without legitimate purpose" that are intended to deter public access to public recreational areas. The posting of signs that attempt to limit, or that erroneously place restrictions, on public access have an adverse effect on the ability of the public to access public trust lands. Therefore to preserve the public's ability for maximum public access, **Suggested Modification One (1)** and **Suggested Modification Five (5)** prohibit the placement of signs that deter public access to or along public trust lands, irrespective if there is a perceived legitimate purpose, except where necessary to direct public access to ensure safety, minimize erosion, and protect ESHA. Furthermore, in order to clarify the types of areas that constitute recreational areas, **Suggested Modification Five (5)** modifies the proposed definition of

recreational area to include additional locations such as the shoreline, beach, and natural or wilderness parks.

Conclusion

In conclusion, for all of the reasons stated above, the Commission finds that (1) the Land Use Plan amendment, only as suggested to be modified, would remain consistent with the public access and recreation policies of Chapter 3 of the Coastal Act; and (2) the Implementation Plan amendment, only as suggested to be modified, conforms with and is adequate to carry out the public access and recreation policies of the certified Land Use Plan, as amended.

C. BIOLOGICAL RESOURCES

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreation, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233 of the Coastal Act states (in relevant part):

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

- (2) *Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) *In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (4) *Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (5) *Mineral extraction, including sand for beaches, except in environmentally sensitive areas.*
- (6) *Restoration purposes.*
- (7) *Nature study, aquaculture, or similar resource dependent activities.*

...

Section 30240 of the Coastal Act states:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*
- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Coastal Act Section 30240(a) includes strong protections for environmentally sensitive habitat areas (ESHA) and limits uses in such areas to resource-dependent uses. Coastal Act Section 30230 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. Additionally, Section 30231 of the Coastal Act requires that the biological productivity and quality of coastal waters be maintained. Further, Section 30233 of the Coastal Act limits the fill of wetlands to specific, enumerated uses and also requires that any project that results in fill of wetland provide adequate mitigation, and that the project be the least environmentally damaging alternative.

Tree Protection

The County proposes to add a new section titled Coastal Tree Protection within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP. Within the existing LUP, tree protection policies only apply within the Santa Monica Mountains (M) Overlay zone, and the

existing IP does not contain any provisions relating to tree protection. The primary purpose of the proposed policies and provisions is to define the types of protected trees and what types of safeguards will be provided for protected trees. Specifically, Article 8- Development Standards/Conditions- Resource Protection is proposed to be modified to include a new section for tree protection standards and Article 2- Definitions of the IP is proposed to be modified to include new definitions. Lastly, Article 4- Permitted Uses would be modified to indicate the permit requirements for tree alteration, which includes the trimming, pruning, cutting, and removal. Tree appendix (T1), which contains additional standards from tree removal, alteration, and planting, is also proposed.

Proposed Tree Protection Policy 2 identifies the types of protected trees, which include (1) trees that contribute to the function and habitat value of ESHA, (2) Native trees, (3) non-native historical trees, and (4) non-native heritage trees. All non-native trees, other than those that are included in a category listed above, would not be designated as a protected tree. In addition to defining protected trees, the proposed LUP policies address required fire department fuel modification clearance, when a protected tree may be removed or altered, and mitigation requirements for the removal or alteration of a protected tree.

Tree Protection Policy 3 and IP Section 8178-7.4.1 address when a protected tree designated as ESHA may be removed. As proposed, a tree designated as ESHA may only be removed when the tree poses an imminent hazard to life, health, existing structures, or essential public services, when there is no feasible alternative to protect public health and safety, through the emergency permit process. Coastal Act Section 30240 restricts development within ESHA to only those uses that are dependent on the resource. In certain instances, application of Section 30240 by itself would require the denial of a project because the project would result in significant disruption of habitat values and is not a use dependent on those sensitive habitat resources. However, although a proposed project may not be dependent on the resource, in certain instances, a principal structure may be approved to allow the applicant a reasonable economic use of the property, in conformity with Public Resources Code section 30010; however, such a structure may only be approved when the development is sited and designed to minimize adverse impacts to ESHA and when mitigation measures are required for the loss of ESHA. As mentioned above, Tree Protection Policy 3 and IP Section 8178-7.4.1 address when a protected tree designated as ESHA may be removed; however as proposed, removal of a protected tree designated as ESHA would not be allowed to provide an applicant with a reasonable economic use of the property. Since the removal of a protected tree designated as ESHA would not be allowed under such circumstances, **Suggested Modification Four (4) and Suggested Modification Nine (9)** modify the proposed language to clarify that the removal of a protected tree that is designated as ESHA may be permitted to allow for a principal use or structure where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by an alternatives analysis. Furthermore, to ensure internal consistency within the IP, and to further clarify when a protected tree designated as ESHA may be removed, Suggested Modification Nine (9), adds a reference to Section 8178-7.4.1 in Section 8178-7.4.2(a).

As mentioned above, the proposed policies and provisions require an alternatives analysis, as well as the implementation of siting and design alternatives in order to avoid impacts to protected trees, including those which result from the encroachment of development into the trees

protected zone. Specifically, Section 8178-7.4.1 requires that development be sited and designed to avoid encroachment into the protected zone of a protected tree to the maximum extent feasible, except when a qualified tree consultant demonstrates that the encroachment will not damage the protected tree. However, in addition to the immediate physical damage, encroachments into the trees protected zone have the potential to adversely impact the health of the tree over a longer timeframe. Given that there is a potential for these additional health impacts to a tree from encroachment, Suggested Modification Nine (9), requires that tree encroachments are avoided to the maximum extent feasible, removes the exception for encroachments with verification from a tree consultant, and requires that encroachments are mitigated. Furthermore, Suggested Modification Four (4), clarifies that fuel modification activities required for new development be sited and designed to minimize impacts to protected trees, including those that may result from alteration/protected zone encroachment.

The proposed policies and provisions require mitigation when an approved development results in the loss or degraded health of a protected tree. Mitigation is required for encroachment into a trees protected zone, and a mitigation ratio of 10:1 is required for unavoidable native tree removal. Mitigation measures require the replacement of the damaged trees onsite, and allow for offsite mitigation when onsite mitigation is infeasible. In special circumstances, when no appropriate on or offsite locations are identified for tree replacement, mitigation may occur in the form of an in-lieu fee. As described in Section 8178-7.6, the proposed in-lieu fee program would only be implemented on protected land, such as public land or land owned by a conservation organization, that is restricted from development, and located within the Coastal Zone of Ventura County. The proposed fee calculation includes the cost to replace the subject tree, as well as the cost associated with maintenance and monitoring for a 10-year period. Furthermore, funds allocated from the in-lieu fee program may only be awarded to public agencies or conservation organizations. Section 8178-7.7.4 describes the measures that must be included within a mitigation and monitoring plan. As proposed, such a plan would be only be required when a protected tree is removed. However, in order to ensure that adequate mitigation is implemented for all impacts to protected trees, Suggested Modification Nine (9) requires that the required mitigation and monitoring plan also address impacts to protected trees that result from alteration and encroachments.

In addition to the proposed policies and provisions which require avoidance and minimization of impacts, as well as mitigation measures, the County has also proposed language which requires implementation of tree protection measures during construction. These measures include, but are not limited to, fencing the tree protected zone and employing a qualified biologist or ornithologist to monitor construction activities that are within or adjacent to the construction area. Furthermore, proposed Tree Protection Policy 1 requires the removal or alteration of a tree to occur outside of the bird nesting season (January 1- September 15).

Water Efficient Landscaping

The County proposes to add a new Water Efficient Landscaping section within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP. A new section for landscaping standards and regulations is also proposed in Article 8- Development Standards/Conditions- Resource Protection to ensure that landscaping is designed, installed,

managed, and maintained with a focus on water use efficiency and native habitat compatibility. The County has also proposed to add definitions relating to landscaping in Article 2- Definitions, as well as landscaping appendices (L1-L7).

The County has proposed the subject policies and provisions in response to Executive Order B-29-15, which requires local jurisdictions adopt a Water Efficient Landscape Ordinance (WELO) to increase water efficiency through more efficient irrigation systems, greywater usage, onsite storm water capture, and by limiting the amount of landscape that can be turf. Consistent with the State WELO, the proposed policies and provisions would establish standards for planting, designing, installing, maintaining, and managing landscaping. Landscaping plans would be required for discretionary development projects including, but not limited to, new residential development with a landscape area greater than 500 square feet and all development located within 1,000 feet of publically owned park lands in the Santa Monica Mountains.

Proposed Landscaping Policy 10 prohibits the use of invasive plants, and any proposed landscaping located within 100 feet of ESHA, would be required to utilize locally-indigenous native plant species, as recommended by a biologist. In all other areas, Landscaping Policy 8 requires that the plant palette consist of native, drought tolerant species. Three exceptions to this requirement are proposed, and include (1) non-native landscaping may be located within an approved building envelope, (2) drought tolerant and fire resistant species may be used in a fuel modification zone, except when the fuel modification zone is located within an ESHA buffer, and (3) when located in areas not conducive to native plant establishment.

The proposed amendment includes definitions of fuel modification and fuel modification zone. As proposed in Article 2, Fuel Modification is a method of modifying fuel load by reducing the amount of non-fire resistive vegetation or altering the type of vegetation to reduce the fuel load. Within the Coastal Zone of the County, fuel modification occurs predominately within the Santa Monica Mountains. When native vegetation is cleared and replaced or substantially removed its habitat value is reduced. As such, **Suggested Modification Eight (8)** requires modifications to the proposed definition of Fuel Modification Zone to clarify that fuel modification includes the removal of brush or vegetation, including trimming. Furthermore, **Suggested Modification Seven (7)** requires that any fire apparatus roads required by the Ventura County Fire Protection District only be approved if they are designed and located such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Lastly, Suggested Modification Eight (8) is required to correct an incorrect reference to Section 8178-8.4.2.5.1, which requires that grading activities be revegetated in order to minimize erosion.

Temporary Film Production

As described in Section A, film production activities would be allowed throughout the County on a temporary basis. Within each of the existing Area Plan sections of the LUP, the County has proposed a policy to ensure that temporary film production activities do not adversely impact ESHA, or ESHA buffer. However, **Suggested Modification Two (2)** is required to ensure that temporary filming activities do not also adversely impact wetland habitats. As proposed, a planned development permit would be required for filming activities that may directly or indirectly impact ESHA. Furthermore, Section 8175-5.6.1.2.1 requires that film production

activities are located a minimum of 100 feet from all tide pools, sand dunes, and tributaries, and outside of ESHA and ESHA buffer.

Conclusion

In conclusion, for all of the reasons stated above, the Commission finds that (1) the Land Use Plan amendment, only as suggested to be modified, would remain consistent with the ESHA and wetland protection policies of Chapter 3 of the Coastal Act; and (2) the Implementation Plan amendment, only as suggested to be modified, conforms with and is adequate to carry out the resource protection policies of the certified Land Use Plan, as amended.

D. ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

Section 30244 of the Coastal Act states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Section 30244 of the Coastal Act requires the protection of archaeological and paleontological resources and the implementation of mitigation measures to avoid or minimize any impacts.

The County proposes to update both the LUP and IP relating to archaeological and paleontological resources. Specifically, the existing policies located in the area sections of the LUP would be replaced and relocated into the proposed Coastal Zone Objectives, Policies, and Programs chapter. Existing development standards in Article 8- Development Standards/Conditions- Resource Protection would be replaced, and new definitions would be added to Article 2- Definitions.

The Coastal Zone of Ventura County, including the greater Santa Monica Mountain area, is includes some of the most important concentrations of archaeological sites in Southern California. Although most of the area has not been systematically surveyed to compile an inventory, the sites already recorded are sufficient in both numbers and diversity to predict the ultimate significance of these unique resources in the County. As so many archaeological sites have been destroyed or damaged as a result of development activity or natural processes, the remaining sites, even if they are less rich in materials, have become increasingly valuable. Additionally, because archaeological sites, if studied collectively, may provide information on subsistence and settlement patterns, the loss of individual sites can reduce the scientific value of the sites that remain intact. Furthermore, several significant paleontological resources that have been discovered in the Coastal Zone of the County are “type” specimens, which are utilized as the example specimen against which all other finds of the same animal are compared. These paleontological resources are critical for determining prehistoric organism evolution, as well as seismic and sea level movement.

New development on natural sites or additional development on natural areas of developed sites can damage or destroy cultural resources. Site preparation can disturb and/or obliterate

archaeological materials to such an extent that the information that could have been derived would be lost. If a project is not properly monitored and managed during construction activities, these resources can be degraded or destroyed. The proposed LUP policies require that new development protect and preserve archaeological resources from destruction and avoid and minimize impacts to such resources. The proposed IP provisions require a detailed procedure to determine if archaeological resources may be present on the project site. If cultural resources are identified on the project site, the development must be designed to protect or avoid such resources, and where project alternatives cannot avoid all impacts to archaeological resources, reasonable mitigation measures shall be required. In addition, the proposed policies require consultation with Native American tribal groups when a development has the potential to adversely impact archaeological resources. In the event that archaeological resources are discovered, the proposed provisions require mitigation measures that include preservation in place or recovery and curation. Furthermore, in the event of discovery of Native American remains or of grave goods, State law shall apply.

With regard to paleontological resources, if the development process would potentially unearth such resources, then the proposed IP outlines a procedure that requires a qualified paleontologist to identify the significance of the resource and monitor that resource during the development process to ensure that important fossils that are exposed are protected. Furthermore, the proposed IP provisions require mitigation measures including protection of the resource in place through an easement or other legal instrument, and recovery and curation to ensure appropriate treatment of paleontological resources.

Therefore, in conclusion, the Commission finds that the archaeological and paleontological policies of the Land Use Plan, as proposed, meet the requirements of and conform with Section 30244 of the Coastal Act. Furthermore, the archaeological and paleontological resource provisions of the IP are consistent with and adequate to carry out the applicable policies of the LUP, as amended.

E. SCENIC AND VISUAL RESOURCES

Coastal Act Section 30251 states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

Signs

As proposed, the subject amendment would add a new Visual Resource Section within the proposed Coastal Zone Objectives, Policies, and Programs chapter in the LUP, as there are no visual resource policies in the certified LCP. Three policies relating to signs are proposed in this section. Additionally, new standards relating to signs, including types of signs permitted in the various coastal area zones, as well as the permit requirements for the different types of signs, are proposed in the IP.

The placement of signs can adversely impact scenic and visual resources, if the type, location, and number of signs are not regulated. As such, the County has proposed Visual Resource Sign Policy 2, which requires that signs are visually compatible with the surrounding environment, as well as provisions that establish the allowed number, dimension, and height for allowed signs. Furthermore, any sign that obstructs public views to scenic resources and any sign located in the public right of way (with limited exceptions for information and safety) are prohibited.

In order to further ensure that signs minimize impacts to scenic resources, the County has proposed Visual Resource Sign Policy 1, which requires that signs be located to minimize impacts to scenic resources to and along the ocean. However, in order to clarify that signs must also be designed to minimize impacts to other scenic coastal areas, in addition to those to and along the ocean, **Suggested Modification One (1)** is required.

In conclusion, for all of the reasons stated above, the Commission finds that (1) the Land Use Plan amendment, only as suggested to be modified, would remain consistent with the scenic and visual resource protection policies of Chapter 3 of the Coastal Act; and (2) the Implementation Plan amendment, conforms with and is adequate to carry out the scenic and visual resource protection policies of the certified Land Use Plan, as amended.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 21080.9 of the California Public Resources Code (PRC) - within the California Environmental Quality Act (CEQA) - exempts local governments from the requirement of preparing an environmental impact report (EIR) in connection with their activities and approvals necessary for the preparation and adoption of a local coastal program (LCP). Instead, the CEQA responsibilities are assigned to the Coastal Commission. However, because the California Natural Resources Agency found the Commission's LCP review and approval program to be functionally equivalent to the EIR process (see 14 C.C.R. Section 15251(f)), PRC Section 21080.5 relieves the Commission of the responsibility to prepare an EIR for its actions on proposed LCP amendments. Nevertheless, some elements of CEQA continue to apply to this review process.

Specifically, pursuant to CEQA and the Commission's regulations (see 14 C.C.R. Sections 13540(f), 13542(a), and 13555(b)), the Commission's certification of this LCP amendment must be based in part on a finding that it meets the CEQA requirements listed in PRC Section 21080.5(d)(2)(A). That section requires that the Commission not approve or adopt an LCP:

...if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed amendment is to the County of Ventura's certified Local Coastal Program Land Use Plan and Implementation Plan. For the reasons discussed in this report, the LUP amendment, as submitted, is inconsistent with the applicable policies of the Coastal Act, and the proposed amendment to the IP does not conform with the certified Land Use Plan, as amended. Additionally, feasible alternatives are available that would lessen any significant adverse effects which the approval would have on the environment. The Commission has, therefore, modified the proposed LCP amendment to include such feasible measures adequate to ensure that such environmental impacts of new development are minimized. As discussed in the preceding section, the Commission's suggested modifications and its balancing of the impacts of the different options brings the proposed amendment to the Land Use Plan into conformity with the Coastal Act, brings the Implementation Plan into conformity with the certified Land Use Plan, and incorporates all feasible mitigation measures and alternatives in a manner that substantially lessens any significant adverse effects of the LCP amendment on the environment. Therefore, the Commission finds that the LCP amendment, as modified, is consistent with CEQA.

RESOLUTION NO. 16-062

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF VENTURA APPROVING PHASE 2A AMENDMENTS TO THE
VENTURA COUNTY COASTAL AREA PLAN (PL12-0158)**

WHEREAS, the County of Ventura ("County") has prepared amendments to the objectives, policies and programs of the County's certified Coastal Area Plan ("CAP Amendments") as shown in Exhibits 5 (in legislative format) and 7 (in clean format) to the June 21, 2016 Ventura County Board of Supervisors letter as part of the County's Phase 2A amendments to its Local Coastal Program ("Phase 2A Amendments");

WHEREAS, on March 17, 2016, the County Planning Commission held a legally noticed public hearing regarding the Phase 2A Amendments, including the CAP Amendments, at which time it heard and received oral and written testimony from the general public and County staff, including the staff report and all exhibits;

WHEREAS, the County Planning Commission voted 5-0 to recommend that the County Board of Supervisors ("Board") approve and adopt the Phase 2A Amendments, including the CAP Amendments;

WHEREAS, the Board held a legally noticed public hearing regarding the Phase 2A Amendments, including the CAP Amendments, in Ventura, California, on June 21, 2016; and

WHEREAS, the Board considered the Planning Commission's recommendation as well as all written and oral testimony from County staff and members of the public regarding the Phase 2A Amendments, including the CAP Amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Board:

1. **FINDS** that the County's approval of the CAP Amendments is exempt from the California Environmental Quality Act pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265;
2. **FINDS** that the CAP Amendments are consistent with the California Coastal Act, including the policies stated in Chapter 3 thereof; are in the public interest, and are consistent with the goals, policies and programs of the Ventura County General Plan.
3. **APPROVES** the amended CAP in the form attached as Exhibit 7 to the June 21, 2016 Board letter regarding the Phase 2A Amendments.

Exhibit 1 LCP-4-VNT-16-0033-1 County of Ventura Board of Supervisors Resolution No. 16-062

Exhibit 2 - Resolution Approving Phase 2A Amendments to Coastal Area Plan

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Upon a motion by Supervisor Bennett, and seconded by Supervisor Dony, duly carried, the foregoing Resolution was passed and adopted this 21st day of June, 2016.

Linda Parks
Supervisor Linda Parks
Chair, Board of Supervisors
County of Ventura

ATTEST:

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

By: Tom Gaines
Deputy Clerk of the Board



ORDINANCE NO. 4492

AN ORDINANCE OF THE VENTURA COUNTY BOARD OF SUPERVISORS AMENDING DIVISION 8, CHAPTER 1.1, ARTICLES 2, 4, 5, 6, 7, 8, 11, AND 12 OF THE VENTURA COUNTY ORDINANCE CODE, COASTAL ZONING ORDINANCE.

Section 1
ARTICLE 2 – DEFINITIONS

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

Albedo – A measure of a material’s ability to reflect sunlight on a scale of zero to one, with a value of 0.0 indicating the surface absorbs all solar radiation (e.g. charcoal) and a value of 1.0 representing total reflectivity (e.g. snow).

Alluvium – A deposit of clay, silts, sand, and gravel left by flowing streams in a river valley or delta, but may be deposited at any point where the river overflows its banks. Loose alluvial material that is deposited or cemented into a lithological unit, or lithofied, is called an alluvial deposit.

Alternatives Analysis - The evaluation of a range of alternatives (e.g., strategies) with the objective of selecting the least environmentally damaging feasible alternative.

Applied Water - The portion of water supplied by the irrigation system to the *landscape area*.

Aquaculture – A form of agriculture devoted to the propagation, cultivation, maintenance, and harvesting of aquatic plants and animals in marine, brackish, and fresh water. "Aquaculture" does not include species of ornamental marine or freshwater plants and animals not utilized for human consumption or bait purposes that are maintained in closed systems for personal, pet industry, or hobby purposes.

Archaeological Resource – The material remains (artifacts, structures, refuse, etc.) produced purposely or accidentally by members of human cultures predating the 19th century with one or more of the following characteristics:

1. Possessing a special quality such as oldest, best example, largest, or last surviving example of its kind;
2. Are at least 100 years old; and possessing substantial stratigraphic integrity;
3. Are significant to Chumash or Native American prehistory or history;
4. Are significant to the maritime history of California including European exploration, Spanish Colonial and Mission period, Mexican period, and United States statehood.
5. Contain sacred, burial ground, traditional ceremonial material gathering sites, or other significant artifacts;
6. Relate to significant events or persons;
7. Are of specific local importance;

Exhibit 3 – Ordinance 4492
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Exhibit 2 LCP-4-VNT-16-0033-1 County of Ventura Board of Supervisors Ordinance No. 4492
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8. Have yielded, or may be likely to yield, information in prehistory or history;
9. Can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable research questions; or
10. Involve important research questions that historical research has shown can be answered only with archaeological methods.

Archaeologist, Qualified Consultant – A consultant who meets one or more of the following professional qualifications in archeology, subject to approval of the Planning Director:

1. Holds an advanced degree from an accredited institution (M.A., M.S., Ph.D.) in Archaeology, Anthropology, or related discipline;
2. Holds a B.A. or B.S. degree including 12 semester units in supervised archaeology field work experience; or
3. Has at least five years of relevant research in field work experience or presents evidence of professional certification or listing on a Register of Professional Archaeologists (ROPA) as recognized by the Society for American Archaeology (SAA), Society of Professional Archeologists (SOPA), the Society for Historical Archaeology (SHA), and the governing board of the Archaeological Institute of America (AIA).

Artificial Fill - A layer of well-graded soil material that is designed and compacted to engineered specifications in order to support a roadbed, building, or other improvement or structure.

Artificial Turf - A man-made surface manufactured from synthetic materials which simulate the appearance of live *turf*, grass, sod, or lawn.

Assembly Use – A building or structure where groups of individuals voluntarily meet to pursue their common social, educational, religious, or other interests. For the purpose of this definition, assembly uses include but are not limited to libraries, schools and hospitals, and do not include Temporary Outdoor Festivals or Outdoor Sporting Events.

Backflow Prevention Device - A safety device used to prevent contamination of the drinking water supply system due to the reverse flow of water from the irrigation system.

Bed rock – The relatively solid, undisturbed rock in place either at the ground surface or beneath superficial deposits of alluvium, colluvium and/or soil.

Biologist, Qualified – A person who graduated from an accredited college or university with a bachelor or higher degree in biology, botany, wildlife biology, natural resources, ecology, conservation biology or environmental biology, and who also possesses at least four years of professional experience with the preparation of biological resources assessments. The County's staff biologist serves as a qualified biologist with the authority to review permit application materials prepared by other qualified biologists.

Bioretention – A *water quality best management practice* that consists of a depressed area that utilizes soil and plants to slow *runoff* velocity, remove pollutants, and temporarily retain stormwater to increase infiltration into the ground.

Botanic Gardens and Arboreta – An area managed by a scientific or educational institution for the purpose of advancing and diffusing knowledge and appreciation of plants, and that meets all of the following criteria:

1. The area functions as an aesthetic display, educational display, or research site that may be open to the public;

2. Plant records are maintained for the area. At least one staff member (paid or unpaid) experienced in horticulture that maintains and manages the area; and
3. Visitors can identify plants at the area through labels, guide maps, or other interpretive materials.

Breeding Colony – An aggregation of breeding birds of one or more species, which may include large numbers of individual birds. Also referred to as a rookery.

Certificate of Completion – A document provided by the Planning Division to the permittee that confirms the *landscape area* was planted, and irrigation was installed, as applicable, in accordance with the approved *landscape documentation package*.

Certification – Written documentation signed by an appropriate expert (as determined by the Planning Director) which states, in a manner consistent with this Chapter, his/her opinion that there is no reasonable and appropriate alternative to *altering* or *removing* a given *tree*. The term “certification” may also mean that a written statement is true or correct or that something or someone has met certain standards or requirements.

Check Valve – A valve located under a sprinkler head, or other location in the irrigation system, to hold water in the system and prevent drainage from sprinkler heads when the sprinkler is off.

Coastal Access - The ability of the public to reach, use or view the shoreline, coastal waters, coastal recreation areas, inland public recreation areas or public trails, and other significant coastal resource areas such as natural open space and habitats. Coastal access includes all such public access areas within the coastal zone and is not limited to shoreline locations.

Coastal Access Parking – Parking areas that facilitate the ability of the general public to reach, use or view coastal resource areas including, but not limited to, the shoreline, coastal waters, public open space or recreation areas, and trails. These parking areas may be dedicated for coastal access purposes or may be available for general public use.

Coastal Resources – Areas that include but are not limited to: public access facilities and opportunities; recreation areas and recreational facilities and opportunities (including for recreational water-oriented activities); visitor serving opportunities; scenic resources; public views; natural landforms; marine resources; water quality; watercourses (e.g., rivers, streams, creeks, etc.) and their related corridors; water bodies (e.g., wetlands, estuaries, lakes, etc.), and uplands; ground water resources; biological resources; environmentally sensitive habitat areas; wetlands; agricultural lands; and archaeological and paleontological resources.

Colonial Roosts – An area used as a resting location by a group of migratory birds of one or more species. Birds may also breed in aggregations of many individuals, which is known as a *breeding colony*.

Commercial Vehicle – A motor vehicle designed or regularly used for the transportation of persons for hire, compensation, or profit or that is designed and maintained to carry freight or merchandise, whether loaded or empty, including buses. This definition does not include vehicles used for emergency purposes, vanpools, or recreational vehicles operating under their own power. Examples of a commercial vehicle include the following:

- Any single vehicle with a gross vehicle weight rate (GVWR) greater than 10,000 pounds.
- A vehicle designed to transport 10 or more passengers including the driver.

- A van or bus designed to transport 15 or more passengers including the driver.
- Any size vehicles which requires hazardous material placards or is carrying materials listed as a select agent or toxin in Title 42, Code of Federal Regulations (CFR), Part 73.

Commission – The California Coastal Commission.

Conversion Factor - The conversion factor of 0.62 required to convert acre-inches-per-acre-per-year to gallons-per-square-foot-per-year in the calculation of the *Maximum Applied Water Allowance (MAWA)*.

Cultural Heritage Site - An improvement, natural feature, site, or district that has completed the legally-required procedures 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.

Day Care Center – Any child care facility licensed by the State of California, except for a *Family Day Care Home*, such as infant centers, preschools, care of the developmentally disabled, and child extended care facilities.

Diffused Light/Illumination – Soft light reflected from an adjacent surface or projected through a semi-transparent material, such as frosted light bulbs.

District – An area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.

Drip Irrigation – An irrigation method that minimizes water use through the application of water that drips slowly to the roots of plants, either onto the soil surface or directly into the root zone, through a network of valves, pipes, tubing, and emitters.



Drive Aisle - A driving area within a parking area or parking structure used by motor vehicles to maneuver, turn around, and/or access parking spaces.

Established Landscaping – The level of plant growth or coverage specified in the approved *landscape documentation package* that satisfies the *landscape plan performance criteria*.

Estimated Total Water Use (ETWU) - The annual total amount of water estimated to keep plants in a healthy state. ETWU is calculated from the *evapotranspiration rate*, the size of the *landscaped area*, plant water demand, and the efficiency of the irrigation system within each *hydrozone*.

Evapotranspiration - The loss of water from a vegetated surface through the combined processes of soil evaporation and plant transpiration.

Family Day Care Home - A home licensed by the State of California to provide care, protection, and supervision for periods less than 24 hours per day for 14 or fewer children, including children under the age of 10 years who reside at the provider’s home.

Farm Plan – A plan for new agriculture in text and map form which includes but is not limited to information on irrigated crop types, crop locations, and phased implementation.

Film, Base Camp - An area where trailers, vehicles, equipment, and catering services are located during *film production activities*.

Film Location – Each contiguous or noncontiguous parcel used for *film production activities*. Each *film location* may contain multiple *film permit areas*.

Film Permit - The written authorization issued by the Planning Division that allows the permit holder to conduct *film production activities*. *Film permits* may be issued as Zoning Clearances or Planned Development Permits as provided herein.

Film Permit Area - Areas that are temporarily dedicated to *film production activities*. Such areas include the *film base camp* and *film set*.

Film Production Activities - All uses, structures and activities including but not limited to *film production preparation, film production striking, film base camp, and aviation services*, that are related to the production of motion pictures, television programming, music and corporate videos, advertisements, web production, and *film still photography* for sale or use for a commercial purpose. For the purposes of this definition, *film production activities* do not include permanent film studios.

Film Production, Preparation - Onsite work or activities preceding *film production activities* including but not limited to the transportation of trailers, vehicles, equipment, catering services, and film crew to the *film permit area(s)*; the installation of equipment (lighting, audio, cameras, etc.); construction of the *film set*; and rigging for stunts/*film special effects*.

Film Production, Striking - Onsite work or activities following *film production activities* including but not limited to dismantling film production equipment; un-rigging stunts/*film special effects*; and removing trailers, vehicles and equipment from the *film permit area*.

Film Production, Temporary - *Film production activities* of limited duration which do not exceed 180 days and which do not involve permanent structures.

Film Pyrotechnics - The use of explosive materials during film production activities. The term "explosive" refers to incendiary devices or ingredients that ignite by fire, friction, or detonation to cause visual and/or auditory effects. Film pyrotechnics include but are not limited to dynamite and fireworks that require a state explosives license from the California State Fire Marshall.

Film Set - The geographic areas used for filming, which include scenery and props arranged for *film production activities*. The *film set* and *film base camp* constitute the two areas used for *film production activities*.

Film Special Effects - An image or sound created during *film production activities*. *Film special effects* include but are not limited to snow, rain, wind, fog, smoke, fire, firearms, blank cartridges, and bullet hits (squibs).

Film, Still Photography - Taking photographs of people or objects for sale or commercial publication with assistance from a production crew and equipment used in photography (e.g. lighting, wardrobe, makeup, etc.). Still photography also includes a person who photographs a film production for purposes related to the film production.

Fire Resistant Plants - Plants that do not readily ignite from a flame or other ignition source. These plants can be damaged or even killed by fire, but their foliage and stems do not significantly contribute to the fuel load or the fire's intensity.

Friable - A soil condition that is easily crumbled or loosely compacted down to a minimum depth per planting material requirements, whereby the root structure of newly planted material will be allowed to spread unimpeded.

Fuel Modification - A method of modifying fuel load by reducing the amount of non-fire resistive vegetation or altering the type of vegetation to reduce the fuel load.

Fuel Modification Zone – The area around a structure where the existing vegetation is altered pursuant to an approved fuel modification plan. The purpose of the fuel modification zone is to reduce fuel load for fire protection purposes.

Graywater - Untreated wastewater that has not been contaminated by toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. "Graywater" includes but is not limited to wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include wastewater from kitchen sinks or dishwashers.

Graywater System - A system of tanks, valves, filters, and pumps designed to collect and transport *graywater* for distribution to a landscape irrigation system.

Groundcover – Any low-growing plant that grows over an area of ground and is used to provide protection from erosion and to improve its aesthetic appearance by concealing bare soil. *Groundcover* does not include *turf*.

Habitat Restoration Plan – A program whereby the site is intentionally altered to establish a defined, indigenous, historic biological community or ecosystem with the goal of returning full functions to lost or degraded *native* habitats.

Hardscape – Paved areas (*pervious* or non-pervious), patios, walls, decks, *water features*, walkways and other nonliving or human-made fixtures of a planned landscape. For the purpose of Sec. 8178-8, Water Efficient Landscaping Requirements, *hardscapes* do not include parking lots.

Hazard Fire Area – Private- or publicly-owned land that is covered with grass, grain, brush, or forest that is so situated or is of such inaccessible location that a fire originating upon such land would present an abnormally difficult job of suppression or would result in great and unusual damage through fire or resulting erosion. Such areas, which are designated by the fire code official, typically include any location within 500 feet of a forest, brush, grass, or grain covered land.

Historic Resource - A resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources, the Ventura County Historical Landmarks & Points of Interest, or in an adopted local historic register. A *historic resource* has one or more of the following characteristics:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. Is associated with the lives of persons important in our past.
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4. Has yielded, or may be likely to yield, information important in prehistory or history.

Examples of a historic resources include but are not limited to an object, building, structure, site, area, place, record, or manuscript which the Ventura County Cultural Heritage Board determines is historically or archaeologically important in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California.

Hydromulch – A method for erosion prevention whereby water and a mixture of other ingredients (a combination of wood/cellulose fiber *mulch*, seed mix, and bonding agents) is sprayed through a hose onto disturbed soils.

Hydrozone – A portion of the landscaped area that contains plants with similar water needs and root depth. A *hydrozone* may be irrigated or non-irrigated.

Interpretive Center – A site, with or without structures, that is used 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.

Invasive Plants – Species of plants not indigenous to Ventura County that can thrive and spread aggressively with potentially negative effects on native species and ecosystems.

Landmark – A building or place that has been designated by either the County Cultural Heritage Board or the Board of Supervisors and satisfies one of the following criteria:

1. It exemplifies special elements of the County's social, aesthetic, engineering, architectural or natural history;
2. It is associated with events that have made a significant contribution to the broad patterns of Ventura County or its cities, regional history, or the cultural heritage of California or the United States;
3. It is associated with the lives of persons important to Ventura County or its cities, California, or natural history;
4. It has yielded, or has the potential to yield, information important to the prehistory or history of Ventura County or its cities, California, or the nation.

Landscape Area – Areas on a lot(s) that are required to be landscaped as part of development pursuant to Sec. 8178-8, *Water Efficient Landscaping Requirements*.

Landscape, Licensed Architect – A person who is licensed to practice landscape architecture in the State of California.

Landscape Contractor – A *qualified landscape designer* who holds a C-27 (*landscaping contractor*) license issued by the State of California to construct, maintain, repair, install, or subcontract the development of landscape systems.

Landscape Documentation Package – The complete set of documents required to be submitted to the Planning Division pursuant to Sec. 8178-8, *Water Efficient Landscaping Requirements*.

Landscape Plan – A component of the *landscape documentation package* that includes a plan of the project site drawn to scale and superimposed on a plan sheet that includes, but is not limited to, the location of all landscaped areas, a plant list, and a planting plan.

Landscape, Qualified Designer – An individual who, through a combination of education, training, licenses and certificates for professional proficiency, and work experience, can demonstrate to the satisfaction of the Planning Director that the individual possesses the necessary skills and abilities to design a *landscape screen* or other minor landscape improvements.

Landscape Screen – Materials used to: 1) hide or minimize views of a development or land use to promote visual compatibility with surrounding areas; 2) provide privacy or security; 3) mitigate environmental conditions such as wind, noise, dust, and light. Screening may consist of fencing, walls, plant materials, earthen mound, or any combination thereof.

Master Valve – An electrical valve that controls all water flow into the irrigation system.

Maximum Applied Water Allowance – A calculated maximum annual volume of water allowed to be applied per-acre or per-square-foot of an *established landscaped area*.

Mechanical Parking Lifts – Automated or manual, indoor or outdoor, lift systems designed to stack one or more motor vehicles vertically.

Microclimate - The climate of a small, specific area that may contrast with the climate of the overall *landscape area* due to factors such as wind, sun exposure, plant density, or proximity to reflective surfaces.

Micro-spray Irrigation - A type of low-pressure irrigation system with outlets that include one or more openings that operate at a flow rate of less than 30 gallons per hour at a pressure of 30 psi. *Microspray irrigation* may include but is not limited to microbubblers, microspinners and micro-spray jets.



Mixed Use Development – A development project that includes a mixture of two or more of the following uses on the same site: residential, commercial, institutional, and industrial use.

Mulch – A layer of material applied to the surface of an area of soil or mixed with the soil. Its purpose is to conserve moisture, improve the fertility and health of the soil, reduce weed growth, and enhance the visual appeal of the area. A mulch is usually but not exclusively composed of organic material such as leaves, grass clippings, weeds, yard trimmings, wood waste, branches, stumps, and whole plants or trees that are mechanically reduced in size. Mulch can be used as a ground cover or as a soil conditioner. Mulch may be permanent or temporary, and it may be applied to bare soil or around existing plants. Mulches of manure or compost will be incorporated naturally into the soil by the activity of worms and other organisms.

Native Vegetation – Vegetation that is indigenous to Ventura County. *Native vegetation* includes, but is not limited to, oak woodland, coastal sage scrub, chaparral, perennial grassland, California annual grassland, riparian woodland and riparian scrub. *Native vegetation* does not include ruderal vegetation and *invasive plant* species. In addition, *native vegetation* does not include ornamental, landscape or crop vegetation, including sod and lawn grasses and actively managed fallow farmland.

Nest, Active/Occupied – The nest of a bird that is under construction or that contains eggs or young. Nests which are critical to the life history of the individual (e.g. individuals of species that exhibit site fidelity, colonial nesters, and *raptors*) are considered an Active Nest year-round.

Nest, Inactive – An abandoned bird nest once occupied by nestlings or fledglings that are no longer dependent on the nest.

Off-Site Parking - Parking provided at a site other than the site on which the use served by such parking is located.

Ornithologist – A type of zoologist who studies ornithology, the branch of science devoted to birds.

Overspray – Irrigation water that is delivered outside of the landscape area.

Oversized Vehicle – An oversized vehicle is defined as one of the following:

- Any single vehicle that exceeds 25 feet in length, 6 feet 8 inches in width, or 6 feet 10 inches in height, exclusive of projecting lights or devices.
- Boat and cargo trailers.
- Recreational vehicles including but not limited to fifth-wheel travel trailers and travel coaches.

Paleontological Resource, Important – The fossilized remains or indications of once-living plant or animal life that are found in geologic formations and have one or more of the following characteristics:

1. The fossils are well preserved;
2. The fossils are identifiable;
3. The fossils are type/topotypic specimens;
4. The fossils are age diagnostic, or can be used as index fossils in a biostratigraphic context;
5. The fossils are useful in environmental reconstruction;
6. The fossils represent rare and/or endemic taxa;
7. The fossils represent a diverse assemblage;
8. The fossils represent associated marine and non-marine taxa.

Paleontological Resources, Significant Fossils – Identified sites or geologic deposits containing individual fossils or assemblages of fossils that are unique or unusual, diagnostically or stratigraphically important, and add to the existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally.

Paleontologist, Qualified Consultant – A professional geologist licensed by the State of California or other person determined by the Planning Director to be qualified. An unlicensed person may be considered to be a *qualified paleontologist consultant* by the Planning Director if he or she meets all of the following standards:

1. Holds a Bachelor of Science (B.S.) degree in paleontology, geology, or related discipline;
2. Has a minimum of five years of experience performing paleontological, geological, or related studies;
3. Can demonstrate expertise in local and regional vertebrate and invertebrate paleontology;
4. Has experience in fossil collection, curation and report preparation; and
5. Can demonstrate professional experience and competency with paleontological resource mitigation procedures and techniques.

Parking Lot – An improved, off street parking facility containing four or more parking spaces and that is designed and used primarily for the parking of operable motor vehicles and bicycles. Parking lots may be located at grade, above-ground, or below-ground. Parking lots include parking spaces, drive aisles, loading areas, and required landscaping and screening. Parking lots do not include individual residential garages, parking spaces/areas for single-family or two-family dwelling units, including those used for caretaker or farmworker housing.

Performance Criteria – An expectation of interim or final results, stated in the *landscape documentation package* or other plan requiring County approval, that identifies benchmarks for vegetative growth and coverage against which performance is measured.

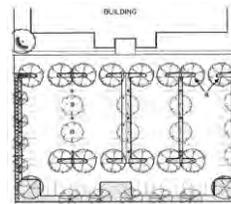
Perimeter Landscaping – The area located within the required setbacks of a lot when such setbacks must be set aside and used primarily for landscaping.

Pervious Pavement - A porous surface that allows the passage of water through the material and into the underlying soil. *Pervious pavement* is used to decrease the volume of stormwater *runoff* and to increase the infiltration of water into the ground.

Plant Factor - A factor used in the *water budget calculation* to estimate the amount of water needed for plants. *Plant factors* range from 0.1 to 0.9 and are divided into four categories: very low < 0.1; low 0.1 - 0.3; moderate 0.4 - 0.6; and high 0.7 - 0.9.

Planter, Finger – A *landscape planter* located at the end of a parking aisle that defines *parking lot* circulation aisles and that provides a place to plant trees within the parking lot.

Examples of Finger Planters



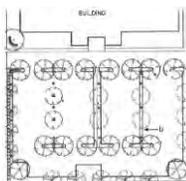
Planter, Landscape – An area devoted to plants that is defined with a raised curb or other material that separates the *landscape area* from adjacent uses.

Examples of Landscape Planters



Planter, Landscape Strip – A long, narrow *landscape planter* located in front of or between rows of parking spaces or adjacent to a property line that borders a public sidewalk or street.

Landscape strip planters are typically used to reduce storm-water *runoff* or to visually screen parking lots from public walkways or streets.



Examples of Landscape Strip Planters

Point of Interest - The location of, or site of, a former improvement or natural feature or of an event possessing historical or cultural characteristics.

Public Art - Art that is located in publicly-accessible places (e.g., government buildings, schools, public parks and waterfront areas), not including temporary arts activities or events such as street theatre, open-air music, or pavement artists.

Public Viewing Area - A publicly-accessible area affording views of scenic resources. Such views may be fleeting or expansive as experienced from individual locations or along transportation corridors. *Public viewing areas* include, but are not limited to, beaches, coastal streams and waters used for recreational purposes, coastal trails and accessways, highways, public parklands, public roads, public sidewalks or trails, scenic overlooks, vistas and vista points.

Public Viewshed - A geographical area that is visible from a *public viewing area*.

Rain Garden - A planted area that captures stormwater *runoff*. A *rain garden* is designed to withstand moisture and concentrations such as nitrogen and phosphorus found in rainwater *runoff* from impervious urban areas like roofs, driveways, walkways, and *parking lots*.

Raptor - Birds in the biological order called Falconiformes, which includes eagles, hawks, falcons, and ospreys and any bird dependent on consumption of other animals for food, including scavengers such as vultures and condors.

Reclaimed Water - Treated or recycled waste water of a quality suitable for non-potable uses such as landscape irrigation and *water features*. This water is not intended for human consumption and must be appropriately identified with colored pipes and signage, if appropriate.

Recreational Area - Areas designed for active play, amusement or public assembly such as parks, sports fields, picnic grounds, amphitheaters or golf courses. Does not include private single-family residential areas.

Rehabilitated Landscape - Any re-landscaping or landscaping modification project that would change 50 percent or more of the total *landscape area*, and that requires the issuance of a new or modified discretionary permit.

Runoff - Water that flows across the earth's surface rather than being infiltrated into the ground or transpired by plants.

Sandy Beach Area - A public or privately-owned sandy area fronting on coastal waters, regardless of the existence of potential prescriptive rights or a public trust interest.

Scenic Highway - A route or byway that is officially designated as a *scenic highway* pursuant to State law which travels through an area comprised primarily of scenic and natural features.

Scenic Highway Corridor - The visible area outside the right-of-way of an eligible or designated *scenic highway* comprised primarily of scenic and natural features.

Scenic Resources - The landscape patterns and features which are visually or aesthetically pleasing and which are visible from a *public viewing area*, including but not limited to the beach or ocean, coastline, mountains, canyons, ridgelines, significant hillsides and open space, estuaries, wetlands and lagoons, other unique natural or manmade features such as the Channel Islands Harbor.

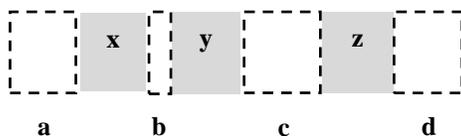
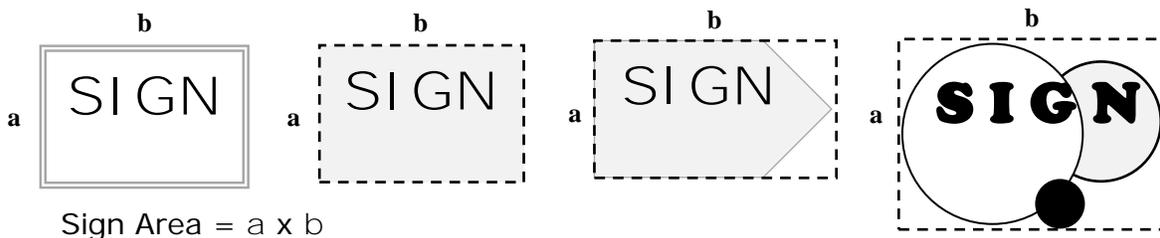
Season, Breeding/Nesting - January 1 through September 15 of each calendar year.

Season, Non-Breeding/Non-Nesting - September 16 through December 31 of each calendar year.

Shared Parking - Shared parking is a means by which adjacent property owners share their parking areas and thereby reduce the number of parking spaces that each would provide on their individual properties. Shared parking is commonly applied when land uses have different parking demand patterns and are able to use the same parking spaces/areas throughout the day.

Sign - A communication device using words or symbols, *illuminated* or non-illuminated, that is visible from any public place or is located on private property and exposed to the public and that directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, placard or temporary display designed to advertise, identify or convey information.

Sign Area - The total area within the physical or visual frame of the *sign*, or the sum of the total area of graphical elements where there is no frame. For *double-faced signs*, the *sign area* is the total area of a single side of the *sign*. Time and temperature devices without advertising *copy* are not included in the *sign area*. See Sec. 8175-5.13.9.1 Number and Dimension of *Signs*, to determine maximum *sign area*.



$$\text{Area } x + \text{area } y + \text{area } z = 1.5 \times (\text{avg. of area of } a, b, c \text{ \& } d)$$

$$\text{Sign Area} = \text{area } a + \text{area } b + \text{area } c + \text{area } d$$

Sign, Attached - Any *sign* posted, painted on, or constructed or otherwise attached to the wall, façade, canopy, marquee, or other architectural part of a building.

Sign, Canopy - Any *sign* attached to, or constructed in or on, a canopy or marquee.



Sign or Message/Content, Commercial - A *sign* or message that relates primarily to economic interests such as the exchange of goods and services. Different types of *commercial signs* are more particularly defined in this Article.

Sign, Construction - A *temporary, on-site sign* directly related to a construction project.

Sign Copy - The words and/or graphics printed on a *sign*.

Sign, Directional - Any *on-site sign* that serves solely to designate entrances or exits, or the location or direction of any onsite area.

Sign, Double-faced - A *sign* structure with messages on both sides of a *sign* board or panel; or a *sign* structure with two attached parallel faces.



Sign, Freestanding - Any *sign* that is anchored directly to the ground or is supported from the ground and detached from any building or structure.



Sign, Incidental - An *on-site sign* providing non-advertising information about a location or business such as hours of operation, contact information, and whether or not the location or business is open or has vacancy.

Sign, Identification - An *on-site sign* that only indicates the name of the occupant, business and/or address.

Sign, Illuminated - A *sign* that is illuminated by a light source that is contained inside the sign.

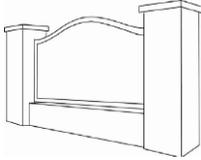
Sign, Interpretive - A *sign* that explains the meaning, origin, or purpose of an historical, natural, or cultural resource or site.

Sign, Legal Nonconforming - A *sign* that does not conform to the current applicable development standards of this Chapter but was lawfully in existence and in use prior to and at the time the provisions of this Chapter with which it does not conform became effective. (see Sec. 8175-5.13.11).

Sign, Light Emitting Diodes (LED) - An internally illuminated *sign* that utilizes light-emitting diodes, or similar technology, and colored lens assembled in single and tri-color matrixes instead of incandescent light bulbs, neon, or fluorescent tubes. Does not include electronic variable message *signs* that would allow for images that appear to move with video-like quality such as but not limited to electronic message boards and marquee *signs*.

Sign, Locational – A *sign* that informs the public about the location of noncommercial destinations such as coastal access points, trailheads, parks and campgrounds, government facilities and other points of interest, and that is maintained by a public agency.

Sign, Monument – A *freestanding sign* detached from a building sitting directly on the ground or near ground level and having a solid support structure as opposed to being supported by poles or similar support structures.



Sign, Mural – A painting or other work of art executed directly on a wall.

Sign Message/Content, Noncommercial – A *sign* or message which is not of a *commercial* nature. Such *signs* or messages typically relate to politics or public policy, civics, art, science, public service, social issues, religion, or spirituality.

Sign, Off-site – A *sign* that displays content related to property, goods, activities, or services not found on, or related to, the lot on which the *sign* is located.

Sign, On-site – A *sign* located on the same site as the occupant, business, trade or profession to which it relates.

Sign, Open House – A *temporary, off-site sign* providing direction to residential real property during the period it is on public display for sale or lease.



Sign, Permanent – A *sign* intended to be displayed and maintained for a period of more than 60 consecutive days.

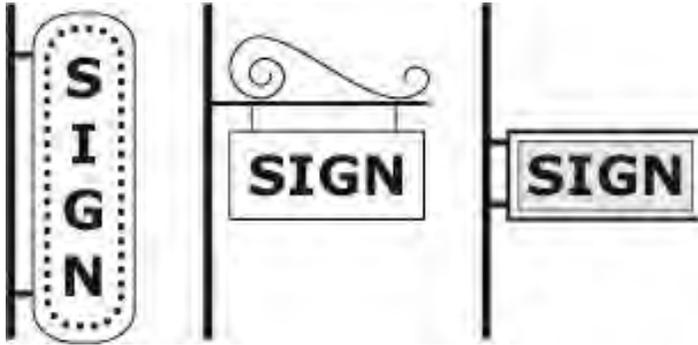
Sign Permit – The written authorization issued by the Planning Division that allows the permit holder to place, erect, modify, alter, repaint or maintain a *sign*. *Sign permits* may be issued as Zoning Clearances or Planned Development Permits as provided herein.

Sign, Political – A *temporary sign* with *noncommercial content* pertaining to an election for public office or to a ballot measure to be placed before voters in a federal, state, or local election.

Sign, Portable – A *temporary sign* that can be moved from one location to another. The term portable sign includes signs mounted on a trailer or other moveable object and towed by a motor vehicle. Such *signs* do not include a *sign* that is attached or magnetically affixed to the body or other integral part of the vehicle.

Sign Program – A plan that includes a range of *sign* types and styles that support the overall continuity of the design of the *signs* that will serve multiple buildings or tenants leasing space in a building(s) on one or more parcels.

Sign, Projecting - An *attached sign* that projects outward perpendicularly or at an angle from a wall or building face.



Sign, Promotional Temporary - A *temporary on-site sign* such as a banner, pennant, or inflatable object located, attached, or tethered to the ground, site, merchandise, or structure.

Sign, Real Estate - A *temporary, on-site sign* advertising the sale, rental or lease of the property on which it is maintained.



Sign, Residential Subdivision - A *temporary sign* advertising the sale of two or more lots located within the same subdivision.

Sign, Road - A *sign* that provides information to control the flow of traffic, warns of hazards ahead, future destinations, or roadway services, and that is maintained by the State Department of Transportation or local agency.

Sign, Roof - Any *sign* erected upon, against or directly above a roof or on top of or above the parapet of a building.



Sign, Symbol - A *permanent on-site sign* with a graphic representation of goods or services sold or rendered on the premises, or a traditional emblem associated with a trade, and that contains no written content, pictures or symbols such as business logos or trademarks.

Sign, Temporary – A *sign* displayed for a limited period of time not exceeding 60 consecutive days or such other duration as specified for a particular *sign* in this Chapter.

Sign, Wall – A *sign attached* to or erected against the wall of a building or structure with the exposed face of the *sign* parallel to the plane of such wall.

Sign, Window – A *sign attached* to, suspended behind, placed or painted upon the window or glass door of a building and is intended for viewing from the exterior of such building. Does not include merchandise offered for sale onsite, when on display in a window.

Site of Merit – Sites of historical, cultural, architectural or aesthetic merit which have not been officially otherwise designated and have been surveyed according to Federal standards and assigned a National Register Status Code of 1 through 5.

Soils Report – A report prepared by a geotechnical engineer or soils engineer licensed by the State of California for one or more of the following purposes: identifying the nature and distribution of existing soils; stating conclusions and recommendations for grading procedures; stating soil design criteria for structures, embankments or landscaping; and, where necessary, setting forth slope stability studies.

Special Landscape Area – An area of the project site designated principally for one of the following purposes: (a) the production of food crops such as vegetable gardens or orchards; (b) irrigation with recycled water (i.e. *water features*); and (c) use for active recreation such as golf courses, sports fields, school yards, picnic grounds, or other areas where *turf* provides a playing surface or serves other high-use recreational purposes.

Stormwater Management Landscaping – Landscape features that make use of vegetation, land forms, soil, or filtering media to provide retention, treatment, *evapotranspiration*, or infiltration of stormwater. Examples include *bioretention* areas, *rain gardens*, *vegetated drainage swales*, vegetated buffers, *landscape strip planters*, tree box filters, infiltration trenches, and dry swales.

Subsurface Irrigation – An irrigation system that uses perforated underground pipe to provide water to the plants' root zones.

Topotypic – A specimen from the locality at which the type was first collected.

Trash Enclosure – An area where trash or recyclable material containers or any other type of waste or refuse containers are stored and which may include fences or walls to secure the area.

Tree – A perennial palm or plant that includes at least one well-defined stem or trunk that may, at maturity, be kept clear of leaves and branches at least six feet above grade.

Tree, Alter – To *prune*, cut, trim, poison, over-water, trench within a tree's roots, or otherwise transform or damage a *tree*.

Tree Canopy – The horizontal projection of a *tree's* limbs, branches, twigs, leaves and buds.

Tree, Certified Arborist – An individual who specializes in the care and maintenance of *trees* and is *certified* by the International Society of Arboriculture.

Tree, Diameter Measurements – The *diameter* of a *tree* trunk measured in inches at a height of 4.5 feet above the ground while standing on level ground or from the uphill side of a *tree*. If a *tree* splits into *multiple trunks* below 4.5 feet, the trunk is measured at its most narrow point beneath the split. Where an elevated *root crown* is encountered which enlarges the trunk at four and one-half feet above grade, the trunk shall be measured above the *crown* swell where the normal trunk resumes. The *diameter* of limbs shall be measured just

beyond the swell of the branch where the limb attaches to the main trunk or their supporting limbs.

Tree, Dripline - The area created by extending a vertical line from the outermost portion of the limb *canopy* to the ground.

Tree, Emergency - A natural occurrence, disaster, or disease that would jeopardize public health or safety due to a *hazardous tree*.

Tree, Encroachment - The direct or indirect invasion of the *tree protected zone* which may damage or transform any part of a *protected tree* or its *root system* including but not limited to such activities as: trenching; digging; placement of heavy equipment; paving; storing vehicles and other materials; irrigation and landscaping; grading; or placement of structures.

Tree, Fell - See *tree removal*.

Tree, Hazardous - A *tree* that has succumbed to disease or pests or a *tree* with one or more structural defects that predispose it to failure. To be defined as *hazardous*, the *tree* must be located in an area where personal injury or damage to private property (e.g. a structure such as a house, garage, fence, carport, or access leading to such areas) could occur if the *tree*, or a portion of the *tree*, fails.

Tree, Heritage - A non-native, non-invasive *tree* or group/grove of *trees* that has unique value or is considered irreplaceable because of its rarity, distinctive features (e.g. size, form, shape color), or prominent location with a community or landscape.

Tree, Historic - Any *tree* or group of *trees* identified by the County as having historic value to Ventura County, the State or the nation. The County may designate an historic tree as a landmark, or it may be identified on the Federal or California Historic Resources Inventory to be of historic or cultural significance, or otherwise identified as contributing to a site or structure of historical or cultural significance.

Tree, Invasive - Any *non-native tree* or group of *trees* that spread into an area where they displace native plants or *native trees* or bring about changes in species composition, community structure, or ecosystem function.

Tree, ISA Standards - *Pruning* standards promulgated by the International Society of Arboriculture.

Tree, Multiple Trunk - A *tree* which has two or more trunks forking below 4.5 feet above the uphill side of the *root crown*.

Tree, Native - Any *tree* indigenous to Ventura County not planted for commercial agriculture.

Tree, Non-Native - Any *tree* not indigenous to Ventura County.

Tree Permit - A ministerial Zoning Clearance, discretionary Planned Development Permit, or Emergency Coastal Development Permit, issued by the Planning Division authorizing the *alteration* or *removal* of a *protected tree*.

Tree, Protected - Any *tree* that meets the criteria set forth in Sec. 8178-7.3.

Tree, Protected Zone - The surface and subsurface area in which the loss, disturbance, or damage to any *roots* may adversely affect the *tree's* long-term health and structural stability. See Sec. 8178-7.4.3 to calculate *Tree, Protected Zone*.

Tree, Protected Zone Buffer – A distance measured from the edge of the *tree protected zone* which allows for future growth. See Sec. 8178-7.4.3.

Tree, Pruning - *Removal* of all, or portions of, a *tree's* shoots, branches, limbs or *roots*.

Tree, Qualified Consultant - An individual who is a *certified arborist* or an individual who can demonstrate, to the satisfaction of the Planning Director, that he or she possesses the necessary *certifications*, experience, and skills to provide competent advice as required by the applicable provisions of this Chapter.

Tree, Qualified Service Company – A tree service company that has a *qualified tree consultant* on staff, holds a California C-61 Limited Specialty D-49 Tree Service License, and maintains current certificates of liability insurance.

Tree, Qualified Trimmer - A qualified tree trimmer shall have a minimum of three years of full-time, practical work experience managing the establishment and maintenance of *trees* and shall be licensed to conduct business in Ventura County.

Tree Removal - The destruction or displacement of a *tree* by cutting, bulldozing, or using a mechanical or chemical method to physically destroy or otherwise cause the death of the tree, including transporting the *tree* from its site without ensuring the health and survivability of the *tree*.

Tree, Root Crown - The area of a *tree* where the trunk(s) meet the *roots*, sometimes called the collar of the *tree*.

Tree, Root System - The non-leaf, non-nodes bearing part of the tree that typically lies below the surface of the soil. The *root system* is responsible for absorbing and storing water and nutrients and anchoring the *tree* to the ground.

Tree Row - A row of *trees* planted and presently used for the purpose of providing shelter from wind for commercial agriculture; also known as a windbreak or windrow.

Tree, Sapling – A young *tree* that is typically no more than three inches in diameter at existing grade.

Tree Seedling – A *tree* that is grown from seed and is less than three feet in height.

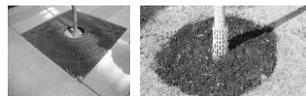
Tree, Street - A *tree* whose trunk (all or part) is located within the County road right-of-way. The *canopy* of a *street tree* may extend beyond the County road right-of-way.

Tree Survey - A report that describes the general condition and health of all onsite *protected tree(s)* and includes but is not limited to identifying tree species, location, trunk *diameter*, extent of *tree protected zone*, proposed *tree maintenance* and *alteration*, and any necessary *tree protection* measures for *trees* that are to remain.

Tree Topping - *Pruning* the top of a *tree*, also known as the *tree crown*, for the purpose of providing safe and reliable utility service.

Tree, Transplant – The moving of living *trees* from one place to another.

Tree Well – The area around the trunk of a tree that creates a visual boundary between a tree and landscaped area or improved surface.



Examples of Tree Wells

Tribal Cultural Resources - Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American tribe that are included in one of the following: (a) state register of historical resources or resources determined to be eligible for inclusion in the state register, (b) local register of historical resources, or (c) resources identified by the County (at its discretion) as a tribal cultural resource.

Turf - An area planted with grass.

Vegetated Swale - A form of *bioretention* designed as a broad, shallow channel densely planted with a variety of trees, shrubs and/or grasses that attenuate and infiltrate runoff volume from adjacent impervious surfaces.

Visual Qualities - The distinctive visual characteristics or attributes of natural or man-made areas that are visible to the public.

Water Budget - An estimate of the annual volume of water required to irrigate a specific *landscape area*. *Water budget* calculations require measured areas of each irrigated *hydrozone* and reference *evapotranspiration* for the *landscape area*.

Water Feature - A design element within a *landscape area* that performs an aesthetic or recreational function in which water is supplied by plumbing fixtures. *Water features* include but are not limited to manufactured ponds, lakes, waterfalls, fountains, and streams.

Water Harvesting - A method for inducing, collecting, storing and conserving local surface runoff for reuse.

Water Quality Best Management Practices - A program, siting criteria, operational method, or engineered system, to prevent or reduce the discharge of pollutants and sedimentation to the County storm drain system and receiving waters.

Water Use Classification of Landscape Species - A publication of the California Department of Water Resources which lists common landscape plants and their water requirements by region, using the categories high, moderate, low, and very low.

Section 2
ARTICLE 4
PERMITTED USES

Article 4, Section 8174-5 – Permitted Uses By Zone, of the Ventura County Ordinance Code is hereby amended to read as follows:

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
FILM PRODUCTION, TEMPORARY (See Sec. 8175-5.6)												
Lasting up to 14 days per production See Sec. 8175-5.6.1.1 for exceptions that require a PD permit	ZC	ZC	ZC	ZC	ZC	ZC	See Sec. 8175- 5.6.5		ZC	ZC	ZC	
Lasting 15 to 180 days	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Conducted in beach areas												
• Lasting up to 14 days per production pursuant to Section 8175-5.6.1.2.1	ZC			ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Conducted with film pyrotechnics as defined in Article 2.	PD	PD	PD							PD	PD	
Conducted solely for non-commercial student projects or personal, private, or family use.	E	E	E	E	E	E	E	E	E	E	E	
• Except where Sec. 8175-5.6.1.1 applies.	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
• Except where neighborhood consent is required per Sec. 8175-5.6.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Conducted for purposes of reporting on current news events	E	E	E	E	E	E	E	E	E	E	E	

Signs												
Sign, Permanent, Freestanding See Sec. 8175-5.13.6(a)	PD											
Sign, Illuminated		PD								PD		
Sign Mural										PD		
Sign Program		PD								PD	PD	
Sign, Temporary (in ESHA or ESHA buffer) See Sec. 8175-5.13.3(c)	PD											
Sign Alterations See Sec. 8175-5.13.5(a)	ZC	ZC								ZC	ZC	ZC
Signs Affixed to a Structure See Sec. 8175-5.13.5(b)	ZC	ZC								ZC	ZC	ZC
If exempt per Sec. 8174-6.3.5 Disaster Replacement of Structures	ZC	ZC								ZC	ZC	ZC

Signs, Promotional Temporary See Sec. 8175-5.13.5(d)	ZC	ZC									ZC	ZC	ZC
Identification Sign & Flags See Sec. 8175-5.13.4(a) & (c)	E	E	E	E	E	E	E	E	E	E	E	E	E
Repair and Maintenance Activities See Sec. 8175-5.13.4(d)	E	E	E	E	E	E	E	E	E	E	E	E	E
Natural Gas, Chilled Water and Steam Facility Signs See Sec. 8175-5.13.4(e)	E	E	E	E	E	E	E	E	E	E	E	E	E
Sign, Temporary (not in ESHA) See Sec. 8175-5.13.4(f)	E	E	E	E	E	E	E	E	E	E	E	E	E
Sign, Incidental See Sec. 8175-5.13.4(f)	E	E									E	E	E

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
BRUSH OR VEGETATION REMOVAL	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
If exempt per Sec. 8174-6.3.6	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
With tree alteration and removal	See Tree Alteration & Removal below and Sec. 8178-7											

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE											
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM	HPD
TREE ALTERATION & REMOVAL												
TREE REMOVAL												
Removal or transplantation of a protected tree per Sec. 8178-7.5.1	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Except for historical and heritage trees, the removal of a non-native or invasive tree during bird nesting season pursuant to Sec. 8178-7.5.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
TREE ALTERATION												
Tree alteration or encroachment into the tree protected zone of a protected tree, pursuant to Sec. 8178-7.5.1	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	PD	
Minor alteration of a non-native or invasive tree during bird nesting season pursuant to Sec. 8178-7.5.2	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	
Minor alteration of a protected tree pursuant to Sec. 8178-7.5.2.1 (* inspection required)	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	ZC*	
EMERGENCY TREE ALTERATION OR REMOVAL	See Sec. 8178-7.5.4											

E = Exempt* ZC = Zoning Clearance* PD = Planned Development Permit	PDP = PD Permit, Principally-Permitted* PW = Public Works Permit CUP = Conditional Use Permit	Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
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Article 4, Section 8174-6.3.2 – Repair or Maintenance Activities*, of the Ventura County Ordinance Code is hereby amended to read as follows:

- c. All repair and maintenance activities governed by the above provisions are subject to the permit regulations promulgated pursuant to the Coastal Act, including but not limited to the regulations governing administrative and *emergency* permits. The provisions of this section shall not be applicable to methods of repair and maintenance undertaken by the ports listed in Section 30700 of the Public Resources Code, unless so provided elsewhere in the Coastal Act. The provisions of this section shall not be applicable to those activities specifically described in the document entitled Repair, Maintenance and Utility Hookups, adopted by the Coastal Commission on September 5, 1978, unless a proposed activity will have a risk of substantial adverse impact on public *access*, *ESHA*, *wetlands*, or public views to the ocean.

Section 3
ARTICLE 5
DEVELOPMENT STANDARDS / CONDITIONS - USES

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

Sec. 8175-3.3 - Accessory Parking

No residential, agricultural, or open space zoned lot shall be used for the accessory parking or storage of vehicles that are designed to carry more than a three-quarter ton load, and that are used for shipping and/or the delivery of commercial freight and products, except on those lots where delivery to storage or market of agricultural or horticultural commodities is permitted under this Chapter and is occurring on said lot. (AM.ORD.4451-12/11/12)

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

Sec. 8175-3.4 - Parking or Storage in Setbacks

Parking or storage of *oversized vehicles*, exterior storage, garages or other accessory buildings are not allowed within setback areas, except as specifically provided in this Chapter. Fully operative, licensed, and registered motorized vehicles, and operative trailers, shall not be parked within any front or street-side setback, except in the driveway access to the required parking, or on a paved area (no wider than 10 feet) adjacent to the driveway, as an accessory use to a dwelling. On interior lots, a minimum three-foot-wide area adjacent to one side lot line must be kept free of operative vehicles and of exterior storage (see Sec. 8175-5.1j). (AM.ORD.4055-2/1/94, AM.ORD. 4451-12/11/12)

Article 5, Section 8175-5.1(f)(6) – Standards Relating to Dwellings, of the Ventura County Ordinance Code is hereby amended to read as follows:

- (6) For each dwelling unit, there shall be no more than one commercial vehicle parked on the property related to the home occupation. For the purpose of this section, a vehicle with external lettering or other script pertaining to the home occupation is considered to be a commercial vehicle. The parking space shall comply with Sec. 8176-3.4, Accessory Parking and Storage of Oversized Vehicles.

Article 5, Section 8175-5.3.14 – Campgrounds, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-5.3.14
Parking Standards - See Article 6

Article 5, Section 8175-5.4.11 – Camps, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8175-5.4.11
Parking Standards - See Article 6

Article 5, Section 8175-5.6 – Motion Picture and TV Production, Temporary, of the Ventura County Ordinance Code is hereby amended to read as follows:

Section 8175-5.6 – Film Production, Temporary

Sections

- 8175-5.6 Film Production, Temporary
- 8175-5.6.1 Film Permits Required
- 8175-5.6.2 Film Permit Application Procedures
- 8175-5.6.3 Film Permit Modifications
- 8175-5.6.4 Standards for Film Production Activities in all Zones
- 8175-5.6.5 Neighborhood Consent

Sec. 8175-5.6.1 – Film Permits Required

- a. *Film Permit.* A *film permit* in the form of a Planned Development Permit or Zoning Clearance is required for all *film production activities*, unless exempt from *film permit* requirements pursuant to Sec. 8174-5.
- b. A Coastal Development Permit or exemption is required from the *Commission* for areas where the California Coastal Commission retains coastal development permit authority as shown on the Post Local Coastal Plan Certification Permit and Appeals Jurisdiction Maps for the County (as available in the Planning Division). The California Coastal Commission Permit Jurisdiction includes state waters, lands below the mean high tide line, and lands subject to the public trust.
- c. Possession of an approved California Coastal Commission Coastal Development Permit or exemption, Planned Development Permit or Zoning Clearance shall not relieve the applicant of the responsibility of securing and complying with any other permit which may be required by other County, State or Federal laws.
- d. An approved County *film permit*, or an approved California Coastal Commission Coastal Development Permit, shall be in the possession of the permittee at all times during *film production activities*.
- e. *Film permits* are non-transferable and cannot be assigned to any other person, agency, or entity. A copy of the *film permit* shall be kept onsite and located in an easily accessible location in the event the County or other government official requests verification that the *film production activities* are authorized by a *film permit*.

Sec. 8175-5.6.1.1 – Planned Development Permit

- a. A Planned Development Permit shall be required for *film production activities*, or access to a *film permit area*, that meets one or more of the following criteria:
 - 1. *Film production activities* would last more than 14 days and less than 180 days in duration;
 - 2. May directly or indirectly impact an *environmentally sensitive habitat area (ESHA)*. For example, a direct impact could be the removal of *major vegetation* in order to construct a *film set*, and an indirect impact could be the introduction of loud and persistent noise or intense light that would harm animals with a low tolerance for these types of effects;
 - 3. Would include grading or landform alteration;

4. Would restrict *public access* to public recreation areas; or
- b. Would result in inadequate *coastal access parking*. For the purpose of this subsection, inadequate *coastal access parking* would occur if a *base camp* or *temporary film production activities* occupy one or more public parking spaces used for coastal beach access.
- c. Planned Development Permits shall not be issued for *film production activities* located on a *sandy beach* within Ventura County's permit jurisdiction during weekends or holidays of the peak summer months (Memorial Day through Labor Day).

Sec. 8175-5.6.1.2 – Zoning Clearance

- a. A Zoning Clearance is required for *film production activities* occurring in private homes or within legally developed areas that do not include ESHA.
- b. A Zoning Clearance is required for *film production activities* located on improved roads that are adjacent to ESHA or an ESHA buffer. Neither the *film set* nor the *film base camp* shall encroach upon ESHA.
- c. A Zoning Clearance is required for *film production activities* that will last 14 days or less in duration.

Sec. 8175-5.6.1.2.1 – Temporary Filming on Sandy Beach Areas

- a. Outside the peak summer months between Memorial Day and Labor Day, *film production activities* on all *sandy beach areas* within the County's permit jurisdiction shall be authorized by a Zoning Clearance, provided that all of the following criteria are met:
 1. The *film production activities* will be 14 days or less in duration;
 2. The *film production activities* are located at least 100 feet from all tide pools, sand dunes, and tributaries that discharge into the ocean;
 3. The *film production activities* are located outside any ESHA or ESHA buffer;
 4. *Public access* will be maintained to and along the coast; and
 5. Adequate coastal access parking is available for the general public.
- b. During the peak summer months between Memorial Day through Labor Day, a Zoning Clearance shall only be approved if the *film production activities* meet all of the following criteria:
 1. The *film production activities* comply with all requirements of Sec. 8175-5.6.1.2.1(a) above;
 2. *Film production activities* that occupy a portion of the *sandy beach area* is scheduled on weekdays only, and not on any holiday;
 3. An off-site *base camp* will provide sufficient space for trailers, vehicles, equipment, catering services, etc.; and

Sec. 8175-5.6.2 – Film Permit Application Requirements and Processing

- a. A *film permit* application shall be signed by the applicant or authorized agent thereof and filed with the Planning Division in accordance with Sec. 8181-5. In addition to

the information required pursuant to Sec. 8181-5, the application shall include, but not necessarily be limited to, the following information and materials:

1. A site map using an aerial image of the *film location* and *film permit area(s)*. The site map shall include the following information:
 - i. Street address for all *film permit locations*;
 - ii. Assessor Parcels Number(s) for all *film permit locations*;
 - iii. Delineation of the *film permit area boundary(ies)*;
 - iv. Graphic representation and labeling of the *film production activities* including but not limited to the *film base camp*, location of generators, lighting and audio equipment.
- b. Until a *film permit* is issued, the applicant may, upon written request to the Planning Division, change the *film permit location*, the *film permit area*, or the time or date of *film production activities* without the submittal of a new permit application or payment of permit modification fees.
- c. Once a *film permit* is issued, a *film permit* modification and payment of *film permit* modification fee(s) shall be required for any change to a *film permit*.
- d. *Film permit* applications shall be processed in accordance with the applicable provisions of Article 11, Entitlements – Process and Procedures.
 1. Zoning Clearance - A minimum of three working days is required to process a Zoning Clearance *film permit*. If neighborhood consent is a prerequisite to permit approval pursuant to Sec. 8175-5.6.5, a minimum of five working days is required to process a *film permit*.
 2. Planned Development Permit - The public hearing for a Planned Development Permit may be waived pursuant to Sec. 8181-6.2.3. Following the approval of a Planned Development Permit, the permittee shall obtain a separate Zoning Clearance prior to initiating the permitted use or activity in accordance with Sec. 8181-3.1.

Sec. 8175-5.6.3 – Film Permit Modifications

A *film permit* modification application may be filed by the permittee with the Planning Division and shall be processed pursuant to Article 11, Sec. 8175-5.6.2, and the following provisions, as applicable.

- a. Ministerial Modification: Notwithstanding Sec. 8181-10.4.1, ministerial modifications to Zoning Clearance or Planned Development Permit *film permits* shall be limited to the following, and shall be requested by the permittee as follows:
 1. Adding and/or changing *film production preparation, striking, filming days* consistent with the duration in Sec. 8174-5, Film Production Temporary.
 2. Adding and/or changing *film production activities, film permit locations and/or film permit areas*, consistent with Sec. 8175-5.6.1, as applicable.
 3. Extending the *film permit's* time period provided that the total days authorized by the *film permit* were not used because of inclement weather or similar delay. The number of days added to the permit must be the minimum necessary to complete the filming and in no case shall exceed the total number of *film permit* days that may be authorized with a Zoning Clearance.

4. If adding or changing a *film permit location* and/or *film permit area*, a completed new *Film Location Form* and revised site map pursuant to Sec. 8175-5.6.2(d) shall be submitted.
 5. Modification applications shall be submitted to the Planning Division prior to the end of post production *film striking*. If post production *film striking* has concluded, a new *film permit* is required.
 6. A revised neighborhood consent may be required pursuant to Sec. 8175-5.6.5 to authorize the requested ministerial modification.
 7. Modifications shall not lessen the effectiveness of the conditions of the issued *film permit* and must be consistent with all other provisions of Sec. 8175-5.6 and the Local Coastal Plan.
- b. New Film Permit Required. If a Zoning Clearance or Planned Development Permit *film permit* is not eligible for a ministerial modification pursuant to Sec. 8175-5.6.3(a) above, a new *film permit* shall be required.

Sec. 8175-5.6.4 – Standards for Film Production Activities in all Zones

Film production activities shall be carried out in accordance with the following regulations:

a. Hours

1. All *film production activities* shall occur between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and between the hours of 8:00 a.m. and 8:00 p.m. on weekends.
2. *Film production activities* that occur outside the hours identified in (1) above require neighborhood consent (see Section 8175-5.6.5).

b. *Film Permit Area*

1. All *film production activities*, including but not limited to the operation of a *film base camp*, film equipment placement and operation, catering, *film production preparation*, *striking*, and filming, shall be confined to the boundaries of the *film permit area(s)* designated on the site plan approved with the *film permit*.
2. Removing, trimming or cutting of native vegetation or protected native and non-native trees is prohibited except where such activities are authorized pursuant to Sec. 8178-7, Tree Protection Regulations.
3. *Film production activities* shall not change, alter, modify, remodel, remove or significantly affect any eligible or designated cultural heritage site.
4. *Film production activities* shall not result in permanent alteration to the filming location or surrounding area. The permittee shall restore the filming location to a condition equivalent to its pre-filming condition following *film production*, *striking*.
5. Production vehicles, cast, and crew responsible for the production of a motion picture, television show, music video, advertisement, web production or *film still photography* shall not arrive at the *film location* prior to the hours specified in the permit.
6. All *film production activities*, including but not limited to the *film base camp*, film equipment placement and operation, catering, *film production preparation*, *striking* and filming, shall comply with the provisions of Sec. 8175-5.6, and all

other applicable provisions of this Chapter and the certified Local Coastal Program.

7. Film production activities shall not remove or alter vegetation or landforms within ESHA, its 100-foot *buffer*, or otherwise adversely impact an ESHA.
8. Except where permitted by a Planned Development Permit, film production activities shall not occupy a public recreational area in a manner that would preclude use by the general public.
9. *Film production activities* conducted at any time between Memorial Day through Labor Day, and located within one mile of the beach, shall not cause traffic delays that exceed three minutes on any public road.
10. *Film production activities* shall maintain public access to and along the coast including areas upcoast and downcoast of the subject *film permit area* and where feasible, passage around the site on wet sand or dry sand areas.
11. *Film production activities* shall minimize grading and landform alteration.

c. Noise and Lighting

Noise and lighting shall not create a nuisance upon nor otherwise negatively impact neighboring areas or *ESHA* as follows:

1. *Film pyrotechnics* and *film special effects* that emit sound associated with gunfire or similar devices shall be prohibited in ESHA or within 100 feet of ESHA.
2. Except as permitted with neighborhood consent (see Section 8175-5.6.5), lighting used for the illumination of *film production activities* (such as perimeter lighting, flood lighting, and external lighting) shall only be permitted when the light source is hooded or shielded so that no direct beams from the *film production activities* fall upon public streets, highways or private property not located within the *film permit area(s)*.
3. Temporary exterior night lighting is prohibited in ESHA. Within areas adjacent to ESHA, temporary exterior night lighting may be allowed if the light source is hooded or shielded so that no direct beams from the *film production activities* fall upon ESHA.

Sec. 8175-5.6.5 – Neighborhood Consent

- a. A neighborhood consent waiver form, described in subpart (c) below, that contains one or more names and signatures from occupants residing in the majority (more than 50 percent) of the households located within the “surrounding community”, as defined in subpart (b) below, shall be obtained by the applicant and submitted to the Planning Division prior to the issuance of a *film permit* for the following:
 1. *Temporary film production activities* that occur in the Residential Beach (RB) and Residential Beach Harbor (RBH) zones.
 2. *Film production activities* that occur outside the hours specified in Sec. 8175-5.6.4(a).
 3. Road closures that exceed three minutes (see exception in Sec. 8175-5.6.4(b)(9)).
 4. Loud noise emanating from such sources as gunfire, aircraft used for the purpose of *film production activities*, amplified music or amplified sound mixing.

5. Exterior night lighting that extends beyond the boundaries of the *film permit area(s)*.
 6. *Film special effects* that extend beyond the boundaries of the *film permit area(s)*.
- b. Surrounding Community
- For purposes of Sec. 8175-5.6.5, "surrounding community" means:
1. Dwellings and dwelling units on parcels within 300 feet of the boundary of the *film permit location* when *film production activities* are located in areas designated CC, CRE, CR1, CR2, RB, RBH, and CRPD.
 2. Dwellings and dwelling units on parcels within 1,000 feet of the boundary of the *film permit area* when *film production activities* are located in areas designated COS, CA, CR, and M Overlay.
- c. Neighborhood Consent Waiver Form
- The Planning Division shall provide the applicant with a radius map, address list, and neighborhood consent waiver form. The neighborhood consent waiver form shall include the following information relating to the proposed *film production activities*:
1. Date(s) and time(s);
 2. A map, address, or description of the specific location if there is no assigned address;
 3. A brief description of the *film production activities* that require neighborhood consent per Section 8175-5.6.5; and
 4. Name and telephone number(s) of the location manager or representative of the production company.
- d. For the purposes of Section 8175-5.6.5, "households" as used in subpart (a), mean all dwellings and dwelling units including second dwelling units, duplexes, mobile homes, etc. not having an assigned address but located within the surrounding community.
- e. If the applicant fails to obtain the necessary neighborhood consent, the *film production activities* may be modified and a revised neighborhood consent waiver form can be recirculated to the surrounding community.
- f. If the applicant fails to obtain the necessary neighborhood consent, the *film permit* shall not be approved unless modified to remove all *film production activities* that require neighborhood consent.

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

- u. Signs –Signs shall comply with Sec. 8175-5.13 and the development standards per Sec. 8178-5.13.10.7 *Identification Signs*, Oil and Gas Development.

Article 5, Section 8175-5.7.8(w)(1) – Oil Development and Operational Standards, of the Ventura County Ordinance Code is hereby amended to read as follows:

- w. Screening and Landscaping - All oil and gas production areas shall be landscaped so as to screen production equipment in a manner consistent with

the natural character of the area, if required, based on the *Planning Director's* determination that landscaping is necessary. Required landscaping shall be implemented in accordance with a landscape and irrigation plan to be approved by the *Planning Director* or his/her designee after consultation with the property owner. The *landscape plan* shall be consistent with Sec. 8178-8, Water Efficient Landscaping Requirements, or Coastal Area Plan policies, whichever are more restrictive. This *landscape plan* shall include, but not be limited to, measures for adequate screening of producing wells and permanent equipment from view of *public roads* or *dwellings*, revegetation of all cut and *fill* banks, and the restoration of disturbed areas of the site not directly related to oil and gas production. Low water usage landscaping and *use* of native plants shall be encouraged.

1. Landscaping and Above-Ground Pipelines. Consideration shall also be given to above-ground pipelines that are part of the project. Landscape maintenance shall be subject to periodic inspection by the County, in accordance with Sec. 8178-8.9, Landscape Documentation Package Approval and Inspections.

Article 5, Section 8175-5.8(i) – Produce Stands, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- i. Sign area shall not exceed the total permitted for the lot, pursuant to Sec. 8175-5.13, Signs.

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

- a. Signs shall be in accordance with Sec. 8175-5.13, Signs.
- j. Each site plan should also incorporate a recreational or utility building, laundry facilities and an entrance sign in accordance with Sec. 8175-5.13, Signs.

ARTICLE 5 - DEVELOPMENT STANDARDS/CONDITIONS - USES

Article 5, Section 8175-5.13 - Signs, of the Ventura County Ordinance Code is hereby repealed and reenacted to read as follows:

Sec. 8175-5.13 – Signs
Sections:

- 8175-5.13.1 Purpose
- 8175-5.13.2 Permit Requirements
- 8175-5.13.3 Prohibited Signs
- 8175-5.13.4 Signs Exempt from a Permit
- 8175-5.13.5 Zoning Clearance Sign Permit
- 8175-5.13.6 Planned Development Sign Permit
- 8175-5.13.7 Sign Permit Application Requirements and Processing
- 8175-5.13.8 Design Criteria
- 8175-5.13.9 General Sign Standards
- 8175-5.13.10 Specific Regulations by Type of Sign
- 8175-5.13.11 Legal Nonconforming Signs
- 8175-5.13.12 Unauthorized Signs

8175-5.13.13 Summary Removal Unauthorized Signs

Sec. 8175-5.13.1 – Purpose

The purpose of this Sec. 8175-5.13 is to promote and safeguard the life, health, property, and public welfare, including traffic safety and the aesthetics of the visual environment, by regulating the design, quality of materials and construction, illumination, location and maintenance of all *signs* within the unincorporated areas of the coastal zone.

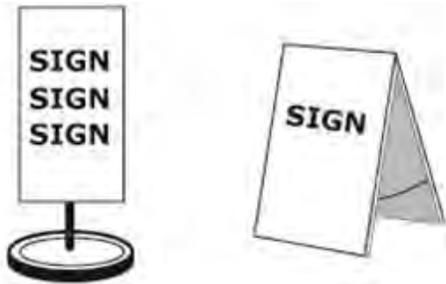
Sec. 8175-5.13.2 – Permit Requirements

No person shall place, erect, modify, alter or repaint any *sign* unless the *sign* and sign-related activity is exempt from a permit pursuant to Sec. 8175-5.13.4. If the *sign* or *sign*-related activity is not exempt from a permit, it either requires the issuance of a Zoning Clearance pursuant Sec. 8175-5.13.5 and/or a Planned Development Permit pursuant to Sec. 8175-5.13.6 in accordance with the provisions of the *Sign Permit Application Procedures* of Sec. 8175-5.13.7.

Sec. 8175-5.13.3 – Prohibited Signs

The following *signs* are prohibited:

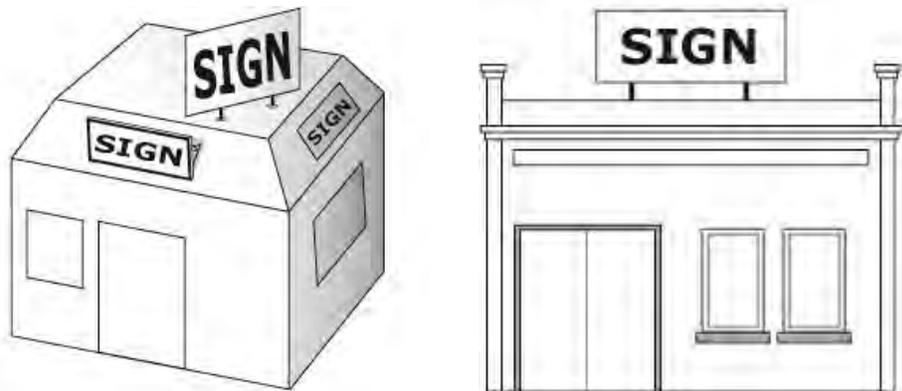
- a. A-frame or sandwich-board *signs*;



Examples of Prohibited Freestanding Signs

- b. Any *sign* that emits sound, smoke or bubbles.
- c. Any *sign* located within *ESHA* or its associated buffer except:
1. A *road sign*;
 2. An *interpretive sign* that describes the *ESHA*, provided that the sign is located and designed in accordance with Sec. 8175-5.13.10.12.1(c) and Sec. 8175-5.13.10.12(b); or
 3. A *temporary sign* that is intended to protect *ESHA*, such as a *sign* restricting access to an active shorebird nesting area in accordance with Sec. 8175-5.13.6(e)
- d. Except as authorized under Sec. 8175-5.13.9.2(d), any *sign* located within the public right-of-way.
- e. Any *sign* erected in such a manner that it may interfere with, obstruct, confuse or mislead traffic.

- f. Any *sign* erected in such a manner that any portion of the *sign* or its support is attached to or will interfere with the free use of any fire escape, exit or standpipe, or will obstruct any stairway, door, ventilator or window.
- g. Any *sign* or *sign* structure that is structurally unsafe or constitutes a hazard to health or safety by reason of design, location, or inadequate maintenance.
- h. Any *sign* that obstructs or degrades public views to *scenic resources*, except as authorized by Sec. 8175-5.13.9.2(d).
- i. Any *sign* that is intended to deter, without legitimate purpose, public access to or along tidelands, shorelines, beaches and public waterways, public trails, public parks, public open space, or public access easements to any of the foregoing locations.
- j. Bench *signs*, except for the following: (1) memorial placard attached to a bench as authorized by Sec. 8175-5.13.4(b); and (2) at bus stops as authorized by Sec. 8175-5.13.10.2.
- k. A banner, pennant, or inflatable object used as *commercial sign*, except if used as a *promotional temporary sign* in accordance with Sec. 8175-5.13.5(d).
- l. Except for *road and locational signs*, new freestanding *signs* greater than six feet in height;
- m. Except for *temporary signs* painted on a window as authorized pursuant to Sec. 8175-5.13.5(b)(4), *permanent signs* attached to the exterior surfaces of windows;
- n. *Off-site commercial and subdivision signs* including but not limited to billboards.
- o. Trailer mounted *portable signs* that are parked within the public right-of-way, in *coastal access parking areas, recreational areas (beaches and parks)*, or are otherwise no longer mobile, unless parked wholly on the lot of the owner of the portable sign.
- p. *Roof signs*.



Examples of Prohibited Roof Signs

- q. *Commercial signs* in residential zones, except for *real estate* and *open house signs*.
- r. *Signs* that automatically change color;
- s. *Signs* that flash, move or rotate, except for clocks and time and temperature *signs* in accordance with Sec. 8175-5.13.6(a);

- t. The use of any item of merchandise or other commodity related to the business as a *sign*, except as such commodity may be permanently incorporated into a *sign* structure as otherwise permitted by this Article;

Sec. 8175-5.13.4 – Signs Exempt from a Permit

The following signs are exempt from the requirement to obtain a Planned Development Permit or Zoning Clearance *sign permit* except when the *sign* is proposed as part of a larger development project that requires a discretionary permit under this Chapter:

- a. One *identification sign* up to two square feet in *sign area* affixed directly to the exterior wall of a building or structure. One *identification sign* up to six square feet in *sign area*, if affixed directly to an exterior wall of a building or structure for agricultural uses (i.e. produce stands, barns, stables, etc.)
- b. One memorial bench plaque, up to 36-inches in area (e.g. 18" x 2"), that is attached directly to the bench.
- c. Flags with *noncommercial content* affixed to a building and temporarily displayed to commemorate an event or holiday, consistent with Sec. 8175-5.13.10.9, Flags.
- d. Repair and maintenance of an existing permitted *sign*, provided the proposed repair and maintenance activities:
 - 1. Do not result in an addition to or enlargement of the existing *sign*;
 - 2. Comply with the sign copy requirements in Sec. 5.13.9.5, Message Substitution;
 - 3. Will not result in any disturbance to *ESHA* or *ESHA buffer*, See Sec. 8175-5.13.6(e); and
 - 4. Are consistent with Sec. 8175-5.13.9.4, Maintenance.
- e. Natural gas, chilled water and steam facility *signs* placed by a public utility, which conveys information on the location of facilities in the furtherance of service or safety, provided there is no removal of major vegetation, the *sign(s)* is located within a public utility easement, and the *sign* is the minimum size necessary to convey the information.
- f. *Temporary signs* and *incidental signs* limited to the following:
 - 1. *Incidental signs* attached directly to a building. One sign of not more than six square feet, on a developed legal parcel, or if multiple businesses are located on a parcel, one sign for each business.
 - 2. *Construction signs*, provided that:
 - i. Only one *sign* is displayed per construction site;
 - ii. The *sign* does not exceed six square feet in total *sign area* in Coastal Open Space (COS), Coastal Agricultural (CA), Coastal Rural (CR), Harbor Planned Development (HPD), and coastal residential zones (CR1, CR2, RB, RBH, CRPD, and M Overlay), or 24 square feet in total *sign area* in Coastal Commercial (CC) and Coastal Industrial (CM) zones;
 - iii. The *sign* is used only to indicate the name of the construction project and the names and locations (state and city or community only) of the contractors, architects, engineers, landscape designers, project or leasing agent, and/or financing company;

- iv. The *sign* is displayed during construction only;
 - v. The *sign* does not exceed six feet in height, if freestanding;
 - vi. The *sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8; and
 - vii. The *sign* is located not less than five feet from the inside line of the sidewalk or, if there is no sidewalk, from the property line.
3. *Real estate signs*. One unilluminated *real estate sign* subject to the following:
- i. The *sign* may be single- or *double-faced* and shall be limited to a maximum of three square feet in total *sign area* and six feet in height. See also Sec. 8175-5.13.10.1.
 - ii. The *sign* shall only contain information on the sale or rental of the premises on which located.
 - iii. The *sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8;
 - iv. The *sign* shall be situated no less than five feet from the inside line of the sidewalk, or if there is no sidewalk, from the property line.
 - v. The *sign* shall remain on the premises only during the period of time that the premises are being offered for sale or lease and shall be removed seven days after the property is sold or rented or the offer for sale or rent is terminated.
4. *Open house signs* subject to the following provisions:
- i. Such *signs* are only permitted during the period when real estate is offered for sale or rent and while an agent is physically present on the premises.
 - ii. Only one such *sign* is allowed on each street frontage of the property on which the open house is being held.
 - iii. Such *signs* shall not exceed three square feet in area.
 - iv. Such *signs* are only allowed during daylight hours.
5. A maximum of three *temporary, noncommercial signs* on a residential-zoned lot pursuant to Sec. 8175-5.13.10.15.
6. *Political signs* pursuant to Sec. 8175-5.13.10.17.
7. Memorial tablets or *signs*, including those indicating names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar noncombustible material affixed to the building. The total maximum *sign area* shall not exceed two square feet.

Sec. 8175-5.13.5 – Zoning Clearance

A Zoning Clearance *sign permit* is required for all of the following *signs*:

- a. A physical modification or alteration of an existing permitted *sign* or legal non-conforming sign if the change is consistent with the development standards in Sec. 8175-5.
- b. *Signs* affixed directly to a non-residential structure, other than public works facilities, in compliance with Sec. 8174-6.3.4 including but not limited to:

1. *Identification signs* larger than two square feet in sign area affixed directly to the exterior wall of a structure or building, or *identification signs* larger than six square feet in sign area if affixed directly to the exterior wall of a structure or building for agricultural uses (i.e. produce stands, barns, stables, etc.). See Sec. 8175-5.13.9.1 for allowable number and dimensions.
 2. Memorial tablets or *signs* larger than two square feet but less than 10 square feet. Such signs may include names of buildings and dates of construction, when cut into any masonry surface or inlaid so as to be part of the building, or when constructed of bronze or similar noncombustible material affixed to the building.
 3. *Projecting sign* (See Sec. 8175-5.13.10.18).
 4. *Window signs* 10 square feet in area or 25 percent of the window area, whichever is less; consistent with the provisions of Sec. 8175-5.13.10.22.
- c. Replacement of existing permitted *signs* (other than *legal nonconforming signs*) destroyed by a disaster pursuant to Sec. 8174-6.3.5.
- d. *Promotional temporary signs* provided that:
1. Such *signs* are only displayed on a developed parcel zoned Coastal Commercial (CC) for a maximum of 30 days;
 2. Such *signs* are not located in the clear sight triangle pursuant to Sec. 8175-3.8; and
 3. Such *signs* are located not less than five feet from the inside line of the sidewalk or, if there is no sidewalk, from the property line.

Sec. 8175-5.13.6 – Planned Development Permit

The following *signs* require a Planned Development Permit:

- a. New *free standing signs* including but not limited to the following:
 1. *Road and locational signs*.
 2. Clocks and thermometers not directly affixed to a building or structure, see Sec. 8175-5.13.10.4.
 3. *Directional signs*, see Sec. 8175-5.13.10.5.
 4. *Sign display structures*, not affixed directly to a building, see Sec. 8175-5.13.10.6.
 5. One freestanding flag affixed to a flagpole per developed parcel, see Sec. 8175-5.13.10.9.
 6. *Interpretive signs*, see Sec. 8175-5.13.10.12.
 7. *Menu Board*, see Sec. 8175-5.13.10.13.
 8. *Monument signs*, see Sec. 8175-5.13.10.14.
- b. Illuminated signs, see Sec. 8175-5.13.10.11.
- c. *Sign mural*.
- d. A new *sign program* not associated with a larger development project for which a new discretionary permit is sought.

e. *Temporary signs in ESHA or ESHA buffer, provided that:*

1. The temporary *sign* has a maximum cumulative *sign area* of 16 square feet.
2. The *sign* is installed prior to the start of the nesting season of each calendar year (March 15th) and is removed after all shorebirds have fledged.

Sec. 8175-5.13.7 – Sign Permit Application Requirements and Processing

- a. When a Zoning Clearance *sign permit* or Planned Development Permit is required for a *sign* or *sign*-related activity, an application shall be filed with the Ventura County Planning Division in accordance with Sec. 8181-5. The application shall be signed by the owner and applicant or authorized agent thereof. In addition to providing the information and materials required pursuant to Sec. 8181-5, the application shall also set forth and contain the following information and materials, as applicable:
1. A site plan showing the dimensions of the parcel, location and size of any existing or proposed buildings or structures on the property, and adjacent streets and land uses.
 2. The location of off-street parking facilities, including major points of entry and exit for motor vehicles where *directional signs* are proposed.
 3. The proposed *sign* dimensions, *sign* copy, height, colors, materials, lighting, and location of the *sign* or *sign* structure.
 4. The method of attachment of the proposed *sign* to any structure.
 5. Other information that the Planning Division may require to secure compliance with this Chapter.
 6. Signs requiring a Planned Development Permit shall provide a Sign Maintenance Plan that describes future requirements for sign repair or replacement, sign cleaning or repainting, and the clearing of vegetation, other than *major vegetation*, that blocks the sign.
- b. A separate permit application is required for each legal lot where *signs* are located.
- c. Permit applications for a *sign* or *sign*-related activity shall be processed in accordance with the applicable provisions of Article 11, Entitlements – Process and Procedures. Following the approval of a Planned Development Permit, the permittee shall obtain a separate Zoning Clearance prior to initiating the permitted use or activity in accordance with Sec. 8181-3.1.

Sec. 8175-5.13.8 – Design Criteria

The following design criteria apply to *signs* and *sign*-related activities requiring a *sign permit* and shall, to the extent applicable, be utilized during the County's review, consideration and conditioning of the requested permit:

- a. The size, color and style of *sign* structures should be designed to complement the visual character of the surrounding buildings and landscape features.
- b. *Sign* poles and other non-copy elements should blend visually with the color(s) and texture(s) of the background, including any buildings.
- c. The number of light fixtures shall be kept to a minimum and integrated into the design of the structure.

- d. On developed sites, landscaping should be used to enhance the appearance of the *sign* and to allow the *sign* to blend with the remainder of the site.
- e. Planter boxes should be used to improve the appearance of the *sign* base, and trees should be used to mask the unused side of a single-faced *sign*.
- f. The location of the proposed *sign* and the design of its visual elements (lettering, words, figures, colors, decorative motifs, spacing, and proportions) should be legible under normal viewing conditions where the sign is to be installed.
- g. The location and design of the proposed *sign* should not obscure from view or unduly detract from existing or adjacent *signs*;

Sec. 8175-5.13.9 - General Sign Standards

The following standards shall apply to the specified *sign* types and locations unless otherwise stated in the regulatory notes.

Sec. 8175-5.13.9.1 - Number and Dimensions of Signs

COASTAL OPEN SPACE (COS) COASTAL AGRICULTURAL (CA) COASTAL RESIDENTIAL (CR, CR1, CR2, RB, RBH, CRPD) (a)						
Sign Type	On-Site			Off-Site		
	Attached	Freestanding (n)		Freestanding		
	Identification/ Noncommercial Sign(o)	Monument Sign	Flags	Display Structure/ Interpretive/ Location and Road (m)	Residential Subdivision (b)	
Maximum number per lot	1	1	(c), (d)	1	1	1
Maximum sign area (sq. ft.) (n)	Lesser of 20 or F*/20 (e)	Lesser of 25 or F*/10 (square feet)	48 sf including the base	See Sec. 8175-5.13.10.9	6(f)	12 (g)
Maximum Height (feet)	Not above the wall to which it is attached.	6(i)	6(i)		6(i)	6(i)
Maximum Length (feet)	(j)	10	10		3	12
COASTAL COMMERCIAL (CC) (a), (k) COASTAL INDUSTRIAL (CM)						
Sign Type	On-Site				Off-Site	
	Attached	Freestanding (n)				
	Identification/ Commercial Sign	Monument Sign	Directional Signs	Flags	Residential Subdivision (b)/ Locational and Road (m)	

Maximum number per lot	No limit	(d)	1 per entrance to the lot (see Sec. 8175-5.13.10.5)	1	1
Maximum sign area (sq. ft.)	(l)	48 sf including the base	4	See Sec. 8175-5.13.10.9	12 (g)
Maximum Height (ft.)	(h)	6(i)	3		6(i)
Maximum Length (ft.)	(j)	10	4		12

F* = Total street frontage of lot in linear feet.

Regulatory Notes:

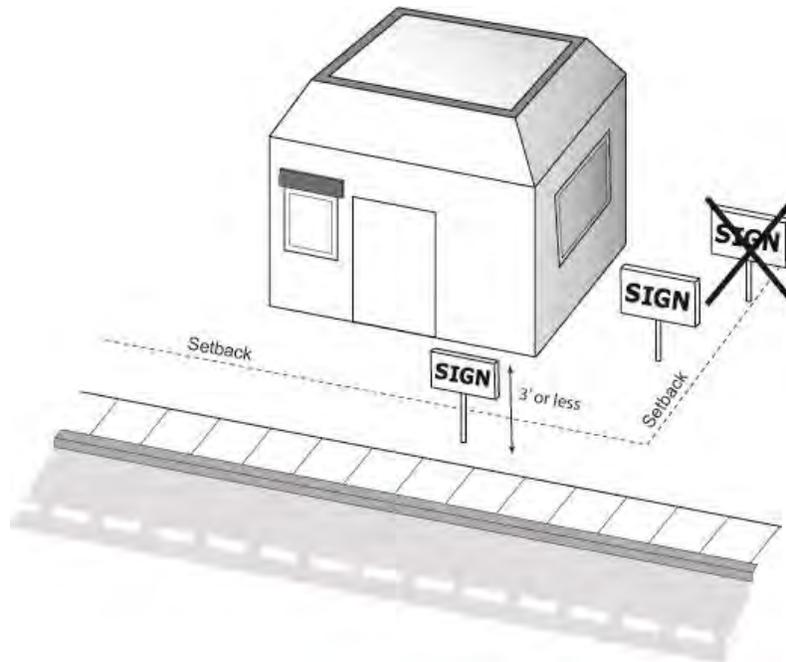
- (a) Assembly Uses may have up to 20 square feet of *attached sign area* regardless of lot width.
- (b) On-site *residential subdivision signs* shall only be installed on a legal lot where an approved residential subdivision will be developed.
- (c) A produce stand may have one freestanding *monument sign* and one *attached sign* totaling 100 square feet. The advertising signs shall indicate the location of the farm products but not the price of any product.
- (d) Two *monument signs* at either side of an entry road may be allowed pursuant to Sec. 8175-5.13.10.14.
- (e) Principal Structures Related to Agriculture, Except Shade/Mist Structures over 20,000 square feet in size, may have one square foot of *sign area* per two linear feet of wall length, regardless of the number of *signs*. The Planning Director may approve additional *sign area*, up to a maximum total of 120 square feet per qualified building, as part of a complete *Sign Program* for the site. The *Sign Program* may be approved as a modification to an existing permit, such as a Conditional Use Permit or Planned Development Permit. If no such permit exists for the site, the applicant shall submit the *Sign Program* as part of a Planned Development Permit.
- (f) Display structures and *interpretive signs* may have up to nine square feet in *sign area* or as recommended by the reviewing agency per Sec. 8175-5.13.10.6 and Sec. 8175-5.13.10.12.
- (g) *Residential Subdivision Signs* are limited to 12 square feet in area, but the length or width of the *sign* may be increased by one foot for each 10 feet that the width of the lot, or two or more contiguous lots in single ownership, exceeds 70 feet. The maximum area of the *sign* shall not exceed 36 square feet.
- (h) *Signs* may not extend above the eaves of a gable roof, nor more than two feet above the face of the canopy or a parapet wall to which it is attached.
- (i) *Signs* shall be limited to a maximum 3 feet in height if located in a clear sight triangle pursuant to Sec. 8175-13.9.2(c).
- (j) *Signs* may be as long as the building wall to which it is attached, and may wrap around a corner, but may not project beyond a corner.
- (k) In addition to the number of *signs* allowed in the Coastal Commercial zone, a drive-through restaurant may also have a 16-square foot menu board; see Sec. 8175-5.13.10.13.

- (l) In the Coastal Commercial (CC) zone, each wall or building face is permitted one square foot of *sign area* per linear foot of wall length; maximum 120 square feet, regardless of the number of signs. In the Coastal Industrial (CM) zone, see Sec. 8175-5.13.10.7, Identification Signs for Oil and Gas Development.
- (m) *Display structures, interpretive and location signs* are prohibited in the residential zones. *Road and locational signs* are subject to the design standards for traffic control devices administered by the State Department of Transportation or local road agency, the California Coastal Commission or Ventura County.
- (n) The area of a free standing sign for a flag lot shall be equivalent to the area of a sign allowed for the intervening lot or lots that separate the bulk of the flag lot from the access road.
- (o) *Non-commercial signs* in the residential zones are limited to three.

Sec. 8175-5.13.9.2 - Location

Signs are subject to the structural setbacks set forth in Sec. 8175-2; the setback shall be measured from the property line to the outermost projection of the *sign* structure on the side where the setback is being measured. Exceptions are as follows:

- a. *On-site temporary freestanding signs* three feet or less in height may be located within a setback adjacent to a street.
- b. A sign attached to an existing wall or fence is exempt from the setback requirements, provided that the *sign* does not project beyond any edge of such wall or fence.



- c. **Clear Sight Triangles** - No *sign* shall be erected within a clear sight triangle unless such *sign*, in compliance with the provisions of this Article, is less than three feet and no part of its means of support has a single or combined horizontal cross section exceeding 12 inches (see Sec. 8175-3.8.3).

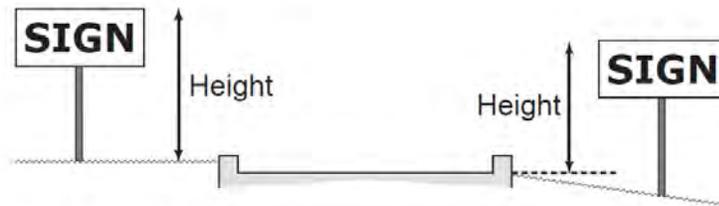
- d. Public Rights-of-Way – No *sign* shall be placed within a public right-of-way except for the following:
1. *Road and locational signs.*
 2. Bus stop *signs* installed by a public transit agency.
 3. Informational *signs* of a public utility regarding its lines, pipes, poles or other facilities.
 4. Emergency warning *signs* erected by a governmental agency, a public utility company, or a contractor doing authorized work within the public right-of-way.

Installation of any new sign within a State or County right-of-way shall not interfere with the public's right of access to the coast. Any sign that has the potential to interfere with the public's right of access to the coast shall be approved only where allowed consistent with all other policies and provisions of the Local Coastal Program and shall require a Planned Development Permit and an Encroachment Permit issued by the Transportation Department of the Public Works Agency or by Caltrans if located in the State right-of-way of U.S. Highway 101 or State Highway.

- e. Lots Without Street Frontage - If a lot has no street frontage, the easement providing for access to the lot shall be considered part of said lot for purposes of *sign* placement.

Sec. 8175-5.13.9.3 - Measurement of Sign Height

Where the average grade of the lot or right-of-way on which a *sign* is placed is at or above the adjacent street grade, the *sign* shall be measured from the grade level adjacent to the *sign*. Where the average grade of the lot or right-of-way is below the adjacent street grade, the *sign* height shall be measured from the adjacent street grade.



Sec. 8175-5.13.9.4 - Maintenance

Every *sign* permitted by this Article shall be maintained in good condition. The Planning Director may require any improperly maintained *sign*, *temporary* or *permanent*, to be repaired or removed upon the failure of the owner(s) to repair or remedy a condition of any *sign* declared by the Department of Building and Safety to be unsafe, or declared by the Planning Director to be improperly maintained, within 30 days from the receipt by the owner(s) of a written notice to that effect.

Sec. 8175-5.13.9.5 – Message Substitution

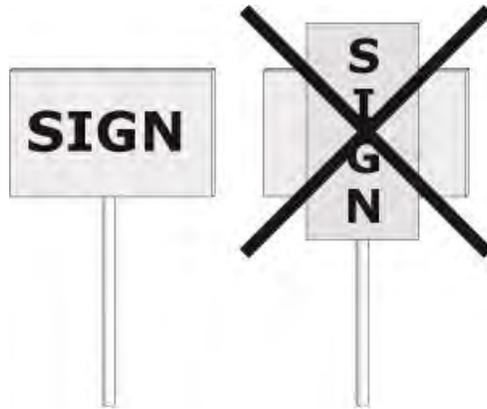
A *noncommercial* message of any type may be substituted, in whole or in part, for any *commercial* message or any other *noncommercial* message provided that the

sign, including the *sign* structure and mounting device, is consistent with the standards of this Article and its permitting requirements without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Article. The purpose of this provision is to prevent any inadvertent favoring of *commercial* speech over *noncommercial* speech, or favoring of any particular *noncommercial* message over any other *noncommercial* message. This provision does not create a right to increase the total amount of *signage* on a parcel, nor does it affect the requirement that a *sign*, including the *sign* structure and mounting device, be consistent with the standards of this Article and its permitting requirements.

Sec. 8175-5.13.10 - Specific Regulations by Type of Sign

Sec. 8175-5.13.10.1 - Back-Mounted Freestanding Signs

Any *sign* erected on the back of an existing permitted *freestanding sign* shall not extend beyond the edges of the existing *sign*.

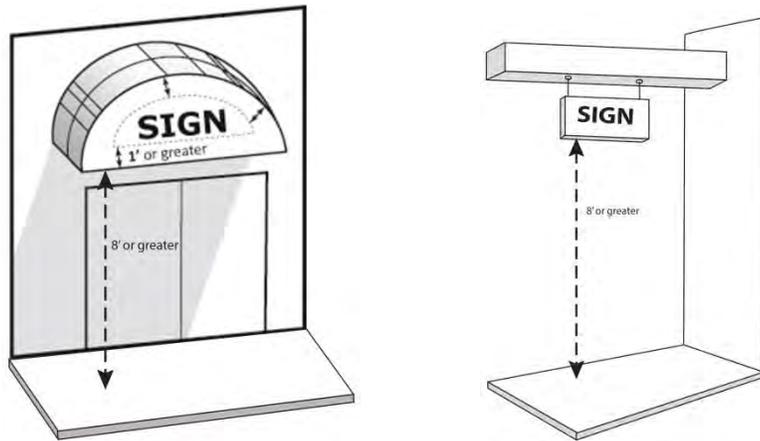


Sec. 8175-5.13.10.2 - Bench Signs

Bench signs are permitted at bus stops designated on a valid bus schedule. The total *sign area* of such *signs* shall be a maximum of four square feet in open space, agricultural and residential zones, and eight square feet in commercial and industrial zones. No *bench sign* shall extend beyond the edges of the bench backrest.

Sec. 8175-5.13.10.3 - Canopy Signs

Canopy signs may extend to within one foot of the edge of a canopy from which the *sign* is suspended. *Signs* painted on or affixed to canopies shall be considered part of the total allowable *sign area* of attached *signs* for that building. *Signs* suspended under canopies that project over private walks or drives open to the public shall be limited to a total *sign area* of eight square feet per *sign*. *Canopy signs* shall be located a minimum of eight feet above sidewalks.



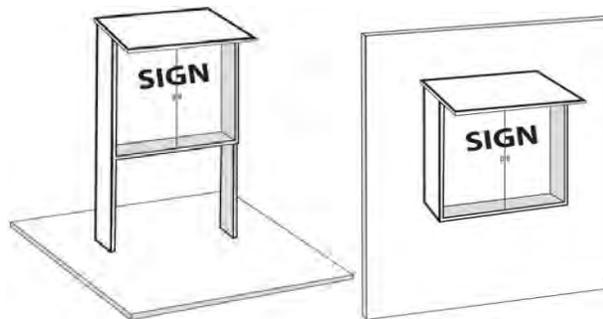
Sec. 8175-5.13.10.4 - Clocks and Thermometers

Clocks and thermometers shall have a maximum total *sign area* of 24 square feet.

Sec. 8175-5.13.10.5 – Directional Signs

Directional signs are only permitted in the Coastal Commercial (CC) and Coastal Industrial (CM) zones, not exceeding three feet in height and four square feet in area per *sign*, and limited to one such *sign* per entrance to the lot or premises to direct pedestrian or vehicular traffic on the same property. Additional *directional signs* may be permitted, if authorized by the Planning Director, to the extent required to direct traffic and provide parking information to the public.

Sec. 8175-5.13.10.6 - Display Structures



Display structures are only permitted in commercial zones and the Coastal Open Space (COS) zone, and are only permitted in these zones as part of a Conditional Use Permit or Planned Development Permit for a land use to which the display structure relates. Display structures may include enclosed displays of products sold or enclosed outdoor bulletin boards. Display structures may also serve additional purposes, such as providing shelter or visual enhancement at a site.

- a. Location – Display structures shall not be located in any required setbacks.
- b. Area - The area of display structures shall be in accordance with Sec. 8175-5.13.9.1, and may be allowed in addition to *sign area* otherwise permitted for the lot.

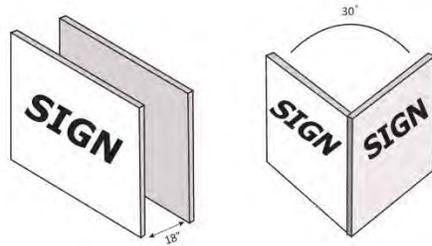
- c. **Lighting** - *Illumination* of display structures such as kiosks shall be by indirect or *diffused light only*.

Sec. 8175-5.13.10.7 – Identification Signs, Oil and Gas Development

- a. Signs required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and Federal laws may be placed in areas subject to an oil and gas Conditional Use Permit. Identification signs shall be a maximum four square feet in size and contain the following information:
 1. DOGGR well name and number.
 2. Name of owner/operator.
 3. Name of lease and name and/or number of the well.
 4. Name and telephone number of person(s) on 24-hour emergency call.
- b. The well identification sign(s) shall be maintained at the well site from the time drilling operations commence until the well is abandoned.

Sec. 8175-5.13.10.8 – Double Faced Signs

A double faced *sign* with two attached parallel faces shall be not more than 18 inches apart or form an angle more than 30 degrees.



Sec. 8175-5.13.10.9 - Flags

Flags are permitted as follows:

- a. A Planned Development Permit is required for a *freestanding* flagpole.
- b. Flag poles are considered accessory structures subject to Sec. 8175-2, Schedule of Specific Development Standards by Zone.
- c. Flags shall only contain *noncommercial* content and shall not be used as a *commercial sign*.
- d. In addition to the land use permit required under this Article, a building permit shall also be required for flag poles taller than 35 feet.
- e. The maximum *sign* area allowed for flags shall be in accordance with the following table and consistent with the height regulations applicable to each zone:

Flagpole Height (ft)	Maximum Flag Area (sf)
6 feet or less	6

Up to 25	24
25 to 29	28
30 to 34	40
35 to 39	60
40 to 49	96
50 to 59	150

Sec. 8175-5.13.10.10 – Freestanding Signs

Except for flags and flag poles pursuant to Sec. 8175-5.13.10.9, and *road signs* and *location signs*, the maximum height for a *freestanding sign* is six feet.

Sec. 8175-5.13.10.11 - Illuminated Signs

Sign lighting shall be designed to minimize light and glare on surrounding rights-of-way and properties in compliance with the following:

- a. *Temporary illuminated traffic control signs* placed on or adjacent to a street or highway (by authority of a public body or official having jurisdiction), shall comply with the U.S. Department of Labor Occupational Safety and Health Administration Manual on Uniform Traffic Control Devices.
- b. *Illuminated signs* are prohibited within *ESHA* and their associated 100 foot buffer, except for *road signs*.
- c. *Illuminated signs* are only permitted in the Coastal Agricultural (CA) and Coastal Commercial (CC) zone and shall have indirect or *diffused illumination*.
- d. *Illuminated signs* shall not exceed the brightness of a *diffused light* panel with cool white fluorescent 800 milliamperere lights spaced at least 10 inches on center.
- e. In no case shall an *illuminated sign* or lighting device be so placed or directed as to permit the beams and/or *illumination* therefrom to be directed or beamed upon a public street, walkway, or adjacent properties so as to cause glare or reflection that may constitute a nuisance, traffic or safety hazard.
- f. Except for automated teller machines (ATM), no *sign* shall be illuminated after 11:30 pm or close of business, whichever occurs last.

Sec. 8175-5.13.10.12 - Interpretive Signs

- a. A Zoning Clearance *sign permit* is required for an *interpretive sign* affixed to the structure pursuant to Sec. 8175-5.13.5(b).
- b. *Illumination of freestanding interpretive signs* is prohibited.

Sec. 8175-5.13.10.12.1 – Types of Interpretive Signs

- a. Historical Sites - *Interpretive signs* in association with historical sites should be developed based on the recommendations of the Cultural Heritage Board. *Sign copy* shall be directly related to the historic structure or point of interest.
- b. Cultural Resource Sites - *Interpretive signs* in association with cultural resources sites should be developed based on the recommendations of the State Historic Preservation Officer. *Sign copy* shall designate a point of

cultural interest and not an undisclosed confidential cultural resource site that would encourage potential site vandalism.

- c. *Environmentally Sensitive Habitat Areas - Interpretive signs* should be developed based on the recommendations of a qualified biologist and/or in consultation with the U.S. Fish and Wildlife Service. *Sign copy* shall be directly related to the resource it is protecting and/or describing. The *sign* shall be located in an area that is the least damaging to ESHAs and associated buffer areas.

Sec. 8175-5.13.10.13 - Menu Boards for Drive-Through Restaurants

A drive-in or drive-through restaurant is permitted one menu board subject to the following standards:

- a. The menu board shall not exceed 16 square feet in *sign area*, which shall not be counted toward the *sign area* or permitted number of *signs* otherwise allowed for the lot or premises.
- b. The menu board shall not exceed a height of six feet.
- c. The menu board shall include an intercom that customers speak into with an attendant while placing orders.
- d. A preview board and/or ordering board are not permitted in addition to the menu board.

Sec. 8175-5.13.10.14 – Monument Signs

The following standards apply to *monument signs*:

- a. *Monument signs* are limited to a maximum height of six feet including the support structure.
- b. *Monument signs* shall be ground mounted, have a solid-appearing base constructed of a permanent material, such as concrete block or brick.
- c. Two *monument signs* may be permitted on either side of an entrance road provided the *monument sign* is not located in the clear sight triangle pursuant to Sec. 8175-3.8 or required setback area adjacent to a street.

Sec. 8175-5.13.10.15 – Sign, Noncommercial

A *noncommercial sign* may be installed for a maximum of 60 days per calendar year in all residentially zoned lots. The number, size and location of said *sign(s)* shall comply with the following:

- a. Location: The *sign* shall meet all setbacks of the underlying zone.
- b. Number: No more than three.
- c. Dimensions: Each *sign* shall not exceed a *sign area* of three square feet (18" x 24") and the maximum height shall be 15 inches.

Sec. 8175-5.13.10.16 – Sign, Plug-In Electric Vehicle (PEV) Charging Stations

The following sign copy shall be incorporated into PEV charging station signs:

- a. Voltage and amperage levels;

- b. Safety information;
- c. Hours of operations if time limits or tow-away provisions are to be enforced by the property owner;
- d. Usage fees;
- e. Contact information for reporting when the equipment is not operating or other problems; and
- f. PEV parking spaces must be designated with signage stating "Electric Vehicle Charging Only."

Sec. 8175-5.13.10.17 - Political Signs

The purpose of this section is to prevent damage to public property, protect the integrity of the electoral process, and prevent the erosion of aesthetic quality and historic values within the coastal zone. It is specifically recognized that if *political signs* on private property are not removed after the election is held, the deteriorating *signs* and accumulating debris become a blight, defacing the landscape and creating a public nuisance.

a. Location

Political signs may not be affixed, installed, or erected within 100 feet of a polling place or historic site, nor within the right-of-way of any highway, nor within 660 feet of the edge of a "Scenic Highway" or landscaped freeway, nor in any location where the *sign* will impair sight distance or create a hazard to traffic or pedestrians, nor on any telephone pole, lamppost, tree, wall, fence, bridge, bench, hydrant, curbstone, sidewalk or other structure in or upon any public right-of-way, nor upon any other public property.

b. *Political Signs* on Private Property

No *political sign* face shall exceed thirty-two (32) square feet in *sign area*. The aggregate *sign area* of all *temporary political signs* placed or maintained on any lot in one ownership shall not exceed ninety-six (96) square feet.

c. Time Frames

Political signs shall not be posted sooner than 90 days prior to a scheduled election administered by the County Elections Division. Said *signs* shall be removed within 10 days after the election.

d. Enforcement

Any *political sign* not posted or timely removed in accordance with the provisions of this Article shall be deemed to be a public nuisance and shall be subject to removal by the candidate, property owner, or, when a ballot proposition is involved, the authorized agent of the group or organization sponsoring the sign or, upon their failure to do so after reasonable attempt at notice by the County, by County officers or zoning inspectors. Any *political sign* that is not removed within the specified period following an election shall be subject to summary removal and confiscation or disposal by the County at the expense of the responsible party.

Sec. 8175-5.13.10.18 - Projecting Signs

Projecting signs shall comply with the following:

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- a. Total *sign area* shall not exceed eight square feet
- b. All *projecting signs* shall be located a minimum of eight feet above sidewalks and more than 13½ feet above roads. In no case shall *projecting signs* go beyond the maximum height of the structure.
- c. *Projecting signs* shall not extend over more than two-thirds of the adjacent sidewalk.

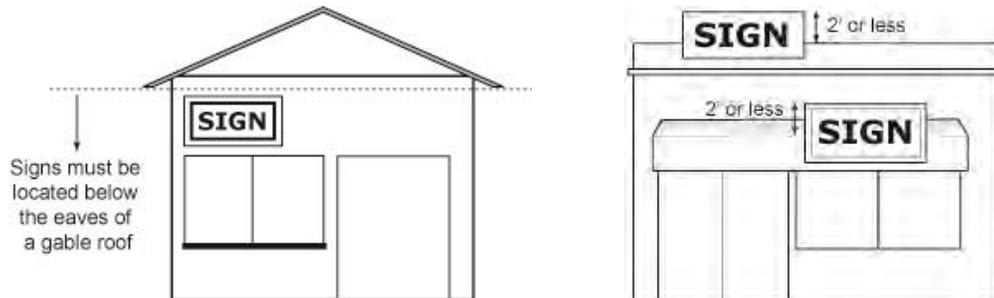
Sec. 8175-5.13.10.19 - Residential Subdivision Signs

- a. Maximum Number - One *on-site residential subdivision sign* is permitted on the legal lot where an approved residential subdivision will be developed and may only be erected after a final subdivision map has been recorded.
- b. A *residential subdivision sign* shall comply with the setback requirements of the underlying zone and Sec. 8175-3.8, Clear Sight Triangles.
- c. Duration - *Residential subdivision signs* are permitted for a maximum period of 12 months from the date of issuance of the Zoning Clearance *sign permit* for such *sign* or until all developed lots have been sold, whichever is the first to occur.
- d. *Sign Copy* - *Residential subdivision signs* shall advertise only residential subdivisions located within the County.

Sec. 8175-5.13.10.20 - Service Station Signs

On-site service station signs are only permitted in accordance with the following regulations:

- a. *Attached Signs* are permitted as follows:
 1. Maximum permitted area in square feet is three times the square root of the area (in square feet) of the wall or canopy face. The total maximum area is 200 square feet for all *attached signs*, except when the wall area exceeds 5,000 square feet, the *sign area* may be increased by 10 square feet for each additional 500 square feet of wall area over 5,000, to a maximum of 300 square feet.
 2. The maximum height of *attached signs* shall be no more than 16 feet, provided that the sign does not extend above the eaves of a gable roof nor more than two feet above the face of the canopy or parapet wall to which it is attached.



3. Brand name insignia, emblems or medallions may be attached to the building frontage of the service station. Symbol background area shall be no more

than 14 square feet per symbol, and no more than 10 feet horizontally or eight feet vertically.

b. *On-site Freestanding Signs*

Freestanding signs are permitted as follows:

1. One *monument sign* pursuant to Sec. 8175-5.13.9.1.
2. One *directional sign* pursuant to Sec. 8175-5.13.9.1.

c. *Overall Sign Area Limit*

The maximum total *sign area* for all *signs* on a service station site is 300 square feet.

d. *Numerical Sign Limit*

There is no limit on the number of *signs* on a service station site.

e. *Identification Sign*

An *identification sign* may be mounted on the side of a pump island canopy or may be attached to hang below the canopy provided that there is a minimum vehicle clearance of 13½ feet. No *identification sign* shall be located on top of the canopy.

Sec. 8175-5.13.10.21 - Symbol Signs

- a. One *symbol sign* with a graphic presentation of goods or services sold or rendered on the premises, or a traditional emblem associated with a trade, shall be permitted on each building frontage of the enterprise, provided that it bears no written message or trademark.
- b. *Symbol signs* shall be affixed to the building, to a canopy, or to a wall that is part of the building frontage. *Symbol signs* shall not project over any publicly maintained right-of-way more than two feet above a canopy or wall.
- c. No *symbol sign*, if attached to a building, shall exceed sixty-four (64) square feet in *sign area*.
- d. No *symbol sign*, if hanging from a canopy or fascia, shall exceed two square feet in *sign area*.
- e. *Symbol signs* shall be included in the total *sign area* of *signs* allowed on the lot where they are located.

Sec. 8175-5.13.10.22 - Window Signs

Window signs shall not exceed 25 percent of a given window's area. Any portion of the total window signage area that exceeds 10 square feet for an individual business shall be counted toward the attached *sign area* permitted for that business. *Temporary signs* painted on the exterior surface of the window are permitted for a period not to exceed 30 days (see Sec. 8175-5.13.5(d) Promotional Temporary Signs). *Permanent window signs* attached to the exterior surfaces of windows are prohibited.

Sec. 8175-5.13.11 – Legal Nonconforming Signs

- a. A *legal nonconforming sign* is a *sign* that does not conform to the current development standards of this Article but was lawfully in existence and in use prior

to and at the time the provisions of this Article with which it does not conform became effective.

- b. Except as provided in subsections 1 and 2 below, no person shall replace, alter, relocate or expand in any way, any *legal nonconforming sign*, including its supporting structure, unless the resulting *sign* is fully in conformance with the current development standards and permitting requirements of this Article.
 - 1. Routine maintenance and repair may be performed in accordance with Sec. 8175-5.13.4(d) provided that said maintenance and repair is not otherwise prohibited by the following subsection.
 - 2. Changing only the *sign's copy* or content shall not be considered an alteration for purposes of this Section. However, any change to the surface of the *sign* including, but not limited to, a background color change, shall be considered an alteration.
- c. Use of a *legal nonconforming sign* shall be considered to have been terminated and abandoned, and cannot thereafter be reestablished if, at any point in time:
 - 1. The use of the *sign* has ceased, or the *sign* or its structure have been abandoned, not maintained, or not used to identify or advertise an ongoing business or operation for 60 days or more; or
 - 2. The *sign* has been damaged or destroyed and its repair or restoration, including its supporting structure, will cost more than 50 percent of the cost to replace the *sign* and its supporting structure in entirety.
- d. Except as provided in subsection e. below, all *legal nonconforming signs* shall be removed or made to comply with the provisions of this Article within five years from the effective date of the development standards of this Article which caused the *sign* to become *legal nonconforming*. If evidence is presented that a *sign's* value has not been fully amortized upon expiration of said five-year period, such *sign* may remain classified as a *legal nonconforming sign* until its value has been recovered. The Planning Director shall determine the validity of the claim and establish a new expiration and removal date. Such Planning Director determinations may be appealed in accordance with the provisions of this Chapter.
- e. Subsection d. above shall not apply to *legal nonconforming signs* for which State laws, such as Business and Professions Code secs. 5412 et seq. and 5490 et seq., prescribe time schedules and procedures for requiring the *sign's* removal without the need to compensate the *sign's* owner. Such *signs* shall be removed or made to comply with the provisions of this Article upon expiration of the shortest prescribed time period for requiring the *sign's* removal without the need to compensate the *sign's* owner.

Sec. 8175-5.13.12– Unauthorized Signs

- a. A *sign* is unauthorized and illegal, constitutes a public nuisance, and must be removed by its owner or the owner of the property where the *sign* is located if any of the following apply:
 - 1. It does not comply with the provisions of this Article and is not a *legal nonconforming sign* pursuant to Sec. 8175-5.13.11.
 - 2. It was a *legal nonconforming sign* but that designation has expired pursuant to Sec. 8175-5.13.11.

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3. The use of the *sign* has ceased, or the *sign* or its structure have been abandoned, not maintained, or not used to identify or advertise an ongoing business or operation for 90 days or more.
4. It identifies, advertises or otherwise pertains to a business or occupant that has permanently vacated the site or premises where the *sign* is located.
5. It has been damaged or destroyed and its repair or restoration, including its supporting structure, will cost more than 50 percent of the cost to replace the *sign* and its supporting structure in entirety, and the *sign* owner takes no action to repair or restore the *sign* in accordance with this Article for a period of 90 days or more.

Sec. 8175-5.13.13 Summary Removal of Unauthorized Signs

- a. The Planning Director shall give written notice to the owner of the premises as shown in the last equalized assessment roll, or as known to him or her, and to each person other than the owner who appears to be in possession or control of the premises. The notice shall be mailed by certified mail addressed to the premises where the violation exists and to the property owner at the address shown on the last equalized assessment roll. The notice shall contain the following:
 1. A general description of the *sign* which is allegedly in violation.
 2. A copy of the Section(s) of this Chapter which is being violated.
 3. A notice of time and place at which time the owner or the person responsible may appear and present evidence as to the absence of a violation.
- b. The Planning Director shall hold a hearing at the time and place set forth in the notice. At the hearing either the owner or the occupant of the premises, or both, may appear and be heard.
- c. If, at the conclusion of the hearing, the Planning Director finds that a violation of this Chapter is continuing to exist, then the Planning Director may order the *sign* to be summarily removed within a specified number of days. The Planning Director shall give notice that if the *sign* is not removed by the end of the period specified, the County may remove the *sign*.
- d. The notice provided pursuant to subsection a. above shall be appropriate given the type of *sign* and circumstances but, in no event, shall it be less than 14 calendar days before the hearing date.
- e. Each person who erects a *sign*, which is subject to removal under this section, and each owner of the property upon which the *sign* is erected, are jointly and severally liable for the cost of removal.
- f. The County may dispose of the *sign* 60 days after removal by giving the owner notice that the owner may redeem the *sign* by paying the cost of removal, or if he or she fails to do so, the County will dispose of the *sign* as it sees fit without further liability to the owner for this action.
- g. The summary *sign* removal provisions of this Section are cumulative and in addition to all other available code enforcement remedies and penalty provisions set forth in this Chapter, including but not limited to Article 13, and other applicable law.
- h. This Section shall not apply to the summary removal of *political signs* by the County pursuant to Sec. 8175-5.13.10.17(d).

Section 4
ARTICLE 6:

PARKING AND LOADING REQUIREMENTS

Article 6, Section 8176-1 – Parking, Access and Landscaping, of the Ventura County Ordinance Code is hereby repealed in its entirety and reenacted to read as follows:

Sec. 8176-0 Parking and Loading Requirements

Sections:

- 8176-0 Purpose
- 8176-1 Applicability
- 8176-2 General Requirements
- 8176-3 Number of Parking Spaces Required
- 8176-4 Motor Vehicle Parking Design Standards
- 8176-5 Bicycle Parking Design Standards
- 8176-6 Drive-Through Facilities
- 8176-7 Loading Areas
- 8176-8 Private Streets
- 8176-9 Plug-In Electrical Vehicle (PEV) Charging Stations

Sec. 8176-0 - Purpose

This Article establishes requirements for the amount, location, and design of off-street motor vehicle and bicycle parking and loading areas. As part of a balanced transportation system, these requirements are intended to promote public safety and environmental quality. Specifically, these requirements are intended to address the following objectives:

Mobility:

- Balance the motor vehicle parking needs of development, including the range of land uses that might locate at a site over time, with the needs of pedestrians, bicyclists, transit users, and the need to preserve community character.
- Ensure that sufficient loading and unloading areas are provided for freight services (i.e. food and beverages, office materials and other deliverable goods).
- Ensure that the design of motor vehicle and bicycle parking areas facilitates safe, convenient, and comfortable movement for the driver, pedestrian, and bicyclist.
- Allow for transportation options and movement efficiency.

Flexibility:

- Provide for exceptions to parking design requirements that reflect the nature and circumstance of the proposed land use, development, and site characteristics while accommodating the parking needs of individual projects.
- Accommodate changing transportation technology and trends, as well as innovative uses of parking infrastructure.

Resource Conservation:

- Encourage reduced driving and the use of alternative modes of transportation in order to reduce traffic congestion, air pollution, and greenhouse gas emissions.
- Avoid installation of excess motor vehicle parking spaces.
- Minimize the use of impervious surfaces.
- Reduce the adverse environmental effects of motor vehicle parking areas, including increased and contaminated stormwater runoff, the urban heat island effect, and resource consumption.
- Create neighborhoods designed to encourage walking rather than neighborhoods dependent on automobiles.

Coastal Access and Recreation:

- Provide sufficient off-street parking for development in areas where street parking is used for coastal access and recreation.
- Preserve existing parking areas that serve coastal access and recreation.
- Prohibit restrictions on public parking that would impede or restrict public *coastal access*, except where there is no feasible alternative to protect public safety.

Compatibility With Adjacent Uses:

- Promote compatibility between parking facilities and surrounding land uses through the use of landscaping, walls and setbacks.
- Ensure that new or modified parking areas within residential areas are compatible with adjacent military base requirements and uses.
- Ensure that adequate off-street parking is provided for new development.
- Reduce the adverse effects of motor vehicle parking areas on neighborhood character, such as the creation of non-compact sprawling development that discourages walking.
- Ensure that the design of motor vehicle and bicycle parking areas is attractive, efficient, and reduces the visual dominance of pavement.

Sec. 8176-1 – Applicability

Sec. 8176-1.1 – New Uses

New development projects shall be designed to provide for the installation and maintenance of off-street parking and loading facilities in compliance with the provisions of this Article, except for parking requirement reductions authorized by Sec. 8176-4.8.

Sec. 8176-1.2 – Changes to or Expansions of Existing Land Uses

Changes to or expansions of existing land uses shall provide off-street parking and loading facilities in compliance with the provisions of this Article, except for parking requirement reductions authorized by Sec. 8176-4.8.

Sec. 8176-2 - General Requirements

Sec. 8176-2.1 - Use of Parking Spaces

- a. Required covered and uncovered parking spaces shall be maintained in a condition that allows for the temporary parking and maneuvering of vehicles unless otherwise provided herein.
- b. Required parking spaces shall not be converted to other uses or used for the sale, lease, display, repair, or storage of trailers, boats, campers, mobile homes, waste containers, merchandise, or equipment.
- c. Required parking spaces at automobile repair shops, service stations, or similar land uses shall not be used for the storage of vehicles for repair or servicing.
- d. *Parking lots* that serve commercial or mixed use developments should be shared as authorized by this Article. Where feasible, such *parking lots* should accommodate public *coastal access parking*.
- e. Excess motor vehicle parking spaces may either remain as motor vehicle parking spaces or be converted to bicycle parking spaces, motorcycle parking spaces, landscaping, or other allowable uses.

Sec. 8176-2.2 - Maintenance

The permittee and property owner must ensure that required parking and loading areas and associated facilities are permanently maintained in good condition as determined by the Director and in compliance with permit conditions. This maintenance requirement includes but is not limited to curbs, directional markings, accessible parking symbols, screening, pavement, signs, striping, lighting fixtures, landscaping, water quality best management practices (BMPs), and trash and recyclables receptacles.

Sec. 8176-2.3 - Proximity to Land Use

Required parking spaces shall be located on the same site as the building or land use they serve or off-site pursuant to Secs. 8176-3.3.1 through 8176-3.3.3 below.

Sec. 8176-2.3.1 - Off-site Parking for Non-Residential Uses

Off-site parking for non-residential land uses may be provided at a site remote from the land use if all of the following conditions can be met:

- a. The off-site parking area is located within 500 feet of the land use to be served. The distance from the off-site parking area to the land use to be served shall be measured along an ADA approved sidewalk or other pedestrian pathway from the nearest off-site parking space to the nearest public entrance to the building.
 - 1. Planning Director Modifications. The provision of off-street parking spaces at a site more than 500 feet from the land use to be served may be approved if the applicant can demonstrate to the Director that such off-site parking will actually be used as intended and the displacement of on-street parking used for public coastal access is avoided.
- b. The applicant provides documentation demonstrating that the off-site parking area is capable of meeting parking demand for both the land use to be served and any other land uses dependent upon the off-site parking area, including coastal access.
- c. The off-site parking area meets the design standards of Sec. 8176-5.

- d. The off-site parking area can be accessed easily from the primary land use and does not expose pedestrians to hazardous traffic safety conditions or create a traffic hazard.
- e. The number of off-site parking spaces assigned to the property to be served does not exceed the allowed number of parking spaces for the land use.

Sec. 8176-2.3.2 - Off-Site Parking for Residential Beach (RB) Zone

- a. RB Zoned Property - Required parking for existing dwellings may be satisfied in an off-site garage subject to the issuance of a Planned Development Permit applicable to both the dwelling and the garage if all of the following requirements are met:
 1. The lot with the principal dwelling is either too small to construct ~~2~~ two covered parking spaces without approval of a variance, or there is no room on the lot for ~~2~~ two covered spaces because of the location of the existing, legally constructed principal dwelling;
 2. The neighboring lot where the garage would be located is smaller than the minimum lot area required for the RB zone, is not served by a community sewer system, is located within 1,000 feet of the lot with the principal dwelling, and owned by the same person(s) or entity as the lot with the principal dwelling;
 3. Both lots must be held ~~as one~~ in common ownership ~~for as long as the off-site garage is standing~~ pursuant to a ~~recorded agreement with the County~~ condition in the Planned Development Permit;
 4. Only an ~~accessory~~ garage, a maximum 800 square feet in size, may be built. Carports, or other open-type structures are not allowed;
 5. The garage may not be leased or rented separately from the principal dwelling ~~to any other person(s)~~;
 6. The garage must be constructed to look like a dwelling to the extent feasible, all RB zone setbacks must be met, the maximum height to any point must be no greater than 15 feet, and a paved driveway must be provided;
 7. No services except electrical are permitted inside the building; and
 8. Landscaping may be required for compatibility with the neighborhood.

Sec. 8176-2.3.3 - Off-site Parking Agreements

The following requirements shall apply whenever the motor vehicle parking required by this Article is not located on the same site as the land use it serves.

- a. The lot or part of a lot on which the parking is provided shall be legally encumbered by a recorded lease or similar agreement between the off-site property owner and permittee and in a form approved by the Planning Director to ensure continued use of the lot or part of a lot for motor vehicle parking. The approved agreement shall be recorded with the Ventura County Recorder so that it appears on the off-site property's title. The agreement shall include the following provisions:
 1. The agreement may not be released or terminated without the prior notice and written consent of the Director.

2. The agreement shall identify the permittee(s), successors, and assigns authorized to utilize the parking area, and addresses of the other land uses sharing the parking.
 3. The agreement shall identify the location and number of parking spaces that are being shared.
 4. The agreement shall identify the persons responsible for maintaining the parking area.
- b. The permittee shall ensure that permanent, weatherproof signs providing clear and easy-to-follow directions for access to and from the off-site parking location are placed and maintained as follows:
1. There shall be one sign at each site or parking area entrance. The signs may be placed at building entrances or other appropriate locations if it is demonstrated that such placement would provide superior information to parking users.
 2. Information on the signs shall be readable by a person seated in a vehicle at the nearest driveway. Use of graphics (e.g., maps and arrows) is encouraged to supplement written directions.
 3. Signs shall be placed and designed pursuant to the provisions of Non-Coastal Zoning Ordinance Article 10 if the off-site parking area is in the non-coastal area, or the Coastal Zoning Ordinance Article 5 Sec. 8175-5.13 if the off-site parking area is in the coastal area, and are subject to approval by the Planning Director.

Sec. 8176-2.4 – Accessory Parking and Storage of Oversized Vehicles

The accessory parking and storage of *oversized vehicles*, including boats, attendant trailers and/or equipment, is allowed on residential, agricultural, or open space zoned lots if one of the following findings can be made:

- a. The *oversized vehicle* is located on a legally developed lot and meets all of the following criteria:
 1. The vehicle is owned and operated by the person who resides on the property;
 2. The vehicle is operable; and
 3. The parking space does not displace the required parking for the designated land use and is in compliance with Sec. 8175-2, Schedule of Specific Development Standards.
- b. The *oversized vehicle* is required for emergency purposes and is either a government vehicle or under contract to a governmental entity; or
- c. The *oversized vehicle* is used for agricultural production, shipping, or delivery associated with the agricultural land use on the lot on which the vehicle is located.
- d. The *oversized vehicle* is temporarily parked for emergency repairs for a time period not to exceed 24 hours.
- e. If parking for the *oversized vehicle* is included in the project description for a discretionary permit, and the Planning Director determines that the use of the on-site parking space for an *oversized vehicle* substantially degrades the existing visual character of the neighborhood, then the *oversized vehicle* shall be screened by a

fence, wall or similar structure, or landscape screenings. Storage of an *oversized vehicle* shall be denied where the vehicle or its screening will adversely impact scenic or visual resources.

Sec. 8176-2.5 - Solar Structures

The installation of solar photovoltaic or hot water systems on canopies or other structures over parking areas/spaces is encouraged and allowable, but only if such structures do not obstruct any required fire apparatus access lanes and provided that the canopy or other structure is consistent with all other policies and provisions of the LCP.

Sec. 8176-2.6 – Green Roofs

The installation of green roofs on structures over parking areas/spaces is encouraged and allowable, but only if such structures do not obstruct any required fire apparatus access lanes and provided that the structure is consistent with all other policies and provisions of the Local Coastal Program. Green roofs shall be compatible in scale, materials, color, and character with the surrounding permitted development.

Sec. 8176-2.7 – Coastal Access

- a. In order to minimize impacts on the availability of on-street parking for coastal access and recreation, new development shall be designed to include off-street parking spaces sufficient to serve the proposed use.
- b. Existing parking areas serving coastal access and recreational uses shall not be displaced, except where the loss of parking spaces is mitigated with a commensurate number of replacement spaces that serve a coastal access function in the same vicinity as the removed parking.
- c. Restrictions on public parking that would impede public coastal access are prohibited except where such restrictions are necessary for the protection of public safety.

Sec. 8176-3 - Number of Parking Spaces Required

Sec. 8176-3.1 - Calculation of Required Parking

- a. Except as otherwise provided, when calculating the number of required parking spaces results in a fraction, such fractions shall be rounded to whole numbers pursuant to Sec. 8171-16.
- b. When calculating required parking spaces based on gross floor area or sales and display area, areas used for parking are not included.
- c. When the number of required parking spaces for motor vehicles or bicycles is calculated based upon the number of employees or students, and the number of employees or students is not known at the time of permit application, the Director shall determine the parking requirements based upon the gross floor area, type of land use, or other appropriate factors. The number of employees shall mean the number of employees on the largest shift and the number of students shall mean the maximum number of students expected onsite at any one time.
- d. When the number of required parking spaces is calculated based upon the number of seats and seats are provided by benches or the like, 2 feet shall be considered one seat.

- e. When there are two or more separate primary land uses on a site, the required number and type of off-street parking spaces shall be the sum of the requirements for the various individual land uses, unless otherwise provided for in Sec. 8176-4.6.
- f. Mechanical parking lifts may be used to meet motor vehicle parking requirements.
- g. Parking for Automated Public Facilities - Off-street parking shall not be required for any completely automated, unattended public facility use.

Sec. 8176-3.2 - Motorcycle Parking

At least one designated space for the parking of motorcycles or other two-wheeled motorized vehicles shall be provided for every 20 automobile parking spaces provided. Existing parking areas may be converted to take advantage of this provision, provided the converted spaces do not exceed the one motorcycle space per 20 automobile space ratio. Land uses that require additional motorcycle parking in excess of this ratio may, with Director approval, convert required automobile parking spaces to motorcycle spaces if the converted automobile spaces are designed and kept available for future conversion back to the automobile spaces.

Sec. 8176-3.3 - Bicycle Parking

A minimum number of bicycle parking spaces shall be provided, as set forth in Sec. 8176-4.7. Where there are two or more separate primary land uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for each of the individual land uses.

Sec. 8176-3.3.1 – Planning Director Modifications

The number of required bicycle parking spaces may be reduced when the applicant demonstrates, to the satisfaction of the Planning Director, that providing the otherwise required bicycle parking spaces is not practical because of the remote project location or because the nature of the land use precludes the use of bicycle parking spaces (e.g. the use has no on-site employees).

Sec. 8176-3.4 - Accessible Parking for Disabled Persons

Accessible parking for disabled persons shall be provided as follows:

- a. Number. The following table establishes the minimum number of disabled parking spaces that shall be provided for new discretionary development or the expansion of a previously approved project:

Number of Disabled Parking Spaces Required	
Total Number of Parking Spaces in Lot or Garage	Minimum Required Number of Disabled Spaces
1-25	1 - Van
26-50	2
51-75	3

- b. Location and Design. Parking spaces for disabled persons shall be located as near as practical to a primary entrance and shall be of the dimensions and design required by the Building Official.

- c. Accessible parking for disabled persons may be counted towards meeting the total number of motor vehicle parking spaces required by this Article.

Sec. 8176-3.5 - Carpool Parking

The requirement to provide carpool parking spaces is intended to encourage carpooling, but should not result in parking spaces that consistently go unused.

- a. Number of Spaces. Except for residential land uses, one carpool or vanpool parking space shall be provided for every 35 employees employed at the site. Carpool or vanpool parking spaces shall be reserved during business hours. In addition, for professional, vocational, art and craft schools, colleges, universities and the like, one out of every 25 student parking spaces on a site shall be reserved for carpool or vanpool parking at all times. This requirement does not preclude designation of more than the minimum required number of carpool spaces.
- b. Signs. Signs shall be posted clearly indicating carpool and vanpool restrictions.
- c. Planning Director Waivers/Modifications. The Director may modify or waive carpool parking requirements when the applicant demonstrates that the nature of the land use precludes carpooling.

Sec. 8176-3.6 - Shared Parking

Shared use of required motor vehicle parking spaces is allowable where two or more land uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times. Shared use of required parking spaces may be allowed if an analysis is provided to the satisfaction of the Director, using an authoritative methodology, documenting the parking demand for each land use by hour-of-day, showing that the peak parking demands of the land uses occur at different times, and demonstrating that the parking area will be large enough for the anticipated demands of all the land uses that utilize the shared parking area. The lot or part of a lot on which the parking is provided shall be identified in and subject of a lease or other agreement between the two affected property owners, in a form approved by the Director, ensuring continued availability of the shared parking spaces for all the land uses that utilize the shared parking area. Such shared parking agreement shall include all required provisions set forth in Sec. 8176-3.3.3(a)(1) through (4) and shall be recorded with the Ventura County Recorder so that it appears on the subject property's title. When shared parking is provided at an off-site location, the other applicable requirements of Secs. 8176-3.3.1 through 8176-3.3.3 shall be met.

Sec. 8176-3.7 - Table of Parking Space Requirements by Land Use

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land uses. For residential and non-residential land uses, the number of motor vehicle parking spaces set forth in the table below represents the minimum required number of spaces, unless a reduction to that requirement is granted pursuant to Sec. 8176.4.8.

The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses, storage of vehicle inventory, or other specialty parking needs related to the operation of specific land uses.

The Planning Director has the authority to determine the parking space requirements for any land use not specifically listed based on the requirements for the most comparable land use. For such uses, the Planning Director or decision-making body must find that the required number of parking spaces is sufficient to avoid displacement of parking spaces utilized by off-site land uses or by the public for costal access. The required number of parking spaces is subject to the calculation procedures, including exceptions and allowances, specified in Sec. 8176-4.

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
AGRICULTURAL		
Buildings for the Growing, Packing, Storage or Preliminary Processing of Agricultural Products	1 space per full time employee plus 2 spaces per acre. Or as determined by decision-making body.	
Contractor's Service and Storage Yards and Buildings	As determined by decision-making body	
Produce Stands, Retail, Accessory to Crop Production	Minimum of 3 spaces	
Retail Nurseries not in an Enclosed Building.	1 space per 2,000 sf of outside display area	LT: 1 space per 25 employees ST: 3% of required motor vehicles
Agricultural Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
COMMERCIAL AND INSTITUTIONAL		
Art Galleries and Studios	1 per 250 sf of GFA	LT: 1 space per 25 employees ST: 6% of required motor vehicle spaces
<i>Assembly Uses</i>	First 3,000 sf of GFA: 1 space per 125 sf; plus over 3,001 sf of GFA: 1 space per 550 sf; plus auditorium or main assembly room: 1 space per 70 sf of GFA; plus spaces as needed for accessory uses as determined by decision-making body.	ST: 10% of required motor vehicle spaces.
Automobile Repairing	1 space per 150 sf of GFA	LT: 1 space per 25 employees ST: 3% of required motor vehicle spaces
Automobile Service Station, Without Retail	1 space Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements	ST: 3% of required motor vehicle spaces; minimum of 1 space

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
Automobile Service Station, With Retail	1 space, plus 1 space per 250 sf GFA of retail use Fueling stations shall not be counted toward meeting the motor vehicle parking space requirements	ST: 3% of the required motor vehicle spaces; minimum 1 space
Banks, savings and loans and related offices and institutions	1 space per 250 sf of GFA	LT: 1 space per 30 employees ST: 5% of the required motor vehicle spaces
Barber and Beauty Shops	2 spaces for each of the first 2 beauty or barber chairs, plus 1 space for each additional chair.	As determined by decision-making body
Bars, Taverns and Nightclubs	See "Restaurants, Cafes and Cafeterias"	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Boardinghouses, Rooming Houses, Bed-And-Breakfast Inns	1 space per bedroom, plus 1 space per caretaker-manager	ST: 2 spaces
Bus Terminals	1 space per 20 sf of waiting area, plus 1 space per 300 sf of office space, plus parking for any accessory uses	As determined by decision-making body
<i>Day Care Center</i>	1 space per each employee, plus 1 space per 5 children	As determined by decision-making body
<i>Family Day Care Home</i>	See "Single-Family and Two-Family Dwellings"	As determined by the decision-making body
Care Facility, Residential	0.5 spaces per bed	LT: 1 space per 15 residents (not required if the care facility is for people unable to use bicycles, such as convalescents or the physically disabled) and 1 space for 25 employees. ST: 1 space per 20 residents
Carwashes, Automatic	Queuing for 6 vehicles pursuant to Sec. 8176-7.1.4	
Carwashes, Self-Service	1 space per washing stall	
Conference Center/Convention Center	See "Assembly Uses"	See "Assembly Uses"

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
Health Clinic, Medical and Dental	1 space per 200 sf GFA	LT: 3% of the required motor vehicle spaces, or 1 space per 30 employees (as determined appropriate by decision-making body) ST: 3% of the required motor vehicle spaces, minimum one space
Hotels, Motels, Boatels	1 space per unit, plus 1 space per caretaker-manager	LT: 1 space per 25 employees ST: 1 space per 1,000 sf GFA of banquet and meeting room space; minimum of 2 spaces
Kennels	1 space per each employee, plus 1 space for each 500 sf outdoor shelter areas	As determined by decision-making body
Laundry and Dry Cleaning Establishments	1 space per 200 sf of GFA	As determined by decision-making body
Libraries	1 space per 250 sf GFA	LT: 1 space per 25 employees ST: 8% of the required motor vehicle spaces
Liquor Store	1 space per 250 sf of GFA	ST: 3% of required motor vehicle spaces.
Offices: Business, Professional and Administrative	1 space per 250 sf GFA	LT: 3% of the required motor vehicle spaces or 1 space per 30 employees (as appropriate per Planning Director). ST: 3% of required motor vehicle spaces.
<i>Parking Lots, Public</i>	As determined by decision-making body	ST: 5% of required motor vehicle parking spaces
Public Service and Public Utility Buildings	Offices: 1 space per 250 sf Other buildings: specified by permit Automated and unattended: None	LT: 1 space per 30 employees
Restaurants, cafes, cafeterias and similar establishments	1 space per 100 sf GFA of dining areas including outdoor customer dining area. Minimum: With public seating: 10 spaces Without public seating (take out or delivery only): 6 spaces	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
Retail Trade	1 space per 250 sf of GFA	As determined by decision-making body
Schools: Boarding	As determined by decision-making body	As determined by decision-making body
Schools: Elementary, Junior High, Middle	1 space per 8 students of planned capacity See Sec. 8176-7.2 for on-site queue storage length to accommodate parent vehicles drop-off and pick-up.	LT: 1 space per 30 employees ST: 1 space (gated) per 12 students of planned capacity.
Schools: High Schools, Community College Facilities	1 space per 4 students of planned capacity	LT: 1 space per 30 employees ST: 1 space (gated) per 16 students of planned capacity.
Veterinary Clinics	1 space for each 200 sf GFA	LT: 1 space per 25 employees ST: 2% of the required motor vehicle spaces
Youth Hostel	1 space per 2 beds 1 space per 200 sf gross floor area for eating establishment 1 space per 100 sf of assembly areas	ST: 2 spaces
Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
INDUSTRIAL		
Laboratories, Research, Scientific, Medical or Dental	1 space for each 200 sf GFA	LT: 1 space per 30 employees
Recycling Facilities and Centers	As determined by decision-making body	LT: 1 space per 25 employees
Uses not Otherwise Listed	As determined by decision-making body	As determined by decision-making body
RECREATION		
Camps	1 space per 2 overnight guests (see Sec. 8175-5.4.2), plus 1 space per every three persons allowed as total daily on-site population (see Sec. 8175-5.4.3), plus 1 space per full-time employee	As determined by decision-making body
Campgrounds/Recreational Vehicle Parks	1 space per campsite or table, plus 1 space per full-time employee, plus 1 space per 25 campsites (or fraction thereof) for guest parking, to be located near the facility office (3 guest spaces minimum).	As determined by decision-making body

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
Clubhouses and Community Centers	See "Assembly Uses"	See "Assembly Uses"
Fields, Athletic	1 parking space per 3,000 sf of field area; 1 parking space per six linear feet of portable (or fixed) spectator seating area; Minimum 20 spaces	ST: 10% of the required motor vehicle spaces
Golf Course	3 spaces per hole	
Commercial Use (i.e. pro shop)	1 space/200 s.f. of building area for commercial purposes	LT: 1 space per 25 employees
Eating or Drinking Establishment (i.e. café, restaurant)	See "Restaurants, Cafes and Cafeterias"	ST: 2% of the required motor vehicle spaces
Driving Range	1 space per tee	
Parks and Picnic Grounds	Minimum 5 spaces	ST: 10% of the required motor vehicle spaces
Campgrounds	1 space per campsite or table, plus 2 spaces per 25 campsites, plus parking for any accessory uses	As determined by the decision-maker
Swimming Pools, Public	1 space per 200 sf of pool area 1 space per 300 sf of GFA area related to the pool and facilities	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Tennis and Racquetball Courts	2 spaces per court	LT: 1 space per 25 employees ST: 10% of the required motor vehicle spaces
Uses not Otherwise Listed	As determined by decision-making body	As determined by the decision-maker
RESIDENTIAL		
Bachelor or Studio Type Dwelling	1 covered space per unit	
Caretaker or Farmworker Single Family Dwellings	1 space for 1 bedroom or less 2 spaces for 2-4 bedrooms 3 spaces for 5 bedrooms	

LAND USE	MOTOR VEHICLE SPACES REQUIRED	BICYCLE SPACES REQUIRED
Mobilehome Parks Resident Parking Visitor Parking <i>(required if internal streets are less than 32 feet wide)</i>	2 spaces per unit 1 space per each 4 units, in addition to parking spaces required for residents	
Multi-Family Dwelling Units	See Sec. 8176-4.7.1	
Second Dwelling Units	1 space for units up to 700 sf of GFA; 2 spaces for units over 700 sf of GFA (in addition to the spaces required for the principal dwelling unit)	
Single-Family and Two-Family Dwellings		
1-4 Bedrooms (per unit)	2 covered ¹ spaces	
5 Bedrooms (per unit)	3 spaces (2 shall be covered ¹)	
6 or More Bedrooms (per unit)	4 spaces (2 shall be covered ¹)	

ST: Short-term bicycle parking spaces, generally bike racks.

LT: Long-term bicycle parking spaces, generally enclosed lockers.

See Sec. 8176-6, Bicycle Parking Design Standards

¹ Except that on parcels larger than one acre located in CA, OS, and CRE zones, parking may be uncovered.

Sec. 8176-3.7.1 Table of Parking Space Requirements for Multi-Family Dwelling Units

Parking for multi-family dwelling units shall be covered, except for visitor parking and all parking on parcels larger than one acre in the COS, CA, CR, and CRE zones. The number of required spaces depends upon both the number of bedrooms and whether provided parking is assigned or unassigned, as indicated in the table below.

Living Unit Size	Motor Vehicle Spaces Required (per unit) by Type of Parking			Required Visitor Parking (per unit)
	No Assigned Parking	1 Assigned Space or 1-Car Garage	2 Assigned Spaces or 2-Car Garage	
Studio	1.0 space	1.33 spaces	2.0 spaces	0.25 spaces
One Bedroom	1.25 spaces	1.4 spaces	2.0 spaces	0.25 spaces
Two Bedrooms	1.5 spaces	1.7 spaces	2.2 spaces	0.25 spaces

Living Unit Size	Motor Vehicle Spaces Required (per unit) by Type of Parking			Required Visitor Parking (per unit)
	No Assigned Parking	1 Assigned Space or 1- Car Garage	2 Assigned Spaces or 2-Car Garage	
Three or More Bedrooms	2.0 spaces	2.15 spaces	2.3 spaces	0.25 spaces
Each Additional Bedroom	0.20 space	0.20 space	0.20 space	

Sec. 8176-3.8 - Reductions to the Required Number of Motor Vehicle Parking Spaces

The number of off-street parking spaces required in Sec. 8176-4.7 may be reduced for a particular project so that the parking supply of individual land uses better corresponds with actual parking demand. Parking reductions also may be authorized for affordable housing or existing commercial and residential development pursuant to the provisions in Sec. 8176-4.8.1 below.

Sec. 8176-3.8.1 –Justifications for Reductions in Number of Required Motor Vehicle Parking Spaces

An applicant may use one or more of the following measures and approaches to justify a reduction in the number of required motor vehicle parking spaces.

- a. Parking Study. Applicant provides a parking study to assess the land use’s parking needs. Parking studies shall be prepared by a registered transportation engineer.
- b. Transportation Demand Management Plan. Applicant prepares a Transportation Demand Management Plan to reduce motor vehicle trips to the land use. Transportation Demand Management Plans shall be prepared by a person/firm qualified to prepare such plans, as determined by the Planning Director. Such plans shall provide documentation describing the measures that will be used to reduce parking demand. Such measures may include, but are not limited to:
 1. Locating a project within 1,500 feet of a stop for bus, rail, shuttle, or other public transit services.
 2. Installing transit stops or enhancing existing adjacent transit stops by incorporating additional landscaping, shelters, informational kiosks, or other amenities.
 3. Locating the project adjacent to a designated bicycle route or path.
 4. Improving existing bicycle routes and paths in the vicinity of the project.
 5. Providing residents or employees with transit passes.
 6. Providing shuttle services for employees, visitors, or residents.
 7. Creating ridesharing programs.
 8. Improving the pedestrian environment surrounding the project by the provision of sidewalks, marked crosswalks, additional landscaping, street furniture, lighting, and/or other safety features.

9. Allowing flexible work schedules or telecommuting.
10. Providing on-site amenities, which could include daycare, restaurants, and/or personal services such as banking or dry cleaning.
11. Installing additional bicycle parking facilities above the minimum requirements.
12. Providing shower and locker facilities. The provision of showers and associated lockers may be provided in lieu of required motor vehicle parking under some circumstances. Requirements for this reduction include:
 - i. The number of showers provided shall be based on demonstrated demand. At least six lockers for personal effects shall be provided per shower and shall be located near showers and dressing areas. Lockers shall be well ventilated and of a size sufficient to allow the storage of cycling attire and equipment. Showers and lockers should be located as close as possible to the bicycle parking facilities.
 - ii. For every two showers (one per gender) and six clothing lockers per shower provided, the amount of motor vehicle parking spaces provided may be reduced by three spaces, up to a maximum reduction of three percent (3%) of required motor vehicle spaces. Existing parking may be converted to take advantage of this provision.
13. Other measures to encourage transit use or to reduce parking needs.
 - c. Affordable or Senior Housing. The total number of spaces required may be reduced for affordable (low income, very low income, extremely low income) or senior housing units, commensurate with the reduced parking demand created by the housing facility, including for visitors and accessory facilities, only where the reduction can be substantiated by data that evidences the residents cannot or will not own vehicles. The reduction shall consider proximity to transit and support services and include traffic demand management measures in conjunction with any approval.
 - d. Drive-Through Land Uses. A reduction in the required number of parking spaces may be approved if documentation is provided which demonstrates to the satisfaction of the Director that the required number of parking spaces will not be needed due to the drive-through nature of the land use.
 - e. Parking Reserve. When parking spaces required by this article for non-residential uses are not needed by the current land use occupants or are not needed in the current phase of development, the land for those spaces may be held in reserve. This parking reserve shall be limited to one parking space or up to ten percent (10%) of the total number of required parking spaces, whichever is greater. The parking reserve area shall be included in the determination of lot coverage as though the spaces were in use. To take advantage of reserved parking, the following provisions shall be met:
 1. The applicant must demonstrate that the reduced number of parking spaces will be adequate to provide sufficient parking for the land uses on the property.

2. The area designated as reserve parking must be clearly depicted on the approved site plan, and the terms and conditions of the reserved parking shall be clearly set forth in the approved site plan notations.
 3. Landscaping must be provided in lieu of the required parking spaces in compliance with Sec. 8178-8, Landscaping and Screening.
 4. The reserved parking spaces must be maintained in a manner that leaves them available for conversion to required parking spaces. No above-ground improvements shall be placed or constructed upon the reserve parking area.
 5. The permit shall be conditioned to require the conversion of the reserved spaces into usable parking spaces as initiated by occupant use or phased development, or at any time that the Director determines necessary.
- f. Reduced Parking Requirements for Existing Commercial Development. When an existing commercial use does not meet current parking requirements for the number of motor vehicle spaces, the parking requirements for a change of use on parcels zoned Coastal Commercial (CC) shall occur as follows:
1. No intensification of use: No additional parking is required when the change of use results in the same motor vehicle parking requirements as the prior use.
 2. Intensification of use: When a proposed intensification of use results in increased parking requirements when compared to the prior use, then the required number of additional parking spaces shall be limited to the difference between those required for the prior use and the intensified use.
 3. Preservation of existing commercial use: When a proposed intensification of use results in an increased parking requirement when compared to the prior use (see Sec. 8176-4.8.1(f)(2) above), and an additional reduction in parking requirements may be granted when the applicant demonstrates all of the following:
 - i. No physical expansion of the existing commercial development is proposed;
 - ii. Adequate space is unavailable on-site for additional on-site parking, and all feasible on-site parking is included in the project description;
 - iii. Shared parking, pursuant to Sec. 8176.-4.6, is not available to meet parking requirements;
 - iv. Other transportation incentives programs, listed in Sec. 8176.4.8.1(b), are not feasible or will not lessen the number of parking spaces required; and
 - v. Parking demand for the commercial business will be reduced by one or more of the following factors:
 - (1) The business operation is limited to the evening hours, when beach recreational uses are low or non-existent; or
 - (2) The primary customer base consists of nearby residents or beachgoers that do not generate additional parking demand.
- g. Expansion of an Existing Single-Family or Two-Family Dwelling: An existing, single-family or two-family dwelling that does not meet current parking

requirements for number of motor vehicle spaces may be expanded if all of the following conditions exist:

1. The dwelling has at least one covered motor vehicle parking space;
2. The existing lot configuration does not allow for a second space or does not allow for access to a second space;
3. The driveway provides a minimum of 20 feet from the property line to the existing covered space that can be utilized as a parking space;
4. The addition contains no habitable, interior space (i.e., the addition consists of a garage expansion, outdoor patio expansion, etc.);
5. The addition will not result in an increased demand for on-street parking; and
6. The proposed addition otherwise conforms to the provisions of this Chapter.

Sec. 8176-3.8.2 – Findings for Parking Space Reductions. Reductions to the motor vehicle parking requirements of this Article shall only be approved when supported by written findings of fact in the final project approval letter. Written findings shall describe how the reduction of motor vehicle parking requirements for the particular project is justified by one or more of the measures or approaches in Sec. 8176-4.8.1 above. Such findings shall demonstrate that the proposed parking reduction:

- a. Is supported by evidence contained within a parking study, provided by the applicant and prepared by a registered transportation engineer; and
- b. Will not adversely affect existing or potential land uses adjoining, or in the general vicinity of, the project site (see Sec. 8176-4.1(c)); and
- c. Will not result in the displacement of public parking spaces used for access to coastal beaches or public recreation areas.

Sec. 8176-3.8.3 - Parking Space Reduction Documentation

The applicant shall provide documentation that describes the proposed parking reduction and identifies the parties responsible for implementing any parking measures associated with the proposed reduction. The documentation shall discuss the estimated parking demand for the land use, describe how parking demand will be met with the requested reduction, explain how the proposed measures will effectively decrease parking demand at the site, and include proposed performance targets for parking. Required documentation shall include information regarding specific parking reduction measures as described in Sec. 8176-4.8.1. Required documentation may also include existing parking counts, parking counts at similar land uses, calculation of future parking demand based on industry standards, the number of parking spaces on adjacent public streets, and identification of *coastal access parking* areas.

- a. Monitoring Reports. Monitoring reports shall be submitted to the Director three years after building occupancy and again six years after building occupancy. Monitoring reports shall identify daily, annual and, as applicable, seasonal peak parking periods based on a minimum of one parking survey per year, unless a seasonal peak occurs in which case two surveys per year will be required. The monitoring reports shall also describe the effectiveness of the approved parking reduction measures as compared to the initial performance targets. If necessary, the monitoring reports should provide suggestions for modifications to enhance

parking availability or reduce parking demand. Where the monitoring reports indicate that performance measures are not met, the Director may require further program modifications or the provision of additional parking.

- b. Recordation. As a condition of approval of the parking reduction, the property owner, if different than the applicant, may be required to record agreements on the subject property prior to issuance of a land use permit to ensure that appropriate measures are implemented to justify the parking reduction.

Sec. 8176-4 - Motor Vehicle Parking Design Standards

The following standards shall apply to all proposed off-street motor vehicle parking areas/spaces, except for temporary parking areas.

Sec. 8176-4.1 - Parking Plans

Applications for land use developments that include parking areas shall include a detailed parking plan(s) with a corresponding preliminary grading and drainage plan. These plans shall be prepared by a California-licensed civil engineer, and shall clearly illustrate compliance with all applicable requirements of this Article. The applicant shall submit these plans to the Public Works Agency Director and the Building and Safety Division Director for their approval prior to issuance of any land use entitlement.

Sec. 8176-4.2 - Stormwater Management

To enhance, protect and preserve water quality, a hydrology and hydraulics report may be required to demonstrate compliance with stormwater management requirements. Parking area design should incorporate methods of accommodating infiltration or filtration of stormwater onsite through use of pervious pavements, vegetated drainage swales, bioretention areas, tree box filters, dry swales, or other means.

Sec. 8176-4.3 - Location

Off-street parking areas and spaces shall be located in the following manner:

Sec. 8176-4.3.1 – Behind or Beside Buildings

To promote attractive urban form and facilitate pedestrian circulation, the preferred location of required parking areas (when provided above ground) relative to the street is as follows:

- First priority: to the rear of buildings or land uses.
- Second priority: to the side of buildings or land uses.
- Last priority: in front of buildings or land uses.

Sec. 8176-4.3.2 - Parking in Setbacks

Parking in setbacks is limited to situations authorized by Secs. 8175-3.4 and 8181-14.1 of this Chapter. Except as provided for in these sections, required uncovered single or two-family residential parking spaces shall not be located within the front set back.

Sec. 8176-4.3.3 - Motorcycle Parking

Motorcycle parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

Sec. 8176-4.3.4 - Carpool Parking

Carpool parking spaces shall be located as close as practical to the building entrance, but not closer than the spaces for disabled persons.

Sec. 8176-4.3.5 - Bicycle Parking

See Sec. 8176-5.3.

Sec. 8176-4.3.6 - Floodways and Floodplains

- a. Parking areas are prohibited in Federal Emergency Management Agency (FEMA) designated regulatory floodways.
- b. Parking areas located in a FEMA designated one percent annual chance floodplain (100-year floodplain) are subject to special design requirements. These requirements may include, but are not limited to, flood warning signage, design measures to contain motor vehicles in the parking area in the event of a flood, special lighting, mechanical and electrical system design requirements, and fencing restrictions.

Sec. 8176-4.4 - Circulation

Sec. 8176-4.4.1 - Cross Access

Cross access is encouraged between adjacent sites in commercial, industrial, and multi-family housing developments. A joint cross access agreement between two or more participating adjacent property owners must be executed where cross access is provided so that cross access between the properties is legally established, enforceable and maintained. This joint cross access agreement must be approved by the Director, recorded by the parties to the agreement and run with the respective properties.

Sec. 8176-4.4.2 - Pedestrian Safe Access

- a. Parking areas serving commercial, institutional, and multi-family 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. 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.

Sec. 8176-4.4.3 - Fire Apparatus Access

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Approved fire apparatus access roads shall be provided when required by the Ventura County Fire Protection District in order to minimize risks to life and property. Fire access roads shall be designed and constructed such that impacts on coastal resources are minimized, consistent with all policies and provisions of the LCP. Generally this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.

Sec. 8176-4.4.4 - Adequate Turning Radii

All internal circulation and queuing areas shall be designed to accommodate the turning radii of the vehicles that will be using the site.

Sec. 8176-4.4.5 - Contained Maneuvering

Parking areas shall be designed so that motor vehicles will exit onto a public street in a forward direction. Circulation of vehicles among parking spaces shall be accomplished entirely within the parking area. The Director may modify this requirement, in consultation with the Public Works Agency Transportation Director, when the applicant can demonstrate that it is not appropriate to the land use or location.

Sec. 8176-4.4.6 Short Parking Rows

Parking areas should be divided both visually and functionally into smaller parking courts. Interior rows of parking spaces shall be no more than 270 feet in length, inclusive of landscape planters but not including cross aisles or turnarounds. The Director may modify this requirement when the applicant can demonstrate that it is not appropriate to the land use or location.

Sec. 8176-4.4.7 - Directional Signs

Maneuvering areas within parking areas shall be clearly marked with directional signs or painted arrows to ensure the safe and efficient flow of vehicles, bicycles, and pedestrians (see Article 5 Sec. 8175-5.13 Signs).

Sec. 8176-4.5 - Driveways

Sec. 8176-4.5.1 - Driveway Width

- a. Portion Within Right-of-Way: Driveway width shall be the minimum necessary to provide access to the land use.
- b. Portion Outside Right-of-Way: Driveway widths shall be minimized where possible.

Sec. 8176-4.5.2 - Number of Driveways

Each site is limited to one driveway unless more than one driveway is required to handle traffic volumes or specific designs, such as residential circular driveways. Additional driveways shall not be allowed if they are determined to be detrimental to traffic flow and the safety of adjacent public streets, adversely impact coastal resources, or reduce on-street public parking. Whenever a property has access to more than one road, access shall be limited to the lowest traffic-volume road whenever possible.

Sec. 8176-4.5.3 - Shared Driveways

The number of driveways should be minimized where feasible by the use of shared driveways between adjacent properties. A joint access agreement between two or more participating adjacent property owners must be executed where driveways are shared, so that shared driveway access by the properties is legally established, enforceable and maintained. This joint access agreement must be approved by the Director, recorded by the parties to the agreement and run with the respective properties.

Sec. 8176-4.5.4 - Driveways Clearly Designated

Parking areas shall be designed to prevent entrance or exit at any point other than driveways. Appropriate barriers and entrance and exit signs shall be provided within parking areas. Stop signs shall be installed at all exits from parking areas (see Article 5 Sec. 8175-5.13 Signs).

Sec. 8176-4.6 - Parking Area and Space Dimensions

Sec. 8176-4.6.1 - Planning Director Waivers/Modifications

Motor vehicle parking design standards may be modified when the applicant can demonstrate, to the satisfaction of the Planning Director, that the required motor vehicle parking design standard is not appropriate to the land use or location.

Sec. 8176-4.6.2 - Space Angle

Ninety-degree parking, which uses the least amount of pavement per parking space, is preferred wherever possible.

Sec. 8176-4.6.3 - Standard Spaces

Each standard parking space shall be 9 feet wide by 18 feet long, with the following exceptions:

- a. The length of the parking space may be decreased by two feet where parking spaces face into landscape planters so that the concrete curb around the planter functions as the wheel stop, allowing motor vehicles to overhang the landscape planter. Use of such a bumper overhang reduces impervious surfaces and is encouraged. Plant material and irrigation equipment in the outside two feet of these landscape planters shall conform to the requirements of Sec. 8178-8 Landscaping and Screening. Utilization of a bumper overhang shall not allow a vehicle to extend into or over a pedestrian pathway or drive aisle.
- b. Required parking space dimensions do not apply if mechanical parking lifts are used to stack cars.
- c. The width of parking spaces may be reduced to 8 feet on legal lots that are less than 26 feet wide and where two or more parking spaces are required.
- d. The width or length of parking spaces may be increased for land uses that cater to larger vehicles such as trucks, shuttles, or vans.
- e. Parking space width shall be increased by 6 inches to 9 feet 6 inches (114 inches) if adjacent on one side to a wall, fence, hedge, or structure; and by 1 foot 6 inches to 10 feet 6 inches (126 inches) if adjacent on both sides to a wall, fence, hedge, or structure.

Sec. 8176-4.6.4 - Motorcycle Spaces

Each motorcycle parking space shall be a minimum of 4 feet wide by 8 feet long.

Sec. 8176-4.6.5 - Compact Spaces

Up to 30 percent of the total parking spaces required for low-turnover, nonretail parking areas serving primarily employees, residents, or students may be provided as compact spaces. Each compact space shall be a minimum of 8 feet 6 inches wide by 16 feet long and be clearly designated for compact vehicles.

Sec. 8176-4.6.6 - Parallel Spaces

The minimum size of a parallel parking space shall be 8 feet 6 inches wide by 22 feet long.

Sec. 8176-4.6.7 - Bicycle Spaces

See Sec. 8176-5 – Bicycle Parking Design Standards.

Sec. 8176-4.6.8 - Clear Height in Parking Structures

At least one floor in parking structures shall be designed with a minimum height of 9 feet 6 inches to allow for vanpool vehicles and accessible parking for disabled persons.

Sec. 8176-4.6.9 - Dead End Turnout

Where drive aisles terminate at a dead-end, adequate provision shall be made for vehicles to turn around. Depending on the situation, this may be satisfied by provision of at least six feet between the end of parking rows and the end of the drive aisle. Dead-end drive aisles shall be avoided or otherwise minimized.

Sec. 8176-4.6.10 - Drive Aisles and Modules

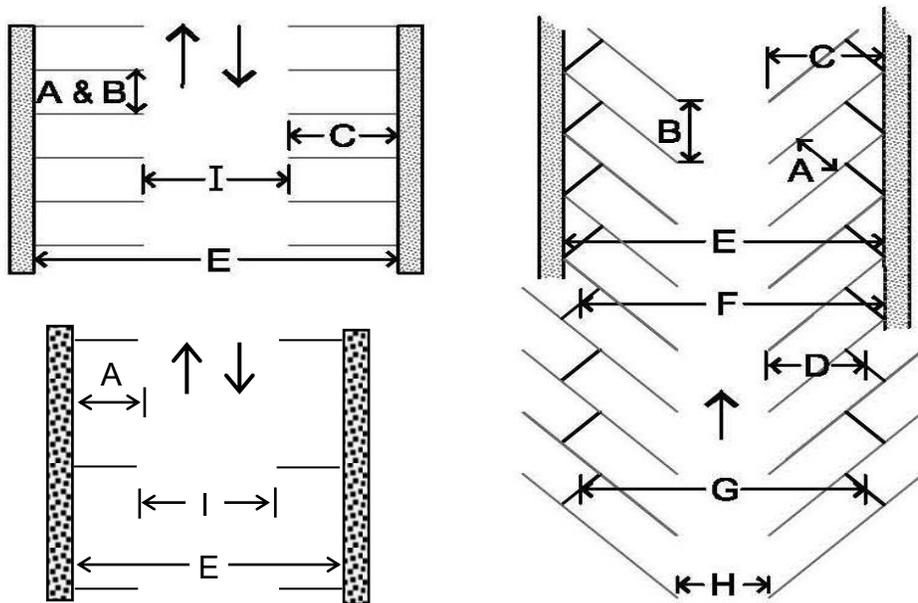
Parking area drive aisles and modules shall be designed following the standard dimensions included in the table in Sec. 8176-5.6.11 and the figure in Sec. 8176-5.6.12 and as required to meet Sec. 8176-5.4. Wider aisles may be approved when appropriate for truck maneuvering. Two-way aisles are permitted in conjunction with 90-degree and parallel spaces only.

Sec. 8176-4.6.11 – Table of Parking Area Layout Dimensions

Angle	Stall Width in feet (A)	Stall Width in feet, parallel to aisle (B)	Stall Length in feet, perpendicular to aisle		Module Width in feet			Aisle Width in feet	
			Wall to Aisle (C)	Interlock to Aisle (D)	Wall to Wall (E)	Wall to Interlock (F)	Interlock to Interlock (G)	One-way (H)	Two-way (I)
<i>Standard Space (9 x 18)¹</i>									
90	9.0	9.0	18.0	18.0	60.0	60.0	60.0	24	24
75	9.0	9.3	19.7	18.5	60.0	58.9	57.7	21.6	NA
60	9.0	10.4	20.1	17.8	55.5	53.3	51.0	15.3	NA
45	9.0	12.7	19.1	15.9	48.5	45.3	42.1	10.3	NA
Parallel	9.0	NA	NA	NA	42	NA	NA	12	24

¹Parking area design for full rows of compact spaces shall be reviewed on a case-by-case basis.

Sec. 8176-4.6.12 - Figure 1: Parking Area Layout Dimensions



Sec. 8176-4.7 - Tandem Parking

Required parking may be provided in tandem for residential land uses with the following restrictions:

- a. Tandem parking shall not be more than two cars in depth.
- b. Both tandem spaces shall serve the same dwelling unit.
- c. For multi-family residential dwellings, tandem parking may be provided to meet up to 50 percent of the required parking spaces, only where it is demonstrated that such a reduction has no potential to adversely affect public parking available for public coastal access.

Sec. 8176-4.8 - Slope

Accessible parking spaces for disabled persons shall be the minimum possible and shall not exceed 2 percent slope in any direction. All other parking spaces shall slope no more than 5 percent in any direction and no less than 0.5 percent in the direction of drainage. The slope in drive aisle and turnaround areas shall be no more than 10 percent.

Sec. 8176-4.8.1 - Planning Director Modifications

Slope requirements may be modified, but not for disabled person accessible parking spaces, when appropriate given site constraints.

Sec. 8176-4.9 - Surfaces

- a. The surface of all required uncovered off-street motor vehicle parking spaces, aisles, driveways and loading areas shall be constructed and maintained with permanent all-weather, load-bearing pervious or impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. The use of pervious surfaces is encouraged to facilitate on-site infiltration of stormwater. To reduce heat generation from parking area surfaces, the use of light-colored/high-albedo surfaces is encouraged.

- b. The surface of fire apparatus access driveways shall be subject to review by the Ventura County Fire Protection District.
- c. The surface of the portion of driveways in the right-of-way design shall be subject to review by the Public Works Transportation Department or Caltrans if located on a State highway.
- d. Ribbon driveways outside of the right-of-way may be installed as an alternative to fully paved driveways, subject to review by the Ventura County Fire Protection District.

Sec. 8176-4.9.1 – Surfacing Plans

When pervious surfaces are used, the parking area plans shall document that:

- a. The pervious materials have been designed to support anticipated vehicle weights and traffic volumes.
- b. The pervious materials have been designed to minimize surface cracking, crumbling, eroding, and other maintenance problems for the pervious surface as well as any adjacent surfaces or structures.

Pervious surfaces used for parking spaces in single- and two-family dwellings or other *parking lots* with less than 5 spaces are not subject to the above documentation requirements.

Sec. 8176-4.10 – Parking Space Marking

Parking spaces within parking areas shall be clearly marked with paint striping or another durable, easily distinguishable marking material. Concrete wheel stops shall be provided for all parking spaces. Space marking shall be four inches in width and maintained in good condition.

Sec. 8176-4.10.1 – Exception

Space marking requirements may be modified if the applicant can demonstrate, to the satisfaction of the Planning Director, that they are not appropriate to the land use or location, including but not limited to parking areas surfaced with gravel or other aggregate materials.

Sec. 8176-4.11 - Clear Visibility and Safety

Clear visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking area, and when entering and exiting a parking area.

- a. Each driveway shall be constructed and maintained pursuant to the sight distance requirements as determined by the Ventura County Transportation Department or Caltrans, as appropriate.
- b. Landscaping at any interior parking area intersection shall not obstruct a driver's vision of vehicle and pedestrian cross traffic.
- c. With the exception of trees, landscaping adjacent to pedestrian pathways shall be no more than three feet in height.

Sec. 8176-4.12 - Lighting

Lighting shall be provided for all parking areas in compliance with the following:

- a. Parking areas that serve night-time users shall be lighted with a minimum one foot-candle of light at ground level for security.
- b. All lights in parking areas that serve non-residential land uses, except those required for security per subsection (a) above, shall be extinguished at the end of the working day. Lights may be turned on no sooner than one hour before the commencement of working hours.
- c. Light poles shall be located so as not to interfere with motor vehicle door opening, vehicular movement or accessible paths of travel. Light poles shall be located away from existing and planned trees to reduce obstruction of light by tree canopies. Light poles shall be located outside of landscape finger planters, end row planters, and tree wells. Light poles may be located in perimeter planters and continuous planter strips between parking rows.
- d. Any light fixtures adjacent to a residential land use, a residentially zoned lot, agricultural or open space lots, or an environmentally sensitive habitat area, shall be arranged and shielded so that the light will not directly illuminate the adjacent lot or land use. This requirement for shielding applies to all light fixtures, including security lighting.
- e. In order to direct light downward and minimize the amount of light spilled into the dark night sky, any new lighting fixtures installed to serve above-ground, uncovered parking areas shall be full cut-off fixtures. New lighting fixtures installed for parking area canopies or similar structures shall be recessed or flush-mounted and equipped with flat lenses.

Sec. 8176-4.13 - Trash and Recyclables Receptacles

At least one trash and one recyclables receptacle shall be provided for parking area users for the first 20 motor vehicle parking spaces. Receptacles shall be enclosed to prevent access by animals and wind, placed in convenient, accessible locations, and serviced and maintained appropriately.

Sec. 8176-5 - Bicycle Parking Design Standards

The following design standards shall apply to all bicycle parking facilities. The layout and design of required bicycle parking facilities shall ensure safety, security, and convenience to the satisfaction of the Planning Director.

Sec. 8176-5.1 - Short-Term Bicycle Parking (Bicycle Racks)

Short-term bicycle parking facilities shall have the following characteristics:

- a. Support a bicycle by its frame in two places in a stable upright position without damage to the bicycle or its finish.
- b. Enable the frame and one or both wheels to be secured with a user-provided U-shaped lock (U-lock) or cable.
- c. Be anchored to an immovable surface or be heavy enough that the rack cannot be easily moved.
- d. Be constructed such that the rack resists being cut, disassembled, or detached with manual tools such as bolt or pipe cutters.
- e. Not have sharp edges that can be hazardous to bicyclists or pedestrians.

- f. Provide easy access to each parked bicycle without awkward movements or moving other bicycles, even when the rack is fully loaded.
- g. The Director may approve other short-term bicycle parking designs that provide adequate safety, security, and convenience, including designs that accommodate the parking of 3-wheeled, recumbent, or other styles of bicycles.

Sec. 8176-5.2 - Long-Term Bicycle Parking

Long-term bicycle parking facilities shall be covered and secured. These facilities shall protect the entire bicycle and accessories from theft, vandalism, and inclement weather by the use of:

- a. Bicycle Lockers. A fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle, or
- b. Restricted-access Enclosure. A locked room or enclosure containing one bicycle rack space for each bicycle to be accommodated and accessible only to the owners or operators of the bicycles parked within it. Said racks shall meet the requirements of Sec. 8176-6.1.
- c. Check-in Facility. A location to which the bicycle is delivered and left with an attendant with provisions for identifying the bicycle's owner. The stored bicycle is accessible only to the attendant, or
- d. Other. Other means that provide the same level of security as deemed acceptable by the Director.

Sec. 8176-5.3 - 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 land 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 facilities may be separated from short-term bicycle facilities.

In addition, the following location criteria shall be met:

Sec. 8176-5.3.1 - Proximity to Main Entrances

Short-term bicycle parking facilities shall be conveniently located to 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 as close as possible to the building entrance. Bicycle parking shall not obstruct pedestrian access.

Sec. 8176-5.3.2 - Outside Pedestrian Pathway

Bicycle parking racks located on pedestrian pathways shall maintain a minimum of four feet of unobstructed pathway outside the bicycle parking space.

Sec. 8176-5.4 - Layout

The following design criteria apply to short-term facilities. Because of the additional security level, the layout of long-term facilities shall be determined on a case-by-case basis.

Sec. 8176-5.4.1 - Bicycle Parking Facility Delineation

Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

- a. All parking facility boundaries shall be delineated by striping, curbing, fencing, or by other equivalent methods. Boundaries shall include all applicable dimensions as outlined in Sec. 8176-6.4.3 and Sec. 8176-6.4.4.
- b. Bicycle parking locations near roadways, parking areas, or drives shall be protected from damage by motor vehicles by use of bollards, curbs, concrete planters, landscape buffers, or other suitable barriers.

Sec. 8176-5.4.2 - Bicycle Parking Facility Signage

Where bicycle parking facilities are not clearly visible to approaching bicyclists, conspicuous signs shall be posted to direct cyclists to the facilities. Long-term bicycle parking facilities that incorporate bicycle lockers shall be identified by a sign at least 1 foot by 1 foot in size that lists the name or title and the phone number or electronic contact information of the person in charge of the facility.

Sec. 8176-5.4.3 - Bicycle Parking Space Dimensions

Bicycle parking spaces shall have the following dimensions.

- a. Space Length: Each bicycle parking space shall be a minimum of 6 feet in length.
- b. Space Between Racks: The minimum space between bicycle parking posts or racks shall be 2 feet 6 inches.
- c. Space Between Adjacent Walls/Obstructions: A minimum of 2 feet 6 inches shall be provided between the end of a bicycle parking rack and a perpendicular wall or other obstruction (e.g., newspaper rack, sign pole, furniture, trash can, fire hydrant, light pole). A minimum of 2 feet 6 inches shall be provided between the side of a bicycle parking rack and a parallel wall or other obstruction.
- d. Bicycle parking space dimensions may be modified if the applicant can demonstrate, to the satisfaction of the Planning Director, that they are not appropriate to the land use or location, and to accommodate the parking of 3-wheeled or recumbent bicycles or other non-standard bicycles.

Sec. 8176-5.4.4 - 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 six 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.

Sec. 8176-5.5 - Lighting

Lighting of not less than one foot-candle of illumination at ground level shall be provided in both interior and exterior bicycle parking facilities during hours of use.

Sec. 8176-6 - Queueing Lanes

Sec. 8176-6.1 - Drive-Through Facilities

A lane that is physically separated from other traffic circulation on the site shall be provided for motor vehicles waiting for drive-through service. The queuing lane for each drive-through window or station shall be at least 12 feet wide, with sufficient turning radii to accommodate motor vehicles. Queuing lanes shall be designated by paint-striping, curbs, or other physical means as appropriate. Queuing lanes shall be designed to avoid interference with on-site pedestrian access. The principal pedestrian access to the entrance of the drive-through facility shall not cross the drive-through lane.

Sec. 8176-6.1.1 – Planning Director Modification

The Director may modify this standard if the applicant can demonstrate through an interior circulation analysis that the relationship of the length of the queuing lane, the nature of the land use, or the physical constraints of the lot make this standard infeasible and that an alternative configuration can safely accommodate vehicle queuing.

Sec. 8176-6.1.2 - Directional Signs

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

Sec. 8176-6.1.3 - Location

Drive-through facilities shall not be located between the street and the main building entrance.

Sec. 8176-6.1.4 - Queuing Capacity

The vehicle queuing capacity for land uses containing drive-through facilities shall be as follows:

Land Use	Queuing Lane Requirements
Restaurants	Queuing for 8 vehicles behind the pickup window
Banks	Queuing for 5 vehicles for each queuing lane
Other Land Uses	Queuing for 6 vehicles for each queuing lane

Sec. 8176-6.2 – Schools

For the purpose of providing a safe, on-site stacking space for parent drop-off and pick-up, and to prevent traffic congestion or public safety hazards related to vehicle queues on adjacent roadways, the following standards shall apply for public or private schools:

- a. Drop-off/pick-up zones should provide a one-way traffic flow in a counterclockwise direction so that students are loaded and unloaded directly to the curb/sidewalk.
- b. An adequate driveway length shall be provided on-site for queuing vehicles.
- c. Calculate the vehicle queuing capacity as follows:
 1. The length of the queuing lane shall provide 20 feet per vehicle; and
 2. Calculate the number of vehicles within the queue by multiplying 1.35 times the projected number of peak hour trips (excluding employees). The number of peak

hour trips may be reduced, at the discretion of the Planning Director, when the applicant demonstrates that walking, bicycling, or transit will result in a reduced number of peak hour trips.

Sec. 8176-7 - Loading Areas

Sec. 8176-7.1 - Materials Loading Areas

All commercial and industrial land uses shall provide and maintain off-street materials loading spaces as provided herein.

Sec. 8176-7.2.1 – Planning Director Waiver/Modification

The Director may modify this standard if the applicant can demonstrate that the site configuration, nature of the land use, or other considerations make off-street loading spaces unnecessary or infeasible.

Sec. 8176-7.2.1.1 – Table of Required Materials Loading Areas

Gross Floor Area	Loading Spaces Required
0-15,000	1
15,001-40,000	2
40,001-90,000	3
90,000-150,000	4
150,000 and over	5
Educational Land Uses	
0-50,000	1
50,001-100,000	2
100,000 and over	3
Hotels, motels, boatels and restaurants	1

Sec. 8176-7.2.3 - 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 Sec. 8178-8 Landscaping and Screening.
- 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.

Sec. 8176-8 - Private Streets

With the exception of driveways, internal streets and access ways which are not part of the public right-of-way are private streets and shall meet the following minimum standards:

- a. All private streets shall comply with road standards established by the Ventura County Fire Protection District.
- b. New private streets shall be approved only if such street(s) would better serve the occupants of a development and detrimental effects, such as blocked road connections or restrictions on access to coastal resources, are avoided.
- c. In order to provide essential ingress routes for emergency vehicles or escape routes for residents during a wildfire or other public emergency, private gates shall comply with the Ventura County Fire Protection District requirements for access gates.

Sec. 8176-9 – Plug-In Electric Vehicle (PEV) Charging Stations

The use of Plug-in Electrical Vehicles (PEVs) is an effective means of reducing the global warming emissions associated with car travel. The standards set forth below serve to encourage alternative modes of transportation that do not rely on vehicles powered by gasoline or diesel fuel.

Sec. 8176-9.1 – Definition of types of PEV Charging Stations

An electric vehicle charging station is an off-street public or private parking space(s) that is (are) served by battery charging equipment with the purpose of transferring electric energy to a battery or other energy storage device in an electric vehicle and is classified based on the following levels:

- a. Alternating Current (AC) Level 1 Slow Charging (120 volts, 15/20 amps) Standard wall outlet charging, typically comes with the car; slowest but simplest charging.
- b. Alternating Current (AC) Level 2 Medium Charging (208-240 volts, max 80 amps) Level 2 requires a dedicated circuit and may require an electrical panel upgrade.
- c. Direct Current (DC) Fast Charging (450 volts, 60 amps or higher): DC Fast Chargers require electrical panel and service upgrades and allow for faster recharging of electric vehicles.

Sec. 8176-9.2 - Residential PEV Charging Systems

AC Level 1 and AC Level 2 PEV charging systems are permitted in all residential zones and Santa Monica Mountains (M) Overlay zone in accordance with the following:

- a. A PEV charging station is permitted only on a legally developed residential parcel.
- b. A PEV parking space may be counted towards the required off-street parking pursuant to Sec. 8176-4.7, Table of Parking Space Requirements by Land Use.

Sec. 8176-9.3 – Non-Residential PEV Charging Systems

AC Level 1, AC Level 2 and DC Fast Charging PEV charging systems are permitted in the Coastal Agricultural (CA), Coastal Open Space (COS), Coastal Commercial (CC), and Coastal Industrial (CM) zones. Non-residential PEV charging stations shall be designed in conformance with the following:

- a. A Non-Residential PEV Charging Station shall only serve off-street parking facilities.
- b. The first PEV charging space shall be designed to allow access for persons with disabilities pursuant to Sec. 8176-4.4, Accessible Parking for Disabled Persons. No signage or space marking indicating a handicap parking space is required.

Sec. 8176-9.4 – Permit Requirements

No person shall place, erect, or install a new PEV charging station or modify, alter, or incorporate electrical or mechanical upgrades to a legally permitted PEV charging station without first obtaining zoning clearance per Sec. 8176-10.4.1 and/or a Planned Development Permit per Sec. 8176-10.4.2 in accordance with the provisions of the PEV Application Procedures in Sec. 8176-10.4.3.

Sec. 8176-9.4.1 – PEV Charging Station - Zoning Clearance

A zoning clearance is required for the following PEV charging stations except when proposed in a location described in Sec. 8176-10.4.2.

- a. PEV charging stations affixed directly to a legally authorized building or structure in compliance with Sec. 8174-6.2.2, Improvements to Existing Single-Family Dwellings, and Sec. 8174-6.3.4, Improvements to Non-Residential Structures, Other than Public Works Facilities.
- b. Any modification or alteration of an existing permitted PEV charging station that does not result in an addition to, or enlargement or expansion of, the PEV charging station.
- c. Replacement of existing permitted PEV electrical charging stations destroyed by disaster pursuant to Sec. 8174-6.3.5.

Sec. 8176-9.4.2 – PEV Charging Station - Planned Development Permit

A Planned Development Permit is required for the following PEV charging stations:

- a. Direct Current (DC) Fast Charging PEV charging stations.
- b. PEV charging stations not affixed to a building or structure and where the construction of the PEV charging station requires earth disturbing activities for which a grading permit is required.
- c. Repair, maintenance or upgrades to a permitted PEV charging where the proposed method of repair, maintenance or upgrade will involve substantial adverse effects on a coastal resource.

Following approval of a Planned Development Permit, the permittee shall obtain a Zoning Clearance prior to initiating the permitted use in accordance with Sec. 8181-3.1

Sec. 8176-9.4.3 – PEV Charging Station Permit Application Requirements

When a Planned Development Permit and/or a Zoning Clearance is required, an application shall be filed with the Planning Division in accordance with Sec. 8181-5, and shall be signed by the owner and the applicant or authorized agent thereof. The application shall be processed pursuant to Article 11, Entitlements – Process and Procedures. In addition to providing the information and materials required by Sec. 8181-5, the application shall also provide the following information and materials:

- a. A site plan showing the dimensions of the parcel, location and size of any existing or proposed buildings or structures on the property, and adjacent streets and land uses.
- b. The location of off-street parking facilities, parking space dimensions, points of entry and exit for motor vehicles, and proposed charging system location including location of additional meter, if applicable;
- c. The proposed PEV charging station dimensions (height, width and depth).
- d. The method of attachment of the PEV charging station to any structure; if applicable.
- e. Single line electrical plan that graphically depicts points of connection from electrical source to PEV charging system.
- f. Type of charging system: Level 1, Level 2, or DC Fast Charging, with approved Underwriters Laboratories product listing agency verifying safety-related certification and inspection of the PEV charging system electrical devices and components.
- g. Manufacturer's specifications, installation guidelines, and, if applicable, ventilation requirements;
- h. Existing panel rating and proposed charging load and calculations;
- i. If a second electrical meter and dedicated breaker is installed for the purpose measuring only a PEV's energy use separate from a home or business electric load, the second meter must be labeled as "PEV Charging Only".
- j. Other information that the Planning Division may require to secure compliance with this Chapter.

Sec. 8176-9.5 –PEV Charging Station Design Standards

- a. Location – Outdoor Sites
 1. On-street PEV charging stations are prohibited. Vehicles must be parked outside of the public right-of-way while being charged.
 2. PEV charging station outlets and connector shall be no less than thirty-six inches or no higher than forty-eight inches from the top of the surface where mounted and shall contain a retraction device or a place to hang cords and connectors above the ground surface, unless the manufacturer instructions for the electrical vehicle supply equipment recommends otherwise.
 3. When attached to the side of a building, the charging system must be at least three feet from the property line.
 4. Equipment shall be protected by wheel stops or concrete-filled bollards.

5. In no case shall PEV charging station equipment encroach into public right-of-ways. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create hazards within the right-of-way.
- b. Location – Indoor Sites
 1. Indoor sites shall be limited to garages, parking structures, and agricultural buildings.
 2. The electrical vehicle supply unit shall be located to permit direct connection to the electric vehicle.
 3. PEV charging stations shall be stored or located at a height of no less than eighteen inches and no more than four feet unless the manufacturer instructions for the electrical vehicle supply equipment recommends otherwise.
 4. Where the electric vehicle charging equipment requires ventilation for indoor operation, ventilation equipment connected to the outdoors shall be installed and permanently maintained.
 - c. Lighting
 1. In no case, shall direct light from a PEV charging station illuminate a public street, walkway, or adjacent property in a manner that causes a nuisance, traffic hazard or safety hazard.
 2. Illuminated PEV charging stations are prohibited within 100 feet of environmentally sensitive habitat areas.
 - d. Signage. Signage shall be designed in conformance with Article 5 Sec. 8175-5.13 of this Chapter. The following information shall be displayed on PEV charging station signs:
 - g. Voltage and amperage levels;
 - h. Safety information;
 - i. Hours of operations if time limits or tow-away provisions are to be enforced by the property owner;
 - j. Usage fees;
 - k. Contact information for reporting when the equipment is not operating or other problems.
 - l. PEV parking spaces must be designated with signage stating "Electric Vehicle Charging Only."

Section 5
ARTICLE 7
STANDARDS FOR SPECIFIC ZONES

Article 7, Section 8177-1.2(b) – General Standards, of the Ventura County Ordinance Code is hereby amended to read as follows:

- b. The parking standards of Article 6 shall apply in the CRPD zone, with the additional provision that a minimum of one visitor parking space for each two dwelling units, either on- or off-street, is required.

Section 6
ARTICLE 8
GENERAL DEVELOPMENT STANDARDS/CONDITIONS
- RESOURCE PROTECTION

Article 8, Section 8178-3 – Archaeological and Paleontological Resources, of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8178-3 – Archaeological and Paleontological Resources

Sections:

- 8178-3.0 Archaeological and Paleontological Resources
- 8178-3.1 Archeological Resources
 - 8178-3.1.2 Methodology
 - 8178-3.1.3 Monitoring
 - 8178-3.1.4 Mitigation
- 8178-3.2 Paleontological Resources
 - 8178-3.2.1 Applicability
 - 8178-3.2.2 Methodology
 - 8178-3.2.3 Monitoring
 - 8178-3.2.4 Mitigation

Sec. 8178-3.1 - Archaeological Resources

The purpose of this section is to protect *archaeological resources* in the coastal zone.

Sec. 8178-3.1.1 - Applicability

The following standards shall apply to all proposed development in order to protect *archaeological resources* that can be disturbed by human activities. Development that does not have the potential to affect *archeological resources*, does not require further review.

Sec. 8178-3.1.2 – Methodology

Sec. 8178-3.1.2.1 – Initial Evaluation

- a. The Planning Division shall conduct a search of County records to determine if areas proposed to be disturbed, including but not limited to all building envelopes, access roads, subsurface structures, well sites, trenching sites, or other ground disturbance sites), have undergone a Phase I Inventory in accordance with Sec. 8178-3.1.2.2 (below).
- b. If a Phase I Inventory was conducted for the area proposed for development, the findings and recommendations shall be reviewed by the Planning Division to verify that all areas proposed for development were included in the Phase I Inventory.
- c. If the project area is undeveloped and no archaeological survey has been conducted, or portions of the project site were not included in a previous Phase I Inventory, the Planning Division shall contact the South Central Coast Information Center at Cal State Fullerton (SCCIC) to determine if a Phase I Inventory will be required.

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Sec. 8178-3.1.2.2 – Phase I Inventory

- a. A Phase I Inventory shall be prepared by a *Qualified Archaeological Consultant* and shall include a record search, Sacred Lands File search, and a surface survey as follows:
 1. A record search shall be procure information from the SCCIC or Regional Historical Resources Information Center and shall determine the following:
 - i. Whether a part or all of the project area was previously surveyed for *archaeological resources*;
 - ii. Whether any known *archaeological resources* were already recorded on or adjacent to the project area; and,
 - iii. Whether the probability is low, moderate, or high that *archaeological resources* are located within the project area.
 2. A Sacred Lands File search shall be requested from the Native American Heritage Commission to determine the presence of Native American *archaeological resources* and to obtain the most recent list of Native American individuals/organizations that may have knowledge of *archaeological resources* in the project area.
 3. A surface survey shall be performed to determine the presence or absence of *archaeological resources*. The *qualified archaeological consultant*, in consultation with the Planning Division, shall determine if a subsurface analysis should be performed. Subsurface exploration techniques shall be limited to hand excavations, shovel test pits, or trenches that do not require a grading permit and will not result in substantial disturbance of environmentally sensitive habitat areas.
- b. The Phase I Inventory Report shall include:
 1. An overview of the archaeological context within which to evaluate the type, nature and significance of prehistoric resources (i.e. material remains of Native American societies and their activities) or ethnohistoric resources (i.e. Native American settlements occupied after the arrival of European settlers in California) that may be encountered in the project area;
 2. An historical context to determine if any *archaeological resources* meet the criteria for an *historic resource* pursuant to Sec. 8178-3.1.2.3;
 3. A description of how the surface survey was conducted;
 4. An assessment identifying the importance or absence of subsurface *archaeological resources* and any potential direct or indirect effects from the proposed development on *archaeological resources*;
 5. Resource management recommendations;
 6. Copies of the records search; and
 7. Official state forms (i.e. Building, Structure and Object (BSO) Record, Archaeological Site Record and/or District Record) if *archaeological resources* are encountered.

A copy of the Phase I Inventory shall be reviewed and approved by the Planning Director and filed with the South Central Coastal Information Center (California State University Fullerton) or Regional Historical Resources Information Center.

- c. Where, as a result of the Phase I Inventory, the *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, that the potential for encountering *archaeological resources* is low, no further analysis is required. However, the project will be conditioned that in the event of an unanticipated discovery, construction shall be halted in the area of the find and the permittee shall contact the Planning Director, the *qualified archaeological consultant* and the State Historic Preservation Officer to assess the significance and treatment options.
- d. Following the submittal of a Phase I Inventory, and within 14 days of deeming the application complete, the Planning Division shall notify the designated contact or tribal representative of traditionally and culturally affiliated California Native American tribes that requested, in writing, to be notified of proposed projects in the geographic area with which the tribe is traditionally and culturally affiliated.
 1. The Planning Division shall provide written notification that includes a brief description of the proposed project and its location, the assigned case planner's contact information, and a notification that the California Native American tribe has 30 days to request a consultation.
 2. Mandatory topics of the consultation include significance of the resource, alternatives to the project, and recommended mitigation measures.
 3. Environmental issues and possible mitigation measures identified during the consultation will be considered in determining the scope of environmental review.

Sec. 8178-3.1.2.3 – Archaeological Resources Determined to be Historic Resources

- a. Where, as a result of the Phase I Inventory, the, *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, the archaeological site is also an *historic resource*, the Planning Director, in consultation with the *Qualified Archaeological Consultant*, the Ventura County Cultural Heritage Board, and the State Historic Preservation Officer, shall develop a plan for mitigating the effect of the project on the qualities that make the resource significant consistent with the criteria for mitigation in Sec. 8178-3.1.4, with an emphasis on avoiding impacts to the resource and preserving it in place.
- b. Where the, *Qualified Archaeological Consultant* determines, with the approval of the Planning Director, the archaeological site does not meet the criteria for an *historic resource* as defined in Article 2 but does meet the definition of *archaeological resource*, the *Qualified Archaeological Consultant's* recommendations, with the approval of the Planning Director, shall determine the subsequent course of action.

Sec. 8178-3.1.2.4 – Phase II Evaluation

- a. Where the approved Phase I Report identifies a moderate to high potential for encountering significant *archaeological resources* in the project area, a Phase II Evaluation of *archaeological resources* shall be required.
- b. Notwithstanding the foregoing, the Planning Director may waive the preparation of a Phase II Evaluation if all of the following conditions are met:
 1. Based upon substantial evidence, the Planning Director determines that although the Phase I Inventory indicates the presence of prehistoric or ethnohistoric resources are present, it is unlikely that the project site will contain *archaeological resources* (as for example, where the site is in an area of low density of artifacts or other remains, the suspected amount of the site deposit to be disturbed is small, or where it appears the artifacts or other remains have been historically redeposited);
 2. Project applicant provides monitoring of all excavation and trenching by an *Archaeologist, Qualified Consultant* and qualified Native American monitor, chosen in consultation with the Native American Heritage Commission if the resource is significant to Chumash or Native American prehistory or history; and
 3. A *Qualified Archaeological Consultant* prepares a Construction Monitoring Plan that includes the following:
 - Procedures for archaeological and Native American monitoring of all earth-moving activities related to project construction;
 - An action plan for treating discoveries of archeological resources including sampling procedures to be used, data recovery methods to be employed, and the anticipated approach to post-field data analysis and reporting.
- c. If a Phase II Evaluation is required, the shall provide a written scope of work that details the recording, mapping, and collection procedures, time frames and cost. Prior to initiating the Phase II Evaluation pursuant to Sec. 8178-3.1.2.6, the Planning Director shall review and approve the scope of work.
- d. During the Phase II Evaluation, the *Qualified Archaeological Consultant* shall recover sufficient samples to allow the formulation of more complete interpretations regarding the spatial disposition of artifacts across the site, as well as the likely age and function of discreet components or activity areas within the site. The evaluation shall consist of the following:
 1. Subsurface exploration techniques including hand and/or auger excavations, and shovel test pits or trenches, as determined by the *Qualified Archaeological Consultant*;
 2. A delineation of the site boundaries of the *archaeological resources*;
 3. A detailed analysis of the material recovered; and
 4. An assessment of resource integrity.
- e. Earth disturbing activities associated with the Phase II Evaluation shall be confined to the direct area of the project's potential effects except when otherwise indicated in the approved scope of work.

- f. Prior to approval of a Planned Development Permit for the project, a final Phase II Evaluation report with recommendations of impact mitigation shall be submitted to the Planning Director for review and approval and shall be filed with the South Central Coastal Information Center (California State University Fullerton) or Regional Historical Resources Information Center.

Sec. 8178-3.1.2.5 – Phase III Mitigation

- a. Where as a result of the Phase II Evaluation the *Qualified Archaeological Consultant* determines that the project may adversely affect *archaeological resources* that yield or have the potential to yield significant information regarding prehistory or history only with archaeological methods, and therefore data recovery necessary for cultural and scientific discovery would serve as the primary mitigation method, with the approval of the Planning Director, a Phase III archaeological mitigation plan for the treatment of impacted archaeological resources shall be prepared.
- b. Where the *Qualified Archaeological Consultant* determines that the project may adversely affect archaeological resources other than those that have the potential to yield significant information regarding history or prehistory, with the approval of the Planning Director, the project shall be subject to the mitigation criteria in Sec. 8178-3.1.4. The Phase III archaeological mitigation plan shall be prepared by the *Qualified Archaeological Consultant* and shall include a Data Recovery Plan that proposes how the archaeological excavation will be carried out, and shall require the preparation of a Data Recovery Report summarizing the results of the archaeological excavation(s).
- c. Excavations shall be confined to the direct area of the project's potential effects except when otherwise indicated in a Data Recovery Plan. The Data Recovery Plan shall include but not be limited to the following:
 - 1. The nature and purpose of the Data Recovery Plan, dates of the fieldwork, names, titles, and qualifications of personnel involved, and nature of any permits or permission obtained;
 - 2. The level of excavation needed;
 - 3. The analytical protocols for the data;
 - 4. Detailed notes, photographs, and drawings of all excavations and soil samples; and
 - 5. The location of where archaeological resources will be curated.
- d. The Data Recovery Plan shall be submitted with the permit application, shall be reviewed for adequacy by the Planning Director, and shall be subject to approval as part of the permit application for the development. A follow-up Data Recovery Report shall be submitted to the Planning Division following the archaeological excavation detailing the implementation of the Data Recovery Plan and recovery measures that were performed, including the integrity of the site deposits and any other information, as necessary.

Sec. 8178-3.1.3 - Monitoring

- a. Where as a result of the Phase I Inventory and/or Phase II Evaluation, the *Qualified Archaeological Consultant* recommends archaeological monitoring to occur during earth moving activities related to project construction, with the

approval of the Planning Director, the *Qualified Archaeological Consultant* retained by the permittee shall select a qualified archaeological monitor and, if the resource is significant to Chumash or Native American prehistory or history, a Native American monitor shall be retained in consultation with the Native American Heritage Commission to be used for that site only.

- b. If any *archaeological resources* are found in the course of excavation or trenching, work shall immediately cease in the area of the find. Work shall be redirected, where feasible, until the *Qualified Archaeological Consultant* can provide an evaluation of the nature and significance of the resources and recommend appropriate mitigation measures. The Planning Director shall review and approve additional mitigation measures, as recommended, where such measures are in substantial conformance with the approved permit. The permittee shall obtain the Planning Director's written concurrence of the approved recommendations before resuming construction activities. Where mitigation measures comprise additional development that is not substantially in conformance with the approved permit, a new permit or permit modification shall be required.
- c. If human remains are encountered, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Medical Examiner has been contacted.
- d. If the County Medical Examiner determines that the human remains are those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact the Native American Heritage Commission by telephone within 24 hours.
- e. Upon the discovery of Native American remains, the permittee shall ensure that the immediate vicinity is not damaged or disturbed by further development activity until the permittee has discussed and conferred with the most likely descendants regarding the descendants' preferences and all reasonable options for treatment and disposition of the remains, in accordance with Public Resources Code section 5097.98.
- f. Whenever the Native American Heritage Commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Public Resources Code section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect the sites, the landowner shall record the site with the Native American Heritage Commission, South Central Coastal Information Center (California State University Fullerton) and/or Regional Historical Resources Information Center.

Sec. 8178-3.1.4 – Mitigation

Where new development may adversely impact *archaeological resources*, mitigation shall be required. Mitigation measures subject to the review and approval of the Planning Division shall be prepared by a *Qualified Archaeological Consultant* to minimize impacts to archaeological resources to the maximum extent feasible, in

consultation with Native American tribal groups approved by the Native American Heritage Commission for the area, and the State Historic Preservation Officer, and consistent with the following mitigation criteria.

- a. The following mitigation measures to reduce impacts to *archaeological resources* shall be undertaken in the following order:
 1. Except as allowed pursuant to Sec. 8178-3.1.2.5, preserve the resources in place or in an undisturbed state using the following methods:
 - i. Planning construction to avoid archaeological sites;
 - ii. Planning parks, green space, or other open space to incorporate archaeological sites;
 - iii. Capping or covering archaeological sites only when avoidance is not possible and with a sufficiently thick protective layer of soil before building tennis courts, parking lots or other paved surfaces;
 - iv. Protecting archaeological sites pursuant to easements or other legal instruments recorded with the Office of Ventura County Recorder in the property’s chain of title.
 2. Where in-situ preservation is not feasible, or where specifically allowed pursuant to Sec. 8178-3.1.2.5, partial or total recovery of *archaeological resources* shall be conducted pursuant to the recommendations included in the Phase I and II reports approved by the Planning Director.
 3. Other mitigation measures, as appropriate.

Sec. 8178-3.2 - Paleontological Resources

The purpose of this section is to protect important paleontological resources in the coastal zone.

Sec. 8178-3.2.1 - Applicability

The following standards shall apply to all proposed development in order to protect important *paleontological resources* that may be damaged or destroyed by the proposed development.

Sec. 8178-3.2.2 – Methodology

- a. The Planning Division shall perform a preliminary assessment of the proposed project and all areas that will be disturbed and the depth of disturbance. As part of the assessment, the geologic formation in which the project shall be located, and its relative paleontological importance, shall be identified using the following table:

Table 1

GEOLOGIC FORMATION	TYPE	GEOLOGIC AGE	PALEONTOLOGICAL IMPORTANCE
<i>Artificial fill</i>	af	Holocene	None
Active beach deposits	Qb	Holocene	None. Deposits displaced or disrupted
Active coastal eolian (sand dune) deposits	Qe	Holocene	

GEOLOGIC FORMATION	TYPE	GEOLOGIC AGE	PALEONTOLOGICAL IMPORTANCE
Active coastal estuarine deposits	Qes	Holocene	
Active wash deposits within major river channels	Qw	Holocene	
Wash deposits	Qhw1/ Qhw3	Holocene	None. Deposits disrupted or displaced
Alluvial fan deposits	Qhfy/ Qhf/Qhff	Holocene	None. Deposits displaced or disrupted
Alluvial deposits and colluvial deposits	Qha	Holocene	
Stream terrace deposits	Qht	Holocene	None. Deposits displaced or disrupted
Paralic deposits of the Sea Cliff marine terrace	Qhps	Holocene	Moderate
Landslides deposits	Qls	Holocene/ Pleistocene	None Deposits displaced or disrupted
Paralic deposits of Punta Gorda marine terrace	Qppp	Pleistocene	Moderate
Undivided mass-wasting deposits	Qpmw	Pleistocene	None Deposits displaced or disrupted
Alluvial deposits	Qpa	Pleistocene	Moderate
Alluvial deposits	Qoa	Pleistocene	None. Deposits displaced or disrupted
Casitas formation	Qca	Pleistocene	Moderate
Saugus Formation	Qs	Pleistocene	High
Las Posas Formation	Qlp	Pleistocene	Moderate to High
Santa Barbara Formation	Qsb	Pleistocene	Moderate to High
Pico Formation	Tp/Tps/ Tpsc	Pliocene	Moderate to High
Sisquoc Formation	Tsq	Pliocene/ Miocene	Moderate
Undivided diabase and mafic hypabyssal intrusive rocks	Tdb	Miocene	None
Monterey Formation	Tmy	Miocene	Moderate
Topanga Formation	Tt/Tts	Miocene	Moderate
Conejo Volcanics	Tcv, Tcvab, Tdb	Miocene	None
Vaqueros Sandstone	Tv/Tvs	Oligocene	Moderate to High

Table 1 Legend - Paleontological Importance:

Bureau of Land Management Paleontological Classifications:

Paleontological Resource, High – Geologic units containing a high occurrence of scientifically significant fossils known to occur and have been documented, but may vary in occurrence and predictability. Surface disturbing activities may adversely affect these paleontological resources in many cases.

Paleontological Resource, Moderate – Geologic units may contain vertebrate fossils or scientifically significant non-vertebrate fossils, but where occurrences are widely scattered. The potential for a project to be sited on or impact a scientifically significant fossil locality is low; however the potential still exists.

Paleontological Resource, Low – Geologic units that are not likely to contain vertebrate fossils or scientifically significant non-vertebrate fossils. Units are generally younger than 10,000 years before present in sediments that exhibit significant physical and chemical changes. The probability for impacting vertebrate or non-vertebrate or plant fossils is low.

Paleontological Resource, None – No potential for geologic units to contain vertebrate fossils because the formation is Conjeo volcanics, granite or basalt, or the area that will be disturbed is imported or *artificial fill*.

b. The Planning Division shall utilize the results of its preliminary assessment as follows:

1. No further assessment is required for the following areas unless important *paleontological resources* are discovered during earth moving activities:
 - The proposed development is located on *artificial fill*, igneous or metamorphic rock.
 - If the underlying geologic formation is located in an area of Quaternary Deposits (*alluvium*), Holocene and Pleistocene epochs, and has an importance rating of Low or None.
2. An assessment of the proposed development, which shall be conducted by a *qualified paleontological consultant* or registered geologist, shall be required for the following:
 - If the underlying geologic formation is located in an area of Quaternary Deposits (*alluvium*), Holocene and Pleistocene epochs, and has an importance rating of Moderate, Moderate to High, or High.
 - If the underlying geologic formation is located within the Tertiary geologic period, Pliocene, Miocene, Oligocene epochs.

The assessment shall include literature and archival reviews at the appropriate museum (Natural History Museum of Los Angeles County or other curating facility), consultations with geologists and paleontologists knowledgeable about the paleontological potential of rock units present in the vicinity of the proposed project, and a field survey of the areas where earth-moving activities such as grading, trenching, drilling, tunneling, and boring are proposed.

3. If the assessment determines that there is a potential for important paleontological resources to be buried at a depth beneath *alluvium* or *artificial fill* that will not be disturbed by earth-moving activities, documentation from a qualified paleontologist or registered geologist shall be submitted demonstrating that the project will have no impact on paleontological resources.

4. Where as a result of the assessment, the *qualified paleontological consultant*, with approval by the Planning Director, determines proposed earth-moving activities have the potential to disturb important paleontological resources, the *qualified paleontological consultant* shall prepare a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) that includes:
 - Documentation of the location of recorded fossil sites within the area of proposed development;
 - Documentation of other stratigraphic levels, as determined necessary by the paleontological consultant or registered geologist;
 - Verification or modification of the level of paleontological importance assigned to each formation within the area of proposed development;
 - Identification of any potential adverse effects from the proposed development on important paleontological resources;
 - Evaluation of all mitigation opportunities pursuant to Sec. 8178-3.2.4, including siting and design alternatives to avoid impacting the resources;
 - Identification of alternatives where there is a potential to impact important paleontological resources; and
 - Procedures for preconstruction coordination including informing construction personnel of the possibility of encountering fossils, how to recognize paleontological resources, and proper notification procedures, discovery procedures, and where approved, sampling and data recovery, cataloguing, and museum curation for specimens and data recovered.
5. The documentation or PRMMP shall be reviewed for adequacy by the Planning Director and shall be subject to approval as part of the permit application for the development.
6. For those projects requiring a PRMMP, after all earth-moving activities are completed, a final report shall be submitted to the Planning Director for approval. The final report shall include but not be limited to the following:
 - Documentation of the location of any paleontological resources identified during earthmoving activities;
 - Description of the paleontological importance;
 - The curation location; and
 - Documentation of the monitoring activities.
7. The *qualified paleontological consultant* shall inform the Ventura County Cultural Heritage Board of important paleontological resource discoveries.

Sec. 8178-3.2.3 – Monitoring

- a. Where earth-moving activities may impact important *paleontological resources*, a paleontological monitor must be present during earth-moving activities. After 50 percent of excavations are complete in either an area or rock unit and no fossils of any kind have been discovered, the level of monitoring can be reduced or suspended entirely subject to written approval of the Planning Director where specifically allowed in the approved permit conditions.

- b. If fossil remains are found during earth moving activities, the earth moving activities must halt and the *qualified paleontological consultant* shall be notified to assess the site and determine further mitigation measures, as appropriate. The Planning Director shall review and approve additional mitigation as recommended where such measures are in substantial conformance with the approved permit. The permittee shall obtain the Planning Director's written concurrence of the approved recommendations before resuming earth moving activities. Where mitigation measures comprise additional development that is not substantially in conformance with the approved permit, a new permit or permit modification shall be required.

Sec. 8178-3.2.4 – Mitigation

Where earth-moving or other development activities may adversely affect *important paleontological resources*, mitigation shall be required. Mitigation measures subject to the review and approval of the Planning Division shall be prepared by a *qualified paleontological consultant* or registered geologist to minimize impacts to important paleontological resources to the maximum extent feasible and consistent with the following mitigation criteria. Mitigation measures shall be subject to approval as part of the discretionary permit application.

- a. The following mitigation measures to reduce impacts to *important paleontological resources* shall be undertaken in the following order:
 - i. Planning construction to avoid paleontological sites;
 - ii. Protecting significant paleontological areas pursuant to easements or other legal instruments recorded with the Office of Ventura County Recorder in the property's chain of title.
- b. Where in-situ preservation is not feasible, partial or total recovery of paleontological resources shall be conducted pursuant to the recommendations included in the approved PRMMP pursuant to Sec. 8178-3.2.2.b.
- c. Other mitigation measures, as appropriate.

Article 8, of the Ventura County Ordinance Code is hereby amended by the addition of **Section 8178-7, Tree Protection Regulations**, to read as follows:

Sec. 8178-7 – Tree Protection Regulations

Sections

- 8178-7.1 Purpose
- 8178-7.2 Applicability
- 8178-7.3 Types of Protected Trees
- 8178-7.4 Development Standards for Protected Trees
- 8178-7.5 Tree Permits
- 8178-7.6 Mitigation Requirements
- 8178-7.7 Tree Permit Application Requirements

Sec. 8178-7.1 – Purpose

Ventura County recognizes that *trees* contribute significantly to the County's unique aesthetic, biological, cultural, and historical environment. *Trees* also absorb carbon

dioxide, reduce heat gain, and reduce stormwater runoff, thereby affecting energy use, climate change, and water quality. It is the County's specific intent, through the regulations that follow, to encourage the responsible management of these resources by employing public education and recognized conservation techniques to achieve an optimal cover of healthy *trees* of diverse ages and species.

Sec. 8178-7.2 – Applicability

This Sec. 8181-7 applies to the *alteration, transplantation, or removal* of every *tree* within the coastal zone.

Sec. 8178-7.3 – Types of Protected Trees

Each of the following types of trees identified in Sec. 8178-7.3 is considered to be a *protected tree* for purposes of Sec. 8178-7.

Sec. 8178-7.3.1 – Trees that contribute to the function and habitat value of an *ESHA*

Any *tree* that meets one or more of the following criteria shall be classified as *ESHA*:

- a. The *tree* is located within any *ESHA* or is classified as *ESHA* by a *qualified biologist*.
- b. The *tree* exhibits evidence of *raptor nesting, breeding colony, colonial roost (for migratory birds)*, or has been identified as a *Monarch butterfly roosting site*, as determined in writing by a *qualified biologist or ornithologist* or as determined by the County biologist based on historic or current data.
- c. The *tree* was required to be planted or protected pursuant to a *habitat restoration plan*.

Sec. 8178-7.3.2 – Native Trees

- a. A *native tree*, which includes but is not limited to the *trees* listed as Native Trees in Appendix T-1, Table 1, shall be classified as a *protected tree* if it meets one or more of the following criteria:
 1. The *tree* is a minimum of three inches in *diameter* at 4.5 feet above existing grade.
 2. The *tree* is a multi-trunk *tree* with two or more trunks forking below four and 4.5 feet above the uphill side of the *root crown* with two of the trunks having a sum of six inches in *diameter*.

Sec. 8178-7.3.3 – Historic Trees

- a. *Historic trees* embody distinguishing characteristics that are inherently valuable and are associated with landscape or land use trends that shaped the social and cultural history of Ventura County. To be considered an *historic tree*, a tree or group/grove of trees shall be identified by the County as a *Cultural Heritage Site*, or the tree or group/grove of trees shall be listed in or formally determined eligible for listing in the California Register of Historic Resources and/or National Register of Historic Places. In addition to the foregoing requirements, a *tree* must meet one or more of the following criteria to be a *historic tree*:
 1. The tree(s) is associated with events or persons that made a significant contribution to the history of Ventura County, California or the nation.

2. The tree(s) functions as an important biological, visual, or historic resource within the context of an historic landscape.
3. The location of the tree(s) is associated with an historically significant view or setting.

Sec. 8178-7.3.4 – Heritage Trees

- a. *Heritage trees* are defined as non-native, non-invasive *trees* or group/grove of *trees* with unique value that are considered irreplaceable because of the tree's rarity, distinctive features (e.g. size, form, shape color), or prominent location with a community or landscape. To be considered a *heritage tree*, a *tree* (or group/grove of *trees*) shall meet either of the following criteria:
 1. The tree has a single trunk of 28 inches or more in diameter or with multiple trunks, two of which collectively measure 22 inches or more in diameter; or
 2. If the tree species has naturally thin trunks when full grown (such as Washington Palms), or trees with unnaturally enlarged trunks due to injury or disease (e.g. burls and galls), the tree must be:
 - i. at least 60 feet tall; or
 - ii. at least 75 years old, as verified by historical accounts, photographs, or associations with historic structures. Age shall not be determined by growth ring counts in cores taken from the edge to the center of the *tree*.

Sec. 8178-7.4 – Development Standards for *Protected Trees*

The purpose of these development standards is to ensure the conservation of *protected trees* that may provide habitat for breeding and nesting birds protected by the Fish and Game Code, the Migratory Bird Treaty Act, and for all bird species of special concern. The development standards are also intended to ensure that *protected trees* are preserved where they are an important component of the visual character of the coastal zone.

Sec. 8178-7.4.1 General Standards

- a. A new principal use or structure shall be sited and designed to avoid damage to a *protected tree* to the maximum extent feasible, as evidenced through an *alternatives analysis*. If there is no feasible alternative that can avoid damage to a *protected tree*, then the project alternative that would result in the least damage to such a *tree* shall be selected, and damage to a *protected tree* that cannot be avoided through implementation of siting and design alternatives shall be mitigated consistent with the mitigation requirements in Sec. 8178-7.6.
- b. Once the original land use entitlement has been issued for a principally permitted use or structure, and the use has commenced or the structure has been built, an addition or expansion that would require the *removal* of a *protected native* or *historical tree* shall be prohibited. A *heritage tree* is excluded from this prohibition.
- c. Development shall be sited and designed to avoid *encroachment* into the *protected zone* of a *protected tree* to the maximum extent feasible except when a *qualified tree consultant* demonstrates in writing that the encroachment will not damage the *protected tree*.

- d. The removal of, or substantial damage to, a *protected tree* shall be prohibited for accessory uses or structures except when such structures were previously approved through a discretionary permit. Notwithstanding the foregoing, a *heritage tree* may be removed for the purpose of constructing a second dwelling unit.
- e. New discretionary development shall be sited and designed to comply with the following:
 - 1. Irrigation and landscaping shall be prohibited within the *protected zone* except where the *protected tree* is tolerant of water, the landscape is comprised of shallow-rooted, herbaceous perennials, bulbs or *groundcover*, and a *qualified tree consultant* verifies the *protected tree* would not be adversely affected by the level of irrigation, compaction of soil, or root disturbance associated with the proposed landscaping.
 - 2. A minimum buffer of five feet from edge of the *tree protected zone* shall be provided to allow for future growth of a *protected tree* unless a *qualified tree consultant* provides justification in writing that the buffer may be decreased in size because the *protected tree* is regarded as "tolerant" due to the *tree* species, age, health or location.
 - 3. New drainage systems shall be directed away from all *root zones* of all *protected trees*, replacement offset *trees*, and *transplanted trees*.
- f. When a public works project includes the repair or maintenance of drainage devices and road-side slopes, the project may not result in the *alteration* or *removal* of a *protected tree* except as follows:
 - 1. The development is the minimum design necessary to protect existing public roads;
 - 2. The project avoids removal or alteration of *protected trees* to the maximum extent feasible, and
 - 3. All impacts to *protected trees* are mitigated pursuant to Sec. 8178-7.6.

Sec. 8178-7.4.2 - Tree Removal and Alteration

- a. The *alteration* or *removal* of a *tree* that is *ESHA* pursuant to Sec. 8178-7.3.1 shall only be permitted when the *tree* poses an imminent hazard to life or property and there is no feasible alternative to ensure public health and safety. See Sec. 8178-7.5.4 *Emergency Tree Alteration or Removal*.
- b. The *alteration* of a *protected tree* shall only be permitted for pruning to maintain the health and structure of the tree or for the same reasons set forth in subsection (c) below for removal of a *protected tree*.
- c. Except as authorized pursuant to Sec. 8178-7.5.4 - *Emergency Tree Alteration or Removal*, *removal* of a *protected tree* shall not be deemed necessary when a feasible alternative development plan exists that does not require the *removal* of the *protected tree*. In addition, the *removal* of a *protected tree* shall only be permitted for one or more of the following reasons:
 - 1. Is required to provide necessary access to development approved in a planned development permit;

2. Is required to allow the development of a principal permitted use or structure at a particular location, and is the minimum area necessary to provide a reasonable economic use of the property, as evidenced through an *alternatives analysis*;
 3. Is required to allow the construction of a second dwelling unit, provided that the tree is classified only as a *heritage tree*.
 4. Is required to establish the required *fuel modification zone* for new development where no feasible alternative location for the development exists; or
 5. The tree is dead, diseased or poses a danger to healthy trees in the immediate vicinity, or is in a condition that poses a hazard to persons or property that cannot be remedied through other means or alterations. In these circumstances, a *qualified tree consultant* shall verify the status and health of the tree and provide recommendations and evaluation of alternatives for restoring the health of the tree where feasible.
- d. Timing. To safeguard *protected trees* that may provide habitat for breeding and nesting birds protected by the Fish and Game Code and the Migratory Bird Treaty Act, all *tree removal* and *tree alteration* is prohibited during the bird breeding and nesting season (January 1 to September 15) unless the Planning Director, in consultation with a *qualified tree consultant*, determines that the *tree* poses an imminent hazard to life or property. This prohibition may also be waived when a bird survey is conducted, pursuant to Sec. 8178-7.7.4.1.1, and evidence of active breeding or nesting birds is not discovered within the project site. Any discretionary action approved, pursuant to this section, for *tree alteration* or *removal* during the bird breeding and nesting season shall be conditioned to require a bird survey no more than three days prior to commencement of the approved work to confirm that no bird breeding or nesting activity is present.
- e. If the Planning Director determines, based upon substantial evidence, that the *removal* or *alteration* of a *protected tree* may result in unintentional damage to existing development including but not limited to utilities, buildings, other *protected trees*, or *ESHA*, a *qualified tree service company* or *qualified tree trimmer* shall be retained to *alter* or *remove* the *protected tree*.

Sec. 8178-7.4.3 – Determining the Tree Protected Zone

The *tree protected zone* is the area that encompasses the above-ground portion of the protected *tree* as well as the area in which a critical amount of the *tree's roots* may be found. To avoid damage to a *protected tree's roots*, the calculation noted in (a) below shall be performed for all *protected trees* where the tree canopy is within 20 feet of areas proposed to be disturbed, including disturbance associated with fuel modification. The Planning Director may increase the 20-foot distance from disturbed areas where necessary to ensure that *protected tree zones* are calculated for all *protected trees* that could potentially be damaged by new development. The *tree protected zone* calculation shall be based on a surveyed map or site plan of the canopy of each *protected tree*.

- a. The *tree protected zone* shall be calculated using one of the following methods. The calculation that provides the largest area of protection shall constitute the *tree protected zone*, and shall be depicted on a site plan.

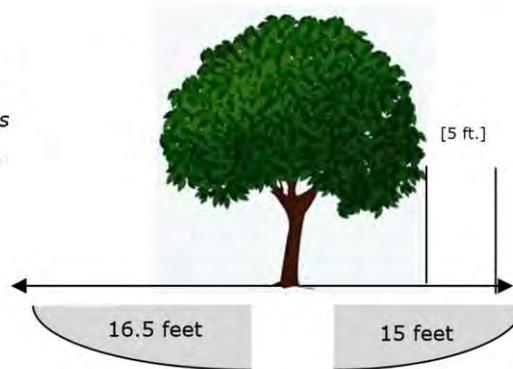
1. Draw a circle around the tree that is no less than 15 feet from the trunk of the *protected tree*;
2. Multiply the *tree's diameter* in inches by one and a half feet (i.e. one inch equals one and a half feet). For example, if a *tree's* diameter at a height of 4.5 feet above existing grade is 11 inches, the *tree protected zone* would be 16.5 feet from the trunk of the *protected tree*; or
3. Draw a circle that extends a minimum five feet outside the edge of the *protected tree's dripline*.

Example of Tree Protected Zone

DBH = Diameter of trunk
at 4.5 feet above ground.

Example. DBH = 11 inches

□ : Tree Protection Zone



Sec. 8178-7.4.4 – Project Construction Standards

- a. Construction impacts to *protected trees* shall be avoided. Before the commencement of any clearing, grading, ground disturbance, or other construction activities, erosion control and tree protection measures shall be installed including but not limited to protective fencing at the edge of the *tree protected zone* of each *protected tree*.
- b. For *trees with an active raptor nest*, a *buffer* shall be provided during construction that is no less than 500 feet. For all other active bird nests, the *buffer* shall be no less than 300 feet. The required *buffer* shall be provided during construction until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. If the required buffer cannot be achieved, the maximum setback shall be provided and construction activities that occur within the required buffer shall be monitored by a *qualified biologist* or *ornithologist* to detect any breeding or nesting behavior. In the event nesting birds are encountered, construction shall be halted in the area of the nest until the nest is vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting. A weekly report shall be submitted to the Planning Division that discloses the findings of the observations conducted for that time period. The *buffer* shall be designated by protective fencing.
- c. No ground disturbances, grading, trenching, construction activities, or structural development shall occur within the *tree protected zone* or *buffer* except where it may be allowed pursuant to Sec. 8178-7.4.1 or 8178-7.4.2, consistent with the

standards of this Sec. 8178-7, and as specifically authorized by the permit and the approved Tree Protection, Planting, and Monitoring Plan.

- d. Any approved development (e.g. paving, or the installation of fence posts), including grading or excavation (e.g. utility trench) that *encroaches* into the *tree's protected zone* shall be constructed using only hand-held tools.
- e. If disturbance is permitted within the *tree protected zone* or *buffer*, a *qualified biologist* shall monitor the temporary disturbance and fencing shall be temporarily modified to allow work to be completed. Fencing shall remain in place until all construction and grading activities have ceased.
- f. Construction equipment storage and staging areas shall be located outside of the fencing area or *buffer* described above, and graphically depicted on approved site, grading, and building plans.
- g. Unless the activity is conducted in accordance with Sec. 8178-7.4.1_and 8178-7.4.2 and is specifically authorized by the development's land use permit, the burning, application of toxic substances, overwatering, storing materials, operating machinery, or any other disturbance within the *tree protected zone* or *buffer*, is prohibited.
- h. Prior to earth disturbing activities, project construction standards and any additional recommendations in the approved Tree Protection, Planting, and Monitoring Plan, shall be implemented.

Sec. 8178-7.5 –Tree Permits

- a. A *tree permit* is required for the *alteration, transplantation, or removal* of a *tree* unless exempt from a *permit* pursuant to Sec. 8178-7.5.3. There are three types of *tree permits*: a Planned Development Permit (see Sec. 8178-7.5.1), Zoning Clearance (see Sec. 8178-7.5.2), and an Emergency Coastal Development Permit (see Sec. 8178-7.5.4 and Sec. 8181-3.7).
- b. If *tree alteration, removal, or transplantation*, is part of a development requiring a discretionary permit, then the *tree permit* application and approval process shall accompany the development project that requires a discretionary permit.
- c. If a person applies for a permit to *alter* or *remove* a *tree* located in an area subject to state or federal regulations (e.g. Fish and Game Code or Clean Water Act) that are more stringent than the regulations set forth in this Sec. 8178-7, the stricter requirements shall prevail in establishing the conditions of approval for that permit.

Sec. 8178-7.5.1 - Planned Development Permit

No person shall *remove, alter, or transplant* a *protected tree* without obtaining a Planning Director approved Planned Development Permit, unless it is exempt from a permit (pursuant to Sec. 8178-7.5.3) or requires only a Zoning Clearance (pursuant to Sec. 8178-7.5.2) or Emergency Permit (see Sec. 8178-7.5.4). A Planned Development Permit shall also be required for:

- a. Post-Removal, -Alteration, or -Transplantation. A Planned Development Permit shall be required when a *protected tree* was *removed, altered or transplanted* without the required permit and/or a person seeks to *remove the tree, roots or limbs* from the lot.

- b. *Tree Alteration.* A Planned Development Permit shall be required for the following types of *alterations* to a *protected tree*:
 - 1. The *alteration* may compromise the health of the *tree* and results in a *qualified tree consultant's* recommendation for *tree removal*.
 - 2. *Encroachment* into the *tree protected zone*. Examples of encroachments include but are not limited to changing the existing grade, landscaping or irrigation, excavating for utilities or fence posts, or paving associated with driveways and streets.
 - 3. *Pruning* of *tree canopy* greater than 20 percent.
- c. *Emergency Tree Alteration or Removal.* A Planned Development Permit shall be required following issuance of an Emergency Permit in accordance with Sec. 8178-7.5.4.

Sec. 8178-7.5.1.1 – Planned Development Permit Findings

- a. A Planned Development Permit may be approved only when the applicable decision-maker makes one or more of the following findings, as applicable:
 - 1. The proposed project conforms to the development standards in Sec. 8178-7.4.
 - 2. The proposed project is sited and designed to avoid the *removal* or *transplantation* of *protected trees* except as allowed by this Sec. 8178-7 and where no feasible alternative exists that would avoid or further minimize the *removal, transplantation, or damage* to *protected trees*.
 - 3. To the maximum extent feasible, the proposed project is sited and designed to avoid any *encroachment* into the *protected zone* of a *protected tree* that would lead to the decline or death of the *protected tree*.
 - 4. The adverse impact of *tree removal, tree transplantation, or encroachment* in the *tree protected zone* cannot be avoided because such impacts cannot be reduced or avoided through a feasible alternative.
 - 5. All feasible mitigation measures that would substantially lessen any damage to *protected trees* were incorporated into the approved project through project design features or conditions of approval.
- b. In addition to the required findings in subsection “a” above, one or more of the following findings may be used to substantiate the reason for *removal, transplantation, or encroachment* of a *protected tree*:
 - 1. A *protected tree's* continued existence in its present form or location denies reasonable access to the subject property or denies the development of the principal permitted use that is the minimum necessary to provide a reasonable economic use of the property.
 - 2. The location of a *protected tree* prevents the continuation or safe operation of an existing utility service and there are no feasible alternatives that would eliminate or reduce the impacts.
 - 3. The *protected tree(s)* proposed for *removal* has a debilitating disease or is in danger of falling, and such conditions cannot be remedied through

preservation procedures and practices, and the *tree(s)* is located in an area where falling limbs or trunks would be a danger to persons or property (i.e. existing structures).

4. The alteration or removal of a *protected tree* is required for a public works project that entails the repair and/or maintenance of drainage devices and road-side slopes and is the minimum design necessary to protect existing public roads.

8178-7.5.1.2 – Modifications to a Discretionary Permit

A *protected tree* that was planted pursuant to a Tree Protection, Planting, and Monitoring Plan, a mitigation measure, or an approved *landscape plan*, and that is proposed to be *removed* due to its decline or death, may be substituted with an alternate species subject to the following:

- a. The requested substitution is justified in writing by a *qualified biologist* and/or *qualified tree consultant* and fulfills the mitigation requirements or performance standards set forth by the original discretionary permit, and the monitoring and successful establishment of the substituted species is required by a permit condition.
- b. An application for modification of the subject permit is filed in compliance with Sec. 8181-10.4.2.

Sec. 8178-7.5.2 – Zoning Clearance

- a. A person may *alter* or *remove* a *non-native* or *non-native invasive tree* with a Zoning Clearance when such actions occur outside the bird *breeding and nesting season* (January 1 to September 15). Within the bird *breeding and nesting season*, tree removal may also occur in accordance with Sec. 8178-7.7.4.1.1, which allows *tree removal* if a bird survey is conducted and no nesting birds are found in the project area.
- b. Overhead Utility Lines. *Alteration* of a *protected tree* below or adjacent to public overhead lines located in State Responsibility Areas (as mapped by the Department of Forestry and Fire Protection), where the primary financial responsibility for preventing and suppressing wildland fires rests with the State and when necessary to maintain existing overhead lines. *Alteration* shall be the minimum necessary to provide safe fire clearance.

Sec. 8178-7.5.2.1 – Zoning Clearance with Inspection

- a. Development that encroaches less than 10 percent into a *protected tree's tree protection zone*. A *certified arborist* or *qualified tree consultant* shall submit the following, in writing:
 1. The purpose of the encroachment, degree of encroachment within the *tree protected zone*, recommendations to avoid and minimize potential impacts to *tree roots* during construction, in accordance with Sec. 8178-7.4.4 – Project Construction Standards, and a statement that the proposed encroachment is not expected to result in permanent damage to the *protected tree*.
 2. In the event that the *certified arborist* or *qualified tree consultant* determines the proposed *tree encroachment* is below 10 percent but

development has the potential to harm the *protected tree*, a Planned Development Permit shall be required in accordance with Sec. 8178-7.5.1.

- b. Pruning of a *protected tree's* live limbs, provided such trimming does not endanger the life of the *tree* or result in an imbalance in structure, or remove more than 20 percent of its *tree canopy*. Unless justification is provided in writing by a *qualified tree consultant*, removing a *protected tree's* branches larger than four inches in *diameter* shall be prohibited.

Sec. 8178-7.5.3 - Exemptions

The *alteration* or *removal* of *protected trees* is only exempt from a permit under the following circumstances, and in accordance with timing requirements of Sec. 8178-7.7.4.1.1 which prohibits *tree alteration* or *removal* during the *bird breeding and nesting season* (January 1 to September 15) unless a bird survey determines no nesting birds are present in the project area:

a. Commercial *Tree Operations*:

1. The *removal* or *alteration* of *trees* planted, grown, or held for sale by lawfully established nurseries and *tree farms*, or *trees removed* or *transplanted* from such a nursery as part of its operation.
2. In areas zoned Coastal Agricultural (CA), *trees* such as avocado, citrus, and nut bearing *trees* planted, grown, and presently harvested for commercial agricultural purposes. This does not include the *alteration*, *transplanting*, or *removal* of *protected trees* or their limbs that were not planted for agricultural purposes. Examples of generally accepted agricultural activities that do not require a permit include but are not limited to the following:
 - i. Converting land planted with for mature avocado *trees* to grazing (animal husbandry) or *crop production* uses.
 - ii. Replacement of mature lemon *trees* with young lemon *trees*.
 - iii. Thinning of *trees* in an orchards to allow more vigorous growth and production on the part of the remaining *trees*.
 - iv. Harvesting, planting, and tending crops and crop-type conversions (e.g. orchards to grapes, or lemon *trees* to avocado *trees*).

b. *Minor Tree Alterations*:

1. *Fuel Modification Zone Maintenance*. Maintenance of *protected trees* within the required *fuel modification zone*, including but not limited to *alteration* of a *protected tree's* live limbs to effectively manage fuels or to prevent the transmission of fire from native vegetation to a structure.

c. Dead or Fallen *Tree* or Limb:

1. Any naturally fallen dead *protected tree* or dead limb that no longer exhibits the structural integrity of a healthy *protected tree* or limb and is determined to be a fire hazard by the Fire Department or is in danger of falling and threatening public safety, may be removed, unless that *tree* is located in *ESHA*. Naturally fallen dead *trees* located in *ESHA* shall not be removed unless that *tree* poses a serious nuisance (i.e. the *tree* blocks a primary access road) or the fallen *tree* poses an imminent threat to persons or

property. Artificial, mechanical, or human induced damage to a *protected tree* does not constitute a naturally fallen tree.

2. Removal of *trees* destroyed by natural disaster (flood, fire, earthquake, etc.), or a catastrophic (sudden and complete) failure (vehicle accident, structure collapse, etc.).
3. Prior to *tree removal* or *alteration*, property owners are encouraged to submit documentation verifying the *tree* removal was exempt from a tree permit pursuant to Sec. 8178-7.7.1.

Sec. 8178-7.5.4 - Emergency Tree Alteration or Removal

- a. An *emergency*, as defined in this Sec. 8178-7.5.4, is a sudden unexpected occurrence where a *protected tree*, because of its lack of structural integrity, demands immediate action to prevent or mitigate loss or damage to life, a significant loss of property, and where there is no feasible alternative to ensure public health and safety.
- b. In an *emergency* situation, *tree alteration* or *removal* may proceed without first obtaining a *tree permit* and shall be limited to such actions that are necessary to address an imminent hazard to life, health, property or essential public services.
- c. In an *emergency* situation, permit applications shall be made and processed in accordance with Sec. 8181-3.7 (Emergency Coastal Development Permits).
- d. Within 90 days following the issuance of an emergency coastal development permit, a Planned Development Permit application for the emergency *removal* or *alteration* of a *protected tree* shall be submitted.

Sec. 8178-7.6 – Mitigation Requirements

To protect the ecological value and visual quality of *protected trees*, all appropriate and practicable steps shall be taken to avoid and minimize damage to *protected trees* consistent with the provisions of this Sec. 8178-7.6. The following mitigation measures to reduce damage to *protected trees* shall be undertaken in the following order:

- a. **Avoidance.** Avoid direct and indirect impacts to *protected trees* through project siting and design. Adverse impacts to *protected trees* shall be avoided if there is a feasible alternative with less adverse impacts.
- b. **Onsite Mitigation.** If damage to *protected trees* cannot be avoided, mitigation for the *removal*, *alteration*, or *transplantation* of a *protected tree* shall be in the form of *transplanting* or *planting* replacement *trees* on the same property where the *protected trees* were impacted.
- c. **Off-Site Mitigation.** When avoidance or onsite mitigation is infeasible, all or in part, due to crowding or other physical constraints, *transplanting* or *planting* replacement *trees* may be allowed, all or in part, in an off-site location that contains suitable habitat that is sufficient in area to accommodate the numbers and required types of replacement trees. Off-site locations must be within the Ventura County coastal zone and, whenever feasible, within the same watershed in which the *protected tree* was removed.
- d. **In-lieu Fees.** In special circumstances, required *tree* mitigation may be in the form of an in-lieu fee into the Planning Division's Tree Mitigation Fund. Special circumstances shall be limited to situations where no appropriate on- or off-site

locations are identified for *tree* replacement (i.e. on- and off-site mitigation is infeasible), and such circumstances shall be confirmed by documented site characteristics or other evidence. Mitigation measures that include payment of in-lieu fees shall be approved by the Planning Director and administered as follows:

1. The County's Tree Mitigation Fund shall be the depository for all in-lieu fee payments.
2. The amount of the in-lieu fee shall be established by the Planning Division using the most current edition of the International Society of Arboriculture's "Guide to Plant Appraisal," which represents the cost to replace and install a tree of the same species and size as the *protected tree* being removed or encroached upon. The in-lieu fee shall also include an amount to cover the costs to maintain and monitor required replacement trees for a 10-year period.
3. The County Tree Mitigation Fund shall be used to plant *protected trees* at suitable sites in the coastal zone of unincorporated Ventura County and, if possible, within the same watershed as the *protected tree(s)* being removed. Suitable sites shall be limited to land restricted from development (public land, land owned by conservation organizations, or land subject to a conservation easement or equivalent legal instrument). Suitable sites shall also be limited to habitats that support the *protected tree*. Preference shall be given to sites zoned Coastal Open Space (COS), including but not limited to *native tree* woodland or savanna habitat areas, properties containing areas designated ESHA, or public parkland. Project funds may only be awarded to public agencies or conservation organizations. Projects selected may provide habitat restoration and shall, at a minimum, result in an equivalent number of as would occur through on-site or off-site mitigation.
4. No more than seven percent of the in lieu fees collected may be used by the Planning Division to develop and implement appropriate programs for the above-described in-lieu mitigation measures.

Sec. 8178-7.6.1 Tree Replacement for Altered or Removed Protected Trees

Where unavoidable adverse impacts to *protected trees* may result from development, including the *alteration* or *removal* of a *protected tree*, the impacts shall be mitigated in accordance with the following standards:

- a. *Native tree* replacement shall occur as follows:
 1. *Native trees* shall be replaced at a ratio of no less than 10 replacement *native trees* for every *native protected tree* removed and for any *tree alteration* that results in the loss or decline in health or vigor of a *native protected tree*.
 2. Seedlings shall be grown from acorns collected from the same watershed the *protected tree* was removed from, or from nursery stock grown from locally-sourced acorns.
 3. Naturally occurring *native tree* seedlings or *saplings* that have trunks less than 3 inches at 4.5 feet above existing grade, growing on the same lot as the *removed tree* may be counted as *offset* replacement *trees*. Seedlings/*saplings* shall be boxed for future planting and/or protected in place as shown on the approved Tree Protection, Planting, and Monitoring Plan.

4. When available, replacement planting locations shall be selected that provide supportive habitat (i.e. habitat characteristics similar to those found in riparian and valley/foothill woodland habitat) for the replacement *trees*.
- b. *Historic Trees*. Mitigation for the removal of a *historic tree* shall be determined by the Planning Director in consultation with the Cultural Heritage Board.
- c. *Heritage Trees*. Mitigation for the removal of a *heritage tree* shall be determined by the following:
 1. If the *heritage tree* (or grove of *trees*) is not an *invasive tree* species and is located in a public area or a prominent location as seen from *public viewing areas*, then mitigation shall include: (1) the planting of replacement *trees* of the same species on a 1:1 ratio; (2) the size of the replacement *tree* shall be comparable to the *tree(s)* being removed; and (3) the replacement *tree(s)* shall be planted in location that is close to where the *heritage tree(s)* was removed.
 2. If a *heritage tree* is not located in a public area or a prominent location as seen from *public viewing areas*, then mitigation shall include the planting of replacement *native trees* on a 1:1 ratio.
- d. *Transplanted Protected Trees*. In the event that a transplanted tree dies during the required 10-year monitoring period, or the tree health is poor or declining during the monitoring period, replacement trees shall be planted pursuant to Sec. 8178-7.6.1(a) above.
- e. *Encroachment into the Tree Protected Zone*. When permitted development results in encroachment within the *tree protected zone*, potential impacts shall be mitigated in accordance with the following standards:

Encroachment	Mitigation Ratio (Number of replacement trees required for every one tree impacted/removed)
Less than 10% encroachment	Zoning Clearance with Inspection. No mitigation required when conducted pursuant to Section 8178-7.5.2.1(a).
10 to 30% encroachment (or less than 10% pursuant to Sec. 8178-7.5.2.1(a)(2))	Leave tree in place, and Mitigate at 5:1 in accordance with Sec. 8178-7.6 and Sec. 8178-7.6.1; or Pay an in-lieu fee in accordance with Sec. 8178-7.6(d)
Greater than 30% encroachment, or within 3 feet of a tree trunk	Remove tree or keep in place. Mitigation is same as tree removal for the species. See Sec. 8178-7.6 and Sec. 8178-7.6.1

- f. *Emergency Tree Alteration or Removal*. If an emergency permit is issued for the *alteration or removal* of a *protected tree*, the follow-up Planned Development Permit shall include corrective measures to restore and stabilize the disturbed areas after the *tree* has been removed in accordance with a *habitat restoration*

plan. Alternatively, such areas may be restored or stabilized through the application of mulch, pheromone traps or insecticides in accordance with a Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d). The requirements for mitigating the loss of the *protected tree* shall be waived unless the following applies:

1. *Tree* replacement shall be at a 1:1 ratio for the *emergency removal* of a *protected tree* that is required by an approved *landscape plan* or *habitat restoration plan*.

Sec. 8178-7.7 – Tree Permit Application Requirements

Sec. 8178-7.7.1 Exemptions

No permit application is required if the proposed *tree alteration* or *removal* is exempt from the requirements for a *tree permit* pursuant to Sec. 8178-7.5.3(c), Dead or Fallen Tree or Limb. However, to verify that *tree alteration* or *removal* was authorized by Sec. 8178-7.5.3(c), prior to *alteration* or *removal* of the *protected tree* or immediately following a natural disaster or catastrophic failure that caused the *protected tree* or *limb* to fall down, the property owner should submit the following:

- a. Two to four colored photographs of the affected *tree*. The photos should be taken from different vantage points, clearly illustrate the reason for the request to remove the fallen *protected tree* or limbs, and should identify the *tree's* location relative to nearby vegetation or landmarks; and
- b. Site Sketch or Plan, drawn to scale with north arrow that shows the location and species name of the affected *tree(s)*. The Site Sketch or Plan shall illustrate existing development, access, or any other identifying benchmarks to identify where the natural disaster occurred, if applicable.
- c. No application fee is required.

Sec. 8178-7.7.2 Zoning Clearance

A Zoning Clearance *tree permit* application shall be filed with the Planning Division for *tree alteration* and *removal* in accordance with Sec. 8178-7.5.2 and Sec. 8178-7.5.2.1. Zoning Clearance applications shall contain the following information and materials:

- a. Two to four colored photographs of the affected *tree* proposed to be *altered* or *removed*. The photos should be taken from different vantage points, clearly illustrate the reason for the request, and should identify the *tree's location* relative to nearby vegetation or landmarks.
- b. Site Sketch or Plan, drawn to scale with north arrow that shows the location and species name of *trees* to be *removed* or *altered*. The Site Sketch or Plan shall include existing development, access, location of *protected trees* in relation to site improvements, and identification of *trees* to be *altered* or *removed*. If *tree removal* or *alteration* is proposed because a *tree* interferes with an existing sewer line or structure, then the sewer line or structural interference/obstruction shall be shown and labeled on the Site Sketch or Plan. The project plans shall also indicate the *tree protected zones* for all *protected trees* and any proposed encroachments.

- c. Compliance with Sec. 8178-7.7.4.1.1 and the requirement for a bird survey if *tree alteration* or *removal* is proposed during the bird *breeding and nesting season* (January 1 to September 15).
- d. Arborist Verification Form, provided by the Planning Division, that includes written confirmation from a *qualified biologist, certified arborist* or *qualified tree consultant* that the basic *tree* information and site conditions described in the application form are correct.
- e. If necessary, other information will be requested by the Planning Division to determine compliance with this Chapter.

Sec. 8178-7.7.3 Zoning Clearance with Inspection

A *tree permit* application shall be filed with the Planning Division in accordance with Sec. 8181-5 to *alter a protected tree*. Zoning Clearance with inspection applications shall contain the following information and materials:

- a. Application. All items required for a Zoning Clearance permit application (see Sec. 8178-7.7.2 above, items a-e).
- b. Inspection. A standard condition shall be included in the Zoning Clearance stating that a final inspection will be conducted by the Planning Director's designee following approval of the Zoning Clearance to verify that *protected tree* alterations are consistent with the approved permit.
- c. Non-Compliance. If the *protected tree alteration* is not in compliance with the approved permit, then a *qualified tree consultant* shall describe, in writing, required corrective measures that include, but are not limited to, a Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d).

Sec. 8178-7.7.4 Planned Development Permit

A *tree permit* application shall be filed with the Planning Division in accordance with Sec. 8181-5 and signed by the applicant or authorized agent. A Planned Development Permit application shall include the following:

- a. Application. All items required for a Zoning Clearance permit application (see Sec. 8178-7.7.2 above, items a-e).
- b. *Tree Transplantation Specifications*. For *protected trees* proposed to be *transplanted*, the applicant shall submit a written evaluation by a *qualified tree consultant* that includes but is not limited to the location of *roots*, limits of disturbance, *pre-removal* treatments and care, and safety measures, to ensure the method used to *transplant* the affected *tree* will not cause the death of the *tree*.
- c. *Tree Survey*. A *Tree Survey* shall be submitted for the following: (1) If a *protected tree* is proposed to be *removed* or *transplanted*; (2) If construction or grading activities occur within a *tree protected zone* (see Sec. 8178-7.4.4); and (3) If new development requires alteration or removal of a protected tree or where any new development is proposed within a tree protected zone.

If a *tree survey* is required, it shall be prepared by a *qualified tree consultant* and include the following:

1. Contact information. Names, phone numbers and addresses of the property owner, applicant, and project consultants, and the street address and Assessor Parcel Number (APN) of the project site.
2. Background and project information. A description of the physical characteristics of the project site including topography, adjacent land uses, existing and proposed development, construction methods, timing and sequence of development activities, construction storage and staging areas, etc.
3. Site observations. A summary of the proposed survey method including but not limited to the date and time the survey was conducted, extent of any unpermitted *protected tree alterations* or *removal* (if applicable), the presence or absence of any nests, areas of potential sensitivity that may influence how the proposed *tree removal* or *alteration* would be conducted (e.g. butterfly roosting site, previous *raptor* nesting site, creeks and streams, wetlands or oak woodlands).
4. An inventory and assessment of the health of all *protected trees* on the site.
5. A Site Sketch or Plan, drawn to scale with north arrow and bar scale, that provides the following information:
 - i. The identification of *trees* proposed to be *altered* or *removed* by the project, as well as the location and dimension of nearby development (buildings, other structures, access roads, utilities, etc.).
 - ii. Any proposed change in grade within the *tree protected zone*, shown at 2 foot or less contour intervals.
 - iii. Identification of *tree* species, location, trunk size, and surveyed extent of *tree canopy* of all *protected trees*.
 - iv. Depiction of the tree protected zone for *protected trees* and identification of areas where proposed development *encroaches* into the *tree protected zone*.
 - v. Identification of *trees* to be *transplanted* and location of receiving site.

The information above may be provided separately or added to the Site Sketch or Plan submitted for the permit application.

6. If necessary, additional information may be requested by the Planning Division to determine compliance with this Chapter.
- d. A Tree Protection, Planting, and Monitoring Plan. A Tree Protection, Planting, and Monitoring Plan shall be prepared in the event that a *protected tree* is approved for *removal* and replacement *trees* will be required or relocation of a *protected tree*. The Tree Protection, Planting, and Monitoring Plan shall be submitted prior to approval of the Planned Development Permit and shall include the following information:
1. Recommendations for onsite or off-site mitigation measures.
 2. A requirement for a bird nesting survey to be conducted pursuant to Sec. 8178-7.7.4.1.1 no more than three days prior to earth disturbing and/or construction activities unless such activities are conducted outside the bird nesting season (January 1 through September 15).

3. Identification of the work area limits where tree alteration or removal will occur, including a requirement that prior to tree alteration or removal activities, flagging and stakes or construction fencing will be installed that define a boundary that contains all tree alteration or removal activities.
 4. Replacement Trees. The species and number of replacement trees to be planted as mitigation for the *removal of protected trees*.
 5. Replacement tree locations.
 6. Identification of protected trees to be transplanted and the receiving site.
 7. Planting specifications for transplanted and replacement trees.
 8. Tree Care. Recommendations for existing trees during construction including but not limited to pruning, irrigation, aeration, and mulching.
 9. A Monitoring Program pursuant to Sec. 8178-7.7.4(d) described below.
 10. Any other measures deemed necessary to protect, replace, or otherwise mitigate impacts associated with the proposed alteration or removal of protected trees.
 11. If necessary, additional information will be requested by the Planning Division to determine compliance with this Chapter.
 12. Any changes to an approved Tree Protection, Planting, and Monitoring Plan shall only be approved in accordance with Sec. 8181-10.4.2, Discretionary Modifications.
- e. Agricultural Commissioner Verification. If *removal of one or more protected trees in a tree row presently serving commercial crop production* is proposed, the Agricultural Commissioner shall verify in writing that the proposed action will not increase the potential for loss of agricultural soils due to increased wind erosion. If the Agricultural Commissioner determines the *tree removal* will result in the loss of agricultural soils, a Planned Development Permit pursuant to Sec. 8178-7.5.1 shall be required.
- f. *Farm Plan*. If a *protected tree is removed for the purpose of expanding existing or the establishment of new crop production*, a *farm plan* shall be prepared.
- g. Structure or Sewer Line Verifications:
1. Structure: If a *protected tree* is proposed to be altered or removed because the *tree* interferes with an existing structure (e.g., a sidewalk or house foundation), then the applicant must submit written verification from a licensed structural engineer or licensed building contractor that the *alteration of the tree(s)* is necessary to avoid structural damage. Verification must be submitted, and must include the engineer or contractor's license number and contact information, the parcel address, and a brief description of the *tree*, its location, the nature of the interference or obstruction, and alternatives available to avoid tree removal or alteration.
 2. Private Sewer Line: If a *protected tree* is proposed to be altered or removed because a *tree* interferes with an existing sewer line, the necessity of the proposed action, and alternatives available to avoid tree removal or alteration must be verified by a qualified plumbing contractor, sewer service provider, or other qualified professional approved by the Planning Director.

Sec. 8178-7.7.4.1 Zoning Clearance following approval of a Planned Development Permit

Following the approval of a Planned Development Permit, the applicant shall obtain Zoning Clearance pursuant to Sec. 8181-3.1. Such Zoning Clearance application shall include the following:

Sec. 8178-7.7.4.1.1 Bird Nesting Survey

If tree alteration, transplantation, or removal occurs during the bird *nesting season* (January 1 through September 15), the Permittee shall provide a *Bird Nesting Survey Report* that includes, but is not limited to, a schedule for breeding and nesting bird surveys and construction protocols. The bird breeding and nesting protocol shall conform to the following:

- a. A *qualified biologist or ornithologist* shall perform an initial breeding and nesting bird survey 30 days prior to the initiation of construction or tree modification activities. The project site must continue to be surveyed on a weekly basis with the last survey completed no more than 3 days prior to the initiation, or re-initiation, of construction or tree modification activities.
- b. All *trees* to be *altered or removed* and areas 300 feet from these trees (or 500 feet for active *raptor* nests), shall be surveyed for bird breeding and nesting behaviors, herein called the "survey area."
- c. The *qualified biologist or ornithologist* shall walk the entire "survey area" to determine if juveniles are present and, if they have fledged any nests, evaluate whether any adults appear to be starting a new clutch (preparing to mate and lay eggs).
- d. After inspecting all *trees* for *active nests* in the specific area scheduled for *tree alterations or removal*, the *qualified biologist or ornithologist* shall identify those *trees* containing *active nests* with temporary fencing, caution tape, flags, ribbons, or stakes.
- e. The *qualified biologist or ornithologist* shall prepare a Bird Nesting Survey Report that includes but is not limited to the following:
 1. The results of the initial nesting bird survey and a plan for continued surveys.
 2. Protocols and methods that will be implemented to avoid and minimize impacts to nesting birds including establishment of mandatory setback areas during construction of the project.
- f. The *qualified biologist or ornithologist* shall conduct a pre-construction meeting, to be held no more than three days prior to the initiation of *tree altering or removal*, to instruct the *qualified tree trimmer* and permittee to avoid disturbing all *trees* within the "survey area" during scheduled *tree alterations or removal*.
- g. In the event the *qualified tree trimmer* discovers an *active nest* (eggs, nest construction, other evidence of breeding) not previously identified by the project's *qualified biologist or ornithologist*, the *qualified tree trimmer* shall immediately cease all *alteration or removal* activities in that area of operation and notify both the *qualified biologist or ornithologist* and the

Planning Division. Thereafter, the *qualified biologist* or *ornithologist* must perform re-inspection of the *tree* containing an *active nest* following the procedures described in this Section.

- h. If active nests are found, construction or tree modification activities within the relevant setback area (i.e., the 500-foot setback for raptors and 300-foot setback for all other birds as described in 8178-7.7.4.1.1(b), above) shall be postponed or halted. If *tree alteration* or *removal* activities must be performed within 300 feet of a *tree* with an *active nest* (500 feet in the case of an active *raptor* nest) due to an imminent threat to persons or property, the work must be performed with hand tools.
- i. Construction activities may commence, or re-commence, in the relevant setback area (i.e., the 500-foot setback for raptors and 300-foot setback for all other birds as described in 8178-7.7.4.1.1(b), above) when the nest is vacated (juveniles have fledged) provided that there is no evidence of a second attempt at nesting, as determined by the County-approved biologist.
- j. *Inactive/unoccupied nests* may be removed only after a *qualified biologist* or *ornithologist* documents and photographs the occurrence and confirms that the nests are *inactive* and unoccupied. Copies of photographs and reports shall be filed with the Planning Division.

Sec. 8178-7.7.4.1.2 In-Lieu Fee

If an in-lieu fee is approved as part of a Planned Development Permit, the permittee shall submit payment of the in-lieu fee in accordance with Sec. 8178-7.6(d). Payment shall be made by certified or cashier's check.

Sec. 8178-7.7.4.1.3 Contract for Services

The permittee shall provide a copy of a signed contract (financial information redacted) for the following services:

- a. The preparation and implementation of a Bird Nesting Survey and Report by a *qualified biologist* or *ornithologist* including any monitoring of any *active/occupied nests* discovered.
- b. *Tree alteration, transplantation or removal* by a *qualified tree service company* or *qualified tree trimmer* that includes but is not limited to: qualifications of the individuals responsible for conducting the work to be performed; scope of work; *tree removal* and *alteration* specifications; and schedule.

Sec. 8178-7.7.5 Post-Approval Requirements

As set forth in the conditions of the discretionary entitlement for the project requiring the submittal of a Tree Protection, Planting, and Monitoring Plan, the permittee shall submit Annual Monitoring Reports in accordance with the following.

- a. An Annual Monitoring Report shall be prepared by a *qualified tree consultant* to ensure replacement trees are healthy and growing normally and procedures for periodic monitoring and implementation of corrective measures are implemented in the event that the health of a replacement or transplanted *tree* declines. Monitoring shall be required for the following:

1. Replacement *trees* required to mitigate for the *removal* of a *protected tree* including volunteer native *tree saplings* counted as mitigation.
 2. *Protected trees* that have been *transplanted*.
- b. Monitoring shall be performed by a *qualified tree consultant* and include but not be limited to the following inspections:
1. During grading and construction, the *qualified tree consultant* shall confirm *tree* project construction standards pursuant to Sec. 8178-7.4.4 are implemented and if necessary require immediate corrective action where standards are not being met.
 2. Prior to final inspection by the Building & Safety Division, or prior to the Zoning Clearance expiration date, a site inspection shall be conducted by the Planning Division and the *qualified tree consultant* to verify that all replacement or *transplanted trees* were installed per the approved Tree Protection, Planting, and Monitoring Plan.
 3. As needed inspections to evaluate compliance with the health performance targets in the approved Tree Protection, Planting, and Monitoring Plan.
- c. Monitoring reports shall be submitted annually to the Planning Division for a minimum 10 year monitoring period that demonstrates the continued viability of *native tree seedlings/saplings* and/or *native replacement trees*.
- d. For replacement *trees* that have not successfully been established the annual monitoring report as required (or intervening report) shall provide recommendations from a *qualified tree consultant* that include but are not limited to the application of soil amendments, insecticides or other treatment, or planting alternate *trees* in the same or new locations, if necessary. The conditions of approval for the permit shall not be met until all replacement *trees* are capable of surviving without artificial inputs, the need for physical protection measures and supplemental watering; however, in no case shall the monitoring period be less than the monitoring period pursuant to Sec. 8178-7.7.5(c) above.
- e. No additional monitoring reports are required if, at the end of the 10 year monitoring period, and after a final inspection is conducted by the Planning Division, the following findings are made:
1. The replacement or *transplanted protected trees* are in good health as documented in the monitoring report by the *qualified tree consultant*,
 2. All *protected trees* are capable of surviving without artificial inputs, physical protection measures, or supplemental watering; and
 3. The applicant has satisfied the tree mitigation conditions of the permit.
- f. The annual report shall be submitted for review and approval by the Planning Division and maintained on file as public information.

Sec. 8178-7.7.6 Encroachment Permit

- a. *Street Tree Removal at County Public Works Agency Request*. If the Public Works Agency issues a written notice to a property owner to *prune* or *remove a street tree* and/or repair an existing sidewalk, the property owner shall have 90 days from the date of the Public Works Agency's written notice to obtain an

encroachment permit from County Public Works Agency to complete the required repairs.

- b. *Street Tree Removal at Property Owner's Request.* If a property owner proposes to *remove a street tree*, the property owner will be responsible for obtaining an encroachment permit from the Public Works Agency prior to removing the *street tree*.

Article 8, of the Ventura County Ordinance Code is hereby amended by the addition of **Section 8178-8 – Water Efficient Landscaping Requirements**, to read as follows:

Section 8178-8 – Water Efficient Landscaping Requirements

Sections

- 8178-8.1 Purposes
- 8178-8.2 Applicability
- 8178-8.3 Minimum Landscape Area
- 8178-8.4 Landscape Area Development Standards
- 8178-8.5 Irrigation Development Standards
- 8178-8.6 Water Budget and Projected Water Use
- 8178-8.7 Authority to Modify or Waive Landscaping Requirements and Standards
- 8178-8.8 Landscape Documentation Package
- 8178-8.9 Landscape Documentation Package Approval and Inspections

Sec. 8178-8.1 – Purpose of Required Landscaping

The purposes of the landscaping and screening requirements of Sec. 8178-8 are to:

- a. Provide visual relief and integration. Landscaping enhances the aesthetic quality of the built environment, adding visual interest to blank facades, expanses of pavement, vehicular transportation corridors, and other potentially barren areas. Required landscaping also helps integrate large-scale buildings and other incompatible features into the surrounding community or natural setting.
- b. Screen undesirable public views and separate incompatible land uses. Landscaping reduces the impact of development by screening equipment, service and storage areas, glare, *trash enclosures*, parking areas, and other uses or features that visually detract from, or are incompatible with, surrounding development.
- c. Shade buildings and pavement. Landscaping provides shade for buildings and large areas of pavement, which reduces heat gain within buildings or atmospheric heating from paving. Landscaping helps create comfortable conditions where people live, work, park vehicles, walk, or use outdoor spaces.
- d. Support public health. Landscaping is used to define and enhance public and private *recreational areas*, and to enhance pathways used for pedestrian circulation. The availability of *recreational areas* and public trails contribute to overall public health.

- e. Retain and treat stormwater. Landscaping can provide stormwater retention and treatment when adequate site conditions are present.
- f. Support ecosystem functions. Landscaping can provide a plant palette that includes climate-appropriate native trees and plants characteristic of the diverse coastal areas of Ventura County and that provide habitat for wildlife.
- g. Stabilize slopes and control erosion. Landscape plants can stabilize soils to limit erosion.
- h. Use water efficiently. New or updated landscaping helps minimize wasted water through water-efficient design.
- i. Implement the California Model Water Efficient Landscape Ordinance, set forth at Chapter 2.7 of Division 2 of Title 23 of the California Code of Regulations.

Sec. 8178-8.2 - Applicability

- a. Sec. 8178-8 shall apply to the following discretionary projects:
 - 1. All discretionary development where a *Landscape Plan* is required pursuant to the Coastal Zoning Ordinance (Chapter 1.1).
 - 2. All development located within 1,000 feet of publically owned park lands in the Coastal Open Space (COS) Santa Monica Mountains (M) Overlay zone.
 - 3. The following grading activities, unless previously addressed in a discretionary permit:
 - i. Excavations for wells, tunnels, or trenches for public utilities.
 - ii. Grading for access roads or pads created for exploratory excavations
 - iii. Estimated earthwork that generates more than 50 cubic yards.
 - 4. New residential development with a *landscape area* equal to or greater than 500 square feet.
 - 5. All development located in areas zoned Coastal Commercial (CC) or Coastal Industrial (CM), all government facilities (such as fire and police stations) located in all zones, and facilities, such as libraries, schools and hospitals developed for *assembly uses*, located in all zones.
 - 6. *Parking lots* that contain four or more parking spaces.
 - 7. Landscaping within a required *fuel modification zones*.
 - 8. *Rehabilitated landscape projects*.
 - 9. *All Habitat Restoration Plans*.

Sec. 8178-8.2.1 - Exemptions

Notwithstanding Sec. 8178-8.2(a) above, Sec. 8178-8 does not apply to the following facilities and development sites:

- a. Above-ground public utilities in the public right-of-way.
- b. Cultural heritage sites where installation of landscaping pursuant to Sec. 8178-8 will compromise the historical integrity of that site.
- c. Exhibit areas within *botanical gardens* or *arboreta*.

Sec. 8178-8.3 – Minimum Landscape Area

- a. Unless otherwise stated in the subject discretionary permit or permit modification, the *landscape area* of the lot(s) where the development is located shall comprise no less than the minimum lot coverage for the applicable zone as specified below, with the *landscape area* percentages computed on the basis of the lot's or lots' *net area*.
 1. Coastal Industrial (CM): 5 percent
 2. Coastal Commercial (CC): 10 percent
 3. Residential, Institutional and other uses: As specified by the subject discretionary permit or permit modification.
- b. Up to 10 percent of the required *landscape area* may be covered with *hardscapes* such as pathways, patio areas, gazebos, or *public art*. Additional *hardscapes* are permitted, but shall not be applied towards the minimum required *landscape area*.
- c. A larger *landscape area* may be required to fulfill landscaping requirements of Sec. 8178-8.

Sec. 8178-8.4 – Landscape Area Development Standards

The following standards apply to all *landscape areas* required under this Sec. 8178-8.

Sec. 8178-8.4.1 – General Standards

- a. Native drought-tolerant vegetation shall be used for landscaping with the following exceptions:
 - Drought tolerant, non-native, non-invasive vegetation may be used when located within the approved *building envelope* for discretionary projects.
 - Drought tolerant plants, and fire resistant non-native plants approved by the Ventura County Fire Protection District, may be used in the fuel modification zone except when located within an ESHA buffer.
 - When located in areas not conducive to native plant establishment.

Invasive plants are prohibited.

- b. *Landscape areas* shall include a variety of plant species, heights, colors and textures and shall be installed according to size constraints, spacing requirements and compatibility with the surrounding area.
- c. The plant palette for a *Habitat Restoration Plan* shall be restricted to locally-indigenous *native vegetation*.
- d. Landscaping shall be sited and designed to protect *coastal resources*, including ESHA, scenic resources, water quality, and water supply.

Sec. 8178-8.4.1.1 –Existing Vegetation

- a. All existing *protected trees* may be incorporated into the *landscape area* unless removal is separately permitted as part of the proposed development pursuant to Sec. 8178-7.5.1, Planned Development Permit.
- b. Existing non-invasive vegetation may be integrated into the *landscape plan* provided existing vegetation is compatible with required landscaping.

- c. Existing vegetation that is considered invasive shall be removed from the *landscape area*.
- d. Existing vegetation that will remain shall be protected and maintained during the construction phase of the development.

Sec. 8178-8.4.1.2 - Trees

- a. Trees required to be planted as a mitigation measure or as part of an approved landscape plan shall comply with the following standards:
 - 1. Native Trees. The planting of native trees shall comply with the planting specifications included in the Tree Protection, Planting and Monitoring Plan. (See Section 8178-7.7.2.)
 - 2. Non-Native Trees. The planting of new, non-native trees is subject to the following requirements:
 - i. Non-native trees shall not be planted in ESHA or associated buffer;
 - ii. In the Coastal Open Space (COS) zone, the planting of new non-native trees shall be restricted to the approved building envelope only; and
 - iii. In the Coastal Industrial (CM) zone, non-native trees shall be restricted to developed areas for the purpose of screening approved structures.
- b. Replacement trees shall be planted immediately after grading activities are completed for site development or in accordance with the approved Tree Protection, Planting and Monitoring Plan.
- c. The planting of *invasive trees* is prohibited in the *coastal zone*.
- d. In the Coastal Open Space (COS) and Santa Monica Mountains (M) overlay zone, only *native trees* shall be used in the *landscape area*.
- e. Trees shall be planted wherever adequate space is available, except in the following circumstances:
 - 1. *Non-native trees* shall not be substituted for *native trees* when *native trees* are used to fulfill a mitigation measure for the development.
 - 2. New trees at maturity shall not extend into overhead utility lines.
- f. At least one tree shall be planted in any required *landscape planter*. Additional trees shall be planted if adequate spacing between trees can be provided.
- g. Trees shall not be planted where they would generate substantial interference with the operation of approved lighting fixtures.
- h. Trees shall not be planted where they would interfere with site access driveways, access to fire suppression equipment such as hydrants.
- i. Trees shall not be located where the tree will interfere with public accessways, public access easements, or where they would otherwise interfere with *coastal access*.

- j. Trees shall not be planted closer than 10 feet from the rear of any traffic or directional sign and 25 feet from the front of any traffic or directional sign. Trees shall be set back further from such signs if necessary for traffic safety.
- k. Trees located in *parking lots* shall be kept trimmed to maintain at least 8½ feet of ground clearance for adjacent parking spaces and pedestrian areas, and shall maintain at least 13½ feet of vertical ground clearance over driveways and drive aisles.
- l. The *tree protection zone* of a tree shall be kept free from other types of landscaping except as allowed by Sec. 8178-7.4.1
- m. Trees shall not be planted where the tree would reduce visibility within a *clear sight triangle*.

Sec. 8178-8.4.1.2.1 - Street Trees

Street trees required as a condition of approval of a discretionary permit, or that are proposed within a public road right-of-way, shall be installed in conformance with the following:

- a. New street trees shall comply with the Ventura County Public Work Agency's required setbacks from edge of sidewalk, except when *tree wells* are provided in the sidewalk.
- b. Street trees shall be planted where the tree's growth will not damage the components of the street (sidewalk, curb/gutter, etc.) or overhead utility lines.
- c. Street trees shall be selected and planted so the tree does not interfere with pedestrian or vehicular circulation.
- d. When street trees are provided, they shall be spaced an average of 40 feet on center.
- e. Street trees shall be single trunk, not multi-trunked species.
- f. The planting of any street tree shall comply with Section 8175-3.8 Clear Sight Triangles and the planting specifications prescribed by the County Public Works Agency or qualified tree consultant.
- g. Should a street tree be removed that is part of an approved landscape plan, that tree shall be replaced pursuant to Section 8178-7.5.2.2.
- h. The applicant shall obtain a separate encroachment permit from the Ventura County Public Works Agency prior to installing a street tree.

Sec. 8178-8.4.1.3 – Shrubs

Shrubs are used within a *landscape area* to provide foliage, texture, and color to landscape themes. Shrubs provide variety of height and mass within a *landscape area*, bring buildings into human scale, provide privacy for outdoor areas, and screen undesirable views.

Shrubs should be included in a *landscape area* and shall comply with the following:

- a. One- to 15-gallon size shrubs shall be planted and spaced in accordance with their size at maturity but no less than one shrub for every five linear feet of *landscape planter* or fraction thereof.
- b. Hedges and shrubbery over three feet in height are prohibited within parking lot islands and clear site triangles.

Sec. 8178-8.4.1.4 – Groundcover

- a. *Groundcover*, when established, can prevent the germination of weeds, protect soil from erosion and water loss, provide habitat and cover for beneficial insects, and function as an attractive element within a landscape.
- b. *Groundcover* shall be incorporated into the *landscape area* using the following standards:
- c. Irrigated *groundcovers* may be planted from root cuttings or applied as *hydromulch*.
- d. *Groundcover* applied as *hydromulch* is subject to the following:
 - 1. The *hydromulch* must be comprised of a locally-indigenous *native* seed mix.
 - 2. *Hydromulch* seeds should be applied following the first measurable rainfall in the fall of the year or a temporary irrigation method shall be provided to ensure germination and initial growth.
 - 3. Such planting shall be adequate to provide 90 percent coverage within 90 days. Additional applications shall be repeated as necessary to provide such coverage.
- e. Manufactured (human-made) slopes shall be planted with *groundcover*. See Sec. 8178-8.4.2.5.1(c) Revegetation of Disturbed Areas, Manufactured Slopes.

Sec. 8178-8.4.1.5 – Turf (Grass)

The typical California lawn can require several times more water than *groundcover* consisting of *native* or other drought-tolerant plants. To help reduce urban water demand for outdoor purposes, the installation of *turf* shall be limited to the following:

- a. Unless a modification is granted pursuant to Sec. 8178-8.7, *turf* shall not exceed 25 percent of the *landscape area* for residential development and no *turf* shall be allowed in non-residential development except as authorized by 8178-8.4.1.5(b) below.
- b. A higher percentage of irrigated *turf* on sports fields, golf courses, playgrounds, parks, bioswales, or other areas may be approved to serve a functional need. The use of irrigated *turf* within these areas shall be minimized to the greatest extent possible.
- c. All *turf* shall be a warm season variety, except within areas used for recreation, which may use cool season varieties.
- d. *Turf* shall not be used on slopes greater than 10 percent, except within designated stormwater management areas.

- e. *Turf* shall not be planted in street medians, traffic islands, *landscape planters*, or bulb-outs of any size.
- f. Approved *turf* shall be irrigated by sub-surface irrigation or by technology that creates no *overspray* or *runoff*.

Sec. 8178-8.4.1.6 – Mulch

To conserve moisture and improve the fertility and health of the soil, a layer of *mulch* shall be applied to *landscape areas* as follows:

- a. Whenever possible, prior to any earth disturbance, topsoil shall be removed and stockpiled for future use. Topsoil shall be spread as the final surface layer of soil (prior to the application of mulch) in the *landscape area*, except when the soil is characterized by invasive plants and seeds.
- b. Exposed soil in all non-*turf* and non-*groundcover landscape areas* shall be covered with at least three inches of *mulch* but no more than 12 inches in depth.
- c. Except as allowed by Sec. 8178-8.4.1.6(c) below, organic *mulch* materials shall be used in required landscape areas. Composted organic material is preferred over other products such as bark and wood chips.
- d. The following inorganic materials may be used in conjunction with organic mulch, subject to the following limitations:
 - 1. Plastic: Opaque plastic tarps may be used to cover an area of soil for the purpose of killing weeds and preventing germination of weed seeds. Plastic tarps shall be temporary and removed within six to eight weeks from the date of installation.
 - 2. Stone/Gravel: May be used for *stormwater management landscaping*. When used for other purposes, stone/gravel is considered *hardscape* subject to the limitations specified by Sec. 8178-8.3(b).
 - 3. Sand: May be used to improve the drainage characteristics of the soil.
 - 4. Landscape Fabric: On property with steep slopes, landscape fabric may be used to control erosion and stabilize or protect plants from rain water and soil washout. A minimum two to three inches of organic *mulch* shall be placed over the landscape fabric to prevent weed growth and to promote plant growth.
- e. *Mulch* is not considered *groundcover* for the purpose of meeting minimum landscape requirements.

Sec. 8178-8.4.1.7 – Public Safety

- a. Crime Deterrence. To avoid potential interference with police surveillance, landscaping required for discretionary projects in the Coastal Commercial (CC) and Coastal Industrial (CM) zones shall not obstruct views of exterior doors from an adjacent public street. Plants also shall not block security light sources or restrict access to emergency apparatuses.
- b. Clear Sight Triangles. *Landscape areas* shall provide plantings that are consistent with safe sight distances for vehicular traffic as required by Sec. 8175-3.8. No landscaping material (plants and *hardscape*) shall exceed the

three-foot height limit within a required clear sight triangle. The *landscape plan* shall include measures that ensure that the required safe site distance is maintained.

- c. Fuel Modification Zones. See Sec. 8178-8.4.2.3 for landscape development standards within a *fuel modification zone*.

Sec. 8178-8.4.1.8 Solar Access

New vegetation shall not be planted that would impair the function of an existing building using passive solar heat collection or that would cast a shadow greater than 10 percent of the collector absorption area on existing solar collector surface or photovoltaic cells at any time between the hours of 10 a.m. and 2 p.m.

Sec. 8178-8.4.1.9 - Public Art

Public art, including but not limited to a mural or sculpture, is a landscape feature that, if proposed for inclusion in the *landscape area*, must be included in the *landscape documentation package* submitted pursuant to Sec. 8178-8.8. Such art shall be consistent with the resource protection policies and provisions of the LCP and shall comply with the following:

- a. The art shall complement the scale, materials, form and content of the development where it is located.
- b. The art shall conform to height and setback standards pursuant to Sec. 8175-2, Schedule of Specific Development Standards by Zone.
- c. The art should be designed to last as long as the related building or structure and be vandal/theft resistant.
- d. The art shall not contain advertising.
- e. The permittee shall maintain the public art.

Sec. 8178-8.4.2 – Specific Standards

To provide for an attractive landscape appearance, the following specific standards, where applicable, apply to all *landscape areas* required under this Sec. 8178-8.

Sec. 8178-8.4.2.1 – Perimeter Landscaping

Perimeter landscaping provides a physical and visual separation between development and the public right-of-way. *Perimeter landscaping* shall include the following:

- a. Minimum Planter Area – *Landscaped planter* areas shall be a minimum of four feet wide (including curbs). Narrower *landscaped planter* areas may be permitted, but shall not be counted toward meeting the minimum *landscape area* site coverage requirements.
- b. Landscape Strip – A landscape strip shall be provided along property lines adjacent to the public or private street right-of-way as follows:
 - 1. For *commercial* and *institutional land* uses, the landscape strip shall be at least five feet wide.
 - 2. For *industrial land* uses, the landscape strip shall be at least 10 feet wide, except for parcels zoned Coastal Industrial (CM) that are developed for oil

and gas production that cannot be seen from the public rights-of-way. In such cases, a landscape strip is not required.

3. The landscape strip shall be measured from the inside edge of the public right-of-way.
 4. Frontage *perimeter landscaping* may be crossed by walkways and access drives.
- c. Bus shelters may be located within the *perimeter landscape* area but the area occupied by a bus shelter shall not count towards the required minimum *landscape area*.

Sec. 8178-8.4.2.2 – Landscape Screening

Landscaping and other screening features can be used to define an area, modify or hide a view, create privacy, block wind and dust, control noise, filter light, and direct traffic flow. The following standards shall apply to “landscape and other screens” proposed or required for developments where structures are visible from *public viewing areas*. Where feasible, *landscape screens* shall be the preferred method of screening.

- a. Plants shall be used as a landscape screen for the following structures:
 1. A blank wall or building façade (e.g. lacks windows, doors, or other type of articulation) of a commercial, industrial, or multifamily building that can be seen from a *public viewing area*.
 2. Fences and walls greater than six feet in height, with the exception of fences used for farm or ranch purposes as provided by Sec. 8174-6.1(a)(2).
 3. *Non-commercial antenna and wireless communication facilities* that are prominently visible from a *public viewing area*.
 4. *Trash enclosures*, with the exception of single-family residential lots served by individual trash and recycling containers (64-gallon or smaller).
 5. Outdoor storage of materials and equipment accessory to commercial, industrial, institutional, and multi-family residential uses that exceed a height of six feet.
 6. Above ground utility structures including, but not limited to, an electrical transformer box, gas meter, telephone switch box, and *backflow prevention device* that are located outside of the public right-of-way and in public view unless a waiver is granted pursuant to Sec. 8178-8.7.
 7. *Hardscape* landscape elements such as retaining walls, cut-off walls, abutments, bridges, and culverts that are located within a *public viewshed*.
 8. Materials loading areas adjacent to a street, residentially zoned parcel, or residential land use.
- f. Landscape or other screening methods shall not be used as a substitute for project alternatives such as re-siting or reducing height or bulk of structures.
- c. *Landscape screens* may be in the form of dense hedges, tree rows, or other plant configurations. Where the screening would be visible from a *public*

viewing area, the *landscape screen* shall be visually compatible with the surrounding area. Landscape material shall be selected based on the following:

1. Size, scale and type of plant material. Establish compatibility through plant material selections that are similar in size, scale and type to plant materials in the surrounding area. Plants shall be selected based on their size at maturity, shall enhance views of the coastal areas, and shall not hinder or block coastline views from *public viewing areas*.
2. Landscaping in public places and commercial areas. *Landscape screens* shall improve the visual character of public facilities and commercial businesses by utilizing a diverse selection of plants that provide visual interest, color, and contrast.
3. Use native plants. A *landscape screen* should utilize native *tree* or plant species that are similar to, and compatible with, nearby natural habitats.
4. Enhance abandoned areas. *Landscape screens* shall visually hide or improve areas where landscaping is non-existent or neglected. Existing shrubbery and trees shall only be allowed if the existing plant material can be revitalized and used to augment and blend with the new plant material.

The following projects shall include information that demonstrates compliance with the above standards: large projects, development within a half-mile of a scenic highway, projects located on a prominent ridgeline, and at the request of the Planning Director. To demonstrate compliance, the applicant shall submit photographic simulations that show how the *landscape screen* will blend with the surrounding environment, avoid being a visual point of interest, and not significantly detract or degrade the public view.

- d. Where the plants are intended to form a dense hedge, a minimum of 50 percent of the plants shall be 15-gallon container size or greater and the rest shall be five-gallon container size or greater. The applicant shall demonstrate that the plants, at maturity, will form a dense hedge.
- e. Where plants alone do not provide sufficient *landscape screening* pursuant to (d) above, a *landscape screen* shall be composed of a landscaped berm or solid wall plus plant material that complies with the following:
 1. Where walls are used, the wall shall be set back a minimum of four feet from the property line. Trees and shrubs shall be planted in front of a wall that is visible from a *public viewing area*.
 2. Where earth berms are used, the berm slope shall be a maximum one foot rise for every three feet of linear distance (3:1 horizontal to vertical).
 3. At the discretion of the Planning Director, *see-through fencing* may be substituted for a wall or berm. (See Sec. 8175-3.11 Fences, Walls and Hedges.) Where *see-through fencing* is visible from a *public viewing area*, such fencing shall be set back a minimum of four feet from the property line and trees or shrubs shall be planted in front of the fence.
 4. The plant material shall comply with Sec. 8178-8.4.1 – General Standards.
- f. Height of *Landscape Screens*.

1. Except as provided in Sec. 8178-8.4.2.2(e)(2) and (3) below, a *landscape screen* located within a setback area adjacent to a public street shall have a maximum height of three feet.
 2. *Landscape screens* installed along interior lot line(s) shall have a maximum height of six feet.
 3. When located within a *public viewshed*, *landscape screens* that only use plant material for the purpose of blocking objectionable views (e.g., exterior storage, or manufacturing/production equipment) shall be tall enough to conceal the storage, equipment, or structure. If walls or fences are used and are in excess of six feet, a Planned Development Permit is required pursuant to Sec. 8174-5.
- g. Where the ground level adjoining the street is below or above street grade, the visual screen height may be reduced or increased, as determined appropriate by the applicable County decision-maker, when the height adjustment achieves the same objective as standard height requirements.
 - h. At the time of installation, the screening must be at least 40 inches high. The 40-inch height can be achieved by the landscape, berm, wall, or combination thereof.
 - i. Trash enclosures shall be constructed with masonry or wood walls. Chain-link is prohibited. Finishes and colors shall be similar to the building materials of the primary structure(s) on the site.
 - j. The required height and visual opacity (density) of *landscape screening* shall be achieved within three years of installation. An exception shall be provided for trees, where a five-year period is allowed when needed to meet the *performance criteria*.

Sec. 8178-8.4.2.3 – Landscaping in a Required Fuel Modification Zone

Landscaping in a *fuel modification zone* shall be designed, installed and maintained in conformance with the following standards:

- a. Except as provided in subsection "b" below, only drought tolerant and *fire resistant native* and *non-native plant species*, as recommended by a *qualified biologist*, shall be used in *fuel modification zones*. *Invasive plants* are prohibited.
- b. *Fuel modification zones* within ESHA buffer shall consist only of locally-indigenous, *native plant species* as recommended by a *qualified biologist*. *Invasive plants* are strictly prohibited.
- c. Except as permitted by Sec. 8178-7.5.4, in no case shall the *fuel modification zone* result in the removal of a *native tree* nor create a bare ring of earth around structures. Other vegetation may be retained provided it avoids the spread of fire to other vegetation or to a building or structure and is located and maintained as follows:
 1. Tree canopies and shrubs shall be spaced a minimum of 15 feet from other shrubs or trees.
 2. All trees and shrubs shall be trimmed to a minimum vegetative (leaf and branch) clearance of either 5 feet from the ground surface or one-third the height of the tree, whichever is less.
- d. All vegetation and *mulch* proposed to be planted in the *fuel modification zone* shall be consistent with the Ventura County Fire Protection District fuel modification plan approved for the site.
- e. Approved landscaping installed within a required *fuel modification zone* shall be maintained for the life of the project.

Sec. 8178-8.4.2.4 – Landscaping Adjacent to an Environmentally Sensitive Habitat Area

The plant palette for a *landscape area* within 100 feet of Environmentally Sensitive Habitat Areas (ESHA) shall be in accordance with an approved *Habitat Restoration Plan* and shall consist of locally-indigenous native plant species as recommended by a *qualified biologist*.

Sec. 8178-8.4.2.5 Slope Planting and Erosion Control

To minimize erosion, sedimentation, slope instability, and degradation of water quality due to surface water runoff, the following slope landscaping measures shall be implemented.

Sec. 8178-8.4.2.5.1 Revegetation of Disturbed Areas

Grading activities pursuant to Sec. 8178-8.2(a)(4) that may require the revegetation of disturbed slopes shall be designed and maintained in compliance with the following revegetation measures:

- a. All graded and disturbed areas shall be landscaped or otherwise revegetated at the completion of grading.
- b. A combination of locally-indigenous native hydro-seed mix, plants, trees, shrubs, *mulching*, and other suitable stabilization methods shall be used to protect soils subject to erosion to assure soil stabilization and to promote varying height and mass of landscaping.

- c. Manufactured Slopes. Cut and fill slopes three feet in height or greater shall be planted pursuant to the following standards:
 - 1. If permanent *groundcover* is applied as *hydromulch*, there shall be a minimum of one shrub for every 125 square feet of slope area.
 - 2. If rooted cuttings are utilized as *groundcover*, there shall be one shrub for every 300 square feet of slope area.
 - 3. There shall be a minimum of one native tree for every 500 square feet of slope area.
 - 4. Sloped areas are subject to the following:
 - i. Slopes less than eight feet in height are not required to be planted in shrubs.
 - ii. Slopes less than five feet in height are not required to be planted with trees.
- d. A mix of one-gallon and 15-gallon trees and shrubs shall be used to promote varying height and mass.

Sec. 8178-8.4.2.6 Stormwater Management Landscaping

- a. The siting and design of *stormwater management landscaping* shall be reviewed and approved by the Public Works Agency for conformance with regulations aimed at stormwater quality control. Landscape design features shall include but not be limited to the following:
 - 1. Graded surfaces shall convey runoff to *bioretention* stormwater treatment facilities, *vegetated swales*, and other *landscape areas*.
 - 2. To avoid flooding, overflow from large storms shall discharge to another landscaped area or the storm drain system.
 - 3. The designed water flow shall not cause erosion or damage to required parking area features and pavement.
 - 4. Plant material shall be selected to withstand inundation of water and be capable of pollutant uptake. *Stormwater management landscaping* shall not interfere with the movement of vehicles, pedestrians, or bicycles and shall not impede public access to the shoreline.
- b. *Stormwater management landscaping* may count towards the required minimum site coverage for the *landscape area* if the following criteria are met:
 - 1. The *stormwater management landscaping* does not compromise the number, type, size, location, or health of *protected trees*.
 - 2. The *stormwater management landscaping* does not compromise required *landscape screening requirements*.

Sec. 8178-8.4.2.7 – Parking Lot Landscaping

All open (uncovered) automobile *parking lots* shall be landscaped in accordance with the following:

- a. Minimum *Parking Lot* Landscaping. Landscaping shall be computed on the basis of the net parking facilities, which includes parking stalls, access drives, aisles and walkways, but shall not include required landscaping adjacent to streets.
- b. Open parking areas shall consist of at least six percent landscaping, which is counted toward the minimum *landscape area* requirement, except that no *parking lot* landscaping is required when there are fewer than four parking spaces.
- c. Parking structures and covered parking spaces are exempt from these requirements but may be conditioned on a case-by-case basis to ensure the purposes of this section are met.
- d. New commercial and institutional projects with more than 10 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 Sec. 8178-8.4.1.9.
- e. Landscaping shall be designed so that pedestrians are not likely to cross *landscape planters* to reach building entrances.

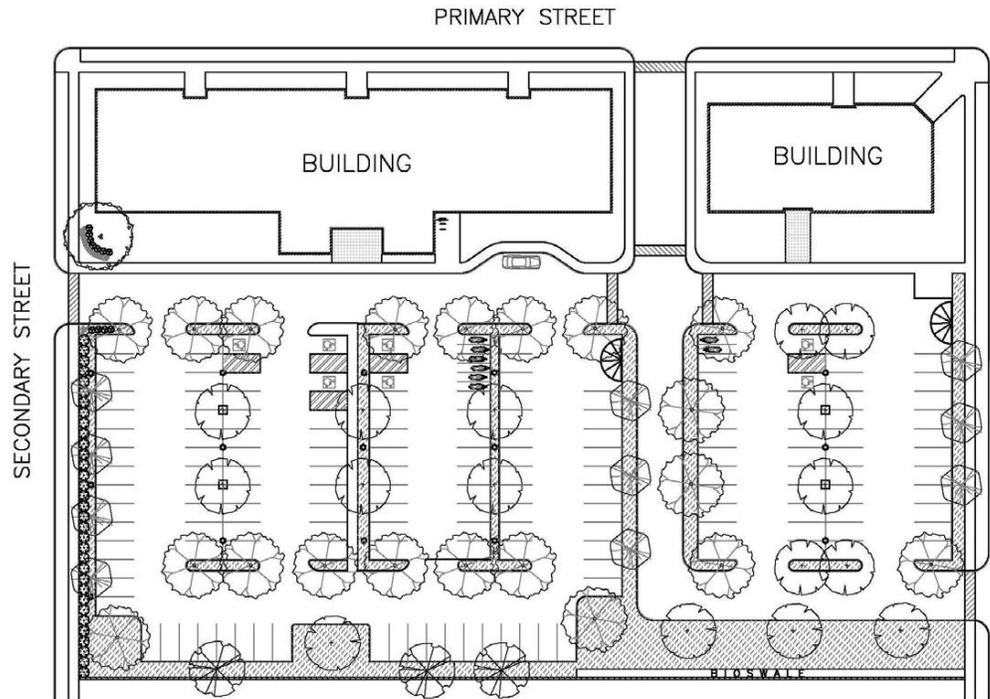
Sec. 8178-8.4.2.7.1 – Interior Parking Lot Landscaping

Parking lots shall include interior landscaping as outlined below.

- a. *Planter Dimensions*.
 - 1. *Strip Planters*. Interior parking lot *strip planters* shall measure at least four feet wide (inside dimension).
 - 2. *Finger Planters*. *Finger planters* shall be at least five feet wide (inside dimension) and the length shall be the same as the parking space (typically, 18 feet).
 - 3. *Tree well planters* shall be a minimum of 16 square feet, (inside dimension).
- b. All *parking lot landscape planters* shall be protected from vehicular damage by a raised curb or a wheel stop. The raised curb or wheel stop shall be at least four inches in height.
 - 1. Where curbs around *landscape planters* function as wheel stops, plants and other landscape features in the outside two feet of these *planters* shall not extend more than two inches above the four inch curb or wheel stop.
 - 2. 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.
- c. Preferred Layout. The preferred layout for the interior landscaping of parking areas is set forth below.
 - 1. A minimum eight foot wide (inside dimension, inclusive of any bumper overhang) *landscape planter* shall be provided between the street and

a *parking lot*, except at driveways, pedestrian pathways, and other pedestrian spaces.

2. The ends of each row of parking spaces should be separated from drive aisles, driveways, or buildings by a *finger planter*.
 3. Between *finger planters*, *tree wells* or a continuous *strip planter* should be provided.
 4. Where parking areas and associated driveways adjoin a residential use, a vacant residentially zoned property, or a ground-floor residential land use, *perimeter landscaping* shall include the following:
 - i. A solid masonry wall at least six feet in height shall be installed and maintained along the property line except where it would adversely impact *scenic resources*.
 - ii. Where such *parking lot* is across the street from an R-zoned property, the parking lot shall be separated from the street by an opaque ornamental fence, wall, landscaped earth mound, or evergreen hedge having a height of at least three feet except where it would adversely impact *scenic resources*.
 5. Where a parking area or driveway adjoins a side or rear property line, side and rear *perimeter landscaping* shall be provided. The *perimeter landscaping* shall be at least two feet wide (inside dimension) when the *planters* do not include trees and a minimum of four feet wide (inside dimension) when the *planters* include trees.
 6. Where a parking area or driveway is adjacent to a building on the same site, the area should be separated from the building by a *landscaped planter* at least four feet wide.
 7. When approving a *landscape plan* for a development that includes a *parking lot*, the preferred layout will be based on functional considerations and site constraints.
- d. Tree Locations
1. Trees shall be spaced out evenly throughout the *parking lot* in order to maximize shading of pavement.
 - i. Double-sided Parking Rows. Provide one *finger planter* with two trees (one per eight spaces). Between *finger planters*, either provide two *tree wells* (one per eight spaces) or a continuous *planter* containing two trees (one per eight spaces).
 - ii. Single-sided Parking Rows. Provide one *finger planter* with one tree. Between *finger planters*, either provide two *tree wells* (one per four spaces) or a continuous *planter* containing two trees (one per four spaces).



Examples of Landscaping for Single- and Double-Sided Parking

- e. Shrubs planted in *parking lot planters* shall not grow above three feet in height.
- f. Trees planted in *parking lot planters* shall not interfere with *parking lot* lighting illumination that is required for safety or security purposes.

Sec. 8178-8.4.2.7.2 - Acceptable Substitutions for Interior Landscaping

If the applicant can demonstrate that compliance with interior landscaping requirements would result in the loss of required parking spaces, the interior landscaping requirement may be modified if the parking area includes acceptable substitutions for the required interior landscaping that would otherwise be provided. Acceptable substitutions for interior landscaping include the following:

- a. The use of a light-colored/high-*albedo* (minimum of 0.3) paving surface, or use of a *pervious paving* surface pursuant to Sec. 8176-5.9. Such surfaces may be substituted for landscaping at a rate of three times the area required for landscaping.
- b. Installation of *public art* at the site pursuant to Sec. 8178-8.4.1.9.
- c. Shading in the form of canopies with solar photovoltaic or hot water systems, off-site trees and structures, sidewalk canopies, and other shade structures.

Whenever feasible, substitutions shall not replace more than 50 percent of the interior landscaping requirement, with priority given to planting shade trees.

Sec. 8178-8.4.2.8 – Model Home Landscaping

Residential projects that include a model home(s) shall provide at least one model home with landscaping and irrigation that complies with the requirements set forth in this Sec. 8178-8.

Sec. 8178-8.5 – Irrigation Development Standards

The following standards apply to irrigation systems that serve a required *landscape area*.

Sec. 8178-8.5.1 – Irrigation System Standards

- a. Dedicated landscape water meters, which may be provided by a local water purveyor or a privately owned meter or submeter, shall be required for the following:
 1. Irrigated landscapes of 1,000 square feet or more for non-residential developments.
 2. Irrigated landscapes of 5,000 square feet or greater for residential developments.
- b. At a minimum, landscape irrigation systems shall be designed and operated in conformance with the following requirements:
 1. A *master valve* shall be installed unless the sprinklers are individually controlled, pressurized, and equipped with low pressure shut down features.
 2. A pressure regulator and *check valves* shall be installed at the low end of the irrigation lines to prevent unwanted draining of irrigation lines.
 3. The system shall be equipped with automatic, self-adjusting irrigation controllers that automatically activate and deactivate the irrigation system based on changes in the weather or soil moisture.
 4. Sprinkler heads (*micro-spray* or *drip*) shall be located to minimize landscape water *overspray* onto unplanted areas or areas of dissimilar water demand.
 5. All sprinkler heads installed within the *landscape area* must have a documented distribution uniformity low quarter of 0.65 or higher.
 6. The irrigation system shall provide adequate coverage and sufficient water for the continued healthy growth of all proposed plantings.
 7. Low precipitation sprinklers shall be employed to conserve water and promote continued, healthy growth of the planting.
 8. To protect the irrigation equipment and ensure adequate water coverage, all sprinklers shall be placed outside of any parking space bumper overhangs.
- c. Prior to installation of plants, the soil shall be in a *friable* condition.
- d. Slopes that range from three to five feet in height, and that total less than 1,000 square feet in area, are not required to be equipped with a permanent irrigation system and may be irrigated with hose bibs located not more than 50 feet from the area to be irrigated.
- e. Slopes that exceed five feet in height, and that total more than 1,000 square feet in area, shall be equipped with a permanent irrigation system.

Sec. 8178-8.5.2 – Efficient Water Use

- a. *Estimated Total Water Use (ETWU)* shall be less than or equal to *Maximum*

Applied Water Allowance (MAWA) as described in Appendix L1.

- b. All irrigation water shall be retained within the required *landscape area* to the extent feasible.
- c. Recirculating water systems shall be used for decorative *water features*, and all water sprayed into the air from decorative *water features* shall remain within the feature.

Sec. 8178-8.5.3 – Use of Non-Potable Water

Irrigation systems should be designed to collect and distribute stormwater, *reclaimed water*, and *graywater* when feasible.

- a. *Water Harvesting*. *Landscape plans* should include passive *water harvesting* methods for landscape irrigation, such as the use of *graywater* or rain catchment systems that capture water from roof and site runoff.
 - 1. *Graywater systems* shall be designed in conformance with the California Plumbing Code Chapter 16A Non-Potable Water Reuse Systems.
 - 2. Rainwater catchment systems shall be designed in conformance with the California Plumbing Code Chapter 17 Non-Potable Rainwater Catchment Systems.
 - 3. To encourage the reuse of non-potable water, projects with less than 2500 square feet of *landscape area* that meet the *Estimated Total Water Use* entirely using *graywater* shall only be required to submit an Irrigation Plan pursuant to Sec. 8178-8.8(c) of the *Landscape Documentation Package* for the permit application.
- b. *Reclaimed Water*. Landscaping shall utilize *reclaimed water* where the resource can feasibly be provided. If *reclaimed water* is determined to be required for the project, the irrigation system shall be designed, installed, and operated in compliance with state and local laws, requirements and regulations applicable to non-potable water use.

Sec. 8178-8.6 *Water Budget* and Projected Water Use

- a. Each *landscape area* shall be allowed a certain amount of water for landscaping, *water features* and other allowable components, called a *water budget*. Calculations shall be performed for the *Maximum Applied Water Allowance (MAWA)* and *Estimated Total Water Use (ETWU)* in accordance with Appendix L3, *Water Budget Calculations*.
- b. The *water budget* and projected water use calculations shall be submitted as part of the *landscape documentation package* (see Sec. 8178-8.8).

Sec. 8178-8.7 Authority to Modify or Waive Landscaping Requirements and Standards

- a. When special circumstances or exceptional characteristics are applicable to the property (size, shape, topography, etc.), the size of the required *landscape area* may be waived or modified (reduced or increased), except where the modification would have the potential to adversely impact ESHA, scenic resources, or water quality or supply. Facts and circumstances potentially warranting modifications and waivers include, but are not limited to:

1. Landscaping of proposed *mixed-use developments*, where such development is permitted.
 2. Where additional landscaping is necessary to screen undesirable public views.
 3. Where additional landscaping is necessary to provide an effective, vegetated transition to adjacent areas designated ESHA.
 4. Where modifications to a *fuel modification zone* are required by the County Fire Marshall.
 5. Where existing structures, exceptionally small lots, or irregularly configured lots, preclude implementation of the minimum *landscape area* pursuant to Sec. 8178-8.3.
 6. Where compliance with the minimum *landscape area* would result in the loss of existing, required parking spaces due to site size restrictions.
 7. Reductions to the *planter strip* width required pursuant to Sec. 8178-8.4.2.1(b), Landscape Strip.
 8. For development that cannot be seen from a *public viewing areas*.
 9. When evidence is presented to demonstrate that the original plants were not successfully established and that alternative replacement plants meet the standards of this Chapter.
 10. In areas where the County or California Coastal Commission has declared, by resolution, that a critically short water supply exists that must be maintained for *coastal resources* or public recreational use thereby prohibiting the construction or extension of any landscaping irrigation system.
- b. Waivers of landscape standards shall be limited to those justified by the special circumstances identified in (a) above. The applicable County decision-maker may grant a reduction in the minimum landscaping requirements, but in no case shall all landscaping requirements be eliminated, and priority shall be given to planting trees.

Sec. 8178-8.7.1 – Required Findings to Modify or Waive Landscaping Requirements and Standards

Written finding of facts shall be required for all waivers or modifications to landscaping areas as required below:

- a. Modifications or waivers shall only be granted if all of the following findings can be demonstrated:
1. The modification or waiver will not adversely affect *coastal resources* or public welfare and will not be detrimental or injurious to property or improvements in the surrounding area.
 2. The modification will not result in an increase in water demand.
 3. The modification is consistent with the purpose of the regulations set forth in Sec. 8178-8.1.
- b. In addition to the required findings in subsection "a" above, modifications or waivers pursuant to Sec. 8178-8.7.1 shall only be granted if supported by written findings of fact demonstrating one or more of the following:

1. Special circumstances apply to the subject property with regard to size, shape, topography and location, and the strict application of the requirements would result in practical difficulties or hardships inconsistent with the general purpose and intent of the Coastal Zoning Ordinance.
2. Required landscaping would conflict with existing easements or public rights-of-way or established easements.
3. Existing natural landscaping will be preserved where feasible.

Sec. 8178-8.7.2 – Modification to a Landscape Documentation Package

Any document in an approved *landscape documentation package* may be modified as a permit modification that is applied for and processed in accordance with Sec. 8181-10.4.2. The following requirements apply to said modifications:

- a. As part of the permit modification application, the applicant shall submit all documents and information reflecting and supporting all proposed changes to each document in the approved *landscape documentation package*, for County review and approval in accordance with Sections 8178-8.8 and -8.9, that would be modified or affected by the proposed modification. If a modification proposes to change one or more documents that requires the signature and/or stamp of a *licensed landscape architect, landscape contractor, qualified landscape designer, qualified biologist, licensed engineer, or other professional*, then the proposed modified documents shall also be signed and/or stamped by the same type of professional(s) as the approved document(s).
- b. Approved modifications to *landscape documentation packages* shall be implemented, inspected and monitored in accordance with Sec. 8178-8.9.
- c. Written findings of fact shall be made pursuant to Sec. 8178-8.7.1 for any requested modification to the extent it requires a waiver or modification of the *landscape area* requirements of this Sec. 8178-8.
- d. *Water budget calculation* revisions where the change is triggered by plant substitutions as approved by a *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist*.

Sec. 8178-8.8 – Landscape Documentation Package

A *landscape documentation package* shall accompany the discretionary permit or permit modification application and shall include the following:

- a. *Landscape Plan*. If Sec. 8178-8 et seq. is applicable, a conceptual *landscape plan* shall be submitted as part of the development application and shall be reviewed by the Planning Division. See Appendix L1 for *landscape plan* requirements.
- b. Landscape plan specifications shall include performance standards for determining the following:
 - i. The health and normal growth of plants/trees included in the *landscape plan*.
 - ii. Procedures for periodic monitoring.
 - iii. Corrective measures that should be used when the health of a plant or tree declines.

- c. Irrigation Plan. The irrigation plan shall be a separate document from, but use the same format as, the *landscape plan*. See Appendix L1 for minimum requirements for the irrigation plan.
- d. Water Efficient Landscape Worksheet. The applicant shall submit a Water Efficient Landscape Worksheet, provided by the Planning Division, which contains a *Hydrozone Information Table* and a *Water Budget Calculation*. See Appendix L3 Sample Water Efficient Landscape Worksheet.
- e. *Water Budget Calculations*. See Appendix L3 Water Efficient Landscape Worksheet.
- f. *Estimated Total Water Use (ETWU)*. The *ETWU* calculation shall be based upon the types of plant material used in the *landscape plan*. See Appendix L4 for determining *ETWU*.
- g. *Soils Report*. To achieve optimum growth of *groundcover*, shrubs, and trees, the *Landscape Documentation Package* shall include a *soils report* that indicates the nutrient status and pH of the soil in the *landscape area*. The *soils report* must be prepared by a California licensed engineer with experience in soils engineering.
- h. Ventura County Fire Protection District Construction Permit. Verification that installation of, or modification to, landscaping within the required *fuel modification zone* has been submitted for review and approval by the Ventura County Fire Protection District.
- i. One set of colored photographs of the project site taken from the following three vantage points: (1) close-up; (2) midfield; and (3) entire project site, relative to nearby vegetation, landmarks and structures. Color photo simulations showing proposed landscaping at maturity shall be required for projects which could have an adverse visual impact.
- j. Preparation and Signature of *Landscape Documentation Package*. A *Landscape Documentation Package* shall be prepared, stamped and signed by a *licensed landscape architect*, except for single-family residential development that does not require a grading and drainage plan.

Sec. 8178-8.9 – Landscape Documentation Package Approval and Inspections

Sec. 8178-8.9.1 – Landscape Documentation Package Approval

- a. The *landscape documentation package* shall be submitted to the Planning Division and other required County agencies for review and approval as part of the permit application for the proposed development.
- b. After preliminary review by the Planning Division and other required County agencies, the Planning Division shall reserve the right to send the *landscape documentation package* to a consulting *licensed landscape architect* for review, at the applicant's sole expense, to determine consistency with Sec. 8178-8, conduct an onsite inspection, and to provide recommendations regarding any document contained in the *landscape documentation package*.
- c. Following approval of the permit application for the proposed development, a zoning clearance shall be required to verify that the proposed landscape construction documents are consistent with the approved *landscape documentation package*.

- d. Prior to issuance of any zoning clearance authorizing construction or use inauguration for the approved development, the permittee shall be responsible for the following:
 1. The applicant shall include, on a separate informational sheet to be recorded with the conditions of approval, an 8½ x 11 reduced copy of the approved *landscape plan* and the required *fuel modification zone*.
 2. Enter into a reimbursement agreement with the County to cover the Planning Division's costs of monitoring the approved landscaping and irrigation improvements pursuant to Sec. 8178-8.9.2(b) below.

Sec. 8178-8.9.2 – Landscape Inspections

- a. Prior to issuance of a final map, certificate of occupancy, or other milestone set forth in the conditions of the discretionary entitlement for the project requiring landscaping, the permittee shall satisfy the following post-approval requirements:
 1. *Certificate of Completion*. The permittee shall submit to the Planning Division a *Certificate of Completion* as provided by the Planning Division (see Appendix L6).
 2. After the permittee submits the *Certificate of Completion*, County staff shall conduct an onsite inspection to verify that the landscaping was installed as required by the approved *landscape documentation package*.
- b. The property owner shall maintain the required *landscape area* in accordance with the approved *landscape documentation package*.
- c. If required landscaping does not meet the *performance criteria* set forth in the approved *landscape documentation package*, the permittee shall submit a proposed modification to the *landscape documentation package* for the County review and approval pursuant to Sec. 8178-8.7.2 that includes *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist's* recommendations for plant substitutions or remedial efforts.

Sec. 8178-8.9.3 – Landscape Maintenance and Monitoring

- a. Required landscaping shall be maintained for the term of the subject permit to ensure continued compliance with the approved *landscape documentation package* and shall include the following as may be supplemented in the *landscape documentation package*.
 1. Pruning shall be conducted to keep plants within spatial limits, and weeds and litter removed in the *landscape area*.
 2. Plant materials that are not successfully established or that did not meet performance criteria may be replaced with alternative plants as recommended by a *licensed landscape architect, landscape designer, landscape contractor, or qualified biologist*. Plant substitutions that do not change the MAWA or ETWU do not require a permit modification pursuant to Sec. 8178-8.7.2.
 3. Tree supports shall be inspected frequently and removed as soon as the tree can stand without support and be able to resist wind damage.
 4. *Mulch* shall be replenished.
 5. The irrigation equipment shall be monitored for any necessary repairs.

6. Any defects in landscape maintenance shall be remedied within 30 days following the County's notification.
- b. Failure to maintain required landscaping and/or irrigation systems shall constitute a violation of the subject permit (see Article 13 Enforcement and Penalties).

Section 7
ARTICLE 11
ENTITLEMENTS – PROCESS AND PROCEDURES

Article 11, Section 8181-4.4(c) – Administrative Variances, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- c. To allow an increase not exceeding ten percent in maximum building coverage;
and

Article 11, Section 8181-6.2 – Public Hearings, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-6.2 - Public Hearings

The *Planning Director* shall hold at least one public hearing on any duly filed application that requires a *discretionary decision* unless the hearing requirement is waived pursuant to Sec. 8181-6.2.3. If the Director defers the application to the Planning Commission, the Planning Commission shall hold at least one public hearing per the requirements of this Article. (AM.ORD.4451-12/11/12)

Article 11, Section 8181-6.2.1 - Notice Requirements, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-6.2.1 - Notice Requirements

The County shall give public notice of the hearing by publication in a newspaper of general circulation at least 10 calendar days prior to the hearing. In addition, the County shall provide notice of such hearing by first class mail at least 10 calendar days prior to the public hearing. (AM.ORD.4451-12/11/12)

- a. The notice shall be mailed to all of the following:
 - 1. The owner of the subject property, or the owner's duly authorized agent;
 - 2. The applicant, if different from the owner;
 - 3. The Coastal Commission;
 - 4. Each local agency whose ability to provide essential services or facilities within its jurisdiction may be significantly affected by the project;
 - 5. All property owners within 300 feet and residents within 100 feet of the exterior boundaries of the Assessor's Parcel(s) on which the development is proposed. If the 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, or cause to be obtained, by the applicant from the latest equalized assessment roll. If the number of owners exceeds 1,000, a one-eighth page advertisement published at least ten days prior to the hearing in a newspaper of general circulation may be substituted for the direct mailing;
 - 6. Any person who has filed a written request with the Planning Director or the Clerk of the Board of Supervisors to be on the mailing list for that development project or for coastal decisions within the unincorporated area of the County of Ventura;

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

Article 11, Section 8181-10.4.2 - Notice Requirements, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8181-10.4.2 – Discretionary Modifications

8. A cumulative decrease not exceeding 10 percent of the approved landscaping or screening, provided the development continues to meet the minimum landscape requirements pursuant to Sec. 8178-8 Water Efficient Landscape Requirements;

Section 8
ARTICLE 12
NONCONFORMITIES AND SUBSTANDARD LOTS

Article 12, Section 8182-3.1(a) Continuation of Existing Nonconforming Mobilehomes, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

- a. The mobilehome is in compliance with the applicable provisions of Sec. 8175-5.1d, and with the parking requirements of Section 8176-2-1 Parking and Loading Requirements; and

Article 12, Section 8182-3.2 Continuation of Existing Nonconforming Mobilehomes, of the Ventura County Ordinance Code is hereby amended by revisions as follows:

Sec. 8182-3.2

Mobilehomes used as residences under a Planning Director Conditional Use Permit between July 24, 1978 and July 2, 1981, may continue to be used as such if no other residence was located on the subject site at any time between July 24, 1978 and the time of issuance of the Planning Director Conditional Use Permit, provided that either 1) a modification to renew the Planning Director Conditional Use Permit through a Planned Development Permit process is obtained or 2) the status of the mobilehome as a single family dwelling meets the applicable provisions of Sections 8175- 5.1d, and the parking requirements of Section 8176-1 Parking and Loading Requirements.

Section 9

APPENDICES

The Ventura County Ordinance Code is hereby amended by the addition of the following Appendices:

APPENDIX T1

TREE REMOVAL, ALTERATION, AND PLANTING STANDARDS

A.1 Introduction

The following standards set forth acceptable methods for *protected tree removal, alteration and planting*. All standards must be used in conjunction with Sec. 8178-8 of the Ventura County Coastal Zoning Ordinance, and discretionary permit applications shall be consistent with these standards.

Policy A.2(2) of the Coastal Area Plan specifically defines "*protected trees*" to include trees that are ESHA (or that contribute to ESHA), *native, historical, and heritage trees*. For a list of representative *native, non-native, and invasive trees*, see B1. Except for minor *pruning practices, the alteration, transplantation, or removal of a protected tree or the encroachment into the protected zone of a protected tree generally requires a tree permit*. Consult the Tree Protection provisions of the Coastal Zoning Ordinance or the Planning Division to determine the types of tree modifications that require a *tree permit*.

The practices set forth in this Appendix are consistent with the *pruning* guidelines and Best Management Practices adopted by the International Society of Arboriculture (ISA), the American National Standard for Tree Care Operations – Tree, Shrub, and Other Woody Plant Maintenance-Standard Practices ANSI A300 (Part 1) 2001 Pruning, ISA ANSI A300 1995, the U.S. Forest Service, and the National Arbor Day Foundation. The County of Ventura promotes these guidelines as the expected level of care for all trees. Property owners are strongly encouraged to adhere to these *pruning* guidelines and seek additional advice from *qualified tree consultants* if conflicts or questions arise.

A.2 Safety

a. *Tree removal, alteration, and maintenance should be performed by qualified tree trimmers under the supervision of an arborist, who through related training and on the job experience, are familiar with the practices and hazards of arboriculture and the equipment used in such operations.*

A good rule of thumb is that if you have to leave the ground, even on a ladder, to prune your tree, you should hire a professional.

b. Pursuant to Sec. 8178-7.4(e)(2), if the Planning Director determines, based upon substantial evidence, that the *alteration or removal of a protected tree may result in unintentional damage to existing development including but not limited to utilities, buildings, protected trees, or ESHA, a qualified tree service company or qualified tree trimmer shall be retained to alter or remove protected trees.*

A.3 When to Prune or Remove a Tree

Protected Tree alteration or removal is prohibited during the bird breeding and nesting season (January 1 to September 15), except in very limited circumstances. See Coastal Zoning Ordinance Article 4 Secs. 8178-7.5.1 (General Permit Requirements) and 8178-7.7.4.1.1 (Bird Nesting Surveys).

A.4 Protected Tree Transplantation

Transplanted protected trees are subject to the following:

- a. *A qualified tree service company shall perform tree transplantation for all protected trees;*
- b. *The applicant must demonstrate that trees transplanted will be properly cared for per industry standards;*
- c. *The tree survives for a period of 10 years; and*
- d. *If the transplanted native tree dies or suffers declining health or vigor, the Tree Protection, Planting, and Monitoring Plan pursuant to Sec. 8178-7.7.4(d) shall be amended to include replacement trees.*

A.5 Tree Alteration

The following standards are designed to help manage the overall health of a *tree*, including but not limited to reducing risk of failure, providing an even distribution of branches, and correcting/improving the tree's structural stability. *Alteration/pruning of a tree shall be conducted in accordance with the following standards:*

A.5.1 Purpose

Pruning live branches creates a wound, even when the cut is properly made. Therefore, pruning objectives should be established prior to beginning any pruning operation.

- a. *Three reasons trees should be pruned.*



HEALTH



SAFETY



AESTHETICS

1. *Pruning for Health - Pruning for health involves removing diseased or insect-infested wood, thinning the crown to increase airflow, and removing crossing and rubbing branches. Pruning can best be used to encourage trees to develop a strong structure*

and reduce the likelihood of damage during severe weather. Removing broken or damaged limbs encourages wound closure.

2. *Pruning* for safety involves removing branches that could fail and cause injury or property damage, trimming branches that interfere with lines of sight on streets or driveways, and removing branches that grow into utility lines. Safety *pruning* can be largely avoided by carefully choosing species that will not grow beyond the space available to them and have strength and form characteristics that are suited to the site.
3. *Pruning* for aesthetics involves enhancing the natural form and character of trees or stimulating flower and fruit production. *Pruning* for form can be especially important on open-grown trees that do very little self-*pruning*. In some cases, tree *pruning* can be conducted to enhance views beyond the tree itself. This is a reasonable option when the tree's structure and health can be preserved, allowing it to continue to provide benefits that would be lost if the tree were removed altogether.

A.5.2 Size of Pruning Cuts

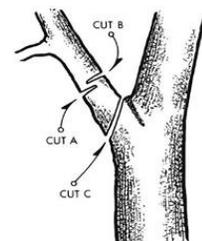
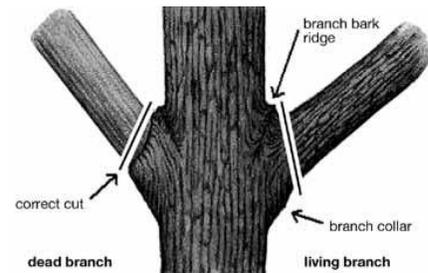
Tree branches shall be removed in such a manner so as to not cause damage to other parts of the tree or to other plants or property. Use the following guide for size of branches to be removed:

- a. Under two inches in *diameter* – safe to prune.
- b. Between two and four inches in *diameter* – think twice.
- c. Greater than four inches in *diameter* – have a good reason. A *qualified tree consultant* shall be consulted to provide justification in writing that removing a *protected tree's* branches that are larger than four inches will not harm the health of the *tree*.

A.5.3 Pruning Cuts

Tree branches shall be removed in such a manner so as not to cause damage to other parts of the tree or to other plants or property. Just above the point along a branch where leaf or lateral shoot growth originates is also the correct place to make a *pruning* cut. The following standards shall be implemented when *pruning* trees.

- a. Each cut should be made carefully, at the correct location, leaving a smooth surface with no jagged edges or torn bark.
- b. A *pruning* cut that removes a branch at its point of origin shall be made close to the trunk or parent limb, without cutting into the branch bark ridge or collar, or leaving a stub.
- c. When removing a dead branch, the final cut shall be made just outside the collar of living tissue.
- d. Large or heavy limbs should be removed using three cuts. The first cut undercuts the limb one or two feet out from the parent branch or trunk. A properly made undercut will eliminate the chance of the branch "peeling" or tearing bark as it is removed. The second cut is



the top cut which is usually made slightly further out on the limb than the undercut. This allows the limb to drop smoothly when the weight is released. The third cut is to remove the stub, while preserving the branch collar and branch bark ridge.

A.5.4 Pruning for Clearance from Overhead Lines

The purpose of utility *pruning* is to prevent the loss of service, comply with mandated clearance laws, prevent damage to equipment, avoid access impairment, and uphold the intended usage of the facility/utility space. Only a qualified line clearance *arborist* under contract with the utility company shall conduct *alteration* or *removal* of trees for the purpose of line clearance work.

A.5.5 Tree Crown Alteration

Pruning of the tree crown removes *hazardous*, declining, and/or dead branches. Proper crown thinning can reduce the risk of storm damage allowing wind to pass through canopies that have a balanced foliage.

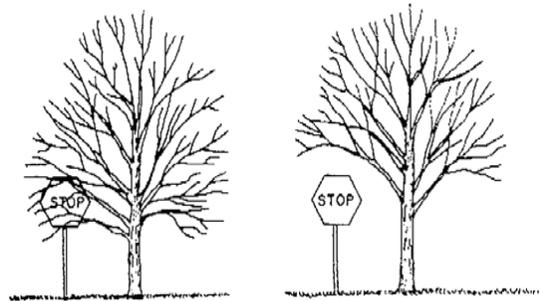
A.5.6 General Standards

- a. No more than 20 percent of a *tree's canopy* shall be removed within an annual growing season.
- b. Branches should be selectively removed, leaving more dominant ones intact that show good development in desired directions
- c. *Pruning* shall maintain the tree's natural shape, and *tree topping* is prohibited.

A.5.8 Tree Crown Raising

Crown raising is the removal of the lower branches of a tree in order to provide clearance on trees that obstruct vision and/or may interfere with pedestrian and vehicular traffic. The following standards shall be implemented when feasible:

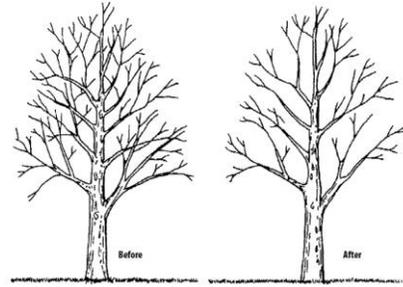
- a. Lower limbs on young trees should remain as long as possible to create and maintain trunk taper and develop a strong trunk.
- b. Shorten low branches regularly and suppress their growth to force more growth in upper branches. The shortened branches can be removed later to raise the crown as needed.
- c. Removal of large *diameter* limbs low on the tree can create large wounds that may not heal and promote decay on the main trunk.



A.5.9 Tree Crown Cleaning

Crown cleaning is a series of *pruning* cuts that remove *hazardous*, declining, and/or dead branches, leaving more dominant ones intact that show good development in desired directions.

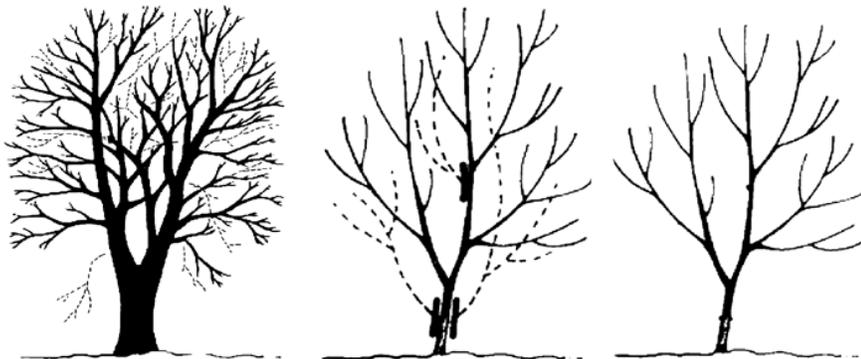
- a. Crown cleaning can be performed on trees of any age but is most common on medium-aged and mature trees that have had minimal maintenance.
- b. Since crown cleaning involves the removal of limbs that may have diseases, to avoid the spread of disease, *pruning* tools should be disinfected between each *pruning* cut.



A.5.10 Tree Crown Thinning

Crown thinning is the selective removal of branches to increase light penetration and air movement and to reduce end weight on tree branches. Crown thinning can reduce risk of storm damage among intact tree canopies, allowing wind to pass through canopies of “balanced” foliage and stems.

- a. Proper thinning involves removing branches at their point of origin or back to appropriate lateral branches.
- b. Thinning does not normally influence the size or shape of the tree and should result in an even distribution of branches along individual limbs, not a grouping toward the ends.
- c. Removal of only interior branches can create an effect known as lion-tailing. This displaces foliar weight to the ends of the branches and may result in sunburned bark tissue, weakened branch structure, and breakage.



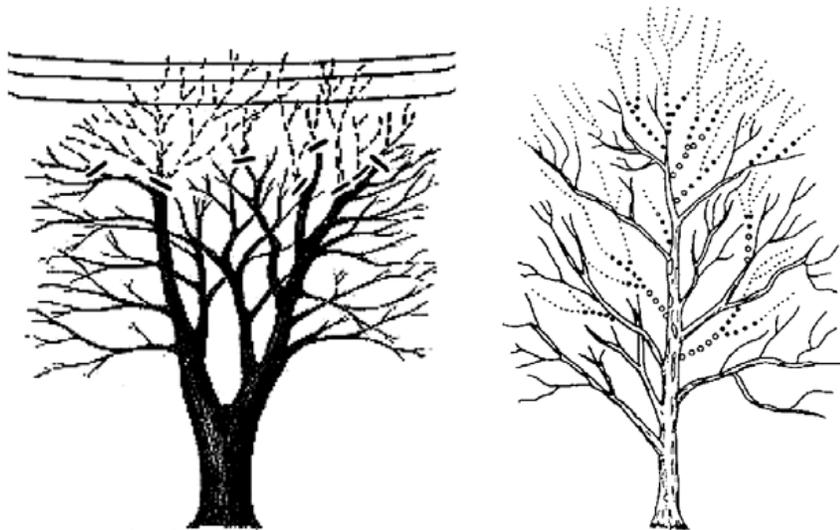
A.5.11 Tree Crown Reduction

Crown reduction is the cutting of limbs back to their portion of origin or back to a lateral branch capable of sustaining the remaining limb and the main, central stem of the tree is dominant (i.e. grows stronger than) other branches. Reduction is used to reduce the size of a tree by decreasing the length of one of many stems and branches. Crown reduction *pruning* can control the size of the tree, however it is no substitute for matching the correct tree species with the site.

A.5.12 Tree Topping

Topping is used only when removing an unwanted tree. It should never be used as a primary *pruning* practice for reducing the height or spread of a tree. When a tree is topped, several things can occur:

- a. The branch at the point of the heading cut produces a flush of new growth, usually numerous, vigorous and disorganized sprouts. This “witch’s broom” of new growth destroys the tree’s natural growth. Sprouts are often long and upright with little variation in shape and structure.
- b. In producing such profuse growth to replace the lost foliage, the plant is soon as tall as it was before *topping*. But now the crown is denser, requiring extra time and effort to prune.
- c. The sprouts also create a foliage shell, shading the plant’s interior, often causing inside branches to die.
- d. New sprouts are weakly attached, crowded and prone to breakage.
- e. Never plant trees near or under utility lines, awnings, or anywhere else that will require extensive *pruning* to keep them from damaging property.



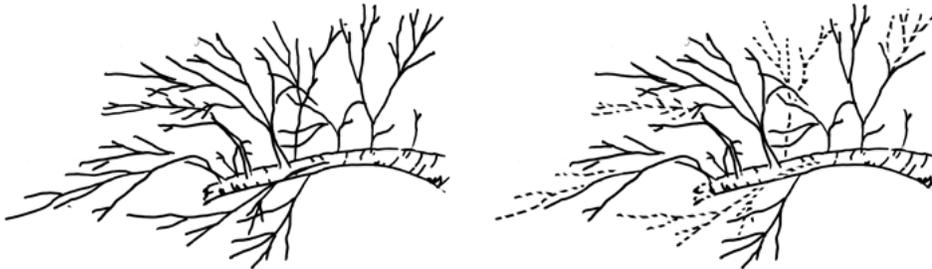
TREE TOPPING

CROWN

A.5.13 Tree Crown Restoration

Tree crown restoration is performed to improve structure, form, and appearance of trees that have been topped, vandalized, or storm damaged. Restoring a tree to a sustainable structure usually requires a number of *prunings* over a period of years as new dominant branches will take time to form.

- a. The process of crown restoration can be a combination of crown cleaning, crown thinning, and crown reduction, depending on the severity of the damage.
- b. Removal of dead or broken limbs should be completed first.
- c. Choose limbs that are U-shaped to remain rather than limbs with a sharper angle of attachment.



A.6 Wound Treatment

Wound treatments such as tree tar or other wound dressing, should not be used to cover wounds or *pruning* cuts, except when a *qualified tree consultant* recommends such treatment for disease, insect, mistletoe, or sprout control.

A.7 Tools and Equipment

Proper *pruning* can extend the useful life of trees, improve their safety, and add significant value to coastal areas. Conversely, improper *pruning* can irreparably damage a tree and possibly make it *hazardous*. The following general standards shall be implemented during tree *alteration, removal, or transplantation*.

- a. Climbing spurs shall not be used in the *alteration* of trees.
- b. *Pruning* tools used in making *pruning* cuts shall be sharp and should be disinfected between each *pruning* cut. Rubbing alcohol, disinfectant spray, or a 1:10 mixture of bleach and water are the recommended disinfectants.
- c. Selecting the right tools will ensure *pruning* operations progress in a safe manner. Examples of *pruning* tools include the following:

1. Hand *Pruning* Shears are made for cutting branches up to about one-half-inch in *diameter*.



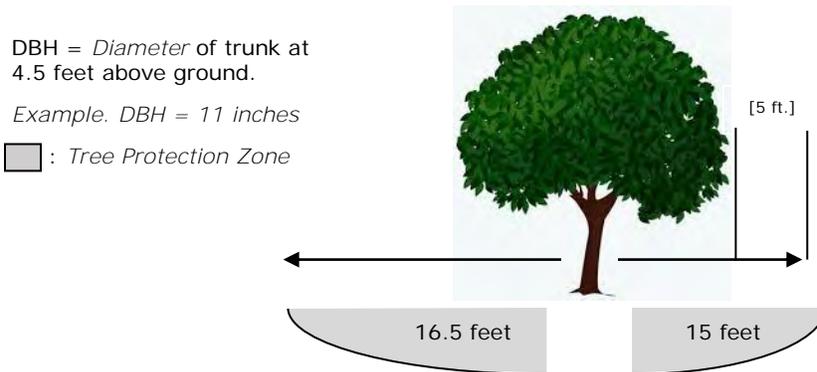
2. Lopping shears have long handles to exert great cutting power when *pruning* branches up to two inches in *diameter*.



A.8 Tree Root Alteration

- a. Pursuant to Sec. 8178-7.5.1, a Planned Development *Tree Permit* is required for the *encroachment* into the *tree protected zone* of a *protected tree* that is a result of a development project. Examples of *encroachments* include but are not limited to changing the natural grade, excavating for utilities or fence posts, or paving associated with driveways and streets.
- b. Pursuant to Sec. 8178-7.5.2, a Zoning Clearance *Tree Permit* is required to *alter* the roots of a *protected tree*, provided that such *alteration* does not involve *encroachment* into the *tree protected zone* and a *qualified tree consultant* states in writing that the root *alteration* will not harm the health of the tree.
- c. The *tree protected zone* is considered the area in which a critical amount of the *tree's* roots may be found. To determine the tree protection zone, the following calculations noted in (1), (2) and (3) below, shall be performed for all *protected trees* within 20 feet of areas proposed to be disturbed. The *tree protected zone* is measured horizontally from the outer circumference of the *tree* outward to the distance of the calculated *tree protected zone*. The calculation that provides the maximum protection is considered the designated tree protection zone.
- Draw a circle around the tree that is no less than 15 feet from the trunk of the *protected tree*.
 - Multiply the *tree's* diameter in inches by one and a half feet (i.e. one inch equals one and a half feet). For example, if a *tree's* diameter at a height of 4.5 feet above existing grade is 12 inches, the *tree protected zone* would be 18 feet from the trunk of the *protected tree*.
 - Draw a circle that extends a minimum five feet outside the edge of the *protected tree's* dripline.

Example of Tree Protected Zone



- d. Tree Root *Alteration* shall only be conducted for the following:
- When a *protected tree* is being replanted.
 - If approved grading or construction activities are occurring near a *protected tree* and no alternative that avoids disturbance is feasible.
 - To *alter/prune* roots from under an existing curb or sidewalk.

4. As determined by a *qualified tree consultant*, an inspection reveals *root girdling* and the *roots* must be removed in order to preserve the *tree*.
 5. As approved by a Planned Development Permit.
- e. If a *protected tree's* roots must be *altered/pruned*, *pruning* activities shall include but are not limited to the following:
1. The *alteration/pruning* of *roots* shall be as far away from the *tree* trunk as possible.
 2. Avoid *root alteration/pruning* within the *tree's protected zone* unless there is no feasible alternative (as determined by a *qualified tree consultant*).
 3. Avoid *root pruning* during environmentally stressful times such as droughts, floods, active bud break, and shoot growth.
 4. Avoid large *roots*. No *roots* greater than two inches in *diameter* should be *altered/pruned*.
 5. Prior to *root alteration/pruning*, excavate the soil away from the *roots* by hand or with an air spade.
 6. Do not use backhoes or other equipment that rip or tear *roots*.
 7. Backfill the *roots* as quickly as possible.
 8. Do not *alter/prune* *roots* for the purpose of landscaping.

B. TYPES OF TREES

Tables 1, 2 and 3 provide lists of trees for the purpose of identification. The list is not exhaustive and is being provided for reference only.

B1. Native Trees

California *native trees* existed in California prior to the arrival of European explorers and colonists in the late 18th century. California's *native trees* shall be conserved not only because of their beauty and intrinsic value, but also because they are essential components of ecosystems and natural processes. The following list of *native trees* may be selected for future planting.

Table 1: Native Trees	
Arroyo Willow (<i>Salix lasiolepis</i>)	Catalina Ironwood, Santa Cruz Island Ironwood (<i>Lyonothamnus floribundus</i> , <i>L. floribundus</i> ssp. <i>aspleniifolius</i>)
Big Cone Douglas Fir (<i>Pseudotsuga Macrocarpa</i>)	Elderberry (<i>Sambucas</i> all species)
Big Leaf Maple (<i>Acer macrophyllum</i>)	Pacific madrona (<i>Arbutus menziesii</i>)
Black Cottonwood, Fremont Cottonwood (<i>Populus balsamifera</i> ssp. <i>trichocarpa</i> and <i>Populus fremontii</i> ssp. <i>fremontii</i>)	Oak (<i>Quercus</i> , all indigenous species found in Ventura County)
California Ash (<i>Fraxinus dipetala</i>)	Southern California Black Walnut (<i>Juglans californica</i>)
California Bay Laurel (<i>Umbellularia californica</i>)	Sycamore (<i>Platanus racemosa</i>)

Table 1: Native Trees	
California Juniper, Western Juniper (<i>Juniperus californica</i> , <i>Juniperus occidentalis</i>)	White Alder (<i>Alnus rhombifolia</i>)

* The list of *native trees* was compiled using the responsible landscaping tree list developed by the California Native Plant Society, California Invasive Plant Council and Calflora, a nonprofit organization dedicated to providing information about California plant biodiversity.

B2. Non-Native Trees

A *non-native tree* is an introduced species living outside its native distributional range, which has arrived there by human activity, either deliberate or accidental. *Non-native trees* can have a negative effect on a local ecosystem by disrupting native vegetated areas, and eventually dominating the region or habitat. Many *non-native trees* however are not *invasive* and provide visual interest and enhancement to the built environment. Because *non-natives trees* can adversely affect the habitats and bioregions they invade, the planting of *non-native trees* is prohibited in the Coastal Open Space (COS), Coastal Agricultural (CA) and Coastal Industrial (CM) zones and as mitigation for the *removal* of a *protected tree*. The following list identifies common *non-native trees* that are not *invasive* in California and may be appropriate species to plant where *non-native trees* are allowed pursuant to the policies and provisions of the LCP.

Table 2: Non-Native Trees	
Australian Willow (<i>Geijera parvifolia</i>)	Magnolia (<i>Magnolia L.</i>)
Dogwood (<i>Cornus</i>)	Mediterranean Fan Palm (<i>Chamaerops humilis</i>)
Fern Pine (<i>Podocarpus gracilor</i>)	Ornamental Pear (<i>Pyrus</i>)
Jacaranda (<i>Jacaranda mimosifolia</i>)	Strawberry Tree (<i>Arbutus unedo</i>)
Japanese Maple (<i>Acer palmatum</i>)	Sweet Gum (<i>Liquidambar</i>)
King Palm (<i>Archontophoenix Cunninghamiana</i>)	Queen Palm (<i>Arecastrum romanzoffianum</i>)
Maidenhair Tree (<i>Ginkgo biloba</i>)	Weeping Birch (<i>Betula pendula</i>)

* The list of *non-native trees* was compiled using the responsible landscaping tree list developed by the California Native Plant Society, California Invasive Plant Council and Calflora, a nonprofit organization dedicated to providing information about California plant biodiversity.

B3. Invasive Trees

Similar to the *non-native trees* listed in Table 2, *invasive* (or "exotic") *trees* can out-compete and gradually displace native plants, resulting in a loss of wildlife species that depend upon them. *Invasive trees* however, pose a greater threat because they can rapidly spread and suppress growth of surrounding plants by shading them out, chemically poisoning them, or out-competing them for food and water. The planting of *invasive trees* is prohibited in the *coastal zone*.

TABLE 3
INVASIVE TREES

Canary Island Date Palm (<i>Phoenix canariensis</i>)	Pepper Tree (<i>Schinus molle; terebenthifolius</i>)
Chinese Tallow Tree (<i>Sapium sebiferum</i>)	Russian Olive (<i>Elaeagnus angustifolia</i>)
Common Fig (<i>Ficus carica</i>)	Saltcedar, Athel (<i>Tamarisx aphylla; chinensis; gallica, parviflora, ramosissima</i>)
Eucalyptus (<i>Eucalyptus globulus</i>)	Scarlet Wisteria Tree (<i>Sesbania punicea</i>)
Mexican Fan Palm (<i>Washingtonia robusta</i>)	Tree-of-Heaven (<i>Ailanthus altissima</i>)
Myoporum (<i>Myoporum laetum</i>)	Tree Tobacco (<i>Nicotiana glauca</i>)
Acacia (<i>Acacia decurrens, A. dealdata, A. melanoxylon</i>)	Single Seed Hawthorne (<i>Crataegus monogyna</i>)
Black Locust (<i>Robinia pseudo-acacia</i>)	Silk Oak (<i>Grevillea robusta</i>)
Cherry Plum (<i>Prunus cerasifera</i>)	Silk Tree, Mimosa Tree (<i>Albizia julibrissin</i>)
Chinese Pistache (<i>Pistacia chinensis</i>)	White and Italian Poplar (<i>Populus alba L.; nigra L. var. italic</i>)
Chinese & Siberian Elm (<i>Ulmus parvifolia Jacquin; pumila</i>)	Weeping Bottle Brush (<i>Callistemon viminalis</i>)
English Walnut (<i>Juglans regia</i>)	White Mulberry (<i>Morus alba</i>)
European Olive (<i>Olea europaea</i>)	

* The list of *invasive trees* includes species identified as problematic and/or invasive by the California Native Plant Society and the California Exotic Pest Plant Council.

C. GLOSSARY OF TERMS

Air Spade - A pneumatic soil probe that delivers sudden bursts of air to crack, loosen, or expand the soil to improve the root growing environment or for trench excavation to locate and preserve root tissue.

Arboriculture - The art, science, technology, and business of commercial, public, and utility tree care.

Branch - A secondary shoot or stem arising from one of the main axes (i.e., trunk or leader) of a tree or woody plant.

Branch Collar - Trunk tissue that forms around the base of a branch between the main stem and the branch or a branch and a lateral. As a branch decreases in vigor or begins to die, the branch collar becomes more pronounced.

Branch Bark Ridge - The raised area of bark in the branch crotch that marks where the branch wood and trunk wood meet.

Climbing spurs - Sharp, pointed devices affixed to the climber's leg used to assist in climbing trees (also known as gaffs, hooks, spurs, spikes, climbers).

Closure - The process of woundwood covering a cut or other tree injury.

Co-Dominant: Two main branches that originate at the same point on the main trunk. These create a weak union that is more prone to failure than normal branch development.

Crotch - The angle formed at the attachment between a branch and another branch, leader, or trunk of a woody plant.

Crown - The leaves and branches of a tree measured from the lowest branch on the trunk to the top of the tree.

Decay - Degradation of woody tissue caused by biological organisms.

Establishment - The point after planting when a tree's *root system* has grown sufficiently into the surrounding soil to support shoot growth and anchor the tree.

Girdling roots: Roots located above or below ground whose circular growth around the base of the trunk or over individual roots applies pressure to the bark area, ultimately restricting sap flow and trunk/root growth, frequently resulting in reduced vitality or stability of the tree.

Interfering Branches - Crossing, rubbing, or upright branches that have the potential to damage tree structure and/or health.

Lateral Branch - A branch or twig growing from a parent branch or stem.

Leader - A dominant or co-dominant, upright stem.

Limb - A large, prominent branch.

Lion's Tailing - The removal of an excessive number of inner, lateral branches from parent branches.

Nodes - Point along a branch where leaf or lateral shoot growth originates. Just above a node is also the correct place to make a *pruning* cut.

Parent branch or stem - The tree trunk; or a large limb from which lateral branches grow.

Pruning - The selective removal of plant parts to meet specific goals and objectives.

Topping - An inappropriate technique to reduce tree size that cuts through a stem at an indiscriminant location.

Tree Crown Cleaning - Selective *pruning* to remove dead, diseased, and/or broken branches.

Tree Crown Raising - Selective *pruning* to provide vertical clearance.

Tree Crown Reduction - Selective *pruning* to decrease height and/or spread.

Tree Crown Restoration - Selective *pruning* to improve structure, form, and appearance of trees that have been severely damaged.

Tree Crown Thinning - Selective *pruning* to reduce density of live branches.

Wound - The opening that is created any time the tree's protective bark covering is penetrated, cut, or removed, injuring or destroying living tissue.

APPENDIX L1
LANDSCAPE AND IRRIGATION PLAN REQUIREMENTS

The *Landscape Plan* shall be drawn on clear and legible base sheets prepared specifically for the landscape submittal. Three (3) copies shall be submitted at the time of filing. The following requirements apply to the *landscape plan* and the following information shall be provided as part of or along with the *landscape plan*:

Format

Size: Plans shall be a minimum of 24" by 36" and no larger than 30" x 42".

Scale: All *landscape plans* shall be drawn to scale and be consistent with the project's site plan(s). The *landscape plan* shall be at a scale of 1" = 20'.

Title Block. The title block is a frame that is located at the bottom or right hand side of the *landscape plan* and shall include the following information.

1. Project title/name.
2. Project case number.
3. *Licensed Landscape Architect/Qualified Landscape Designer* name, address, phone number, license number and stamp (if applicable).
4. Project Site Assessor Parcel Number (APN) and street address.
5. Scale. Plans must be at a scale of 1 inch = 20 feet or larger.
6. Dates of submittals and any revisions.
7. Sheet numbers.

Cover Sheet. (Page 1 of the *Landscape Plan*)

1. Water supply (private well or water purveyor if not served by a private well)
2. Project Type (new or *rehabilitated landscape*, private or public, residential, commercial, industrial or institutional)
3. Total *Landscape Area* (square feet)
4. Names, addresses, telephone numbers, and e-mail of the applicant, owner, and consultants.
5. A small-scale vicinity map portraying and orienting the boundaries of the project site with respect to surrounding areas and roads
6. Legend and Abbreviations
7. Applicant signature and date with the following statement:

"I agree to comply with the requirements of the Ventura County Coastal Zoning Ordinance Section 8178-8 Landscape and Screening and submit a complete *Landscape Documentation Package*."

Site Plan. The project site plan shall be used as the underlying base map for the *landscape plan* and shall include but not be limited to the following:

1. The exterior boundaries of the parcel in conformance with existing records, with information as to dimensions and bearings.
2. Location, width, nature and status of all existing and proposed easements, reservations and rights-of-way.
3. Scale and North arrow
4. Gross and net acreage of the property.
5. Building footprints, driveways, parking areas, and other *hardscape* features.
6. Trash enclosures, above-ground utilities, and other features that may require *landscape screening*.
7. The location of all proposed exterior night lighting and an outline of the illuminated area.
8. Water source and point of connection.
9. Drainage channels, creeks, rock outcrops and other natural features.
10. Number, size and location of all existing trees and other significant landscape features.
11. Identification of required *fuel modification zone* (if applicable).
12. Identification of portions of the site and project that are visible from on- or off-site public viewing areas.
13. Identification of portions of the site within 200 feet of environmentally sensitive habitat areas.
14. Identification of Low Impact Development (LID) strategies and landscaping intended to accommodate stormwater flows (e.g., bioretention basins, etc.).

Planting Plan. Proposed landscaping shall be overlaid on the site plan described above and include but not be limited to the following:

1. A legend that includes the proposed plants, their common and botanical plant names, total quantities, container size, and plant spacing.
2. Species, number, size and location of all proposed trees.
3. Identification of any *special landscape areas* (if applicable).
4. Each *hydrozone* delineated by number and identified by water use type (i.e. high, moderate and low).
5. Location and installation details of storm water *best management practices*.

Environmentally Sensitive Habitat Areas (ESHA). Projects within 200 feet of *ESHA* shall demonstrate on the project plans that the proposed landscaping is sited and designed to protect the *ESHA* from adverse impacts. The *Landscape Plan* shall be submitted with the review of the Plan by a qualified biologist confirming that it is protective of the adjacent *ESHA*.

Scenic Elements. Projects visible from public viewing areas shall demonstrate on the project plans and through visual simulations that the proposed landscaping is sited and designed to protect scenic resources and public viewsheds.

Water Quality. A Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) as required.

Design Elements. Planting plans may include design elements such as boulders, mounds, sculptures, public art, etc. All items shall be drawn to scale.

Specifications. Installation and maintenance procedures shall be provided on a separate informational sheet that is included with the *landscape plan*. The installation and maintenance procedures shall include but not be limited to the following:

1. Soil amendment specifications.
2. Specifications for any proposed seed mixes including application rates and relevant germination specifications.
3. Planting requirements including tree staking and guying.
4. The *landscape plan performance criteria* to judge the success of the *landscape plan*.
5. Proposed maintenance and monitoring for growth, survivorship, and cover for a period of one year to ensure the *landscape plan* meets or exceeds the *landscape plan performance criteria* outlined for each of the proposed plantings.

Irrigation Plan. The irrigation plan shall be separate from the planting plan, utilize the same format and at a minimum include the following:

1. Identify location and size of water meters for landscape.
2. Identify location, size and type of all components of the irrigation system, including master valve, controllers, main and lateral lines, *valves*, irrigation heads, moisture sensing devices, rain switches, quick couplers, pressure regulators and *backflow prevention devices*, and power supply, as applicable.
3. Identify static water pressure at the point of connection to the public water supply.
4. Provide flow rate (gallons per minute), application rate (inches per hour) and design operating pressure (pressure per square inch) for each *hydrozone*.
5. Show *reclaimed water* irrigation systems as applicable.

Additional Plan Sheets. Include as a separate sheet, the following (if applicable):

1. A copy of the Preliminary Grading and Drainage Plan.
2. Architectural elevations of all proposed structures including, but not limited to, buildings, walls and fences.

APPENDIX L2
CALCULATING THE WATER BUDGET OF A PROJECT SITE

Reference Evapotranspiration (ET_o) Table*

Monthly Average Reference Evapotranspiration by ET_o Zone (inches/year)

Ventura	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
*	2.2	2.6	3.2	3.8	4.6	4.7	5.5	4.9	4.1	3.4	2.5	2.0	43.5

* The values in the table for Ventura County were derived from:

- 1) California Irrigation Management Information System (CIMIS);
- 2) Reference Evapotranspiration Zones Map, University of California Department of Land Air & Water Resources and California Department of Water Resources 1999; and
- 3) Reference Evapotranspiration for California, University of California, Department of Agriculture and Natural Resources (1987) Bulletin 1922;
- 4) Determining Daily Reference Evapotranspiration, Cooperative Extension University of California and Natural Resources (1987), Publication Leaflet 21426

APPENDIX L3

SAMPLE WATER EFFICIENT LANDSCAPE WORKSHEET

This worksheet is filled out by the project applicant and is a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ET_o) 43.5

Landscape Areas								
Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	Hydrozone Area (HA) (square feet)	ETAF x Area	Estimated Total Water Use (ETWU)
					Totals	(A)	(B)	

Special Landscape Areas									
Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	Hydrozone Area (HA) (square feet)	ETAF x Area	Estimated Total Water Use (ETWU)	
					1.0				
					1.0				
					1.0				
					Totals	(C)	(D)		
							ETWU Total		
							Maximum Allowed Water Allowance (MAWA)		

Water Budget Calculations

New or altered landscaping shall not exceed the *Maximum Applied Water Allowance (MAWA)*. The following *MAWA* calculation shall be used to identify the annual allowance of water needed for a *landscaped area*:

Maximum Applied Water Allowance (MAWA)

The project's *Maximum Applied Water Allowance (MAWA)* shall be calculated using these equation:

$$\text{MAWA} = (\text{ETo}) (0.62) [(\text{ETAF} \times \text{LA}) + ((1-\text{ETAF}) \times \text{SLA})]$$

where:

MAWA = *Maximum Applied Water Allowance (gallons per year)*

ETo = Reference Evapotranspiration from Appendix L1 (inches per year)

ETAF = Average Evapotranspiration (ET) Adjustment Factor (ETAF) is the Plant Factor (PF) divided by the Irrigation Efficiency (IE). For residential the average ETAF must be 0.55 or below and for non-residential areas must be 0.45 or below.

PF = Plant Factor used shall be from Water Use Classifications of Landscape Species (WUCOLS). Plant factors may also be obtained from horticultural researchers with academic institutions or nursery industry professional associations as approved by the California Department of Water Resources (DWR).

IE = Irrigation Efficiency (minimum allowed 0.75 for overhead spray devices and 0.81 for drip system)

LA = *Landscaped Area includes Special Landscape Area (square feet)*

0.62 = *Conversion factor (to gallons per square foot)*

SLA = Recreational areas, areas devoted to edible plants such as orchards and vegetable gardens and areas irrigated with recycled water (square feet).

<1.0 = Evapotranspiration Adjustment Factor for *Special Landscape Area* shall not exceed 1.0

APPENDIX L4
ESTIMATED TOTAL WATER USE (ETWU)

The project's *Estimated Total Water Use (ETWU)* is calculated using the following formula:

$$ETWU = ETo \times 0.62 \times ETAF \times Area$$

Legend:

- ETWU = Estimated water use based on plant material (gallons per year)
- ETo = Reference Evapotranspiration (inches per year)
- 0.62 = Conversion factor (to gallons per square foot)
- ETAF = Plant Factor (PF) divided by Irrigation Efficiency (IE)
- Area = Landscaped Area (square feet)

Average ETAF

Total ETAF X Area	(B)
Total Area	(A)
AVERAGE ETAF	(B) ÷ (A)

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential and 0.45 or below for non-residential

All Landscape Areas

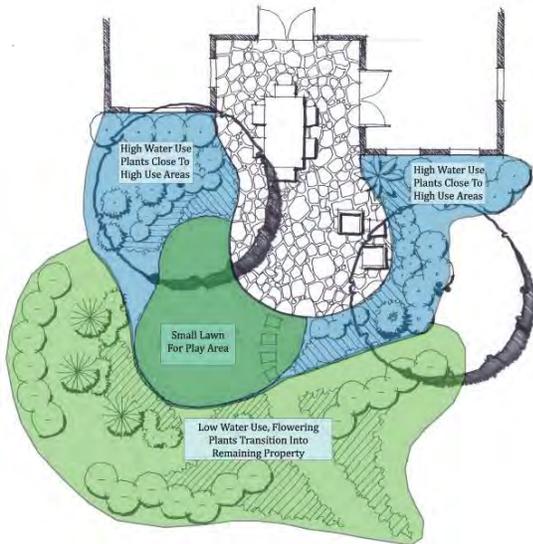
Total ETAF X Area	(B + D)
Total Area	(A + C)
AVERAGE ETAF	(B + D) ÷ (A + C)

APPENDIX L5

EXAMPLES FOR CALCULATING THE WATER BUDGET

Example 1:

A hypothetical residential landscape project in Ventura, California, with an irrigated landscape area of 1,000 square feet; no special landscape area (SLA= 0).



Hydrozone: Label each planting area polygon with a number or letter.

Plant Water Use Types: Identify water demand for each hydrozone.

Plant Factor¹: Plant factor range shall be as follows:

- 💧 Low water use plants: 0.1 to 0.3
- 💧 Moderate water use plants: 0.4 to 0.6
- 💧 High water use plants: 0.7 to 1.0

Hydrozone	Plant Water Use Type(s)	Plant Factor (PF)*	Irrigation Method	Irrigation Efficiency	ETAF (PF/IE)	Hydrozone Area (HA) (square feet)	ETAF x Area	Estimated Total Water Use (ETWU)
1	High	0.8	Drip	0.81	0.67	100	67	1807
2	High	0.7	Drip	0.81	0.86	100	86	2319
3	Medium	0.5	Drip	0.81	0.61	100	61	1645
4	Low	0.3	Drip	0.81	0.37	350	130	3506
5	Low	0.2	Drip	0.81	0.24	350	84	2265
						1,000 (A)	428 (B)	11,542

¹ Plant Factors are derived from the Department of Water Resources 2000 publication "Water Use Classification of Landscape Species".

Maximum Applied Water Allowance (MAWA)

$$MAWA = (ETo) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$$

$$\text{Average ETWU} = 0.55$$

$$MAWA = (43.5) \times (0.62) [(0.55 \times 1,000 \text{ sf}) + ((0.45 \times 0)]$$

$$MAWA = (43.5) \times (0.62)[(550) + (0)]$$

$$MAWA = (26.97) \times [550]$$

$$MAWA = 14,834 \text{ gallons}$$

To convert from gallons per year to hundred-cubic-feet per year:

$$= 14,834/748$$

(100 cubic feet = 748 gallons)

$$= 19.83 \text{ hundred-cubic-feet per year}$$

Estimated Total Water Use (ETWU) (gallons per year)

$$ETWU = ETo \times 0.62 \times ETAF \times Area$$

$$\begin{aligned} \text{HA \#1:} & (43.5) \times (0.62) \times (0.67) \times (100) \\ & [26.97] \times [67] = 1,807 \end{aligned}$$

$$\begin{aligned} \text{HA \#2:} & (43.5) \times (0.62) \times (0.87) \times (100) \\ & [26.97] \times [87] = 2,346 \end{aligned}$$

$$\begin{aligned} \text{HA \#3:} & (43.5) \times (0.62) \times (0.61) \times (100) \\ & [26.97] \times [61] = 1,645 \end{aligned}$$

$$\begin{aligned} \text{HA \#4:} & (43.5) \times (0.62) \times (0.37) \times (350) \\ & [26.97] \times [130] = 3,506 \end{aligned}$$

$$\begin{aligned} \text{HA \#5:} & (43.5) \times (0.62) \times (0.24) \times (350) \\ & [26.97] \times [84] = 2,265 \end{aligned}$$

$$ETWU = 11,569 \text{ gallons per year}$$

Compare ETWU with MAWA.

$$MAWA = 14,834 \text{ gallons per year}$$

$$ETWU = 11,569 \text{ gallons per year}$$

- ★ The ETWU (11,569 gallons per year) is less than MAWA (14,834 gallons per year).

In this example, the water budget complies with the MAWA.

APPENDIX L6

SAMPLE CERTIFICATE OF COMPLETION

CERTIFICATE OF COMPLETION

THIS CERTIFICATE IS FILLED OUT BY THE PROJECT APPLICANT UPON COMPLETION OF THE LANDSCAPE PROJECT.

Part 1. Project Information

Date	Project Case Number	
Project Name	Telephone Number	
Name of Project Applicant	Cell Phone Number	Fax Number
Title	Email Address	
Company	Street Address	
City	State	Zip Code

Project Address and Location

Street Address	Assessor Parcel Number (APN), Tract or Lot Number (if applicable)	
Project Name	Latitude/Longitude (optional)	
City	State	Zip Code

Property Owner or His or Her Designee

Name	Telephone Number	Fax Number
Title	Cell Phone Number	Email Address
Company	Street Address	
City	State	Zip Code

Property Owner

"I/we certify that I/we have received copies of all the documents within the Landscape Documentation Package and the Certificate of Completion and that it is our responsibility to see that the project is maintained in accordance with the Landscape and Irrigation Maintenance Schedule."

Property Owner Signature Date

Please answer the questions below:

1. Date the Landscape Documentation Package was submitted: _____
2. Date the Landscape Documentation Package was approved: _____

PART 2. Certification of Installation According to the Landscape Documentation Package

"I/we certify that based upon periodic site observations, the work has been substantially completed in accordance with Section 8178-8, Water Efficient Landscaping, and that the landscape planting and irrigation installation conform with the criteria and specifications of the approved Landscape Documentation Package."

Signature*	Date	
Name (print)	Telephone Number	
Title	Cell Phone Number	Fax Number
License No. or Certificate No.	Email Address	
Company	Street Address	
City	State	Zip Code

*Signer shall be the *licensed landscape architect, qualified landscape designer of the landscape and irrigation plan or a licensed landscape contractor.*

APPENDIX L7
INVASIVE PLANT LIST

The California Invasive Plant Inventory includes plants that are deemed a potential threat to the state's wildlands. The list (as amended over time), was prepared by the California Invasive Plant Council, and represents the best available information from invasive plant experts in the State of California. Inclusion on the list is based on an assessment of the ecological impacts of each plant, and ratings represent cumulative impacts statewide rather than by individual region.

Table 1 Invasive Plant List	
Scientific Name	Common Name
Acacia dealbata	Silver wattle
Acacia melanoxylon	Black acacia, blackwood acacia
Acroptilon repens	Russian knapweed
Aegilops triuncialis	Barb goatgrass
Ageratina adenophora	Croftonweed, eupatorium
Agrostis avenacea	Pacific bentgrass
Agrostis stolonifera	Creeping bentgrass
Ailanthus altissima	Tree-of-heaven
Alhagi maurorum	Camelthorn
Alternanthera philoxeroides	Alligator weed
Ammophila arenaria	European beachgrass
Anthoxanthum odoratum	Sweet vernalgrass
Arctotheca calendula (fertile)	Fertile capeweed
Arctotheca calendula (sterile)	Sterile capeweed (synonym of Arctotheca prostrata)
Arundo donax	Giant reed
Asparagus asparagoides	Bridal creeper
Asphodelus fistulosus	Onionweed
Atriplex semibaccata	Australian saltbush

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Avena barbata</i>	Slender wild oat
<i>Avena fatua</i>	Wild oat
<i>Bassia hyssopifolia</i>	Fivehook bassia
<i>Bellardia trixago</i>	Bellardia
<i>Brachypodium distachyon</i>	Annual false-brome, false brome, purple false broom, stiff brome
<i>Brachypodium sylvaticum</i>	Perennial false-brome
<i>Brassica nigra</i>	Black mustard
<i>Brassica rapa</i>	Birdsrape mustard, field mustard
<i>Brassica tournefortii</i>	Saharan mustard, African mustard
<i>Briza maxima</i>	Big quackinggrass, rattlesnakegrass
<i>Bromus diandrus</i>	Ripgut brome
<i>Bromus hordeaceus</i>	Soft brome
<i>Bromus japonicus</i>	Japanese brome, Japanese chess
<i>Bromus madritensis</i> ssp. <i>rubens</i>	Red brome
<i>Bromus tectorum</i>	Downy brome, cheatgrass
<i>Cakile maritima</i>	European sea-rocket
<i>Cardaria chalepensis</i>	Lens-podded white-top
<i>Cardaria draba</i>	Hoary cress
<i>Cardaria pubescens</i>	Hairy whitetop
<i>Carduus acanthoides</i>	Plumeless thistle
<i>Carduus nutans</i>	Musk thistle
<i>Carduus pycnocephalus</i>	Italian thistle
<i>Carduus tenuiflorus</i>	Slenderflower thistle
<i>Carpobrotus chilensis</i>	Sea-fig, iceplant
<i>Carpobrotus edulis</i>	Hottentot-fig, iceplant

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Carthamus lanatus</i>	Woolly distaff thistle
<i>Centaurea calcitrapa</i>	Purple starthistle
<i>Centaurea debeauxii</i>	Meadow knapweed
<i>Centaurea diffusa</i>	Diffuse knapweed
<i>Centaurea maculosa</i>	Spotted knapweed
<i>Centaurea melitensis</i>	Malta starthistle, tocalote
<i>Centaurea solstitialis</i>	Yellow starthistle
<i>Centaurea virgata</i> ssp. <i>squarrosa</i>	Squarrose knapweed
<i>Chondrilla juncea</i>	Rush skeletonweed
<i>Chrysanthemum coronarium</i>	Crown daisy
<i>Cirsium arvense</i>	Canada thistle
<i>Cirsium vulgare</i>	Bull thistle
<i>Conicosia pugioniformis</i>	Narrowleaf iceplant
<i>Conium maculatum</i>	Poison-hemlock
<i>Cordyline australis</i>	Giant dracaena, New Zealand cabbage tree
<i>Cortaderia jubata</i>	Jubatagrass
<i>Cortaderia selloana</i>	Pampasgrass
<i>Cotoneaster franchetii</i>	Orange cotoneaster
<i>Cotoneaster lacteus</i>	Parney's cotoneaster
<i>Cotoneaster pannosus</i>	Silverleaf cotoneaster
<i>Cotula coronopifolia</i>	Brassbuttons
<i>Crataegus monogyna</i>	Hawthorn
<i>Crocsmia x crocosmiiflora</i>	Montbretia
<i>Crupina vulgaris</i>	Common crupina, bearded creeper
<i>Cynara cardunculus</i>	Artichoke thistle

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Cynodon dactylon</i>	Bermudagrass
<i>Cynoglossum officinale</i>	Houndstongue
<i>Cynosurus echinatus</i>	Hedgehog dogtailgrass
<i>Cytisus scoparius</i>	Scotch broom
<i>Cytisus striatus</i>	Portuguese broom
<i>Dactylis glomerata</i>	Orchardgrass
<i>Delairea odorata</i>	Cape-ivy, German-ivy
<i>Descurainia sophia</i>	Flixweed, tansy mustard
<i>Digitalis purpurea</i>	Foxglove
<i>Dipsacus fullonum</i>	Common teasel
<i>Dipsacus sativus</i>	Fuller's teasel
<i>Dittrichia graveolens</i>	Stinkwort
<i>Echium candicans</i>	Pride-of-Madeira
<i>Egeria densa</i>	Brazilian egeria
<i>Ehrharta calycina</i>	Purple veldtgrass
<i>Ehrharta erecta</i>	Erect veldtgrass
<i>Ehrharta longiflora</i>	Long-flowered veldtgrass
<i>Eichhornia crassipes</i>	Water hyacinth
<i>Elaeagnus angustifolia</i>	Russian-olive
<i>Emex spinosa</i>	Spiny emex, devil's-thorn
<i>Erechtites glomerata</i> , <i>E. minima</i>	Australian fireweed, Australian burnweed
<i>Erica lusitanica</i>	Spanish heath
<i>Erodium cicutarium</i>	Redstem filaree
<i>Eucalyptus camaldulensis</i>	Red gum
<i>Eucalyptus globulus</i>	Tasmanian blue gum

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Euphorbia esula</i>	Leafy spurge
<i>Euphorbia oblongata</i>	Oblong spurge
<i>Euphorbia terracina</i>	Carnation spurge
<i>Festuca arundinacea</i>	Tall fescue
<i>Ficus carica</i>	Edible fig
<i>Foeniculum vulgare</i>	Fennel
<i>Gazania linearis</i>	Gazania
<i>Genista monspessulana</i>	French broom
<i>Geranium dissectum</i>	Cutleaf geranium
<i>Glyceria declinata</i>	Waxy mannagrass
<i>Halogeton glomeratus</i>	Halogeton
<i>Hedera helix</i> , <i>H. canariensis</i>	English ivy, Algerian ivy
<i>Helichrysum petiolare</i>	Licoriceplant
<i>Hirschfeldia incana</i>	Shortpod mustard, summer mustard
<i>Holcus lanatus</i>	Common velvet grass
<i>Hordeum marinum</i> , <i>H. murinum</i>	Mediterranean barley, hare barley, wall barley
<i>Hydrilla verticillata</i>	Hydrilla
<i>Hypericum canariense</i>	Canary Island hypericum
<i>Hypericum perforatum</i>	Common St. John's wort, klamathweed
<i>Hypochaeris glabra</i>	Smooth catsear
<i>Hypochaeris radicata</i>	Rough catsear, hairy dandelion
<i>Ilex aquifolium</i>	English holly
<i>Iris pseudacorus</i>	Yellowflag iris
<i>Isatis tinctoria</i>	Dyer's woad
<i>Kochia scoparia</i>	Kochia

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Lepidium latifolium</i>	Perennial pepperweed, tall whitetop
<i>Leucanthemum vulgare</i>	Ox-eye daisy
<i>Limnobium laevigatum</i>	South American spongeplant
<i>Limonium ramosissimum</i> ssp. <i>provinciale</i>	Algerian sea lavender
<i>Linaria genistifolia</i> ssp. <i>dalmatica</i>	Dalmation toadflax
<i>Linaria vulgaris</i>	Yellow toadflax, butter and eggs
<i>Lobularia maritima</i>	Sweet alyssum
<i>Lolium multiflorum</i>	Italian ryegrass
<i>Ludwigia hexapetala</i>	Uruguay water-primrose
<i>Ludwigia peploides</i> ssp. <i>montevidensis</i>	Creeping water-primrose
<i>Lythrum hyssopifolium</i>	Hyssop loosestrife
<i>Lythrum salicaria</i>	Purple loosestrife
<i>Marrubium vulgare</i>	White horehound
<i>Medicago polymorpha</i>	California burclover
<i>Mentha pulegium</i>	Pennyroyal
<i>Mesembryanthemum crystallinum</i>	Crystalline iceplant
<i>Myoporum laetum</i>	Myoporum
<i>Myosotis latifolia</i>	Common forget-me-not
<i>Myriophyllum aquaticum</i>	Parrotfeather
<i>Myriophyllum spicatum</i>	Eurasian watermilfoil
<i>Nicotiana glauca</i>	Tree tobacco
<i>Olea europaea</i>	Olive
<i>Ononis alopecuroides</i>	Foxtail restharrow
<i>Onopordum acanthium</i>	Scotch thistle
<i>Oxalis pes-caprae</i>	Bermuda buttercup, buttercup oxalis, yellow oxalis

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Parentucellia viscosa</i>	Yellow glandweed, sticky parentucellia
<i>Pennisetum clandestinum</i>	Kikuyugrass
<i>Pennisetum setaceum</i>	Crimson fountaingrass
<i>Phalaris aquatica</i>	Hardinggrass
<i>Phoenix canariensis</i>	Canary Island date palm
<i>Phytolacca americana</i>	Common pokeweed
<i>Picris echioides</i>	Bristly oxtongue
<i>Piptatherum miliaceum</i>	Smilograss
<i>Plantago lanceolata</i>	Buckhorn plantain, English plantain
<i>Poa pratensis</i>	Kentucky bluegrass
<i>Polygonum cuspidatum</i>	Japanese knotweed
<i>Polygonum sachalinense</i>	Sakhalin knotweed
<i>Polypogon monspeliensis</i> and subspp.	Rabbitfoot polypogon, annual beardgrass
<i>Potamogeton crispus</i>	Curlyleaf pondweed
<i>Prunus cerasifera</i>	Cherry plum
<i>Pyracantha angustifolia</i> , <i>P. crenulata</i> , <i>P. coccinea</i>	Pyracantha, firethorn
<i>Ranunculus repens</i>	Creeping buttercup
<i>Raphanus sativus</i>	Radish
<i>Retama monosperma</i>	Bridal broom
<i>Ricinus communis</i>	Castorbean
<i>Robinia pseudoacacia</i>	Black locust
<i>Rubus armeniacus</i>	Himalaya blackberry
<i>Rumex acetosella</i>	Red sorrel, sheep sorrel
<i>Rumex crispus</i>	Curly dock
<i>Rytidosperma pencillatum</i>	Hairy oat grass

Table 1
Invasive Plant List

Scientific Name	Common Name
<i>Saccharum ravennae</i>	Ravennagrass
<i>Salsola paulsenii</i>	Barbwire Russian-thistle
<i>Salsola soda</i>	Oppositeleaf Russian thistle
<i>Salsola tragus</i>	Russian-thistle
<i>Salvia aethiopis</i>	Mediterranean sage
<i>Salvinia molesta</i>	Giant salvinia
<i>Sapium sebiferum</i>	Chinese tallowtree
<i>Saponaria officinalis</i>	Bouncingbet
<i>Schinus molle</i>	Peruvian peppertree
<i>Schinus terebinthifolius</i>	Brazilian peppertree
<i>Schismus arabicus</i> , <i>Schismus barbatus</i>	Mediterranean grass
<i>Senecio jacobaea</i>	Tansy ragwort
<i>Sesbania punicea</i>	Red sesbania, scarlet wisteria
<i>Silybum marianum</i>	Blessed milkthistle
<i>Sinapis arvensis</i>	Wild mustard, charlock
<i>Sisymbrium irio</i>	London rocket
<i>Spartina alterniflora</i> (and <i>S. alterniflora</i> x <i>foliosa</i> hybrids)	Smooth cordgrass and hybrids, Atlantic cordgrass
<i>Spartina anglica</i>	Common cordgrass
<i>Spartina densiflora</i>	Dense-flowered cordgrass
<i>Spartina patens</i>	Saltmeadow cord grass
<i>Spartium junceum</i>	Spanish broom
<i>Stipa capensis</i>	Mediterranean steppegrass, twisted-awned speargrass
<i>Stipa manicata</i>	tropical needlegrass
<i>Taeniatherum caput-medusae</i>	Medusahead

Table 1
Invasive Plant List

Scientific Name	Common Name
Tamarix aphylla	Athel tamarisk
Tamarix parviflora	Smallflower tamarisk
Tamarix ramosissima	Saltcedar, tamarisk
Tanacetum vulgare	Common tansy
Tetragonia tetragonioides	New Zealand spinach
Torilis arvensis	Hedgeparsley
Trifolium hirtum	Rose clover
Ulex europaeus	Gorse
Undaria pinnatifida	Wakame
Verbascum thapsus	Common mullein, woolly mullein
Vinca major	Big periwinkle
Vulpia myuros	Rattail fescue
Washingtonia robusta	Mexican fan palm
Watsonia meriana	Bulbil watsonia
Zantedeschia aethiopica	Calla lily
Zostera japonica	Dwarf eelgrass

Section 10

This Ordinance shall become effective upon certification by the California Coastal Commission.

PASSED AND ADOPTED this 21st day of June, 2016 by the following vote:

AYES: Supervisors Bennett, Long, Foy
Zaragoza, Parks

NOES: none

ABSENT: none

Louisa Parks
CHAIR, BOARD OF SUPERVISORS

ATTEST:

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



By Lou Garrison
Deputy Clerk of the Board

Exhibit 3 – Ordinance 4492

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VENTURA COUNTY GENERAL PLAN

COASTAL AREA PLAN



Last Amended ~~9-16-08~~
Ventura County Planning Division

Exhibit 3
LCP-4-VNT-16-0033-1
Legislative Format of Proposed LUP

ACKNOWLEDGEMENTS

The following persons are acknowledged for their contribution to the preparation of the Ventura County Coastal Area Plan. Without their dedication and hard work, the preparation of this land use plan – and the implementation program – would not have been possible. Ventura County is grateful for their many hours of service and contribution to this planning effort.

2015-2016

Ventura County Board of Supervisors

<u>Steve Bennett</u>	<u>First District</u>
<u>Linda Parks</u>	<u>Second District</u>
<u>Kathy Long</u>	<u>Third District</u>
<u>Peter C. Foy</u>	<u>Fourth District</u>
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2015-2016

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Mark Ogonowski, Planning Biologist
Aaron Engstrom, Associate Planner

This Plan was prepared with financial assistance from the Office of Coastal Zone Management, National Oceanic and Atmospheric Administration, under provisions of the Federal Coastal Zone Management Act of 1972. The 2013 and 2016 amendments to the Local Coastal Program were prepared with financial assistance from the U.S. Department of the Interior Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) Coastal Impact Assistance Program (CIAP).

For Copies/More Information:

To purchase the Ventura County Coastal Area Plan:

Call 805/654-2805

or go to the Resource Management Agency receptionist
3rd floor of the Government Center Hall of Administration
800 S. Victoria Avenue, Ventura, CA

This Coastal Area Plan is also available on ~~our~~ the Planning Division website:

<http://www.ventura.org/rma/planning/programs/local-coastal/index.html>

Acknowledgements

1978-1982

Ventura County Board of Supervisors

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J. K. (Ken) MacDonald	Third District
James R. Dougherty	Fourth District
Thomas E. Laubacher, Chairman	Fifth District

Ventura County Planning Commission

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VENTURA COUNTY GENERAL PLAN

History of Federal and State Legislation

<u>Date</u>	<u>Source and Statute</u>	<u>Description</u>
<u>October 27, 1972</u>	<u>U. S. Congress: Title 16 U.S.C. 1451-1464</u>	<u>Established a federal coastal zone management policy and created a federal coastal zone. Congress declares that it is a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone." Coastal states are provided a policy and source of funding for the implementation of federal goals.</u>
<u>November 7, 1972</u>	<u>Voter Initiative: California Coastal Zone Conservation Act (Proposition 20)</u>	<u>A temporary measure that set up six regional Coastal Commissions with permit authority and a directive to prepare the California Coastal Zone Conservation Plan to the California State Legislature for its adoption and implementation.</u>
<u>January 1, 1977.</u>	<u>California State Legislature: California Coastal Act (Public Resources Code Division 20)</u>	<u>Coastal Act establishes a permanent coastal management program for California. Permanent enacting law that establishes a set of policies that regulate land uses in the designated coastal zone. Further, it provides for the transfer of permitting authority, with certain limitations reserved for the State, to local governments through adoption and certification of Local Coastal Programs (LCP) by the Coastal Commission.</u>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<u>November 18, 1980 Resolution 222</u>		<u>Adoption of the Land Use Plan (Coastal Area Plan) of the Local Coastal Program.</u>
<u>December 19, 1980</u>		<u>Ventura County Resource Management Agency (RMA) submits the Local Coastal Program (LCP) Land Use Plan (CAP) to the South Central Regional Commission.</u>
	<u>February 20, 1981 Regional Commission Hearing #1</u>	<u>Regional Commission raises ten specific issues with respect to the adequacy of the County's Plan.</u>
<u>March 3, 1981</u>		<u>Board postpones second Regional Commission hearing in order to provide time for County and Commission staffs to meet and negotiate the ten issues.</u>
<u>April 14, 1981 Resolution 222</u>		<u>Denial of that portion of the plan covering Channel Islands Harbor; adopted amendments to the previously approved Land Use Plan (CAP) to address comments from Coastal</u>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<u>Amendment No. 1 to the LCP</u>		<u>Commission staff regarding housing and agricultural grading, adding energy facilities as a permitted use in Coastal Open Space (COS), deleting the Union Oil storage tank facility from the Central Coast subarea land use map and identification of all access points on the land use maps.</u>
	<u>May 16, 1981 Regional Commission Hearing #2</u>	<u>Disapproval of County's Local Coastal Program (LCP): All ten issues were not resolved, added a new issue, agricultural grading; Upheld County's recommendation to designate the Seacliff agricultural land (Hoffman Property) as Coastal Open Space (COS); the Cliff House as Coastal Commercial (CC) and the Coastal Lemon property Coastal Industrial (CM).</u>
<u>June 2, 1981</u>		<u>Board decides to appeal the Regional Commission's disapproved portions of the Plan to the State Coastal Commission.</u>
	<u>July 16, 1981 State Coastal Commission Hearing #1</u>	<u>Substantial Issues Raised: Planning for federal lands and questions regarding the need for new policies to address Santa Monica Mountains</u>
	<u>August 20, 1981 State Coastal Commission Hearing #2</u>	<u>Conditional Certification: Requested equivalent language for policies related to agriculture, environmentally sensitive habitats, grading ocean-front visitor-serving recreational facilities, access and recreation, housing and Santa Monica Mountains.</u>
<u>November 10, 1981 Resolution 222</u>		<u>Approval of Coastal Commission's Conditional Certification. Changes made to LCP Land Use Plan (LUP)/Coastal Area Plan (CAP). Two major issues still unresolved: Planning for federal lands and minimum lot size for non-prime agricultural land.</u>
<u>December 1, 1981 Resolution 222</u>	<u>January 19, 1982</u>	<u>Resolution approving Coastal Commission's conditional certification with modifications that required specific policy language and text changes to LCP Land Use Plan (LUP)/Coastal Area Plan (CAP).</u>
<u>March 30, 1982 Resolution 222 Amendment No. 2 to the LCP</u>	<u>Certified June 18, 1982 Certified April 28, 1983</u>	<u>Designate Mussel Shoals Cliff House Coastal Commercial (CC). Deletion of the "housing" sections in the north, central and south coast subareas. Authorize the Director of Resource Management Agency (RMA) to submit Local Coastal Program (LCP) Coastal Area Plan (CAP) to California Coastal Commission (CCC) for certification.</u>
<u>July 26, 1983 Ordinance 3654</u>		<u>Chapter 1 of Division 8 (Planning and Zoning) of the Ventura County Ordinance Code is hereby amended by adding 1.1 (to be known as the Zoning Ordinance for the Coastal Zone).</u>
<u>September 6, 1983 Ordinance 3656</u>	<u>October 26, 1983</u>	<u>Adoption of Ventura County official zoning maps for the coastal zone and rezoning all property in conformance with LCP Land Use Plan and Coastal Zoning Ordinance (CZO). County assumes permit authority in the coastal zone.</u>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<u>October 15, 1985</u> <u>Ordinance 3745</u> <u>GPA 85-3</u> <u>Z-2755/2756</u>		<u>CZO Amendment. Rezone from Residential Beach Harbor (RBH) zone to Coastal Commercial (CC) zone: 0.43 acres on the east side of Ocean Drive, 70 feet south of the intersection of Los Altos Street and Ocean Drive</u>
<u>October 29, 1985</u> <u>Ordinance 3743</u>	<u>LCP No. 1-85 (Major)</u> <u>December 19, 1985 (Minor)</u> <u>February 7, 1986</u>	<u>CZO Amendment. Regulations for satellite dish antennas in the Residential Beach Harbor (RBH) zone in response to Emergency Ord. 3732 which placed a 45-day moratorium on the construction of new satellite antennas in the RBH zone.</u>
<u>May 13, 1986</u> <u>Ordinance 3772</u>		<u>CZO Amendment. Re-codification of the Coastal Zoning Ordinance (format and structure to be consistent with NCZO, addition of specific uses to certain coastal zones, clarification of permit requirements).</u>
<u>August 26, 1986</u> <u>Ordinance 3787</u>	<u>LCP No. 1-86 (Major and Minor)</u> <u>July 8, 1986</u> <u>LCP No. 2-86 (Minor)</u> <u>December 10, 1986</u> <u>LCP No. 3-86 (Minor)</u> <u>January 14, 1987</u>	<u>CZO Amendment. Add and modify definitions in Article 2, provide detailed regulations for kennels and building height measured in the Residential Beach Harbor (RBH) zone, disallow athletic fields in the Coastal Open Space (COS) zone, clarify discretionary permits are appealable to the Coastal Commission, clarify most repair and maintenance is exempt from coastal development permit requirements, update provisions for lot mergers and the use of non-conforming lots.</u>
<u>December 20, 1988</u> <u>Ordinance 3883</u> <u>Z-2822</u> <u>GPA 88-4</u>	<u>LCP No. 2-88 (Minor)</u> <u>January 11, 1989</u> <u>LCP No. 1-89 (Major)</u> <u>May 10, 1989</u>	<u>CZO Amendment. Camp Hess Kramer (APN 700-0-060-14 and APN 700-0-060-30) developed camp areas rezoned from Coastal Open Space (COS) Santa Monica Mountains Overlay (M) to Coastal Rural Exclusive CRE-10 acres and CRE 20 acres. Solromar (APN 700-0-070-05) rezone from COS (M) to Coastal Rural Exclusive (CRE) 5-acres.</u>
<u>June 20, 1989</u> <u>GPA 89-1</u>	<u>LCP No. 2-89-A (Minor)</u> <u>October 10, 1989</u> <u>LCP No. 2-89-B (Minor)</u> <u>October 11, 1989</u> <u>LCP No. 2-89-C (Major)</u> <u>October 10, 1989</u>	<u>CAP Amendment. Correct clerical errors, clarifications, add tables that show intensity of land use permitted in each land use designation with total area, building intensity, population and employment capacity, and population and employment density for each subarea of the Coastal Plan as required by State law, add a land use designation/zoning classification compatibility matrix, replace four outdated appendices (The Guidelines for Orderly Development, State of California Interpretive Guidelines for Wetlands and Other Wet, Environmentally Sensitive Habitats, Guidelines for Implementation of the California Land Conservation Act of 1965 (aka Land Conservation Act Guidelines), and Conditional Use Permit Conditions for Oil Operations), and replace out-of-date material in the Local Coastal (Area) Plan. The amendments do not involve changes or redefinitions of coastal land use designations.</u>
<u>July 10, 1990</u> <u>Ordinance 3946</u>		<u>CAP Amendment. Incorporating State mandated requirements for implementation of Ventura County's Hazardous Waste Management Plan.</u>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<p><u>Amended Ordinance 3964</u> December 11, 1990 <u>Z-2843</u> <u>GPA 90-4</u></p>	<p><u>LCP No. 1-90 (Minor)</u> September 11, 1990 <u>LCP No. 1-91 (Major and Minor)</u> March 15, 1991</p>	<p><u>CZO Amendment. Silverstrand (APN 206-0-171-26) rezoned from Coastal Commercial (CC) to Residential Beach Harbor (RBH)</u></p>
<p><u>Adopted Ordinance 4042</u> October 19, 1993 <u>Z-2857</u> <u>GPA 93-3</u></p>	<p><u>LCP No. 1-93 (Major)</u> February 16, 1994</p>	<p><u>CZO Amendment. Lazy-J Ranch Camp (APN 701-0-030-100) rezoned from Coastal Open Space (COS) Santa Monica Overlay (M) to Coastal Rural Exclusive (CRE) 40-acres.</u></p>
<p><u>Adopted Ordinance 4055</u> February 1, 1994</p>		<p><u>CZO Amendment. Clarify zone suffix designation, lot coverage per building, setbacks, off-street parking, recycling facilities, nonconformities and substandard lot, administrative penalties and procedures, minimum lot sizes per zoning designation, etc.</u></p>
	<p><u>LCP No. 1-95 (De-Minimis)</u> December 13, 1995</p>	<p><u>Ventura County de Minimis LCP Amendment No. 1-95</u></p>
<p><u>Adopted Ordinance 4127</u> December 10, 1996 <u>Z-2909</u> <u>GPA 96-3</u></p>	<p><u>LCP No. 1-97 (Major)</u> April 10, 1997 <u>LCP No. 2-96 (Major)</u> July 9, 1997</p>	<p><u>CZO Amendment. (Rural Intensity and La Conchita), La Conchita (APNs 060-0-050-090; -130; -155; -165; -180; -195; -205; -235; -255) rezoned from Coastal Rural (CR) 1-acre to Coastal Open Space (COS) 10-acres</u></p>
	<p><u>LCP No. 2-97 (Major)</u> September 9, 1997</p>	<p><u>Approved Ventura County LCP Amendment No. 2-97 (Hollywood Beach) Designation of APN 206-0-233-165) from Residential Beach Harbor (RBH) to Coastal Residential, Planned Development (CRPD).</u></p>
<p><u>Adopted Ordinance 4186</u> May 25, 1999</p>	<p><u>LCP No. 1-99 (Minor)</u> August 13, 1999</p>	<p><u>CZO Amendment. Addition of Section 8178-3.6 Standards for Off-Site Parking Spaces</u></p>
<p><u>Adopted Ordinance 4219</u> December 5, 2000</p>		<p><u>CZO Amendment. Add definitions and establish procedures for emergencies and divided jurisdictional authority, modernize standards relating to oil and energy facilities, change symbols in the use matrix</u></p>
	<p><u>Time Extension</u> March 13, 2001</p>	<p><u>Extend time for action on Ventura County LCP Amendment No. VNT-MAJ-1-00 Time Extension: Text and appendices to County's LCP to achieve consistency with General Plan and NCZO</u></p>
		<p><u>Approval of Ventura County LCP Amendment No. VNT-MAJ-1-00 (Part A): Amendments to energy development</u></p>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<u>Adopted November 20, 2001 Ordinance 4249 GPA 00-3</u>	<u>LCP No. 1-00-A (Major)</u> <u>LCP No. 1-00-B (Major)</u> <u>January 11, 2002</u>	<u>County: CZO Amendment. Add definitions and establish procedures for emergencies and divided jurisdictional authority, modernize standards relating to oil and energy facilities, change symbols in the use matrix.</u> <u>CCC: Approval of Ventura County LCP Amendment No. VNT-MAJ-1-00 A & B Certification review</u>
<u>Adopted May 14, 2002 Ordinance 4263 Z-2943</u>	<u>LCP No. 1-02 (Minor)</u> <u>LCP No. 2-02 (Minor)</u> <u>July 11, 2002</u>	<u>CZO Amendment. Hollywood Beach (APN 206-0-254-210) rezone from Coastal Residential Planned Development (CRPD) to Residential Beach Harbor (RBH).</u>
<u>Adopted May 14, 2002 Ordinance 4264 Z-2943</u>	<u>LCP No. 1-02 (Minor)</u> <u>LCP No. 2-02 (Minor)</u> <u>July 11, 2002</u>	<u>CZO Amendment. Hollywood Beach (APN 206-0-254-200) rezone from Coastal Residential Planned Development (CRPD) to Residential Beach Harbor (RBH)</u>
<u>Adopted June 3, 2003 Ordinance 4283</u>		<u>CZO Amendment. Amend standards related to second dwelling units</u>
	<u>LCP No. 1-03 (De Minimis)</u> <u>January 14, 2004</u>	<u>Approved Ventura County LCP Amendment No. 1-03: Permitting secondary housing units</u>
<u>Adopted October 10, 2006 Ordinance 4351 ZN04-0002 GPA-06-1</u>		<u>CZO Amendment. Crown Pointe Estates Tract 5457: Subdivide Lot 10 of Tract 4483 to create five lots: four lots zoned Coastal Rural (CR) 1-acre and one commercial lot (Neptune's Net) zoned Coastal Commercial (CC).</u>
	<u>Time Extension August 8, 2007</u>	<u>Time Extension: County of Ventura LCP Amendment No. 1-2007 (Crown Pointe Estates) Time Extension: Rezone Residential and Neptune's Net</u>
<u>Adopted January 29, 2008 Ordinance 4378</u>		<u>LCP Amendment. Convert existing official zoning maps from hard copy to official zoning data, GIS format and to omit hyphens in existing zoning classification abbreviations.</u>
	<u>LCP No. 1-07 (Major)</u> <u>April 9, 2008</u>	<u>Approved with Modifications Ventura County LCP Amendment No. 1-07 (Crown Pointe Estates)</u>
<u>Amended September 16, 2008 LCP 1-2007</u>		<u>CZO Amendment. Crown Pointe Estates Tract 5457 Rezone from Coastal Commercial (CC) to Coastal Rural (CR) 1-acre and a required mitigation fee of \$557,084 to offset the loss of the 2.9 acres of commercial zoned property to residential.</u>
<u>Adopted September 23, 2008 Ordinance 4391</u>	<u>LCP No. 1-07 (Major)</u> <u>October 16, 2008</u>	<u>Approved Ventura County LCP Amendment No. VNT-MAJ-01-07 (Crown Pointe Estates) Certification Review</u>

History of Ventura County's Local Coastal Program

<u>Board of Supervisors' Action or Adoption</u>	<u>California Coastal Commission Certification</u>	<u>Amendment Description</u>
<u>Adopted June 28, 2011 Ordinance 4435</u>		<u>CZO Amendment. Amend sections related to special needs housing and reasonable accommodation</u>
<u>Adopted January 24, 2012 Ordinance 4443</u>		<u>CZO Amendment. Crown Pointe Estates Rezone APN 700-0-260-140 from Coastal Rural Exclusive (CRE); Santa Monica Mountains Overlay (M) to Coastal Rural Exclusive (CRE) 2-acres (M) Overlay.</u>
	<u>LCP No. 1-12 (Major) June 14, 2012</u>	<u>Approved Ventura County LCP Amendment No. MAJ-1-12: Crown Pointe Estates</u>
	<u>LCP No. 2-12 (Major) November 15, 2012</u>	<u>Approved with Modifications Ventura County LCPP Amendment No. MAJ-2-12 (Phase I Update): Amend CZO with code updates, land use clarifications, permit processing procedures, spelling and grammar corrections</u>
<u>Adopted December 11, 2012 Ordinance 4451</u>		<u>CZO Amendment. Adoption of a resolution to accept California Coastal Commission Modifications to County Coastal Zoning Ordinance ZN12-0002, Text Amendments</u>
	<u>LCP No. 2-12 (Major) February 7, 2013</u>	<u>Approved Ventura County LCP Amendment No. VNT-MAJ-2-12 (Phase I Update) Certification Review.</u>

~~COASTAL AREA PLAN~~

Ventura County Board of Supervisors	California Coastal Commission
	California Coastal Act of 1976 adopted
Plan Adopted – November 18, 1980	
	California Coastal Act amended, effective January, 1981
Amended – April 14, 1981	Conditionally Certified – August 20, 1981
Amended – March 30, 1982	Certified – June 18, 1982
Amended – October 15, 1985	Certified – February 7, 1986
Amended – December 20, 1988	Certified – May 10, 1989
Amended – June 20, 1989	Certified – October 10 & 12, 1989
Amended – December 11, 1990	Certified – March 15, 1991
Amended – October 19, 1993	Certified – February 16, 1994
Amended – December 10, 1996	Certified – April 10, 1997
Amended – Dec. 5, 2000, & Nov. 20, 2001*	Certified – January 11, 2002
Amended – September 16, 2008	Certified – October 16, 2008
* This amendment was funded by a grant from the California Resources Agency, which is not responsible for its contents.	

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COASTAL PLAN APPENDICES

(Separate Document)

- Appendix 1 Statewide Interpretive Guidelines for Wetlands and Other Wet, *Environmentally Sensitive Habitats* (1981)
- Appendix 2 Archaeological Guidelines (1980)
- Appendix 3 Paleontological Guidelines (1980)
- Appendix 4 Guidelines for Implementation of the California Land Conservation Act of 1965 (The Williamson Act) (2000)
- Appendix 5 California Department of Navigation and Ocean Development, Survey of Ventura County Beaches (1977)
- Appendix 6 Policy for the Location of Onshore Oil Facilities (1968)
- Appendix 7 (T-1) Tree Removal, Alteration, and Planting Standards
- Appendix 8 (L-1) Landscape and Irrigation Plan Requirements

Ventura County Coastal Area Plan Digital Maps

Some of the maps in the Ventura County Coastal Area Plan (listed below) have been updated in digital format. Because these maps reflect more current data, they may not exactly reflect the corresponding map in the Coastal Area Plan. These maps are not the official maps. These maps are available for viewing at http://www.ventura.org/rma/planning/General_Plan/gallery.html

North Coast

- Figure 2: Rincon Creek
- Figure 6: Agricultural Preserves and Prime Soils
- Figure 7A: Hazards – Faults
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- Figure 7C: Hazards – Non-Earthquake Induced Landslides
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- Figure 7E: Hazards – Liquefaction Areas
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- Figures 11-16: Existing Communities (Rincon Point, La Conchita, Mussel Shoals, Sea Cliff, Faria, Solimar)
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Central Coast

- Figure 18: Santa Clara River Mouth
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- Figure 23: Agricultural Preserves and Prime Soils
- Figure 26.2: Land Use Map
- Figure 26.3: Land Use Map: Harbor

The following Central Coast figures are not part of the adopted Coastal Area Plan, however are provided for informational purposes:

Hazards – Faults

Hazards – Tsunami *Inundation*

Hazards – Liquefaction Areas

Hazards – Groundshaking Acceleration

South Coast

Figure 30: Agricultural Preserves and Prime Soils on the South Coast

Figure 31A: Hazards – Faults

Figure 31B: Hazards – Tsunami *Inundation*

Figure 31C: Hazards – Non-Earthquake Induced Landslides

Figure 31D: Hazards – Earthquake Induced Landslides

Figure 31E: Hazards – Liquefaction Areas

Figure 31F: Hazards – Groundshaking Acceleration

Figure 32.1: Land Use Map

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Abstract

The essence of Ventura County's Local Coastal Program, mandated by the California Coastal Act of 1976, is the Land Use Plan for the unincorporated portions of the coastal areas of Ventura County, which is known as the Coastal Area Plan (CAP). It addresses the County's significant coastal issues with a combination of land use designations, resource protections, and development policies. ~~The coastal zone was divided into three sub-areas: the North Coast, the Central Coast and the South Coast, each with its respective issues.~~

Ventura County's coastal zone is approximately 43 miles long and is bounded on the north by Santa Barbara county line and to the south by Los Angeles county line and is further defined by the following geographical areas:

- North Coast Subarea (Figure 16.2, North Coast Planning Area): The steep slopes of the Ventura foothills about the northern portion of the coastal zone between Rincon Point and the Ventura River. Within this subarea, there are approximately 2,265 acres designated agriculture, 1,257 acres designated Open Space, 350 acres designated industrial, and 0.54 acres designated commercial. Emma Wood State Beach, Faria and Hobson County Parks, six residential communities, Rincon Parkway, U.S. Highway 101 and the Southern Pacific Railroad occupy the narrow strip of land at the base of the mountains that forms this section of the coastal zone.
- Central Coast Subarea (Figure 26.2 Central Coast Planning Area): The central part of the coastal zone is situated between the cities of Ventura, Oxnard and Port Hueneme. Within this subarea, there is approximately 1,425 acres designated agriculture, 248 acres designated Open Space, and 3.0 acres designated commercial. McGrath State Beach, the wetlands of Ormond Beach, and the residential beach communities of Hollywood and Silverstrand are located along the coastline.
- South Coast Subarea (Figure 32.1 South Coast Planning Area): The southern portion of the coastal zone begins at the south end of Navy Base Ventura County. Within this subarea, there is approximately 710 acres designated agriculture, 13,545 acres designated Open Space, and 4.0 acres designated commercial. Within the Santa Monica Mountains is Point Magu and Leo Carrillo State Parks. The residential communities of Solromar and Crowne Pointe Estates are located on the west and east side of Highway 1, respectfully.

Overall, the coastal zone comprises approximately 24,745 acres (or 39 square miles), not including the cities of Ventura, Oxnard and Port Hueneme, Channel Islands Harbor, and Naval Base Ventura County.

~~Specific issues evaluated in each sub-area included environmentally sensitive habitats, archaeological and paleontological resources, recreation and access, agriculture, commercial fishing, recreation and access, hazards, beach erosion, energy and industrial facilities, public works, housing and the location and locating and planning of new development. Objectives are offered for each issue area along with County policies to achieve each objective. All recommendations are founded on policies set forth in the California Coastal Act of 1976.~~

[Staff Explanation: Revisions were made to put the specific issues in sequential order as they appear in each coastal sub-area. Policies related to commercial fishing and housing have been placed under recreation or locating and planning new development.]

During the 2016 Local Coastal Program (LCP) update, a reorganization of the CAP was initiated by consolidating the abstracts, objectives, policies and programs for general coastal resource issues under the heading "Coastal Zone Objectives, Policies and Programs". Within this new section, subjects may also be addressed by geographic subarea. This new format replaces the segregation of general coastal resource issues by geographic subarea and will be utilized for future amendments to the CAP.

[Staff Explanation: The text above informs the reader of the reformatting planned for the CAP.]

Preamble

~~The relationship among the County of Ventura's Coastal Area Plan, the County's General Plan and the County's Zoning Ordinance for the Coastal Zone are as follows:~~

In Ventura County, the coastal zone is governed by the terms and conditions of the Coastal Area Plan (CAP), the Coastal Zoning Ordinance (CZO), and the County's two adopted Categorical Exclusion Orders (i.e. Categorical Exclusion Order E-83-1 and amendment E-83-1A), all of which are subject to the California Coastal Act (Pub. Res. Code § 30000 et seq.) and corresponding Coastal Regulations (14 Cal. Code of Regs. § 13000 et seq.). These planning tools are used to guide development in the coastal zone and are further described below:

1. Ventura County's Coastal Area Plan is intended to serve as the County's "land use plan" and "local coastal element" applicable to the unincorporated portions of the Coastal Zone as required by the California Coastal Act of 1976, Public Resources Code Section 30000 et seq.
2. The Coastal Area Plan is also an Area Plan for the unincorporated coastal portions of Ventura County and, as such, is part of the County's General Plan. The purpose of the County's General Plan is to meet the local government General Plan requirements of Division I of the Planning and Zoning Law, Government Code Section 65000 et seq.
3. ~~The purpose of the County's CZO for the Coastal Zone, Ventura County Ordinance Code Section 8171-1 et seq., is to implement the policies of the County's General Plan (as it applies to the Coastal Zone), and of the Coastal Area Plan. The Coastal Area Plan and the County's Zoning Ordinance for the Coastal Zone together constitute the "Local Coastal Program" (LCP) required for the unincorporated portions of the Coastal Zone by the California Coastal Act of 1976. The local coastal program specifically applies to development undertaken and proposed to be undertaken in the unincorporated portions of the Coastal Zone of Ventura County.~~
3. A Categorical Exclusion Order is an independent document adopted by the Coastal Commission in accordance with section 30610 of the Coastal Act. It exempts certain categories of development from Coastal Development Permit requirements because they have no possibility of causing environmental impacts. Categorical Exclusion Orders are adopted separately from the CZO, and the policies and specifics within those orders apply regardless of whether or not they are adopted by the local jurisdiction into its coastal zoning ordinance. While the language of a Categorical Exclusion Order may be incorporated into a coastal zoning ordinance, the order itself remains independent from the local zoning ordinance and cannot be amended or altered without approval of the Coastal Commission.

The Goals, Policies and Programs of the Ventura County General Plan are cumulative and, as such, individual goals, policies and programs should be used and interpreted

in context of other applicable goals, policies and programs. In the case of overlapping goals, policies and programs, the more restrictive shall govern.

All components of the Ventura County General Plan (as they apply to the Coastal Zone), including the CAP, are intended to be consistent with the provisions of the California Coastal Act of 1976 as amended. Any ambiguities in the General Plan, as they apply to the Coastal Zone, including the CAP, shall be resolved in favor of the interpretation most likely to implement the mandated goals, policies and programs of the Coastal Act.

[Staff Explanation: The preamble was amended to provide an updated summary of the documents that constitute Ventura County's Local Coastal Program, including the Ventura County Categorical Exclusion Order E-83-1 and amendment E-83-1A.]

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Introduction

Legislative History

On October 27, 1972, the United States Congress passed the Coastal Zone Management Act (CZMA). The CZMA directed coastal states to develop and implement coastal management programs with the goal of preserving, protecting, developing and, where possible, restoring and enhancing valuable natural coastal resources. Passage of the CZMA was a recognition of the importance of balancing competing uses of and impacts to the environment. The U.S. Congress found that it was a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone, giving full consideration to ecological, cultural, historic, and aesthetic values as well as to the need for compatible economic development." (16 U.S.C. § 1452(2))."

On November 7, 1972 the state of California enacted The Conservation Act (also referred to as Proposition 20). The Conservation Act of 1972 established the California Coastal Zone Conservation Commission and six regional commissions. Their purpose was to prepare a comprehensive coastal plan that was to be adopted into law by the State Legislature. The commissions were also granted permit authority over coastal development. Four years later, the commissioners presented a plan that was passed into law called the California Coastal Act.

The California Coastal Act of 1976 (Public Resources Code, Division 20 (Coastal Act)) established a set of policies, a coastal boundary line, and a permit procedure. It also directed the transfer of permitting authority to local governments through adoption and certification of local coastal programs (LCPs). For areas with certified LCPs, the Coastal Commission retains permit authority over developments occurring on tidelands, submerged lands, and public trust lands. The Coastal Commission also retains appeal jurisdiction over local government coastal development permits approved by the County, and is responsible for reviewing amendments to a local agency's LCP. Under the CZMA, the Coastal Commission is also responsible for federal consistency reviews of federal agency, federally permitted, and federally funded activities.

~~The significance and diversity of the nation's coastal zone was first recognized in 1972, when Congress passed the Coastal Zone Management Act (PL92-583). The Act directed coastal states to develop and implement coastal management programs. Administered through the National Oceanic and Atmospheric Agency, thirty states are eligible to receive federal aid for eighty percent of the costs to develop their coastal management strategies. Amendments to the Act, passed in 1976 (PL94-370), further clarified the management development and administrative grants, and established the Coastal Energy Impact Program.~~

~~The California Coastal Zone Act was also passed in 1972, a result of the citizen-initiated Proposition 20. It provided for preparation of a long-range coastal resources management plan, an interim development permit plan, and created the State and regional Coastal Commissions.~~

~~In December of 1975, after two years of public input and preparation, the Commission presented the legislature with the California Coastal Plan. This statewide comprehensive effort detailed the natural resources of the California coast, and identified the need for overall management of not only the natural resources, but human development as well.~~

~~These first two acts, one federal and one state, paved the way for the California Coastal Act of 1976. It set forth a permanent coastal management program and is the enabling legislation for the Local Coastal Program. This lengthy Act embodies 10 chapters and 900 sections.~~

[Staff Explanation: The Legislative History section was updated to provide a more comprehensive background of the environmental laws that govern the coastal zone within the State of California.]

~~Pursuant to Coastal Act section 30001.5, the State's fundamental goals for coastal management are declared in Section 30001.5 as follows:~~

- ~~(a) Protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural man-made and artificial resources.~~
- ~~(b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.~~
- ~~(c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.~~
- ~~(d) Assure priority for coastal-dependent development and coastal-related development over other development on the coast.~~
- ~~(e) Encourage state and local initiatives in implementing and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.~~

~~To accomplish its goals the Coastal Act details a comprehensive set of policies in Chapter 3 - Coastal Resources Planning and Management Policies. Other chapters provide definitions, address the composition and authority of the Coastal Commission and regional commissions, detail development controls, enforcement and penalty procedures, and, in general, set forth specific criteria to be met by all LCPs. Together, the goals and policies of the Coastal Act provide a framework for protection of coastal lands and the orderly management of development. As ~~specified~~ stated in Coastal Act section ~~20333~~ 30222, some types of private development have priority over others, with primary consideration given to agriculture and coastal-dependent industry.~~

[Staff Explanation: Minor amendments were made to provide an accurate description of the PRC section related to the Coastal Act.]

~~Ventura County's Local Coastal Program History~~

~~The Local Coastal Program is envisioned in the 1976 Act to be the main vehicle for resolving issues on the use of coastal areas. While local jurisdictions are still essentially responsible for coastal planning, they must bring all plans and regulations into alignment with Coastal Act policies.~~

~~Preparation of the County's Local Coastal Program involved four phases:~~

- ~~1. Major issues were identified and a work program was prepared.~~
- ~~2. Information was then gathered, issues were analyzed, and the results were consolidated into individual working papers.~~
- ~~3. This Coastal Area Plan was prepared from the working papers and citizen input.~~
- ~~4. Implementing actions, including zoning ordinances and district maps, were then prepared and reviewed by the Coastal Commission for approval.~~

The formal process began in Ventura County on June 27, 1978, when the Board of Supervisors conducted a public hearing on the County's Local Coastal Program Issue Identification and Work Program. At the hearing the Board adopted a resolution that approved the program and requested State financial assistance. Focal points of the Local Coastal Program Work Program were coastal resources, such as agriculture, and undeveloped coastal areas. Coastal issues in the County included archaeology, sensitive habitats, shoreline structures, hazards, agriculture, recreation and shoreline access, commercial fishing and recreational boating, public works, energy, new development and housing.

Existing information was gathered and updated for each issue and then consolidated as a series of "working papers." Preliminary policies were developed to resolve differences within each issue. The 1976 Coastal Act and existing regional plans provided guidance for each recommendation. As the papers emerged they were circulated for public review and comment. The State mandates that certain public agencies automatically receive copies. Other public entities, such as libraries, various interest groups, individuals, and property owners also received copies. Notices of the availability of the papers were sent to approximately 4,200 people. The comments received were reflected as appropriate in the Land Use Plan. Additional and continuing input also came from the Citizen's Advisory Committee, which met on a regular basis.

The proposed policies that emerged from each of the working papers form the basis of this Coastal Area Plan. The Plan focuses on the County's coastal issues and is a framework by which each can be addressed using land use designations and resource protection, and development policies. Based on various findings, Coastal Act constraints, and jurisdictional limitations, the land uses most directly aligned with the Coastal Act were proposed and subsequently adopted.

In summary, the major objectives of the County's Coastal Area Plan are four fold:

1. To integrate the pertinent and reasonable policies that evolved from the working papers.
2. To establish a plan that clearly designates areas for agriculture, recreation, residential, other coastal dependent uses, and resource protection consistent with the Coastal Act.
3. To make recommendations for implementation of the Plan.
4. Identify amendments needed to align the County General Plan and Zoning Ordinances with the Local Coastal Program (LCP) Land Use Plan.

The foundation of Ventura County's Local Coastal Program is the California Coastal Act, along with past County decisions, development trends, and Board of Supervisor's policies. As the Local Coastal Program was developed, the significant issues were analyzed and a structure for specific implementations evolved. This process has guided the directions of this Coastal Area Plan.

[Staff Explanation: "Ventura County's Local Coastal Program History is being omitted and replaced with an updated legislative history and table that lists the history of Federal and State legislation over the past 20+ years.]

Federal Lands and Activities

The Federal Coastal Zone Management Act (CZMA) authorizes states with federally approved coastal management programs (CCMPs) to review for consistency federal license and permit activities that affect land or water uses in the coastal zone. The CZMA regulations governing the federal consistency review process define "Federal license and permit activity" as "any authorization, certification, approval, or other form

of permission which any Federal agency is empowered to issue to an applicant". Under the regulations, in order to review federal licenses and permits, a state must either include a list of such licenses/permits in its approved program or, for other federal licenses and permits, must request and obtain permission from the National Oceanic and Atmospheric Administration's (NOAA) Office of Ocean and Coastal Resources Management (OCRM) to review the activity.

The California Coastal Commission's CCMP (approved by NOAA, 1978) includes a list of Federal Licenses and Permits. In Ventura County, federal agency licenses and permits subject to the certification process for consistency with the State CCCMP (approved by NOAA in 1978) includes the Department of Defense (i.e. Navy Base Ventura County) and the Environmental Protection Agency (i.e. Santa Monica Mountains National Recreation Area). For activities on this list, the federal agency may not issue the license/permit until the applicant for the license/permit submits a consistency certification to the California Coastal Commission and receives Commission concurrence with that certification. If the California Coastal Commission objects, the federal agency may not issue the license/permit unless the applicant appeals the objection to the Secretary of Commerce, and the Secretary overrides the Coastal Commission's objection.

~~The County may choose to review and comment in an advisory capacity to the Coastal Commission on federal activities which affect the coastal zone at such time as the Commission reviews federal consistency determinations on such activities to assure their conformity with the California Coastal Management Program. The County is responsible for reviewing and commenting, in an advisory capacity, on federal activities which affect the coastal zone.~~ Policies are provided in this CAP to assist the County in this advisory role and to advise the Coastal Commission and federal agencies of the County's policy positions. Examples of such activities for which the County may review and comment upon any consistency determinations include the following:

- Purchases or disposition of land
- New development which could significantly increase the amount of water usage or the disposal of waste water
- Changes in use of the Mugu Lagoon
- Major flood control measures
- Institution of dual civilian/military use of the Point Mugu airport
- Recreational development in the Santa Monica Mountains (e.g., development of a General Management Plan for the Santa Monica Mountains National Recreation Area)
- Major changes in ~~Soil Conservation Service~~ Natural Resources Conservation Service programs.

[Staff Explanation: The "Federal Lands and Activities" section is being amended to more accurately describe the California's Coastal Management Program (CCMP) and the review process for consistency with federal license and permit activities that affect land or water uses in the coastal zone.]

~~Appropriate procedures shall be developed in Phase III to enable the County to carry out its advisory review of federal consistency determinations. This review process will build upon the experience the County has already had in working with federal agencies. To encourage cooperative planning, mechanisms such as cooperative~~

~~planning, joint preparation of environmental documents, and use of "good offices" of agencies such as the Office of Permit Assistance (OPA) are favored.~~

~~All proposed developments within the coastal zone shall be reviewed to determine if they are likely to affect the Mugu Lagoon or the Santa Monica Mountains NRA. If potential adverse effects are identified, appropriate mitigation measures shall be developed in coordination with the affected federal agency and required as part of the permit approval.~~

[Staff Explanation: The County takes an active role in reviewing federal consistency determinations as noted in Mugu Lagoon and San Nicholas Island policy 1 and energy and industrial policies 16 and 17 for the south and central coast subareas, respectively. These policies require the County to review activities subject to a federal consistency determination to ensure they do not impair the biological productivity of Mugu Lagoon or offshore fisheries with which it is linked and to defer to the Ventura County Air Quality Management Plan for determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP).]

~~In the Santa Monica Mountains, when lands are acquired by the federal government (i.e., Santa Monica Mountains National Recreation Area), the County encourages land uses, locations and intensities to be compatible with the Open Space land use designation. However, industrial and energy facilities which may be allowed as conditional uses in open space areas are not considered compatible with recreational and resource protection purposes of the Santa Monica Mountains NRA. The various resource and hazard constraints found in the South Coast section of this Land Use Plan may be used in any County review of federal activities. These constraints include, primarily, circulation and public works capacities and, secondly, hazards, archaeology, environmentally sensitive habitats, and visual quality.~~

[Staff Explanation: With most of the federally-owned lands in the south coast subarea, it is unlikely industrial and energy facilities will locate within the Santa Monica Mountains given that a large proportion of the area is designated parkland. Further, the Santa Monica (M) Overlay policies require development to be sited and designed to avoid adverse impacts on sensitive environmental habitats which are widely prevalent in this coastal subarea. So although federally owned land in the Santa Monica Mountains would be subject to a federal consistency determination, this mention of industrial and energy facilities does not highlight the procedural steps that would be required.]

Relationship to Other County General Plan Documents

~~The Ventura County General Plan is the Plan general land use plan by which the unincorporated portions of Ventura County ~~will~~ may develop in the future.~~

~~The Ventura County General Plan consists of:~~

- ~~(a) Countywide Goals, Policies and Programs document containing four chapters (Resources, Hazards, Land Use, and Public Facilities and Services)~~
- ~~(b) Four Technical appendices which (Resources, Hazards, Land Use, and Public Facilities and Services), contain background information and data in support of the Countywide Goals, Policies and Programs, and~~
- ~~(c) Several Area Plans, including the CAP, which contain Goals, Policies and Programs for specific geographic areas of the County.~~

~~The Coastal Area Plan is the Area Plan for the Coastal areas of the County.~~

~~The Coastal Area Management Act requires that the 61 cities and 15 counties in coastal California have a certified local land use plan in accordance with Chapter 3 of~~

the Coastal Act and guidelines established by the California Coastal Commission. The County's CAP is a collection of Objectives, Policies, and Programs that focus on the coastal zone within unincorporated Ventura County. The CAP also includes land use maps that define the type and intensity of allowable development within the coastal zone. It is therefore amended, by resolution of the Board of Supervisors, as an amendment to the Ventura County General Plan. All Objectives, Policies and Programs set forth in the Coastal Area Plan must be consistent with the Ventura County General Plan.

[Staff Explanation: The section titled "Relationship to Other County General Plan Documents" is being amended to clarify the relationship between the General Plan and the Coastal Area Plan. Naming of specific chapters, technical appendices, or Area Plans was also removed to avoid the need for future amendments to update such information when changes are made to the General Plan or Area Plans.]

The following general statements provide, in part, the framework for the CAP, and for the more specific objectives and policies found at the end of each section. These statements or requirements apply to all areas of the County's coastal zone:

General Statements

1. The Coastal Area Plan has been developed with brevity and clarity so that everyone can understand what the Plan entails.
2. The maximum amount of prime agricultural land is preserved for agricultural use.
3. Development within environmentally sensitive areas, archaeologically sensitive, and hazardous areas is discouraged.

Existing County procedures and ordinances are not adequate to protect environmentally sensitive habitats to the extent required by the Coastal Act. Consequently, an overlay designation will be developed as part of the Open Space zone with additional requirements for the protection of such habitats. This overlay will cover areas designated in the Plan as "Environmentally Sensitive Habitats" and buffer areas where necessary. Permitted uses within such habitats will be limited to those consistent with the Coastal Act. Examples of such uses include nature study, habitat enhancement and restoration, and other uses dependent on habitat values. Also, uses allowed in buffer areas will be more limited those allowed in the "COS" (Coastal Open Space) zone, and feasible mitigation measures will be required consistent with Sections 30230 and 30231 of the Act.

4. While recreational opportunities in the Ventura County coastal zone are sufficient, the County encourages the California Department of Parks and Recreation to acquire those coastal areas currently proposed for acquisition. The County also encourages the State to consider additional coastal areas for acquisition, or less-than-fee acquisition.
5. ~~No significant visual or scenic problems were identified in most of the unincorporated parts of the County during the issue identification phase of the LCP, thus no specific scenic or visual policies are included, except in the Santa Monica Mountains.~~

[Staff Explanation: Section 30251 of the Coastal Act requires in part that the scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. Scenic resources can include rocky shorelines, sandy beaches, coastal lagoons and marshlands, hillsides, ridgelines and mountain tops, all of which are characteristic of Ventura County's coastal zone. A new section titled "Visual

Resources” has been added to the new format titled “Coastal Resources Policies” that include policies aimed at protecting the visual qualities of the coastal zone.]

- ~~65~~. Additional studies, initiation of new programs, or the acquisition of land or easements required by Coastal Area Plan policies will only be developed as staff and funding are available.

Energy Facilities

- ~~76~~. For all new oil and gas development activities within areas covered by existing Conditional Use Permits which do not contain specified time limits for expiration, a permit is required. However, if the applicant has been granted a claim of vested rights on the subject property by the California Coastal Commission, no such permit is required.
- ~~87~~. All oil operators with existing Conditional Use Permits are expected to follow best available oil field safety practices for all existing well operations and new wells drilled under the existing permits.
- ~~98~~. All drilling/production facilities, oil and gas transportation facilities, access roads, as well as all accessory facilities, will be consolidated to the maximum extent feasible.
- ~~109~~. Major oil and gas processing facilities and electrical generating facilities, which require a "Coastal Industrial" (C-M) zone, are restricted to locations within areas designated as "Industrial" by this Plan.

Industrial Facilities

- ~~110~~. All industrial facilities which require a "Coastal Industrial" (C-M) zone are restricted to locations within areas designated "Industrial" by this Plan.

Commercial Facilities

- ~~111~~. All commercial facilities which require a "Coastal Commercial" (C-C) zone are restricted to locations within areas designated "Commercial" by this Plan.

Access Management

- ~~112~~. The County will accept offers of dedication which will increase opportunities for public access and recreation consistent with the County's ability to assume liability and maintenance costs.
- ~~113~~. The County will actively encourage other private or public agencies to accept offers of dedication, to assume liability and maintenance responsibilities, and initiate legal action to pursue beach access.
- ~~114~~. The County will continue to seek funding sources to improve existing access points.
- ~~115~~. The County will coordinate and supervise programs with other private and public organization to improve existing access, provide additional access, provide signing, parking, pedestrian and bicycle facilities, and the like.
- ~~116~~. Consistent with the availability of staff and funds, the County will initiate action to acquire easements to and along beaches and along access corridors for which potential prescriptive rights exist.

Grading Operations

- ~~18~~17. Grading plans shall minimize cut and fill operations. If it is determined a project is feasible with less alteration of the natural terrain than is proposed, that project shall be denied.
- ~~19~~18. All development shall be designed to minimize impacts and alterations of physical features and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.
- ~~20~~19. For permitted grading operations on hillsides, the smallest practical area of land shall be exposed at any one time during development, and the length of exposure shall be kept to the shortest practicable amount of time. All measures for removing sediments and stabilizing slopes shall be in place prior to or concurrent with any on-site grading activities.
- ~~21~~20. Where appropriate, best management practices (BMPs) for erosion control (including, but not limited to, sediment basins, debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading operations and maintained by the applicant through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate approved dumping location.
- ~~22~~21. Where construction will extend into the rainy season, temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion. The appropriate methods shall be prepared by a licensed landscape architect, and approved by the County.
- ~~23~~22. Cut and fill slopes shall be stabilized at the completion of final grading. To the greatest extent feasible, planting shall be of native grasses and shrubs or appropriate non-native plants using accepted planting procedures. Such planting shall be adequate to provide 90% coverage within 90 days, and shall be repeated if necessary to provide such coverage. This requirement shall apply to all disturbed soils.
- ~~24~~23. Provisions shall be made to conduct surface water to storm drains or suitable watercourses to prevent erosion. Drainage devices shall be designed to accommodate increased runoff resulting from modified soil and surface conditions as a result of development. Where feasible and appropriate, water runoff shall be retained on-site to facilitate groundwater recharge, unless to do so would require significant grading or brush removal not otherwise necessary and the cumulative impacts of such on-site retention would be greater than the cumulative impacts of not facilitating recharge, within the same drainage area.
- ~~25~~24. Degradation of the water quality of groundwater basins, nearby streams, wetlands or coastal waters shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and stormwater runoff that has not met the requirements of the State and County NPDES permits/regulations and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.
- ~~26~~25. The Soil Conservation Service (SCS) and the State Department of Fish and Game shall be consulted for grading of hillsides and brush clearance in excess of 1/2 acre. In all cases best management practices shall be used.

Grading (Hillside)

- ~~27~~26. Hillside (defined as land with slopes over 20%) grading and brush clearance shall be regulated to maintain the biological productivity of coastal water, protect

environmentally sensitive areas and park and recreation areas, and to minimize the alteration of natural land forms.

~~2827~~. For all substantial hillside grading (over 50 cu. yds. of cut or fill) or brush clearance (greater than 1/2 acre), including that related to agricultural activities, a development permit shall be required. The application for the permit shall contain an erosion control plan. Such plan shall be prepared by a licensed engineer qualified in soil mechanics and hydrology and approved by appropriate County agencies to ensure compliance with this Coastal Area Plan and all other County ordinances. Additionally, for agricultural related activities such plan shall also be reviewed by the Resource Conservation District.

Environmentally Sensitive Habitats

Buffer Areas

~~2928~~. Within a buffer zone, no new principal structures will be permitted unless prohibition of the structure from the buffer will preclude the utilization of the larger parcel for its designated use. When it is necessary to allow structures within the buffer they shall be located as far from the habitat resources as possible and mitigations shall be required to eliminate or reduce their impacts to an insignificant level. If a principal structure exists as of the adoption of this Plan, it may be rebuilt within the buffer zone if it is destroyed by fire or a natural disaster. If it is an otherwise non-conforming use it shall not be rebuilt within the buffer.

~~3029~~. New development in buffer zones shall be limited to access paths, fences, necessary to protect environmentally sensitive areas, and similar uses which have either beneficial effects on wildlife or no significant adverse effects.

Land Use Plan Designations

The land use designations in the Coastal Area Plan are designed to reflect the policies, existing and proposed land uses, existing General Plan land use designations, and zoning categories. This was done to preclude a significant amount of changes to the General Plan and Zoning Code. In some cases only one or two zoning categories are consistent with a land use designation (see [Figure 33](#)). All existing zoning categories applied to the coastal zone have been modified as necessary to meet the policies in the Plan.

The land use categories listed below describe the type and intensity of land use permitted within each category. Summary Tables ([Figures 16.1, 26.1 & 32](#)) list each land use designation and its total area, building intensity, population and employment capacity, and population and employment density. The purpose of each of the land use categories is described below.

The following are descriptions of each land use designation and the principal permitted uses for each.

- Open Space - The purpose of this designation is to provide for the preservation and enhancement of valuable natural and environmental resources while allowing reasonable and compatible uses of the land. Also to protect public safety through the management of hazardous areas such as flood plains, fire prone areas, or landslide prone areas. Principal permitted uses are one dwelling unit per parcel, agricultural uses as listed as principal permitted uses in "Agricultural" designation, and passive recreational uses that do not alter physical features beyond a minimal degree and do not involve structures. Minimum lot size in the "Open Space" designation is 10 acres.

- Agriculture - The purpose of this designation is to identify and preserve agricultural land for the cultivation of plant crops and the raising of animals. Lands placed in this designation include those in existing agricultural use, existing agricultural preserves (Land Conservation Act Contracts), and land with prime soils. Principal permitted uses are: crops for food and fiber; orchards and vineyards; field or row crops; drying and storage of crops, hay, straw, and seed; growing and harvesting of flowers, ornamentals, and turf; and animal breeding, pasturing, or ranching. Minimum lot size in the "Agriculture" designation is 40 acres.
- Recreation - This designation identifies those facilities in the Coastal Zone which provide recreational opportunities or access to the shoreline. Principal permitted uses are active and passive recreation including parks with facilities for picnicking, camping, riding, and hiking, on a day use or longer use basis. Structures or other facilities are limited to those necessary to support the recreational uses.
- Residential Designations - The building intensities listed below indicate the maximum number of dwelling units allowed on a given parcel of land. These intensities are reflective of existing lot sizes and zoning categories. Principal permitted uses in all residential areas, in addition to those listed below, are churches, fire stations, public parks and playgrounds, and home occupations.

Rural Intensity - The lowest intensity residential designation with one dwelling unit per two acres. Principal permitted uses are a single-family dwelling and those uses listed under "Agriculture" except animal breeding, pasturing, or ranching.

Low Intensity - Principal permitted use is single-family dwelling. The intensity is 1 - 2 dwelling units per acre.

Medium Intensity - Again, the principal permitted use is a single-family dwelling. The intensity is 2.1 to 6 dwelling units per acre.

High Intensity - The majority of residential development in the unincorporated Coastal Zone is within this intensity. Principal permitted uses are one- and two-family dwellings per parcel. The intensity is 6.1 to 36 dwelling units per acre.

- Commercial - Mainly used for neighborhood commercial uses, but because of certain locations close to beach or other recreational areas this land use designation may also serve visitor needs. Generally property under this designation contains small lots suitable only for small neighborhood-serving uses. Principal permitted uses are grocery stores, delicatessens, meat markets, bakeries, drug stores, fruit and vegetable stores, hardware stores, restaurants and cafes, shoe repair shops, and other uses normally considered as neighborhood serving. Also, dwelling units above the stores occupied only by the proprietor are permitted if the entire ground floor is retail business.
- Industrial - The main intent of this designation is to recognize industrial uses found in the unincorporated Coastal Zone or areas where expansion of existing industrial uses is logical. Most of the uses now found in this designation are coastal-dependent such as the Rincon and La Conchita oil and gas processing facilities that service offshore oil. Any vacant parcels shown as "Industrial" should be annexed prior to any development. Principal permitted uses are oil processing facilities or expansion of said facilities, associated administrative or executive offices, and oil and gas exploration, production, and temporary storage.
- Stable Urban Boundary Line - This line on the land use maps generally separates areas intended for agricultural use from areas intended for uses more urban in nature.

Zoning Compatibility

The specific land use regulations are established by zoning. The Zoning Compatibility Matrix ([Figure 33](#)) identifies which zones are compatible with the various Land Use Designations.

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Summary of Coastal Act Policies

[Staff Explanation: The following section includes an updated set of Coastal Act Policies for inclusion in the County's Coastal Area Plan (CAP). Introductory language was updated for clarity or accuracy, and changes were made to the existing text to reflect the following:

- *Policy language was modified to reflect changes made by the State legislature since the CAP was originally certified in 1982 (staff explanations identify when the change occurred);*
- *Policy language was added when the certified text failed to reflect the complete Coastal Act policy; and*
- *Minor revisions were made to move policies under a more relevant topic, to add the Coastal Act policy section heading, and to eliminate unnecessary quotations.*

This section includes all policies relevant to the topic areas provided in the CAP.]

Integrating the Coastal Act policies with County needs is an important aspect of developing the ~~Land Use Plan~~ Coastal Area Plan (CAP). County policies must be aligned with mandated State policies so the course of coastal development is clear, balanced, and in concert with the policies of the Coastal Act as stated below. ~~That to promote the public health, safety, welfare, and to protect public and private property, wildlife, marine fisheries, other ocean resources, and the neutral environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction" [§ "30001(c)].~~

In order to ensure that policies in the CAP are interpreted in a manner consistent with the Coastal Act, the policies of the Coastal Act (sections 30200 through 30265.5) are incorporated herein by this reference as the policies of the CAP. Relevant sections of the Coastal Act, as may be amended from time to time by the State, immediately relevant to each of the issues are provided on the following pages for informational purposes. Note that, in many instances, Coastal Act policies apply to more than one coastal issue area, and all applicable policies should be taken into consideration during the review of a proposed development. For purposes of this ~~land use plan~~ CAP, the definitions found in the Coastal Act and/or the CZO apply. In this regard, terms stated below that are italicized are specifically defined in the CZO; these definitions can be found in in Article 2 of the CZO.

The California State Legislature recognized that there ~~was~~ is a potential for conflicts between the Coastal Act policies. Section 30007.5 of the Coastal Act states that when conflicts do arise, they will be resolved by taking a balanced direction that is most protective of significant coastal resources.

Locating and Planning New Development

[Staff Explanation: Because the section below applies to all new development, it was moved from the end of the summary to the beginning.]

§ 30001.5 Legislative findings and declarations: goals

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

- (a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- (b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

- (c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- (d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- (e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

[Staff Explanation: Coastal Act policy 30001.5 is being added to the CAP as a core development policy related to the protection of public access to and along the shoreline, the protection of sensitive coastal resources, and the prioritization of visitor-serving land uses.]

~~§ 30244~~

~~“Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”~~

[Staff Explanation: Policy §30244 was relocated to the section titled “Archaeological and Paleontological Resources”.]

§ 30250(a) Location: Existing Developed Area

- (a) “New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.
- (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.
- (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.”

[Staff Explanation: Missing sections of policy 30250 were added for consistency with the Coastal Act.]

§ 30251 Scenic and Visual Qualities

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

[Staff Explanation: Policy 30251 was moved from the “Public Works” section to the “Locating and Planning New Development” section because it would apply to all new development, not just public works facilities.]

~~§ 30252~~

~~“The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.”~~

[Staff Explanation: Policy 30252 was moved to the “Shoreline Access” section.]

§ 30255 Priority of Coastal-Dependent Developments

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

[Staff Explanation: Policy 30255 was moved from the “Commercial Fishing and Recreational Boating” and “Energy” sections to the “Locating and Planning New Development” section because it applies to all new development.]

Environmentally Sensitive Habitats

§ 30230 Marine Resources: Maintenance

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.”

§ 30231 Biological Productivity: Water Quality

“The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.”

§ 30233 Diking, Filling, or Dredging: Continued Movement of Sediment and Nutrients

(a) “The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- ~~(3)~~ ~~In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25% of the degraded wetland.~~
- ~~(4)~~(3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- ~~(5)~~(4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- ~~(6)~~(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- ~~(7)~~(6) Restoration purposes.
- ~~(8)~~(7) Nature study, aquaculture, or similar resource dependent activities."
- (b) "Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems."
- (c) "In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division."
 "For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities."
- (d) "Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area."

[Staff Explanation: Revisions to Coastal Act Policy 30233 reflect California Coastal Act amendments by Ch. 673, Stats. 1978; Ch. 43, Stats. 1982; Ch. 1167, Stats. 1982; Ch. 454, Stats. 1983; Ch. 294, Stats. 2006. The title of the referenced Coastal Act policy was added for clarification and consistency.]

§ 30236 Water Supply and Flood Control

“Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.”

§ 30240 Environmentally Sensitive Habitat Areas, Adjacent Developments

- (a) “Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within ~~such~~ those areas.”
- (b) “Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade ~~such~~ those areas, and shall be compatible with the continuance of ~~such~~ those habitat and recreation areas.”

[Staff Explanation: Revisions to Policy 30233 reflect California Coastal Act amendments by Ch. 285, Stats. 1991.]

§ 30607.1 Wetlands Dike and Fill Development: Mitigation Measures

“Where any dike and fill development is permitted in wetlands in conformity with Section 30233 or other applicable policies set forth in this division, mitigation measures shall include, at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal action; provided, however, that if no appropriate restoration site is available, an in-lieu fee sufficient to provide an area of equivalent productive value or surface areas shall be dedicated to an appropriate public agency, or ~~such~~ the replacement site shall be purchased before the dike or fill development may proceed. ~~The~~ mitigation measures shall not be required for temporary or short-term fill or diking, ~~provided that if~~ a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.”

[Staff Explanation: Revisions to Coastal Act Policy 30607.1 reflect California Coastal Act amendments by Ch. 1088, Stats. 1992.]

Archaeological and Paleontological Resources

§ 30244 Archaeological and Paleontological Resources

“Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”

Shoreline Access

§ 30210 Access, Recreational Opportunities, Posting

“In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.”

§ 30211 Development Shall Not Interfere with Coastal Access

“Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.”

§ 30212 New Development Projects

(a) “Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.”

(b) For purposes of this section, "new development" does not include:

(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.

(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.

(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.

(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not a seaward of the location of the former structure.

(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.

As used in this subdivision "bulk" means total interior cubic volume as measured from the exterior surface of the structure.

(c) “Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.”

[Staff Explanation: Policy 30212 (b) would be modified to provide the complete text for this policy.]

§ 30212.5 Public Facilities: Distribution

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

[Staff Explanation: Chapter 3, Article 2, § 30212.5 is considered a public access policy in the Coastal Act. This policy is not referenced in the CAP and was added to “Shoreline Access”.]

§ 30213 Lower Cost Visitor and Recreational Facilities: Encouragement and Provision; Overnight Room Rentals

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities.

[Staff Explanation: Chapter 3, Article 2, § 30213 is considered a public access policy in the Coastal Act. This policy is not referenced in the CAP and was added to "Shoreline Access".]

§ 30214 Implementation of Public Access Policies, Legislative Intent

~~"Implementation of public access policies; legislative intent.~~

- (a) ~~The public access policies within this "Shoreline Access" section of the LCP in the Summary of Coastal Act Policies, of this article~~ shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following:
- (1) Topographic and geologic site characteristics.
 - (2) The capacity of the site to sustain use and at what level of intensity.
 - (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses.
 - (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter.
- (b) ~~These~~ It is the intent of the Legislature that the public access policies of this article shall be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution.
- (c) ~~In carrying out the public access policies within this "Shoreline Access" section of the LCP in the Summary of Coastal Act Policies of this article, the County commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs."~~

[Staff Explanation: Revisions to Coastal Act Policy 30214 correct inaccurate references and incorporate Coastal Act amendments by Ch. 1191, Stats. 1979; Ch. 285, Stats. 1991.]

§ 30252 Maintenance and Enhancement of Public Access

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by

correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

[Staff Explanation: Chapter 3, Article 2, § 30252 is considered a public access policy in the Coastal Act. This policy is not referenced in the CAP and was added to “Shoreline Access”.]

§ 30530 Legislative Intent

It is the intent of the Legislature, consistent with the provisions of Chapter 9 (commencing with Section 31400) of Division 21, that a program to maximize public access to and along the coastline be prepared and implemented in a manner that ensures coordination among and the most efficient use of limited fiscal resources by federal, state, and local agencies responsible for acquisition, development, and maintenance of public coastal accessways. There is a need to coordinate public access programs so as to minimize costly duplication and conflicts and to assure that, to the extent practicable, different access programs complement one another and are incorporated within an integrated system of public accessways to and along the state's coastline. The Legislature recognizes that different public agencies are currently implementing public access programs and encourages such agencies to strengthen those programs in order to provide yet greater public benefits.

[Staff Explanation: Chapter 3, Article 2, § 30253 is considered a public access policy in the Coastal Act. This policy is not referenced in the CAP and was added to “Shoreline Access”. Coastal Act § 30531, § 30532, and § 30254 discuss how the Coastal Commission implements their Offer-To-Dedicate program.]

Recreation

§ 30213

~~“Lower cost visitor and recreational facilities; encouragement and provision; overnight room rentals.~~

~~Lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred.”~~

[Staff Explanation: Chapter 3, Article 2, § 30213 is considered a public access policy and is included under the heading “Shoreline Access”.]

§ 30220 Protection of Certain Water-Oriented Activities

~~“Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.”~~

§ 30221 Oceanfront Land; Protection for Recreational Use and Development

~~“Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.”~~

§ 30222 Private Lands; Priority of Development Purposes

~~“The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.”~~

§ 30223 Upland Areas

~~“Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.”~~

§ 30234.5 Economic, Commercial, and Recreational Importance of Fishing

The economic, commercial, and recreational importance of fishing activities shall be recognized and protected.

[Staff Explanation: In Ventura County, commercial fishing would occur at Ventura Harbor, the Ventura Pier, and Channel Islands Harbor, areas that are governed by a separate, certified regulatory document. However, the recreational aspects of fishing (surf fishing, catching fish on the shoreline, etc.), could occur anywhere along the coast, so this policy was moved from “Commercial Fishing and Recreational Boating” to “Recreation”.]

~~§ 30250(e)~~

~~“Visitor serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated development or at selected points of attractions for visitors.”~~

[Staff Explanation: Coastal Act Policy § 30250 in its entirety was moved to “Locating and Planning New Development” and noted below as being applicable.]

Agriculture

§ 30222.5 Oceanfront Lands: Aquaculture Facilities: Priority

Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses.

[Staff Explanation: Pursuant Coastal Act Section 30100.2 and Fish and Game Code, Division 0.5, General Provisions and Definitions, Chapter 1, Section 1-89.1(17) aquaculture is a form of agriculture. Coastal Zoning Ordinance Section 8174-4 Permitted Uses by Zone lists “aquaculture” as a permitted use. Coastal Act Policy § 30222.5 is not referenced in the CAP and is being added to recognize this land use.]

§ 30241 Prime Agricultural Land: Maintenance in Agricultural Production

“The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas’ agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality.”
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of such prime agricultural lands.

[Staff Explanation: Revisions to Coastal Act Policy 30241 reflect the addition of (c) and (f) not previously included and California Coastal Act amendments by Ch. 1066, Stats. 1981; Ch. 43, Stats. 1982.]

§ 30241.5 Agricultural Land: Determination of Viability of Uses: Economic Feasibility Evaluation

(a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of "viability" shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements:

(1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

(2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program.

For purposes of this subdivision, "area" means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program.

(b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission.

[Staff Explanation: Coastal Act Policy § 30241.5 is not referenced in the CAP and is considered a land resources policy that applies to agriculture pursuant to Chapter 3, Article 5 of the Coastal Act. § 30241.5 was added to ensure an economic feasibility evaluation is provided for the conversion of agricultural lands to a different land use. Coastal Act Policy § 30241.5 was added to the Coastal Act by Ch. 259, Stats. 1984.]

§ 30242 Lands Suitable for Agricultural Use: Conversion

"All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands."

~~§ 30243~~

~~"The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities."~~

[Staff Explanation: Coastal Act policy 30243 was deleted because it is not applicable to the County's coastal zone. Under California law, identified timberlands must be zoned TPZ (Timberland Production Zone). However, forests containing timber resources do not exist in

Ventura County's coastal zone and there is no land use designation in the CAP where timber harvesting is allowed.]

~~§ 30250(a)~~

~~"New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels."~~

[Staff Explanation: Policy 30250 was moved to the Locating and Planning New Development because it's applicable to all development and is not specifically applicable to agriculture.]

~~§ 30411(e)~~ Wildlife Fishery and Management Programs; Wetlands; Aquaculture

~~(a) The Department of Fish and Game and the Fish and Game Commission are the principal state agencies responsible for the establishment and control of wildlife and fishery management programs and the commission shall not establish or impose any controls with respect thereto that duplicate or exceed regulatory controls established by these agencies pursuant to specific statutory requirements or authorization.~~

~~(b) The Department of Fish and Game, in consultation with the commission and the Department of Boating and Waterways, may study degraded wetlands and identify those which can most feasibly be restored in conjunction with development of a boating facility as provided in subdivision (a) of Section 30233. Any such study shall include consideration of all of the following:~~

~~(1) Whether the wetland is so severely degraded and its natural processes so substantially impaired that it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities.~~

~~(2) Whether a substantial portion of the degraded wetland, but in no event less than 75 percent, can be restored and maintained as a highly productive wetland in conjunction with a boating facilities project.~~

~~(3) Whether restoration of the wetland's natural values, including its biological productivity and wildlife habitat features, can most feasibly be achieved and maintained in conjunction with a boating facility or whether there are other feasible ways to achieve such values.~~

~~(c) "The Legislature finds and declares that salt water or brackish water aquaculture is a coastal-dependent use which should be encouraged to augment food supplies and to further the policies set forth in Chapter 4 (commencing with Section 825) of Division 1. The Department of Fish and Game may identify coastal sites it determines to be appropriate for aquaculture facilities. If the department identifies such sites to the commission, it shall do so by October 1, 1980, and shall by the same date transmit information identifying such sites to the commission and the relevant local government agency. The commission, and where appropriate, local governments shall, consistent with the coastal planning requirements of this division, provide for as many coastal sites identified by the Department of Fish and Game for any uses that are consistent with the policies of Chapter 3 (commencing with Section 30200) of this division."~~

~~(d) Any agency of the state owning or managing land in the coastal zone for public purposes shall be an active participant in the selection of suitable sites for aquaculture~~

facilities and shall make the land available for use in aquaculture when feasible and consistent with other policies of this division and other provision of law.

[Staff Explanation: Coastal Act 30411 in its entirety and as amended by Ch. 187, Stats. 1979; Ch. 1486, Stats. 1982; Ch. 1300, Stats. 1983; Ch. 285, Stats. 1991; Ch. 810, Stats. 1995; Ch. 36, Stats. 2006 has been added to "Agriculture.]

~~Commercial Fishing and Recreational Boating~~

[Staff Explanation: Policies in this section were deleted or moved to a different section. This section applies to harbors, marinas, and other commercial boating areas. However, in Ventura County such areas are governed by a separate certified document and are not regulated by the CAP.]

~~§ 30224~~

~~"Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land."~~

~~§ 30234~~

~~"Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry."~~

~~§ 30234.5~~

~~"The economic, commercial, and recreational importance of fishing activities shall be recognized and protected."~~

[Staff Explanation: This policy was moved to "Recreation".]

~~§ 30255~~

~~"Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support."~~

[Staff Explanation: This policy was moved to "Locating and Planning New Development". Coastal-dependent developments in Ventura County include (1) industrial uses such as discharge structures, tanker support facilities, and other similar uses which must be located on or adjacent to the sea in order to function, and (2) passive activities such as nature study, habitat enhancement and restoration, and recreational uses such as hiking, biking, horseback riding, fishing, and surfing/swimming.]

Hazards

§ 30232 Oil and Hazardous Substance Spills

"Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such

materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur."

[Staff Explanation: Coastal Act § 30232 has been moved from the heading "Energy" to "Hazards" as this is the more appropriate heading for this policy.]

§ 30253 Minimization of Adverse Impacts

"New development shall do all of the following:

- ~~(1)(a)~~ Minimize risks to life and property in areas of high geologic, flood, and fire hazards.
- ~~(2)(b)~~ Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

[Staff Explanation: Revisions to Policy 30253 reflect the addition of (c) through (e), which were previously omitted, and California Coastal Act amendments by Ch. 179, Stats. 2008.]

§ 30236

~~Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.~~

[Staff Explanation: This policy was moved to the section titled "Environmentally Sensitive Habitat Areas".]

Energy

§ 30101

~~"Coastal dependent development or use" means any development or use which requires a site on, or adjacent to, the sea to be able to function at all.~~

[Staff Explanation: Policy § 30101 is proposed for deletion because "coastal dependent development or use" is already included as a certified definition in County's Coastal Zoning Ordinance (Article 2, Definitions).]

§ 30001.2 Legislative Findings and Declarations: Economic Development

The Legislature further finds and declares that, notwithstanding the fact electrical generating facilities, refineries, and coastal-dependent developments, including ports and commercial fishing facilities, offshore petroleum and gas development, and liquefied natural gas facilities, may have significant adverse effects on coastal resources or coastal access, it may be necessary to locate such developments in the coastal zone in order to ensure that inland as well as coastal resources are preserved and that orderly economic development proceeds within the state."

~~§ 30101.3~~

~~"Coastal-related development" means any use that is dependent on a coastal-dependent development or use.~~

[Staff Explanation: Policy § 30101.3 is proposed for deletion because "coastal related development" is already included as a certified definition in the County's Coastal Zoning Ordinance (Article 2, Definitions).]

~~§ 30232~~

~~"Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur."~~

[Staff Explanation: Policy § 30232 was moved to the "Hazards" section, and a reference to the policy was added to the "Oil and Gas Development" section.]

~~§ 30250(b)~~

~~(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.~~

[Staff Explanation: Policy § 30250 (in its entirety) was moved to "Locating and Planning New Development".]

~~§ 30255~~

~~"Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support."~~

[Staff Explanation: Coastal Act § 30255 has been moved to "Locating and Planning New Development" and noted below as being applicable.]

§ 30260 Location or Expansion

"Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible."

Oil and Gas Development

§ 30232 Oil and Hazardous Substance Spills – See Hazards section.

§ 30262 Oil and Gas Development

a) "Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met:

~~(a)(1)~~ (1) The development is performed safely and consistent with the geologic conditions of the well site.

~~(b)(2)~~ (2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have

adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts.

- (e)(3) Environmentally safe and feasible subsea [sic] completions are used when drilling platforms or islands would substantially degrade coastal visual qualities unless use of those structures will result in substantially less environmental risks.
 - (e)(4) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, as determined in consultation with the United States Coast Guard and the Army Corps of Engineers.
 - (e)(5) ~~The~~ Such development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from such subsidence.
 - (f)(6) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Division of Oil and Gas, ~~Geothermal Resources~~ of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems.
- (7) (A) All oil produced offshore California shall be transported onshore by pipeline only. The pipelines used to transport this oil shall utilize the best achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems.
- (B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline.
- (C) The following guidelines shall be used when applying subparagraphs (A) and (B):
- (i) "Best achievable technology," means the technology that provides the greatest degree of protection taking into consideration both of the following:
 - (I) Processes that are being developed, or could feasibly be developed, anywhere in the world, given overall reasonable expenditures on research and development.
 - (II) Processes that are currently in use anywhere in the world. This clause is not intended to create any conflicting or duplicative regulation of pipelines, including those governing the transportation of oil produced from onshore reserves.
 - (ii) "Oil" refers to crude oil before it is refined into products, including gasoline, bunker fuel, lubricants, and asphalt. Crude oil that is upgraded in quality through residue reduction or other means shall be transported as provided in subparagraphs (A) and (B).
 - (iii) Subparagraphs (A) and (B) shall apply only to new or expanded oil extraction operations. "New extraction operations" means production of offshore oil from leases that did not exist or had never produced oil, as of January 1, 2003, or from platforms, drilling island, subsea completions, or onshore drilling sites, that did not exist as of January 1, 2003. "Expanded oil extraction" means an increase in the geographic extent of existing

leases or units, including lease boundary adjustments, or an increase in the number of well heads, on or after January 1, 2003.

(iv) For new or expanded oil extraction operations subject to clause (iii), if the crude oil is so highly viscous that pipelining is determined to be an infeasible mode of transportation, or where there is no feasible access to a pipeline, shipment of crude oil may be permitted over land by other modes of transportation, including trains or trucks, which meet all applicable rules and regulations, excluding any waterborne mode of transport.

(8) If a state of emergency is declared by the Governor for an emergency that disrupts the transportation of oil by pipeline, oil may be transported by a waterborne vessel, if authorized by permit, in the same manner as required by emergency permits that are issued pursuant to Section 30624.

(9) In addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned, the best achievable technology shall be used.

b) Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators.”

c) Nothing in this section shall affect the activities of any state agency that is responsible for regulating the extraction, production, or transport of oil and gas.

[Staff Explanation: Revisions to Policy 30262 (see number 7 and item (c)) include the addition of policy language not previously included and California Coastal Act amendments by Ch. 420, Stats. 2003.]

§ 30265 Legislative Findings and Declarations: Offshore Oil Transportation

“The Legislature finds and declares all of the following:

~~(a) Offshore oil production will increase dramatically in the next 10 years from the current 80,000 barrels per day to over 400,000 barrels per day.~~

~~(b)(a)~~ Transportation studies have concluded that pipeline transport of oil is generally both economically feasible and environmentally preferable to other forms of crude oil transport.

~~(e)(b)~~ Oil companies have proposed to build a pipeline to transport offshore crude oil from central California to southern California refineries, and to transport offshore oil to out-of-state refiners.

~~(d)(c)~~ California refineries would need to be retrofitted if California offshore crude oil were to be used directly as a major feedstock. Refinery modifications may delay achievement of air quality goals in the southern California air basin and other regions of the state.

~~(e)(d)~~ The County of Santa Barbara has issued an Oil Transportation Plan which assesses the environmental and economic differences among various methods for transporting crude oil from offshore California to refineries.

~~(f)(e)~~ The Governor should help coordinate decisions concerning the transport and refining of offshore oil in a manner that considers state and local studies undertaken to date, that fully addresses the concerns of all affected regions, and that promotes the greatest benefits to the people of the state.

[Staff Explanation: Revisions to Policy 30265 reflect Coastal Act amendments by Ch. 1398, Stats. 1984 and Ch. 294, Stats. 2006.]

§ 30265.5 Coordination of Activities Concerning Offshore Oil Transport and Refining

- (a) The Governor, or the Governor's designee, shall coordinate activities concerning the transport and refining of offshore oil. Coordination efforts shall consider public health risks, the ability to achieve short- and long-term air emission reduction goals, the potential for reducing California's vulnerability and dependence on oil imports, economic development and jobs, and other factors deemed important by the Governor, or the Governor's designees.
- (b) The Governor, or the Governor's designee, shall work with state and local agencies, and the public, to facilitate the transport and refining of offshore oil in a manner which will promote the greatest public health and environmental and economic benefits to the people of the State.
- (c) The Governor, or the Governor's designee, shall consult with any individual or organization having knowledge in this area, including, but not limited to, representatives from the following:
 - (1) State Energy Resources Conservation and Development Commission
 - (2) State Air Resources Board
 - (3) California Coastal Commission
 - (4) Department of Fish and Game
 - (5) State Lands Commission
 - (6) Public Utilities Commission
 - (7) Santa Barbara County
 - (8) Santa Barbara County Air Pollution Control District
 - (9) Southern California Association of Governments
 - (10) South Coast Air Quality Management Districts
 - (11) Oil industry
 - (12) Public interest groups
 - (13) United States Department of the Interior
 - (14) United States Department of Energy
 - (15) United States Environmental Protection Agency
 - (16) National Oceanic and Atmospheric Administration
 - (17) United States Coast Guard
- (d) This act is not intended, and shall not be construed, to decrease, duplicate, or supersede the jurisdiction, authority, or responsibilities of any local government, or any state agency or commission, to discharge its responsibilities concerning the transportation and refining of oil.

[Staff Explanation: Revisions to Coastal Act Policy 30265 reflect Coastal Act amendments by Ch. 1398, Stats. 1984.]

Tanker Facilities

§ 30261 Tanker Facilities: Use and Design

"Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for oil spills, and (4) have onshore deballasting facilities to receive any fouled ballast water from tankers where operationally or legally required."

Refineries and Petrochemical Facilities

§ 30263~~(a)~~ Refineries or Petrochemical Facilities

(a) "New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property."

(b) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from in plant processes where feasible.

[Staff Explanation: Revisions to Coastal Act Policy 30265 reflect Coastal Act amendments by Ch. 535, Stats. 1991.]

Electrical Generation Facilities

~~§ 30413(b)~~

~~(b) "The commission shall, prior to January 1, 1978, and after one or more public hearings, designate those specific locations within the coastal zone where the location of a facility as defined in Section 25110 would prevent the achievement of the objectives of this division; provided, however, that specific locations that are presently used for such facilities and reasonable expansion thereof shall not be so designated. Each such designation shall include a description of the boundaries of those locations, the objectives of this division which would be so affected, and detailed findings concerning the significant adverse impacts that would result from development of a facility in the designated area. The commission shall consider the conclusions, if any, reached by the State Energy Resources Conservation and Development Commission in its most recently promulgated comprehensive report issued pursuant to Section 25309. The commission shall transmit a copy of its report prepared pursuant to this subdivision to the State Energy Resources Conservation and Development Commission."~~

~~§ 30264~~

~~"Notwithstanding any other provision of this division, except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed~~

~~in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516."~~

[Staff Explanation: The Electrical Generation Facilities section is proposed for deletion because no facilities are planned for Ventura County's unincorporated coastal zone. However, policies 30413 and 30264 would remain adopted by reference into the LCP. Between 1978 and 1991 (the last year this policy was amended), the State Energy Resources Conservation and Development Commission was to designate specific locations within the coastal zone for the location of thermal power plant or transmission lines. The 1982 version of the CAP acknowledges that Southern California Edison identified a potential need for an electrical generating substation near La Conchita, but that substation was never built. Should the State Energy Resources Conservation and Development Commission exercise its siting authority, the California Coastal Commission would participate in those proceedings.]

Beach Erosion and Shoreline Structures

§ 30235 Construction Altering Natural Shoreline

~~"Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fishkills should be phased out or upgraded where feasible."~~

~~§ 30253~~

~~"New development shall:~~

- ~~(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazards.~~
- ~~(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs."~~

[Staff Explanation: Policy § 30253 was relocated under the heading "Hazards".]

Public Works

~~§ 30241~~

~~"The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following~~

- ~~(e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality."~~

~~§ 30250(a)~~

~~"New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have~~

~~significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels."~~

~~§ 30251~~

~~"The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting."~~

~~§ 30252~~

~~"The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development."~~

[Staff Explanation: Coastal Act policies § 30250, § 30251, and § 30252 apply to all new development and the complete narrative was therefore moved to the section titled "Locating and Planning New Development".]

§ 30254 Public Works Facilities

"New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development."

[Staff Explanation: No policy change.]

Housing

[Staff Explanation: "Housing" policies were either moved to "Locating and Planning New Development" or to the "Hazards" section.]

§ 30250(a)

~~"New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located in, contiguous with, or in close proximity to, existing~~

~~development areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing development areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels will be no smaller than the average size of surrounding parcels."~~

§ 30253

~~"New development shall:~~

- ~~(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.~~
- ~~(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.~~
- ~~(3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development.~~
- ~~(4) Minimize energy consumption and vehicle miles traveled.~~
- ~~(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."~~

~~Locating and Planning New Development~~

§ 30244

~~"Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required."~~

§ 30250(a)

~~"New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels."~~

§ 30252

~~"The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and (6) by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provisions of onsite recreational facilities to serve the new development."~~

[Staff Explanation: “Locating and Planning New Development” policies were moved to the beginning of this section.]

Coastal Zone Objectives, Policies and Programs

Introduction: The section below, titled “Coastal Zone Objectives, Policies and Programs”, was added to the Coastal Area Plan (CAP) in 2016. This section contains information organized by topic, and the coastal-resource based topics contained within this section include: Archaeological and Paleontological Resources, Coastal Tree Protection, Visual Resources (Signs), and Water Efficient Landscaping. The original CAP, adopted in 1980, was organized by geographic area (north, central and south) rather than by topic. However, that organizational structure frequently resulted in the same objectives, policies and programs repeated within each of the three geographic areas. The format established within the “Coastal Zone Objectives, Policies and Programs” section will therefore serve as a model for future CAP amendments.

A. Archaeological Resources

The Ventura County coast is archaeologically and culturally significant to a variety of different groups. Earlier, it was the site of one of the densest Native American populations in North America. The native people of the Central Coast from Malibu to just west of Ventura were the Ventureño Chumash (Grant 1978a; King 1984; Landberg 1965). The archaeological record in Chumash territory reflects cultural continuity over a long span of time, possibly indicating that people ancestral to the Chumash arrived in the area as early as 13,000-10,000 years ago.

Chumash subsistence relied primarily on fishing, hunting, and gathering vegetal foods, notably acorns. In the spring, groups harvested grasses, roots, tubers, and bulbs. Hunting marine mammals became important during the times when seals and sea lions congregated at their rookeries. In late summer, coastal groups harvested large schooling fish such as tuna. During the fall, acorns were harvested and pine nuts were collected in the mountains. Winter months were spent in villages, where residents relied primarily on stored foodstuffs as well as occasional fresh fish (Landberg 1965:102-104; Grant 1978b, 1978c, 1978d; Hudson and Blackburn 1982, 1983).

Later came active maritime and mission periods. Contact with early Spanish and Portuguese explorers began with the expedition of Cabrillo and Ferrelo in A.D. 1542-1543. Old World diseases such as small pox, measles, typhoid fever, malaria, dysentery, and many others, ravaged native populations in Southern California during two centuries or more before Spanish occupation began in the 1770s (Erlandson and Bartoy, 1995, 1996; Preston, 1996). Drastic changes to Chumash lifeways resulted from the Spanish occupation that began with the Sacred Expedition, led by Gaspar de Portolà and Junípero Serra, in A.D. 1769-1770. Mission history was established between 1772 through 1804 with nearly the entire Chumash population incorporated into the mission system (Grant 1978c). Beginning in 1782, coastal Ventureño Chumash from Malibu to Carpinteria were removed from their traditional settlements and relocated to the San Buenaventura mission facilities. In 1821, the Mexican Revolution brought an end to Spanish rule and the emerging government moved immediately to establish control in the provinces, including the modern American states of California, Nevada, Arizona, Utah, western Colorado and southwestern Wyoming. The territory passed to American control after the Mexican–American War and ceased to exist with the creation of the State of California in 1850.

In the 21st century, Native American communities exhibited continual growth and revival, playing a larger role in the American economy. Tribal cultural resources are an important part of the lives of Native Americans. The County recognizes that tribes that are traditionally and culturally affiliated with Ventura County have expertise with regard

to their tribal history and practices. Early consultation on discretionary projects with Native American representatives should occur with regard to scope of required environmental review, the status of tribal cultural resources, the potential of a project to impact tribal cultural resources, and the identification of project alternatives and mitigation measures that may be recommended by the tribe.

Much of the County's coastal zone, while archaeologically sensitive, has not been well surveyed (S. Callison, pers. comm.). Research indicates that knowledge of the distribution and location of earlier human habitation sites will add yet another dimension to our understanding of climatic and environmental cycles (Euler et al. 1979) since villages throughout the southwest were closely associated with water sources, many of which are now dry (Euler et al. 1979).

[Staff Explanation: The revised abstract provides a more descriptive overview of regional prehistory in order to provide a context for understanding the importance of archaeological resources.]

Objective

To recognize archaeological sites in the County's *coastal zone* as important ~~significant~~ to an understanding of human ~~and environmental~~ history and prehistoric societies and to protect ~~[Central, South] Coast archaeological sites from destruction to the maximum extent feasible~~ resources from disturbance by human activities.

[Staff Explanation: The term "objective" refers to the County's ultimate purpose stated in a way that is general in nature. Minor revisions to the objective are proposed to further clarify and promote resource protection throughout the coastal zone and not to a specific coastal sub-area as currently stated.]

Policies

[Staff Explanation: The CAP is the County's coastal area land use plan and is intended to address the type, location, and intensity of land uses, applicable resource protection and development policies and, where necessary, a listing of implementing actions. The Coastal Zoning Ordinance (CZO) implements the objectives and policies of the CAP. The County's CAP frequently contains the same language as the CZO, which results in confusion between policy and implementing development standards. Limited project funding prevents the County from completing a comprehensive update to the CAP. However, the County is proposing to reorganize all text related to archaeology (and paleontology) in both the CAP and CZO. The revisions proposed below would remove development regulations from the CAP and put them in the CZO. Policies 1 and 2 are new and policies 3 and 4 are certified CAP polices that would be retained with minor revisions.]

1. Discretionary development shall be reviewed to identify potential locations for sensitive archaeological resources.

[Staff Explanation: Proposed Policy 1 provides a specific statement that will guide day-to-day actions and implies clear commitment to carry out the CAP objective for the protection of archaeological resources.]

2. New development shall be sited and designed to avoid adverse impacts to archaeological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to archaeological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to archaeological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to archaeological resources cannot be avoided, mitigation shall be required and shall be

designed in accordance with established federal, state and/or County standards and shall be consistent with the policies and provisions of the LCP.

[Staff Explanation: Proposed Policy 2 amends North, Central and South Coast policy 7 eliminating reference to specific mitigation measures. Mitigation measures are included in the CZO Section 8178-3.1.4 Mitigation.]

3. Archaeological, historical and ~~ethnobotanical~~ ethnographic interpretation of native peoples in Ventura County should be incorporated into existing interpretive programs as feasible and into future interpretive programs at public recreation areas facilities as *feasible* and into future interpretive programs as funds become available.

[Staff Explanation: Policy 3 is certified CAP policy 6 (North Coast) and policy 5 (Central and South Coast) and will be retained. Policy 3 provides a clear commitment to carry out the objective for the protection of archaeological resources. Minor revisions provide further clarity. The term "ethnobotanical", which refers to the cultural use of plant resources, is being replaced with the term "ethnographic", which is more broad-based to include a variety of traditional cultural practices.]

4. The ~~Location~~ of all coastal zone archaeological sites ~~will~~ shall be kept confidential to avert disturbance or destruction of the resource.

[Staff Explanation: Policy 4 is certified CAP policy 5 (North Coast) and policy 4 (Central and South Coast). Per the guidelines developed and adopted by the Office of Planning and Research pursuant to Government Code Section 65040.2, the County is already required to protect the confidentiality of information concerning the specific identity, location, character, and use of those places, features, and objects. The County's style guide for writing policy and regulations use the term "shall" instead of "will."]

5. Native American tribal groups approved by the Native American Heritage Commission for the area shall be consulted when development has the potential to adversely impact archeological resources.
6. Protect and preserve archaeological resources from destruction, and avoid impacts to such resources where *feasible*.
7. The unauthorized collection of archaeological artifacts is prohibited.

B. Paleontology

The geological and biological history of the Ventura County coast is significant. The coastal zone contains areas of marine fossils that are among the best in Southern California (Bruce J. Welton, personal communication, Assistant Curator of Vertebrate Paleontology, Los Angeles County Museum of Natural History, 1980). Records in the Los Angeles County Museum of Natural History show extensive fossil sites in Ventura County. The coastal zone has yielded many "type" specimens, which are used as the example specimens against which all other finds of the same animal are compared. Groups of fossils in the marine terraces are used by geologists to unravel patterns of seismic and sea level movement in the area (J. Valentine, personal communication).

Except for geologic formations that are visible at the surface, paleontological resources typically are buried beneath the surficial deposits of the Quaternary Period (11,500 years to the present). However, fossil productivity of most Quaternary units should still be evaluated for each project, based on grain size, fossil record from the surrounding region, and proposed depth of earthwork. Many quaternary units, even those regarded as Holocene in age, were demonstrated to be highly productive elsewhere, especially at comparatively shallow depths, where many such units are of Pleistocene age (Bruce Lander, Paleontologist, 2014).

Unlike archaeological sites that can be destroyed by grading and construction, grading can uncover subterranean formations with the potential to reveal additional rock layers and increase the potential for new finds.

[Staff Explanation: The revised abstract proposed above would be applied to all coastal areas. The abstract has been updated to clarify the geologic period where important paleontological resources are likely to be encountered. The Quaternary Period is often referred to as an ice age that included periodic build-up of major continental ice sheets divided by warm episodes (interglacials). Quaternary deposits are considered a vast, distinct mix of glacial and postglacial materials that perch atop older rocks. The likelihood of discovering intact fossils in an area of Quaternary Deposits (alluvium) is unlikely given that they are either below sea level or in sediments that exhibit significant physical and chemical changes. However, Quaternary units of Moderate, Moderate to High and High do present the potential for uncovering fossils and would warrant additional evaluation.]

Objective

To recognize the importance of coastal fossils and prehistoric organism evolution, to protect important paleontological resources from human activities, to preserve significant paleontological sites to the fullest extent possible, and to take steps to preserve the information a site may yield.

[Staff Explanation: The term "objective" refers to the County's ultimate purpose stated in a way that is general in nature. Minor revisions to the objective are proposed to further clarity and to promote resource protection throughout the coastal zone.]

Policies

[Staff Explanation: All paleontological resource policies constitute development regulations and are being incorporated into the CZO. Below each North Coast policy is a staff explanation describing where the amended policy/implementing action is in the CZO and the proposed changes to the text.]

1. Discretionary development shall be reviewed to determine the geologic unit(s) to be impacted and paleontological significance of the geologic rock units containing them.

[Staff Explanation: Proposed policy 1 provides a specific statement that will guide day-to-day actions and implies clear commitment to carry out the CAP objective for the protection of paleontological resources.]

2. New development shall be sited and designed to avoid adverse impacts to paleontological resources to the maximum extent feasible. If there is no feasible alternative that can eliminate all impacts to paleontological resources, then the alternative that would result in the fewest or least significant impacts to resources shall be selected. Impacts to paleontological resources that cannot be avoided through siting and design alternatives shall be mitigated. When impacts to paleontological resources cannot be avoided, mitigation shall be required that includes procedures for monitoring grading and handling fossil discoveries that may occur during development.

[Staff Explanation: Policy 2 amends North, Central and South Coast policy 5 eliminating reference to specific mitigation measures. Mitigation measures are included in the CZO Section 8178-3.2.4 Mitigation.]

3. Protect and preserve paleontological resources from destruction, and avoid impacts to such resources where feasible.
4. The unauthorized collection of paleontological artifacts is prohibited.

[Staff Explanations: The CAP currently contains no section that addresses the County’s visual resources. The proposed amendments below would introduce a new section titled “Visual Resources”. While this section does not constitute a comprehensive approach to visual resources, it does address visual resource issues associated with specific topics included in the current LCP update.]

C. Coastal Tree Protection

Trees are an important component of coastal biological habitats. Trees also contribute to the visual beauty of coastal areas, serve as windscreens to reduce erosion within agricultural areas, and provide historic landmarks that recall important eras or events in Ventura County’s history. Trees are part of our living heritage and provide multiple benefits. They can sooth and relax us and help us connect to nature and our surroundings. They provide color, flowers, fruit, and interesting shapes and visual forms. They also play a crucial role in life. Trees absorb carbon dioxide and release oxygen, provide a canopy and habitat for wildlife, and reduce runoff and erosion. Trees increase real property values by preserving and enhancing the aesthetic qualities of residential or commercial areas. They screen unattractive views and provide shade that breaks up urban “heat islands” and glare. Flowering trees announce the arrival of different seasons or help define the character of a particular residential area.

The multiple benefits provided by trees are lost when unnecessary tree removal takes place or when we fail to plant new replacement trees. For example, tree reductions can result in an increase in carbon dioxide release. As tree coverage declines and impervious surfaces increases, average temperatures rise. Taken together, the loss of trees in Ventura County can influence global warming and extreme weather events.

Conversely, invasive trees displace native vegetation thus reducing native wildlife habitat and altering ecosystem processes. Invasive trees owe their success by being able to tolerate a variety of adverse habitat conditions, reproduce via multiple pathways, release chemicals that inhibit the growth or kill surrounding native plants, and outcompete native plants for water and sunlight. Only in instances where an invasive tree is historic, provides a butterfly, colonial bird roosting or raptor nesting site and/or provides habitat for other sensitive wildlife species, would it require protection.

Objectives and policies within the CAP are designed to retain the important functions of trees and avoid adverse effects that result from tree removal, certain types of tree alteration, and the planting of invasive trees. More specifically, policies within the CAP identify when existing trees must be preserved and when tree removal or alteration must be mitigated through the planting of replacement trees or through another form of mitigation.

[Staff Explanation: The tree protection abstract above provides a descriptive overview of the regional setting as it relates to trees in order to provide a context for understanding why it is important to protect trees in the unincorporated areas of Ventura County.]

Objective

Protect trees that function as important biological, watershed, visual and historic resources within coastal areas of Ventura County.

[Staff Explanation: The proposed objective above establishes a basis for the development of tree protection policies within the CAP.]

Policies

[Staff Explanation: The proposed tree protection policies below provide the policy basis for tree protection standards within the CZO.]

C.1 All Trees

1. With the exception of emergency tree removal, the alteration or removal of any tree in the coastal zone shall not be conducted during the designated bird breeding and nesting season (i.e. January 1 through September 15) unless the County receives a bird survey prepared by a qualified biologist or ornithologist indicating that no breeding or nesting birds were found within the tree to be altered or removed, that no raptor breeding or nesting activities are present within 500 feet of the subject tree, and that no breeding or nesting behaviors are present within 300 feet of the subject tree for all other types of birds.

C.2 Protected Trees

2. The following types of trees shall be classified as protected trees when located within the coastal zone of Ventura County:
 - Trees that contribute to the function and habitat value of an Environmentally Sensitive Habitat Area (ESHA);
 - Native trees;
 - Historical trees; and
 - Heritage trees.

Unless a tree is classified as one of the groups listed above, non-native trees shall not be classified as a protected tree.

3. The removal of a protected tree that is ESHA, or tree alteration that damages ESHA, shall be prohibited except where the tree poses an imminent hazard to life, health, existing structures, or essential public services and where approved through an Emergency Permit.
4. For protected trees not classified as ESHA, new development shall be sited and designed to avoid the removal of the protected tree or alteration that damages a protected tree. If there is no feasible project alternative that avoids such impacts to protected trees, then the project alternative shall be selected that would minimize damage to protected trees in the following order of priority: native trees, historical trees, and heritage trees. Protected tree removal or alteration shall be undertaken in the following manner:
 - i. Principal Permitted Use/Structure. Protected tree removal or damage may be permitted where no feasible alternative exists to provide a reasonable economic use of the property, as evidenced by the alternatives analysis; and
 - ii. Accessory Uses/Structures: With the exception of non-native heritage trees, removal of a protected tree shall be prohibited to increase the footprint of an existing use/structure or the placement of a new use/structure not previously approved with the original discretionary permit. Any approved development (e.g. paving, fence posts), including grading or excavation, that encroaches into the tree's protected zone shall be the minimum necessary to provide access, utility service, security, or privacy to the property.
5. Fire Clearance: With the exception of non-native heritage trees, new development shall be located and designed to minimize fire clearance and fuel modification maintenance that requires the removal of a protected tree. New accessory buildings or uses that extend fire clearance and fuel modification maintenance in a manner that requires the removal of a protected tree shall be prohibited.

6. Pruning: Pruning of a *protected tree* may be conducted in accordance with the Tree Ordinance Appendix T-1, provided that such actions are taken to protect public safety, maintain access, or maintain the health of the tree.

7. Mitigation Measures: When new development will result in the loss or degraded health of a *protected tree*, mitigation measures shall be required that include but are not limited to the planting of replacement *native trees* in the following manner:

- Replacement *tree* planting shall occur within suitable, onsite areas at ratios that ensure success of the planted species; and
- A monitoring program shall be implemented to ensure the successful establishment of replacement *trees*.

Offsite mitigation, or contribution to an established in-lieu fee program, may be permitted when on-site mitigation is not *feasible*.

8. Discretionary *development* shall be conditioned to ensure *tree* protection during construction, including but not limited to measures such as protective fencing, flagging, use of hand tools, and biological monitors to avoid damage to the *protected zone of protected trees*.

C.3 Non-Native Invasive Trees

9. The planting of *invasive trees* shall be prohibited.

10. During the discretionary *development* process, encourage the removal of existing, *non-native invasive trees* except when such *trees* are classified as a *protected tree*.

Programs

1. Prepare regulations within the CZO that implement *tree* protection provisions for offsite mitigation and in-lieu fees to ensure compensatory *native tree* mitigation on a project-by-project basis. Implementation standards shall be treated as an LCP amendment and shall be subject to the approval of the Coastal Commission.

2. Periodically review and update existing regulations or standards related to *protected trees* in order to bring them into alignment with new advances in *tree* protection and management, pursuant to a LCP amendment.

D. Visual Resources

The Ventura County *coastal zone* contains *scenic resources* of regional and national importance.

Objective

Maintain and enhance the County's scenic and visual resources for the future enjoyment of its residents and visitors, and maintain and enhance public safety.

[Staff Explanation: The proposed objective above establishes a basis for the development of sign policies within the CAP.]

Policies

Signs

1. *Signs* shall be located in areas that minimize impacts to *scenic resources* that protect views to and along the ocean and scenic coastal areas.

2. *Signs* shall be visually compatible with surrounding areas.

3. Off-site commercial advertising signs are prohibited.

[Staff Explanation: The proposed sign policies provide a basis for sign development standards within the CZO. Within the coastal zone, signs are considered development and can introduce a potential adverse effects if the sign is not sited and designed to minimize impacts to visual and scenic resources or is considered out of character with the surrounding community. Public Resources Code (PRC) § Section 30251 requires permitted development to be sited and designed to protect views to and along the ocean and scenic coastal areas and to be visually compatible with the character of surrounding areas. Policies 1 and 2 ensure a permitted sign's location and design does not impact scenic or visual resources.]

E. Water Efficient Landscaping

Waters of the state of California are of limited supply and are subject to ever increasing demands. On average, approximately 53 percent of urban water is used to irrigate landscaped areas in California.¹ While landscapes are essential to the quality of life in California by providing areas for active and passive recreation and as an enhancement to the environment by cleaning air and water, preventing erosion, offering fire protection, and replacing ecosystems lost to development, water conservation through landscaping offers the greatest single opportunity for water savings in the urban area.

The Water Conservation in Landscaping Act of 2006 (AB 1881) requires the Department of Water Resources (DWR) to adopt the State model water efficient landscape ordinance (State WELO). Local agencies may either adopt the State WELO or adopt a local water efficient landscape ordinance that is as effective at conserving water as the State WELO. The State WELO is set forth at California Code of Regulations at Chapter 2.7, Division 2 of Title 23. Section 8178-8 of the County's Coastal Zoning Ordinance incorporates the substantive requirements of the State WELO, and represents the County's local water efficiency landscape ordinance for the coastal zone that is as effective at conserving water as the State WELO.

Water-efficient landscaping, which must be designed, installed and maintained in accordance with an approved landscape plan, is required in new development and modification of existing development, as specified in Section 8178-8 of the CZO. The landscape plans must incorporate water conservation measures including the use of drought-tolerant native plants, irrigation systems that incorporate low water usage plumbing fixtures, proper soil preparation, maintenance, and watering schedule.

Objective

Require landscape design, installation, maintenance and management to be water efficient.

[Staff Explanation: The proposed objective above establishes a basis for the development of water efficient landscape policies within the CAP.]

Policies

[Staff Explanation: The proposed water efficient landscape policies below provide the policy basis for landscaping standards within the CZO.]

Footnotes:

¹ California Single-Family Water Use Efficiency Study, California Department of Water resources, Irvine Ranch Water District, 2011.

1. Landscaping shall be sited and designed to protect coastal resources, including environmentally sensitive habitat areas (ESHA), scenic resources, water quality, and water supply.
2. Landscaping shall be used to screen views of utilities, trash enclosures, large blank walls or building facades, and parking areas as seen from public viewing areas. Screening shall not be used as a substitute for project alternatives such as re-siting or reducing height or bulk of structures.
3. Residential projects that include a model home(s) shall provide at least one model home with landscaping and irrigation that demonstrates the principles of water conservation.
4. Landscaping adjacent to ESHA, designated open space and parkland areas shall preserve, protect and, where feasible, enhance such areas.
5. Landscape design shall be compatible with the character of the surrounding rural, urban, and environmental setting. Compatibility shall be established by minimizing landform alterations and by utilizing new vegetation that is similar in type, size and scale to the surrounding environment.
6. Landscaping visible from public viewing areas, including eligible or designated scenic highways shall not obstruct public views of scenic resources and shall not detract from the area's scenic value.
7. Landscaping shall not encroach or block coastal access or access to roads, water supplies, or emergency facilities.
8. When a landscape plan is required for a discretionary project, the plant palette shall be limited to native, drought-tolerant vegetation except as follows:
 - Non-native, non-invasive vegetation may be used when located within the approved building envelope.
 - Drought tolerant and fire resistant non-native plants, as approved by the Ventura County Fire Protection District, may be used in the fuel modification zone, except when the fuel modification zone is within an ESHA buffer.
 - When located in areas not conducive to native plant establishment.
9. Irrigation for landscaping shall incorporate water conservation measures such as low water usage plumbing fixtures, emitters, micro-spray, and other measures designed to reduce water usage.
10. When a landscape plan is required for a discretionary project, no invasive plant shall be included in the landscape plan.
11. Temporary vegetation, seeding, mulching, or other suitable stabilization methods shall be used to protect soils subject to erosion that were disturbed during grading or development. Any plants or seeds used in these stabilization efforts shall be non-invasive.
12. Projects that include large areas of landscaping, such as maintained parks, shall use recycled/reclaimed water for irrigation when such systems are available.
13. In order to protect the scenic resources in the coastal zone, landscaping, when mature, shall not impede public views of scenic resources. Existing natural features shall remain undisturbed to the maximum extent feasible.

Programs

1. Every five years, the Planning Division will review and, if needed, update existing regulations or standards within the Local Coastal Program (LCP) related to water

efficient landscaping in order to incorporate new advances in water conservation and climate-appropriate plants. The primary purpose of regulatory updates is to ensure that the County's water efficient landscape regulations comply with State requirements, including the Water Conservation in Landscaping Act (Government Code §§ 65591 et seq.) and its implementing regulations and requirements such as the model Water Efficient Landscape Ordinance (see Cal. Code Regs. tit. 23, §§ 490 et seq.).

The North Coast

Area Summary

The North Coast spans 12 miles from the northern County line at Rincon Point southward to the Ventura River. It encompasses coastal cliffs, formed by eroding marine terraces, a portion of the Santa Inez Mountains, narrow sandy beaches, rocky tidepools, and a perennial *stream*.

Approximately 90 percent of the area inland of Highway 101 is open space or *agriculture*. Most of the land is owned in large *parcels* of 20 to 40 acres, or more. Oil wells and related facilities are scattered throughout the area. U.S. Highway 101 and the tracks of the Southern Pacific Railroad wind along the narrow strip of land at the base of the mountains.

Six residential (1-6 below) and two (7 and 8 below) industrial "Existing Communities," as designated by the County in 1978, are located on the North Coast ([Figure 1](#)). The purpose of the "Existing Community" designation is to recognize the existing urban *development* along the coast, and to allow those specific areas to infill using prevailing zoning categories. The communities are:

1. Rincon Point - A 9.4 acre residential area with controlled *access*. It is zoned "C-R-1" (Coastal *One-Family* Residential, 7,000 square foot minimum *lot* size).
2. La Conchita - An older residential community, about two miles south of the Santa Barbara-Ventura County Line, east of U.S. Highway 101, that encompasses 19.0 acres and is zones "R-B" (Residential-Beach) and "C-C" (Coastal Commercial).
3. Mussel Shoals - A 5.6 acre mixed-density residential area. It is located west of U.S. Highway 101 and the Old Coast Highway, and is zoned "R-B" (Residential-Beach) and "C-C" (Coastal Commercial).
4. Seacliff - An area of 11.34 acres bounded on the north by freeway right-of-way, east by the Old Coast Highway, and to the south by Hobson County Park. The homes are *single-family* and zoning is "R-B".
5. Faria - A residential area west of U.S. Highway 101 and about 5.5 miles north of the City of San Buenaventura. It encompasses 20.7 acres. The area is zoned "R-B".
6. Solimar - Also zoned "R-B", this residential community is located between Old Coast Highway and the beach, approximately 3.75 miles north of the City of San Buenaventura.
7. Rincon - One of two industrial communities on the North Coast, it is approximately 395 acres in size, with 158 acres still potentially developable. It contains two processing facilities: the Rincon oil and gas processing facility and, what has been historically called, the Chanslor-Western/Coline facility. The major portion of *development* is inland of the freeway, and is zoned "C-M" (Coastal Industrial).
8. La Conchita - The oil and gas processing plant at La Conchita is the second industrial community. It encompasses 9.8 acres that are fully developed under "C-M" (Coastal Industrial) zoning.

Portions of the North Coast are set aside for recreation. Emma Wood State Beach, about seven miles south of Solimar, has 150 overnight campsites and also includes the popular surfing area at Rincon Point, Hobson County Park Faria County Park, and the Rincon Parkway have additional opportunities for camping and beach *access*. A fire station is located north of, and immediately adjacent to, the community of Seacliff.

Policies

1. All zoning and *development* shall be in conformance with the Land Use Plan map ([Figure 16.2](#)), which has been designed to reflect these goals and policies. The Zoning Compatibility Matrix ([Figure 33](#)) indicates the zones which are consistent with the various land *use* categories.
2. In case of reasonable doubt as to the precise alignment of land use boundaries on the Land Use Plan Maps, the *Planning Director* is authorized to determine the precise boundary locations. Such determinations must comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:
 - a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
 - b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Section 13569.

Environmentally Sensitive Habitats

A. Tidepools and Beaches

Tidepools occur at Faria, Mussel Shoals, Seacliff and Emma Wood State Beach ([Figure 1](#)). Subtidal rock outcrops provide anchorage for kelp, which in turn provides *habitat* for a multitude of organisms. Intertidal and subtidal diversity creates feeding *habitat* for a variety of water birds. The sandy beach adjacent to the rocky areas serves as resting *habitat* for shorebirds, and is important for shellfish and as grunion spawning grounds.

Objective

The protection of tidepools.

Policies

1. Shoreline interpretive programs will be coordinated by all appropriate agencies for existing recreation sites, including Hobson and Faria County Parks, and Emma Wood State Beach. Coastal ecology should be included into interpretive programs as they are developed for new State recreation areas and parks.
2. Provisions will be made for the proper disposal of recreation generated wastewater effluent and solid waste at public sites along the North Coast. County Service Area (CSA) 29 will help provide an acceptable wastewater disposal system for portions of the North Coast.
3. Shoreline protection *structures*, such as revetments, seawalls, groins, or breakwaters, are allowed when they are necessary to protect existing developments, coastal-dependent land *uses*, and public beaches. Any *structures* built under these conditions will incorporate mitigation measures that reduce intertidal or nearshore *habitat* losses and impacts on local shoreline and sand supply.

4. Placement of any *fill* or dredged material along the North Coast beach intertidal area shall be carried out in consultation with the State Department of Fish and ~~Game~~Wildlife, in order to ensure that the timing and location of such activities does not disrupt the life cycles of intertidal or sandy beach species.
5. An applicant for any coastal project, including *shoreline protective devices*, will show that their proposal will not cause long-term adverse impacts on beach or intertidal areas. Impacts include, but are not limited to, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated waste water or oil, and *runoff* from streets and parking areas. Findings to be made will include, but not be limited to, proper waste water disposal.
6. Policies 2 through 5 are also applicable to projects involving alterations to existing shoreline protection *structures*.
7. The adopted State "Guidelines for Wetlands and Other Wet, *Environmentally Sensitive Habitats*" will be used when analyzing any projects that may impact or alter tidepools.

B. Creek Corridors

Rincon Creek is the only perennial riparian corridor on the North Coast ([Figure 2](#)). However, other *stream* or creek corridors are considered to be watercourses, either perennial or intermittent, as shown on USGS quadrangle maps, as measured between the high water mark, or the break in each bank. Maintenance of *native vegetation* will help diffuse floods and *runoff*, minimize soil erosion, and retard sedimentation.

Objective

To maintain creek corridors in as natural a state as possible while still accommodating the needs of public health and safety.

Policies

1. All projects on land either in a *stream* or creek corridor or within 100 feet of such corridor (buffer area), shall be sited and designed to prevent impacts which would significantly degrade *riparian habitats*, and shall be compatible with the continuance of such *habitats*.
2. Substantial alterations (channelizations, dams, etc.) to river, *stream*, or creek corridors are limited to:
 - a. necessary water supply projects;
 - b. flood control projects where no other method for protecting existing *structures* in the flood plan is *feasible*, and where such protection is necessary for public safety or to protect existing development; or
 - c. developments where the primary function is the improvement of fish and wildlife *habitat*.
3. Projects allowed per the above policies will incorporate the best mitigation measures *feasible*.
4. Criteria set forth in the adopted Coastal Commission's "Statewide Interpretive Guidelines for Wetlands and Other *Environmentally Sensitive Wet Habitats*" will be used in evaluating projects proposed within the Rincon Creek corridor.

C. Film Production, Temporary

Policies

1. Temporary film production activities shall not result in substantial adverse impacts to ESHA or ESHA buffer, including indirect effects from outdoor lighting or noise.

D. Signs

Policies

1. Signs are prohibited within ESHA except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within ESHA or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent feasible.

~~Archaeological and Paleontological Resources~~

[Staff Explanation: The introductory language for archaeological resources has been amended, as shown above, consolidating all three coastal sub-area abstracts and providing a more descriptive overview of regional prehistory in order to present a context for understanding the importance of archaeological resources.]

~~A. Archaeology~~

~~The Ventura County coast is archaeologically and culturally significant to a variety of different groups. Earlier, it was the site of one of the densest Native American populations in North America. The promontories of Punta Gorda and Pitas Point on the North Coast were the focus of many activities of the Chumash, a sophisticated coastal people. Later came active maritime and mission periods. Much of the County's coastal zone, while archaeologically sensitive, has not been well surveyed (S. Callison, pers. comm.).~~

~~Recent research indicates that knowledge of the distribution and location of earlier human habitation sites will add yet another dimension to our understanding of climatic and environmental cycles, since villages throughout the southwest were closely associated with water sources, many of which are now dry (Euler et al. 1979).~~

~~The County's Public Works Agency reviews all major development applications for archaeological resources. Specific sites, however, are not named to avert disturbance or destruction.~~

~~Objective~~

[Staff Explanation: The CAP objective for archaeological resources are being amended to omit reference to specific coastal sub-areas and to consolidate the three objectives into one general objective that applies to all coastal areas.]

~~To recognize that archaeological sites in the County's coastal zone are as significant to an understanding of human and environmental history. To protect Coast archaeological sites from destruction to the maximum extent feasible.~~

~~Policies~~

[Staff Explanation: The County's CAP policies for archaeology are repeated under each sub-area and are duplicated in the CZO, which results in confusion between policy and implementing development standards. North Coast Policies 5 and 6 (which is the same as Central and South Coast Policies 4 and 5), will continue as policies in the CAP. The remaining policies constitute development regulations and are being incorporated into the CZO. Below each North Coast policy is a staff explanation describing where the amended policy/implementing action is located in the CZO and the proposed changes to the text. Because all of the coastal sub-area policies are identical, staff explanations are being

provided beneath the North Coast sub-area policies only, however, the Central and South Coast polices are provided below for reference.]

- ~~1. Based upon the location of a proposed project, Public Works may require the following work be performed as a permit condition:
 - a. High sensitivity area – Field survey and test pits
 - b. Medium to high sensitivity area – Field survey
 - c. Moderate to negligible – No fieldwork necessary~~

~~For projects located in an area (a) or (b), the applicant will have a qualified archaeologist assess the development impacts and cultural significance of the site. As may be appropriate, the Northridge Archaeological Research Center at Cal State Northridge should be contacted for a Native American Monitor or Native American approved archaeologist to observe and aid the work during excavation of auger holes, test pits, trenches or exposures (Appendix 2).~~

[Staff Explanation: Policy 1 has been moved to CZO Section 8178-3.1.2 Methodology and amended to remove outdated procedure for review of project sites for potential archaeological resources. Appendix 2 Archaeological Guidelines (1980) contains dated documents related to the Central Coast Communities regional offices of which Ventura County is not a part, outdated policy on access to archaeological site records, and an obsolete consultant list. However, information on the types of archaeological reports planners can expect and ways to review and evaluate them does provide good references. Due to limited project funding, Appendix 2 will not be amended and will continue to be a component of the CAP until such time as the CAP appendices can be updated.]

- ~~2. A summary of the qualifications of the archaeologist who performs the applicant's study will be presented with the rest of the required information.~~

[Staff Explanation: Policy 2 has been amended and moved to CZO Section 8178-3.1.2.2(a)(1) Methodology. Reference to requiring a summary of qualifications has been replaced by requiring archaeological reports to be prepared by an Archaeologist, Qualified Consultant. The Archaeologist, Qualified Consultant is required to conduct a records search using the California Historical Resources Information System (CHRIS). Because the CHRIS inventory contains confidential information, pursuant to state and federal law, the data is required to be protected from public disclosure. As a result, obtaining records from the CHRIS Information Center requires an Authorized User to meet the minimum qualifications of a professional in the disciplines of Archaeology, Architectural History, Architecture, Historic Architecture, or History, meets the requirements of the California State Personnel Board for the positions of Associate State Archaeologist or State Historian II, or is working under the supervision of an individual who qualifies for access to CHRIS. Hence, the County Planning Division will only accept an archaeological report that is prepared by an Archaeologist, Qualified Consultant (as defined by CZO Article 2).]

- ~~3. Human burials should not be removed from the ground without specific authorization, and under direction of, a Native American Monitor or Native American approved archaeologist.~~

[Staff Explanation: Policy 3 has been amended and moved to CZO Section 8178-3.1.3(c) through (f) Monitoring.]

~~4. Where significant archaeological resources have been identified on a site, a qualified archaeologist may be required to be present, at the applicant's expense, during all excavating, grading and other earth-moving activities.~~

[Staff Explanation: Policy 4 has been amended and moved to CZO Section 8178-3.1.3(a) Monitoring.]

~~5. Location of all coastal zone archaeological sites will be kept confidential to avert disturbance or destruction.~~

[Staff Explanation: Policy 5 has been amended and moved to the new general section for Archaeological Resources CAP Policy 4.]

~~6. Archaeological, historical and ethnobotanical interpretation of native peoples in Ventura County should be incorporated into existing interpretive programs as feasible and into future interpretive programs at public recreation areas as funds become available.~~

[Staff Explanation: Policy 6 has been amended and moved to the new general section for Archaeological Resources CAP Policy 3.]

~~7. Where new development would adversely impact archaeological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving the structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.~~

[Staff Explanation: Policy 7 has been amended and moved to CZO Section 8178-3.1.4 Mitigation.]

~~8. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

[Staff Explanation: Policy 8 has been amended and moved to CZO Section 8178-3.1.3(b) Monitoring. Proposed amendments omit reference to the Public Works Agency. Public Works was previously responsible for coordinating with the archaeologist given earth disturbing activities associated with the grading permit issued by the Public Works Agency has the potential to uncover archaeological resources. However, this responsibility has shifted to the Planning Division to ensure that the recommendations included in the archaeological report prepared for the project are developed as mitigation and conditions of the permit issued by the Planning Division.]

~~B. Paleontology~~

[Staff Explanation: The introductory language for paleontological resources has been amended to consolidate all three sub-area abstracts and provide a more descriptive overview of where important paleontological resources could potentially be discovered.]

~~The geological and biological history of the Ventura County coast is significant. The coastal zone contains areas with marine fossils that are among the best in Southern California (B. Welton, pers. comm.). Records in the Los Angeles County Museum of Natural History show extensive fossil sites in Ventura County. The coastal zone has yielded many "type" specimens, used as the example specimen against which all other finds of the same animal are compared. Groups of fossils in the marine terraces of the North Coast are currently being used to help geologists unravel patterns of seismic movement in the area (J. Valentine, pers. comm.).~~

Unlike archaeological sites, paleontological sites are not necessarily destroyed by grading and construction. In fact, grading will often expose additional rock layers and increase the potential for new finds.

Objective

[Staff Explanation: The CAP objectives for paleontological resources are repeated for all three coastal sub areas. Proposed amendments consolidate the three objectives into one general objective that applies to all coastal areas.]

To recognize the current and potential significance of coastal fossils to geological and biological knowledge of the County, and of popular interest in fossils. To preserve significant paleontological sites to the fullest extent possible, and to take steps to preserve the information a site may yield.

Policies

[Staff Explanation: Below each North Coast policy is a staff explanation describing where the amended policy/implementing action is in the CZO and the proposed changes to the text.]

1. Based upon the location of a proposed project on the Paleontological Sensitivity Map, to be prepared by the Los Angeles County Museum of Natural History, an evaluation of impacts on paleontological resources will be a consideration in the environmental review process.

[Staff Explanation: Policy 1 has been amended and moved to CZO Section 8178-3.2.2 Methodology.]

2. Consider adopting guidelines similar to those developed by the Los Angeles County Museum of Natural History for the City of Los Angeles as paleontology becomes part of the environmental review process.

[Staff Explanation: Policy 2 has been amended and moved to CZO Section 8178-3.2.2 Methodology. Although the Los Angeles County Museum of Natural History curatorial staff members are proficient in a wide range of disciplines, the Bureau of Land Management classification system for paleontological resources provides a more uniform tool to assess potential occurrences of paleontological resources and evaluate possible impacts. It uses geologic units as base data, which is more readily available to all users. It is intended to be applied in broad approach for planning efforts, and as an intermediate step in evaluating specific projects.]

3. Significant fossil discoveries will be reported to the Los Angeles County Museum of Natural History of appropriate scientists to ensure preservation of the information a site may yield.

[Staff Explanation: Policy 3 has been amended and moved to CZO Section 8178-3.2.2(b)(6) Methodology which requires the Paleontological Resources Monitoring and Mitigation Plan (PRMMP) to identify the curation location for specimens that are discovered.]

4. Fossil discoveries will also be reported to the County Cultural Heritage Board to ensure maintenance of the information in Ventura County.

[Staff Explanation: Policy 4 has been amended and incorporated into CZO Section 8178-3.2.2(b)(7) Methodology.]

5. Where new development would adversely impact paleontological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving the structure(s) to another site on the parcel, or not

~~constructing on the site, depending on the severity of the impacts and the significance of the resources.~~

[Staff Explanation: Policy 5 has been amended and restated in CAP policy 2. Recommended mitigation measures are listed by order of preference in CZO Section 8178-3.2.4(a).]

~~6. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

[Staff Explanation: Policy 6 has been amended and moved to CZO Section 8178-3.2.3(b) Monitoring. Proposed amendments omit reference to the Public Works Agency because the permittee is responsible for contacting the Planning Division and requiring the paleontological consultant to provide an evaluation of the nature and significance of the resources.]

Recreation and Access

A. Recreation

There are several developed, accessible recreation areas on the North Coast. [Figure 3](#) is a chart depicting both developed and undeveloped recreation and parking facilities, and [Figure 4](#) is a map showing the location of these facilities. A *parking lot* and broad accessway, maintained as an extension of Emma Wood State Beach, is located at Rincon Point. The area's waves attract a large number of surfers. Excellent rocky tidepools are another of the Point's attractive resources. The major segment of Emma Wood State Beach is found between Solimar and the Ventura River. The County maintains two park areas, Hobson and Faria County Parks. Both Hobson and Faria have sanitation difficulties and an acceptable way of disposing liquid waste from *recreational vehicles* must be found. Other popular North Coast recreation sites include the beach along Mussel Shoals and segments of U.S. Highway 101. There are no public conveniences or parking at Mussel Shoals, and many popular sections of U.S. 101 are not officially designated for *use* and therefore are not maintained. Trash and sanitation are major problems, and illegal camping and parking are frequent.

Parking and camping facilities are more than adequate for only 12 shoreline miles. Day *use* facilities, both marked and unmarked but now utilized, are sufficient to accommodate over 850 vehicles. Also, over 500 camping spaces are now available with the recent addition of 289 overnight spaces along the Rincon Parkway.

Over 70 percent of the shoreline (8.6 miles) is now owned and controlled by either the State (8.3 miles) or the County (0.3 miles). All the developed facilities shown on [Figure 3](#) have adopted *development* plans which have already been carried out or are being carried out. The State should augment existing facilities as deemed necessary and provide new facilities when and where appropriate.

Objective

To provide direction to the State, and local agencies as appropriate, for improving and increasing public recreational opportunities on the North Coast consistent with public health and safety, and the protection of private property rights.

Policies

General

1. Any state plans to augment existing facilities or develop new recreational facilities in unincorporated territory must first be submitted to the County for review and approval.

U.S. Highway 101

2. Camping should be restricted to areas where proper facilities are available.
3. Caltrans should provide trash cans where needed, and increase the frequency of trash pick-up along areas of the highway being used for recreational access to the beach.
4. Caltrans should provide at least one portable toilet along the segment of the highway that extends from Rincon Point to Punta Gorda.

Rincon Point State Surfer Access

5. Encourage the California Department of Fish and Game to work with State Parks to place a modest interpretive tidepool exhibit and collection prohibition *sign* in the *parking lot* or along the accessway at Rincon Point.

Hobson County Park and Faria County Park

6. Both parks are in County Service Area 29, but at this time are not scheduled for connection to the sewer system. Future consideration should be given to connecting to the sewer if on-site or self-contained systems prove infeasible.
7. Because of their extensive *use* by non-County residents, the County will continue to pursue transfer of both parks to the State Parks system.

Old Coast Highway (Rincon Parkway)

8. The State should continue to implement the Rincon Parkway Plan as adopted by the Board of Supervisors.

Emma Wood State Beach

9. The Property Administration Agency will continue to work with State Parks toward an agreement that extends the boundaries of Emma Wood State Beach to include the Rincon Parkway.
10. State Parks should construct additional camping spaces as planned in the Emma Wood State Beach General Plan.

B. Access

The narrowness of the North Coast shoreline, its vulnerability to coastal processes, plus consideration of private rights, prescribe public *access* to the area. People make their way to the beach primarily through Hobson and Faria County Parks, Emma Wood State Beach, the State-managed *parking lot* and accessway at Rincon Point, and the Rincon Parkway.

Public shoreline *access* is considerable on the North Coast. [Figure 5](#) is an inventory of *access*. Again, over 70 percent of the shoreline (8.6 miles) is now accessible via State or County-owned land. Additionally, good *vertical access* (within 1/2 mile) exists to the shoreline in front of all residential areas. These residential areas have very tight boundaries and cannot be expanded without an amendment to this Plan.

The County has received two grants through the Coastal Conservancy Accessway Program to improve *access* on the north coast. The first was for the purchase and installation of six galvanized steel ladders over the two seawalls along the Old Coast Highway, and one

concrete stairway over the riprap at the edge of one of the seawalls. The second grant was for construction of another concrete stairway over the riprap at the edge of the other seawall.

As other necessary improvements to existing accessways are identified, the County will seek funding to complete those improvements. Funding sources include the Coastal Conservancy and the California Conservation Corps.

Objective

1. To maximize public access to the North Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act. Also, to maintain and improve existing access, as funds become available.
2. To maintain or increase public access to coastal resources through increased parking capacity for vehicles and bicycles within the coastal zone.

[Staff Explanation: The proposed objective above establishes a basis for the development of related parking policies within the CAP. Also, the proposed policies below establish a basis for the development of related parking standards in the Coastal Zoning Ordinance.]

Policies

Vertical

1. For all new development between the first public road and the ocean, granting of an easement to allow vertical access to the mean high tide line shall be mandatory unless:
 - a. Adequate public access is already available within a reasonable distance of the site measures along the shoreline, or
 - b. Access at the site would result in unmitigable adverse impacts on areas designated as "environmentally sensitive habitats" or tidepools by the land use plan, or
 - c. Findings are made, consistent with Section 30212 of the Act, that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected, or
 - d. The parcel is too narrow to allow for an adequate vertical access corridor without adversely affecting the privacy of the property owner, or

Lateral

2. For all new development between the first public road and the ocean, granting of lateral easements to allow for public access along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas, where the bluffs exceed five feet in height, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for lateral access during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential structure. In addition, all fences, no trespassing signs, and other obstructions that may limit public lateral access shall be removed as a condition of development approval.
 - a. Findings are made, consistent with Section 30212 of the Act that access is inconsistent with public safety, military security needs, or that agriculture would be adversely affected.

Environmentally Sensitive Habitats

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

Rincon Point State Surfer Access

4. While the *parking lot* provided by State Parks is adequate at this time, it is full at the peak of surfing times. State Parks should anticipate the additional parking burden on the area as recreational demands increase in the next few years, and make appropriate accommodations. Long-range potential for the extension of bus service from Ventura and Oxnard along the Rincon Parkway to Rincon Point should also be explored by the California Department of Parks and Recreation and South Coast Area Transit.

U.S. Highway 101

5. Caltrans should provide trash containers and sufficient pick-up, and at least one toilet for day-use.
6. When funds become available, the County will work with Caltrans to resolve the *access* problems from the communities of La Conchita and Mussel Shoals.

Mussel Shoals

7. As new funds are available for continuing maintenance, the County will assume responsibility for *lateral accessway* dedication attached to existing Coastal Development Permits issued by the Coastal Commission in Mussel Shoals.

Emma Wood State Beach

8. Emma Wood State Beach should be extended to include the Rincon Parkway so that *access* is maintained for the maximum number of people.

General

9. In accordance with Sec. 30214(a), the time, place, and manner of *access* will depend on individual facts and circumstances; including topographic and site characteristics, the capacity of the site to sustain *use* at the intensity proposed, the proximity to adjacent residential *uses*, the privacy of adjacent owners, and the feasibility to provide for litter collection.
10. In accordance with Sec. 30214(b), the requirement of *access* shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

Film Production, Temporary

11. Temporary film production activities shall result in negligible impacts to coastal resources, public recreation facilities, and public access to such facilities.
12. During the peak summer season (Memorial Day through Labor Day weekend), temporary film production activities:
 - Shall not preclude the general public from use of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to access a public beach or public recreation facilities.

13. No new permanent structures shall be erected for temporary film production activities, and the film permit area shall be returned to pre-permit conditions following film production striking.

Parking and Loading

14. New development, and intensifications in use, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.

[Staff Explanation: This policy will ensure that adequate, on-site parking is provided for development, which is necessary to avoid impacts to public, on-street parking available for coastal access.]

15. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project applicant contributes to a program aimed at increasing coastal access parking. The following factors must be considered in determining whether a requested exception to off-street parking requirements should be granted:

- No additions or expansion to the structure are proposed and all existing on-site parking is retained;
- Business hours of operation are in the evening when beach recreational uses are low or non-existent;
- The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
- Shared parking, pursuant to section 8176-4.6 of the CZO, is not available to meet parking requirements; and
- Other transportation incentives programs listed in section 8176-4.8.1(b) of the CZO, are not feasible, or will not lessen the number of parking spaces required.

16. To promote the efficient use of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or mixed-use developments that accommodate multiple uses at different peak parking periods. Where feasible, such parking lots should accommodate public coastal access parking.

[Staff Explanation: Public on-street parking is used for a variety of land uses and as such is in short supply. This policy would encourage the use of off-street parking for coastal access when the business for which the parking is committed to is closed.]

17. Restrictions on public parking that would impede public coastal access shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety.

[Staff Explanation: Unless a public health and safety issue exists, restricting public on-street parking is inconsistent with the Coastal Act Policy 30211 which requires new development to not interfere with the public's right of access to coast which includes parking.]

18. New development that requires the removal of existing public parking shall provide an equivalent number of replacement public parking spaces in the immediate vicinity except where the provision of such parking is infeasible or alternatives are identified that offset the need for additional parking facilities.

[Staff Explanation: On-street public parking and public parking lots are in short supply. Removing parking spaces shifts the use to areas where parking is available, which may create over use and an adverse impact on coastal resources.]

19. Where feasible, new commercial, multi-family residential, or mixed-use development shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

[Staff Explanation: With a limited supply of public parking spaces, alternative transportation strategies provide an option for people to get to the beach who might not otherwise be able to get there due to lack in available parking spaces.]

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and parking use where coastal access parking concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available coastal access parking (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2) more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

[Staff Explanation: In 2014, Public Works provided traffic calming measures for the Silverstrand area including increasing the number of parking spaces on Roosevelt Boulevard by creating angled on-street parking. This project was undertaken with local funds based upon input from a series of town hall meetings. The proposed program is aimed at continuing this effort and finding solutions to existing deficiencies in coastal access parking and supporting the preservation of existing commercial areas within the coastal zone.]

Signs

The primary purpose of the sign policies in this section is to utilize signs to protect and improve access to the coastline or other coastal resources.

20. Coastal access signage shall be posted in conspicuous areas and located so that access is maintained and visitors are directed to publicly available coastal access parking, beach access points, and public trails.

21. For the California Coastal Trail, coastal access signage should include distinctive signs incorporating the California Coastal Commission coastal access logo (foot and wave) or markers, consistent with visual resources.

22. Signs shall be located in areas that maintain coastal access except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be removed once the public safety issue is resolved.

23. With the exception of road or informational signs, placement of signs within the public right-of-way shall be prohibited.

24. No signs shall be posted on a public beach unless authorized by a coastal development permit. Signs on a public beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

[Staff Explanation: Public Resources Code (PRC) § 30210 requires maximum access be provided to the coastline, and access routes shall be conspicuously posted. § 30211 prohibits development from interfering with the public's right to access the beach. Proposed policies would prohibit signs from impeding the public's access to the coast. PRC § Section 30251 requires permitted development to be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Policies 1 through 7 ensure a permitted sign's location and design does not impact scenic or visual resources.]

Agriculture

The Coastal Act states that a maximum of *prime agricultural land*, as originally defined by the California Land Conservation Act of 1965, will be preserved in the coastal zone. According to the U.S. Soil and Conservation Service, there are approximately 1,130 acres of prime soils on the North Coast ([Figure 6](#)).

Much of the sub-area is agricultural. According to the County Assessor's 1978 land use data and a site survey by staff, there are approximately 3,350 acres of agricultural land. Because many of the *parcels* are split by the *coastal zone* boundary, this figure is an estimate of the acres falling within the boundary. Agricultural uses include orchards and avocados, flowers, row crops, and pasture and range.

About 70 percent, or 2,300 acres, of the North coast agricultural lands are in four agricultural preserves under the California Land Conservation Act (a.k.a., the Williamson Act). The four preserves are:

1. Rincon Del Mar Preserve - Consists of three preserves, 409 acres of which are in the zone. The steep *slopes* have been *graded* to accommodate avocado orchards. The area is zoned "C-A" (Coastal Agricultural, 40-acre minimum *lot* size).
2. La Conchita Preserve - Immediately inland from the community of La Conchita, 342 acres of this preserve are in the coastal zone. The property has steep *slopes*, and avocado production is the primary agricultural use. The zoning for the 342 acres is "C-A".
3. Faria Family Partnership -Consists of a single *parcel* of 249.76 acres almost entirely within the coastal zone. A portion of the land is used for nursery and field crops, with the rest open field and hilly terrain. The zoning for the portion of the property within the *coastal zone* is "C-A".
4. Claeysen (Taylor) Ranch Preserve - Seven *parcels* with *coastal zone* portions ranging in size from 15 to 290 acres, totaling about 1,320 acres. Grazing and row crops near the Ventura River are the primary agricultural uses. The zoning for the lands within the *coastal zone* is "C-A". On its southern boundaries, the Claeysen Ranch is adjacent to the City of San Buenaventura. Both the City and the County have agreed to maintain a stable urban boundary at the Ventura River levee.

There is approximately 1,000 acres of non-preserve agricultural lands located in the North Coast area. Prime soils occur on about 130 of the 1,000 acres ([Figure 6](#)). Most of the 130 acres is zones "C-A" (Coastal Agricultural, 40 acre minimum). The rest of the non-preserve agricultural acreage is primarily zoned "COS" (Coastal Open Space, 10 acre minimum). These other agricultural lands occur in *parcel* sizes of seven to 65 acres.

Objective

To preserve agricultural lands on the North Coast to the maximum extent *feasible*.

Policies

1. Soils will be conserved and erosion minimized by the *use* of best grading management practices as set forth by the Soil Conservation Service.
2. Land divisions in, or adjacent to, agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Agency Formation Commission (LAFCO) should exclude agricultural lands outside of the Coastal Area Plan's "stable urban boundary" line ([see Figure 16.2](#)), from any new or expanded service districts that could negatively impact agricultural viability.
4. New or expanded *public works facilities* will be sited or designed to mitigate environmental impacts on agricultural lands.
5. As *aquaculture* develops it will be considered as a potential agricultural *use* in appropriate areas.
6. *Non-prime agricultural land* defined as agricultural land, other than *prime agricultural lands* (as defined in Public Resources Section 30113), used or suitable for crops or grazing shall be designated as *Agriculture* with a minimum acreage size of 200 acres (1 DU/200 acres).

Hazards

The North Coast skirts the edge of a geologically complex and active area. Within *coastal zone* boundaries is a portion of the Santa Ynez Mountains, formed by thrust faulting and east-west fold. Sedimentary Miocene marine terraces reach from the mountains to the ocean, where they have been eroded to prominent sea cliffs.

Underlying the area is the Red Mountain Thrust Fault and its branches, including the Padre Juan Fault ([Figure 7](#)). There has been seismic activity in this fault zone within the past 20,000 years. Under the Alquist-Priolo Act of 1972, the California Division of Mines and Geology designated the Red Mountain Fault as a "special studies zone" ([Figure 8](#)). This means that engineering geology reports may be required for some new *coastal zone development* within the designated area. Included within the special studies zone is a portion of the La Conchita Community, the La Conchita oil and gas processing facility, and the Rincon oil and gas processing facility. Ventura County has adopted an ordinance that implements the Act.

Short periods of low to moderate groundshaking are a potential North Coast hazard. Low coastal terraces could be subject to liquefaction where groundwater is less than 15 feet from the surface. Tsunamis could occur along the North Coast where elevations are less than 30 feet above mean sea level. Landslides and mass earth movement pose severe hazard potential where *slopes* are greater than 25 percent ([Figure 7](#)). Construction, grading, seismicity, irrigation, septic tanks and intense rainfall all contribute to erosion and *slope* failure. Moderate to highly expansive soils interlaced throughout the area also

contribute to *slope* instability. Slides closed the North Coast northbound segment of Highway 101 during the winter storms of 1978 and 1980.

Five creeks wind through the steep canyons and empty into the ocean on the North Coast. Rincon Creek is the only perennial *stream*. Madriano, Javon, Padre Juan and Line Creeks are intermittent. The flood plain of the Ventura River forms the eastern boundary of the area. The Ventura County Flood Control District does not have any proposals for flood control projects in this portion of the coastal zone.

Nevertheless, the drainages present some hazards, including erosion and *slope* failure along *stream* banks, rapid *runoff* and sheet flooding, and seepage along lower coastal terraces.

Also of concern as a hazard is the fire-adapted chaparral vegetation of some steep *slopes*. Particularly during the summer droughts, many of the plants dry out and become dormant. If the dead plant material is allowed to accumulate over a number of years the stage is set for explosive wild fire (Barbour and Major 1977). *Emergency access* to the more mountainous areas is extremely limited. A major portion of the area around the North Coast's Rincon and Red Mountains is recognized as an "extreme" fire hazard area in the County's General Plan Hazards Appendix.

The General Plan Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an Initial Study on a proposed project to determine the need for an EIR. Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of the projects.

Objective

To protect public safety and property from naturally-occurring and human-induced hazards as provided in County ordinances.

Policies

1. The County's existing General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provides direction for geologic, seismic, flood and fire hazard.
2. New *development* shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
3. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismics safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.
4. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed development.
5. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
6. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.
7. The North Coast portion of the Santa Ynez Mountains requires special attention, and the following formula and minimum *lot* sizes will be utilized as new land divisions are proposed in the "Open Space" or "Agricultural" designations:
 - a. The following *slope/density formula* will be used to compute the *average slope* of property proposed to be subdivided:

Ventura County General Plan – COASTAL AREA PLAN (9-16-08 edition)

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

where:

S = average slope (%)

I = contour interval (ft.)

L = total length of all contour lines (ft.)

A = total area of the lot (sq. ft.)

- b. Once the *average slope* has been computed, the following table will be used to determine a minimum lot size for newly proposed lots:

0% - 15%	=	10 acres
15.1% - 20%	=	20 acres
20.1% - 25%	=	30 acres
25.1% - 35%	=	40 acres
35.1% & above	=	100 acres

8. A landscaping plan for fire and erosion control will be submitted for any new *development* located in ~~Fire Zone 4~~ high fire hazard areas. As many native plants as *feasible* should be used. Information on kinds and sources of these plants are available through the County.

[Staff Explanation: Removes outdated reference to "Fire Zone 4".]

Beach Erosion

The North Coast beaches are highly vulnerable to erosion and wave damage. Dredging operations in Santa Barbara Harbor alter sand transport down coast. Without adequate replacement sand, high tides and waves erode the beaches. Beachside designated "Existing Communities" are losing beach front during these times, and seawalls are being undermined, critically endangering residences. Affected areas are:

I. Mussel Shoals

Exhibits seasonal fluctuations in the amount of sand. A seawall had to be constructed during the 1978 winter storms. Erosion is gradual now, but may accelerate later. The California Department of Navigation and Ocean Development (DNOD) has noted the area to be "Present Use Critical," which means that existing shoreline facilities are subject to erosion from wave action (Appendix 5).

II. Seacliff

Homes flood during storms and high tides. Construction of the U.S. Highway 101 overpass north of the colony obstructed sand transport and beach replenishment. To retard erosion at Seacliff and Hobson County Park, Caltrans built a seawall that is now deteriorating. Current zoning allows for the construction of further beach residential units. However, unless the seawall is reviewed for structural adequacy, more flooding may occur.

III. Hobson County Park

Severe *beach erosion* prompted Caltrans to build a revetment. The intensity of wave action in the area has led to concerns about the wall's structural adequacy - it may need additional improvements.

IV. Faria Beach Park

Has been severely damaged by erosion at the rate of about 1.3 feet of shoreline per year and the park has been closed several times because of storm debris (U.S. Army Corps of Engineers 1978). The Department of Navigation and Ocean Development has also classified this area as "Present Use Critical". At the current rate of erosion, protective *structures* will be needed to preserve the recreation area. The County's Property Administration Agency is in the process of initiating these improvements.

V. Faria Beach Colony

Erosion and flooding at high tide are continuing problems. Seawalls are being undermined. The Department of Navigation and Ocean Development sees this area as "Future Use Critical".

VI. Solimar Beach Colony

Erosion is weakening the existing seawalls. If homes are to be protected, then improvements will have to be made. This area is "Present Use Critical".

VII. Old Coast Highway

Waves top the revetment and create intermittent hazards for motorists.

VIII. Emma Wood State Beach

The beach is eroding 0.6 feet annually, and recent winter storms have caused extensive damage and led to closure. The Department of Navigation and Ocean Development recognizes a portion of the park as "Future Use Critical" and another segment as "Present Use Critical".

Objective

To protect public safety and property from *beach erosion* as provided in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
2. All shoreline protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.
3. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.
4. The County's Building and Safety Department will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
5. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant will then be required to obtain an engineering report that specifies how those impacts will be mitigated.
6. Permitted shoreline *structures* will not interfere with public rights of *access* to the shoreline.

Energy and Industrial Facilities

I. Oil and Gas Facilities:

Three onshore oil fields in production on the North Coast of Ventura County are either within or very close to the *coastal zone* ([Figure 9](#)):

- Rincon Field - Located north of Pitas Point, with both onshore and offshore portions. The onshore portion comprises about 75 percent of the proven acreage of the field. While the Rincon Field is one of the largest producing fields in the County, its production has declined in recent years, as has the production of all County fields.
- San Miguelito Field - Located south of Pitas Point, and extending into the mountainous area outside the coastal zone. There have been various operators in this field over time. Only a portion of this lease is within the coastal zone. There is a seawater treatment facility within this field, south of Pitas Point adjacent to the 101 Freeway which is in the coastal zone.
- Ventura Field - The Ventura Field is entirely outside the *coastal zone* boundary, but nevertheless close to the sub-area.

Ventura County has issued several Conditional Use Permits for oil drilling and related activities on the North Coast ([Figure 10](#)). Existing and anticipated future onshore oil drilling/production activities within the *coastal zone* are confined to the known limits of the above oil fields. It is not the intention of the Plan to preclude *oil and gas exploration* and *development* outside the limits of these fields, except as otherwise noted in the energy policies.

There are six separation and treatment facilities on the North Coast, one of which is outside the coastal zone. Two, the Rincon Oil and Gas Processing Facility and the La Conchita Oil and Gas Processing Facility, are used exclusively to process production from Outer Continental Shelf (OCS) leases. These facilities are within the North Coast "Existing Community" designation, which allows expansion of the facilities per the existing zoning on the sites ([Figures 9](#) and [10](#)).

- Rincon Oil and Gas Processing Facility - This separation treatment facility has a net design capacity of 110,000 barrels of oil per day (BOPD) and 15 million cubic feet of natural gas per day (MMCF/D). Currently, there is about 98,000 BOPD and 7 MMDF/D of unused capacity. Approximately 15 acres adjacent to the existing 32 acre facility could be utilized for plant expansion with a minimum of grading. The site is zoned "C-M" (Coastal Industrial). Also located on the site is a 268,000 barrel storage tank.
- La Conchita Oil and Gas Processing Facility - Also a separation treatment facility, it covers a total of 16 acres, 11 of which are developed. The site is zoned "C-M" (Coastal Industrial). Net design capacity is 27,000 BOPD and 22 MMCF/D. Currently, there are about 3,000 BOPD and 20 MMCD/D of unused capacity. About five acres of the site can be used for expansion.

The other separation treatment facilities on the North Coast are located at the base of the mountains below the Rincon Oil and Gas Processing Facility, inland of the U.S. Highway 101. Historically, these facilities have been called the Mobil-Ferguson, Cabot-Rincon, and Chanslor/Coline facilities. These facilities' expansion possibilities are extremely limited due to the size of the sites and the marginal amount of usable land.

The coastal onshore oil and gas fields have been experiencing declining production in recent years, thus there is sufficient capacity within existing separation/treatment facilities to handle onshore production. Additionally, the current unused capacity of the Rincon and La Conchita oil and gas processing facilities is projected to be sufficient to accommodate all anticipated future production from known reserves in the eastern

Santa Barbara Channel. Furthermore, the Rincon facility has enough available land to expand its throughput to accommodate all projected future production in the Channel. Therefore, no new separation/treatment facilities are necessary on the North Coast.

II. Pipelines

There are two offshore pipelines and landfall sites on the North Coast. These are the Dos Cuadros Pipeline that transports OCS oil and gas to the Rincon facility. The landfall site is just north of the Seacliff Community in the Rincon area. The other offshore pipeline is the Carpinteria OCS Pipeline with a landfall site about 0.25 miles northwest of the community of La Conchita.

In addition to the two offshore pipelines there are six onshore pipelines. Five of these are "private carriers" while the sixth is a "common carrier" and subject to regulation by the PUC. The "common carrier" is a pipeline that connects the La Conchita oil and gas processing facility with the Rincon oil and gas processing facility.

The Ventura County Coastal Zoning Ordinance sets forth the regulations for pipelines and facilities in the Coastal Zone.

III. Other Facilities

During the exploratory drilling phase of offshore oil development, temporary service bases, known as staging areas, are needed areas for shipping equipment, supplies, and personnel to offshore sites. All are small operations that require limited acreage and are leased on a short-term basis. Staging areas should be allowed in all areas subject to industrial zoning and a CUP to ensure compliance with this Plan. No existing industrial or energy facilities, except pipelines, are located between the U.S. Highway 101 and the shoreline. In addition, no electrical facilities are sited on the North Coast. Southern California Edison Company identified a potential need back in the early 1980's for an electrical generating substation, near La Conchita. There is a relatively flat *parcel* of sufficient size for a substation just northerly of La Conchita.

IV. Industrial Facilities

The Coastal Act offers only limited guidance in siting coastal-dependent industrial facilities in "Urban" versus "Rural/Open Space" areas. For purposes of this Plan, new industrial *development* requiring a "Coastal Industrial" (C-M) zone, will be considered urban development. Oil drilling activities have not been considered "Urban" in nature, and are therefore allowed in most County areas by Conditional Use Permit. Additionally, industrial facilities are permitted in unincorporated areas if they are within "Existing Community" areas designated by the Board of Supervisors. The only industrial facilities on the North Coast are those energy-related facilities previously described.

Objective

To allow continued exploration and production of oil and gas in most of the North Coast sub-area, and to allow the necessary expansion of major, existing processing facilities while meeting Coastal Act and County objectives and maintaining environmental quality.

Policies

1. All land between U.S. Highway 101 (Ventura Freeway) and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*," will be considered as unacceptable for new energy and industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between U.S. Highway 101 (Ventura Freeway) and the landward *coastal zone* boundary, oil drilling and directly related facilities are

permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone, or expansion of existing facilities will be permitted, unless located in an area designated "Industrial."

3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to section 8175-~~8~~5.7.8) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and the location.
4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 (below), transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the Coastal Zone related to oil and gas development.

- m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.
 6. All anticipated future offshore oil and gas production in the eastern Santa Barbara Channel to be processed in Ventura County shall utilize the Rincon or La Conchita oil and gas processing facilities for onshore separation/treatment, unless it is not technically or economically *feasible*.
 7. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
 8. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
 9. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
 10. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
 11. All offshore to onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
 12. Except for pipelines exempted from coastal *development* permits under section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.
 13. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an

assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
15. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or *archaeological resources*, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
16. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, under grounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
17. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to section 328 of the Federal Clean Air Act (42 USC § 7627), all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.
18. *Experimental uses* that provide energy from alternative sources, such as wind or solar, may be permitted by Conditional Use Permit in areas designated "Open Space."
19. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
20. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related industrial facility supporting such *development* is defined as "*coastal-dependent development*" or

"*coastal-related development*", based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

The North Coast has a variety of service constraints. While the Casitas Municipal Water District can provide water to the area for at least the next 20 years, sanitation is a significant problem. Subsurface sewage disposal at Faria Beach, Seacliff, Solimar, and Mussel Shoals is limited by soils, inadequate *lot* sizes for leach field expansion, out-dated facilities that do not meet current septic tank design standards, high groundwater, high rate septic tank failure, and increased pumping rates. The Board of Supervisors has authorized the formation of County Service Area No. 29, and a sewer system is being designed for those portions of the North Coast.

Transportation issues include providing adequate, safe *access* to and from U.S. Highway 101 for the communities of La Conchita and Mussel Shoals, and road construction or improvement that does not adversely impact agricultural lands. Ocean View Road is the only public *access* to agricultural lands along the bluff tops. It is a County road, but does not meet design and fire standards. On July 12, 1979, the Board of Supervisors approved a Public Works Agency recommendation to develop an assessment district to finance proposed improvements, and a County Service Area for road maintenance.

If traffic continues to increase on U.S. Highway 101 as projected in the Los Angeles Regional Transportation Study, then some of the North Coast communities will have even more restricted *access*, particularly where the Southern Pacific Railroad tracks have to be crossed at La Conchita. Additionally, U.S. Highway 101 has been proposed as a State Scenic Highway from its junction with Highway 1, near the City of Ventura, to the Santa Barbara County Line.

Objective

To maintain current service levels for existing developments.

Policies

1. New or expanded *public works facilities* (including roads, flood control measures, water and sanitation) will be designed to serve the potential population within the subarea's boundaries, and to mitigate impacts on agricultural, open space lands, or *environmentally sensitive habitats*.
2. Services are limited to existing areas defined in the Coastal Commission permit for the North Coast sewer (Regional Application 208-03). Any changes or extension of services will require a new permit.
3. When funds become available the State should improve the potentially dangerous highway crossings at Mussel Shoals and La Conchita.
4. New service extensions required beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.

Locating and Planning New Development

I. Residential

Residential *development* in the North Coast sub-area will occur mainly within the "Existing Communities" as approved by the Board of Supervisors in 1978. Those communities are: Rincon Point, La Conchita, Mussel Shoals, Seacliff, Faria, and Solimar.

Under the "Existing Community" designation, the areas are allowed to build out to the *building* intensity permitted under the prevailing zoning.

Presently, all *development* utilizes individual septic tank systems; however, the Ventura Regional County Sanitation District (VRCSD) has received a federal grant to develop a sewage system consisting of: 1) a low pressure sewer line to serve the areas of Mussel Shoals, Seacliff, Faria, and Solimar; and 2) an On-Site Wastewater Management Zone (OSWMZ) for Rincon Point and La Conchita. In December 1978, County Service Area (CSA) 29 was formed and on July 3, 1979, the Board of Supervisors approved the Environmental Impact Report and authorized the filing of a Step II grant for the facilities design. The low pressure sewer line would connect with the City of San Buenaventura's sewage treatment plant.

II. Commercial

Commercial *development* in the North Coast sub-area occurs in the La Conchita "Existing Community." Four *parcels* in La Conchita are zoned "C-C" (Coastal Commercial). These *parcels* are located north of the Southern Pacific Railroad tracks at Santa Barbara Avenue.

Within the Mussel Shoals "Existing Community" area is "Cliff House," an 18-unit *multi-family* residential *dwelling* facility. This *parcel* is zoned "C-C" (Coastal Commercial).

Future commercial *development* in La Conchita or Mussel Shoals could impact traffic and left turn movements on Highway 101. For this reason and because of the limited amount of new residential *development* anticipated, more commercial *development* is not necessary.

Objective

To allow the continued build-out of the "Existing Community" areas consistent with the County's General Plan and regional goals within the AQMP and "208" Plan.

Policies

1. The six residential "Existing Communities" of Rincon Point, La Conchita, Mussel Shoals, Seacliff, Faria, and Solimar will be allowed to build-out according to their land *use* designations and prevailing base zoning. [Figures 11-16](#) depict these areas.
2. Any new *development* in "Open Space" or "Agriculture" designated areas on *slopes* greater than 15 percent will conform with the policies and *slope/density formula* developed in the Hazards Section of this Coastal (Area) Plan.
3. The Cliff House property in Mussel Shoals (APN 060-0-090-195) shall be restricted to visitor-serving commercial *uses*, including overnight accommodations.

Potential Conflicts

Unincorporated Lands in City Area of Interest:

The extension of the City of San Buenaventura's urban boundary northwesterly into the Taylor Ranch, an unincorporated agricultural preserve northerly from Hwy. 101, has historically been a potential source of conflict. Section 30241 of the Coastal Act is most specific about maintaining a maximum amount of *prime agricultural land* and delineating stable urban-rural boundaries. Further expansion of the City Sphere of Influence could induce *development* not only on the ranch, but on adjacent agricultural lands as well.

The potential land *use* conflicts in this instance have been averted. Both the City and the County have recognized the Ventura River levee and the city's westerly city limits as a logical, stable urban boundary in their *Local Coastal Programs*, and the Local Agency Formation Commission (LAFCO) has designed the Sphere of Influence

boundaries to conform to those boundaries indicated in both the City's and County's Coastal Plans.

Figure 1
Environmentally Sensitive Habitats on the North Coast

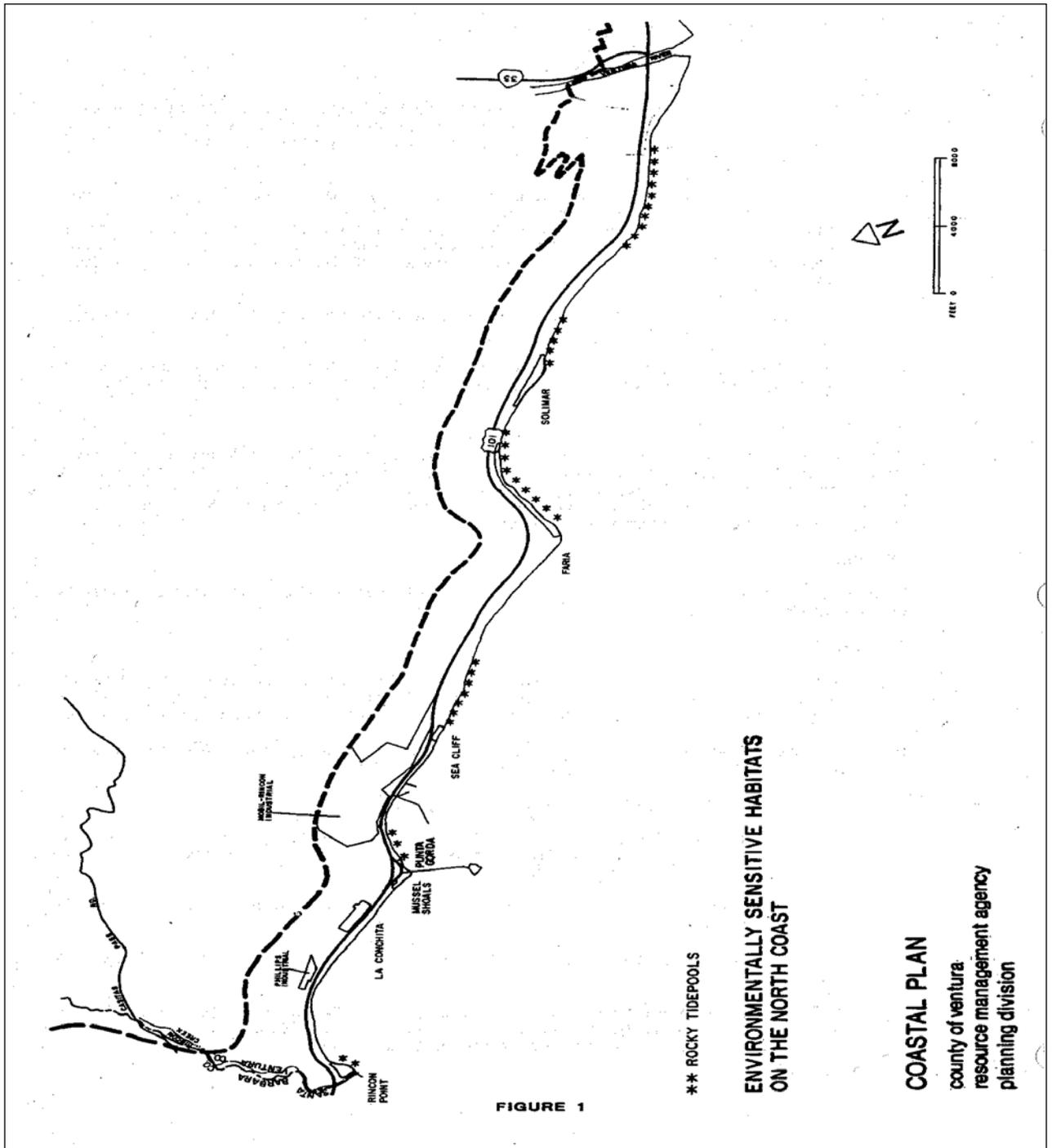


Figure 2
Rincon Creek

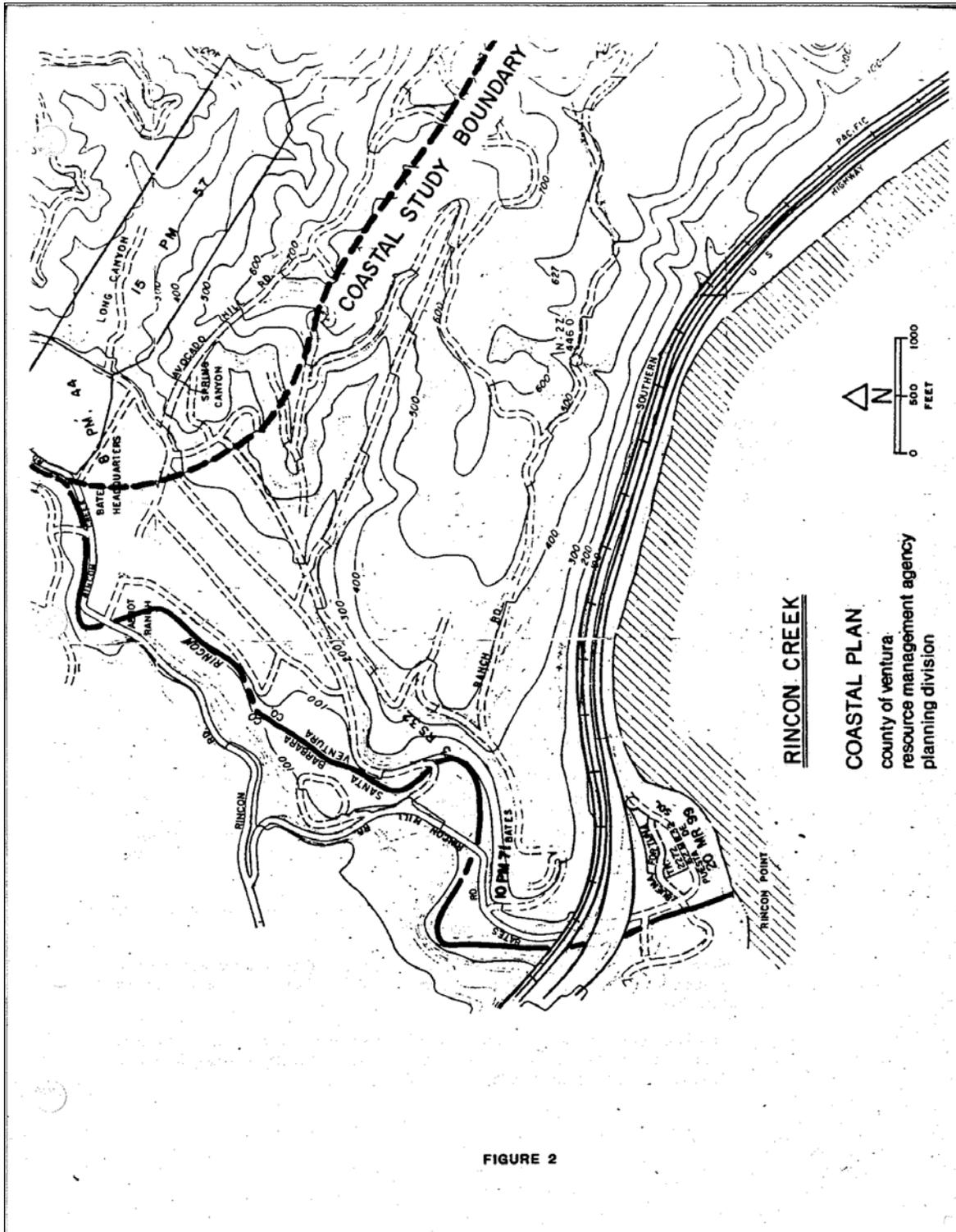


FIGURE 2

Figure 3
North Coast Recreation and Parking Facilities

Facilities	Total Acreage	Linear Frontage (Ft.)	Number Of Parking Spaces	Number Of Camping Spaces
Developed Facilities				
Rincon Point State Surfer Access	2.67	75	67	-
Hobson County Park	1.17	679	-	29
Faria County Park	2.4	684	-	45
Rincon Parkway	-	11,700	180	289
Emma Wood State Beach	100.94	16,000	100 (within City of San Buena Ventura)	150
Undeveloped Facilities				
Highway 1 - Rincon Point to Punta Gorda	-	8,200	270*	
Highway 1 - Punta Gorda to Seacliff	-	8,000	260*	
TOTALS	45,338 linear ft. (8.6 miles)	877	513	

Source: Recreation and Access LCP Issue Paper, Ventura County Resource Management Agency, 1980

Footnotes:

* Unmarked spaces - assumed 30 ft. per space

Figure 5
North Coast Access Inventory

NO.*	Name & Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By	Remarks
1.	Rincon Point State Surfer Park, West of 101 at County Line	Park	2.67 ac.	75 ft.	Yes	---	State Parks	State Parks	
2.	Highway 1 Rincon Point to Punta Gorda	Parking	---	8,200 ft.	Yes	No	Caltrans	Caltrans	Undeveloped facility - consists of unmarked parking along Old Coast Highway.
		Lateral							
		Vertical							
3.	Highway 1 Punta Gorda to Seacliff	Parking	---	8,000 ft.	Yes	No	Caltrans	Caltrans	Same as above.
		Lateral							
		Vertical							
4.	Hobson County Park West of 101, South of Seacliff	Park	1.7 ac	679 ft.	Yes	Yes	County	County	
5.	Rincon Parkway	Parking	---	11,700 ft.	Yes	Yes	Caltrans	Caltrans	Includes two improvements to beach seawall to construct ladders to improve <i>vertical access</i> . Ladders maintained by Ventura Co.
		Lateral							
		Vertical							
6.	Faria Co. Park South of 101, 5.5 miles west of Ventura	Park	2.4 ac.	684 ft.	Yes	Yes	County	County	
7.	4270 Faria Road Faria Tract	Lateral	To Seawall	43 ft.	Yes	No	Private	Owner	Pass and Repass only.
8.	3912-3024 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	150 ft.	Yes	No	Private	Owner	Pass and Repass only.
9.	3488 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	27 ft.	Yes	No	Private	Owner	Pass and Repass only.
10.	3438 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	35 ft.	Yes	No	Private	Owner	Pass and Repass only.
11.	3974 Pacific Coast Highway, Faria Tract	Lateral	To Seawall	50 ft.	Yes	No	Private	Owner	Pass and Repass only.
12.	Emma Wood State Beach West of 101, 3 miles north of Ventura	Park	100 ac.	16,000 ft.	Yes	Yes	State Parks	State Parks	

Footnotes:

* Keyed to Local Coastal Area Plan Land Use Map for the North Coast, Figure 16.2 (Separate Map) 6/20/89

Figure 6
Agricultural Preserves and Prime Soils on the North Coast

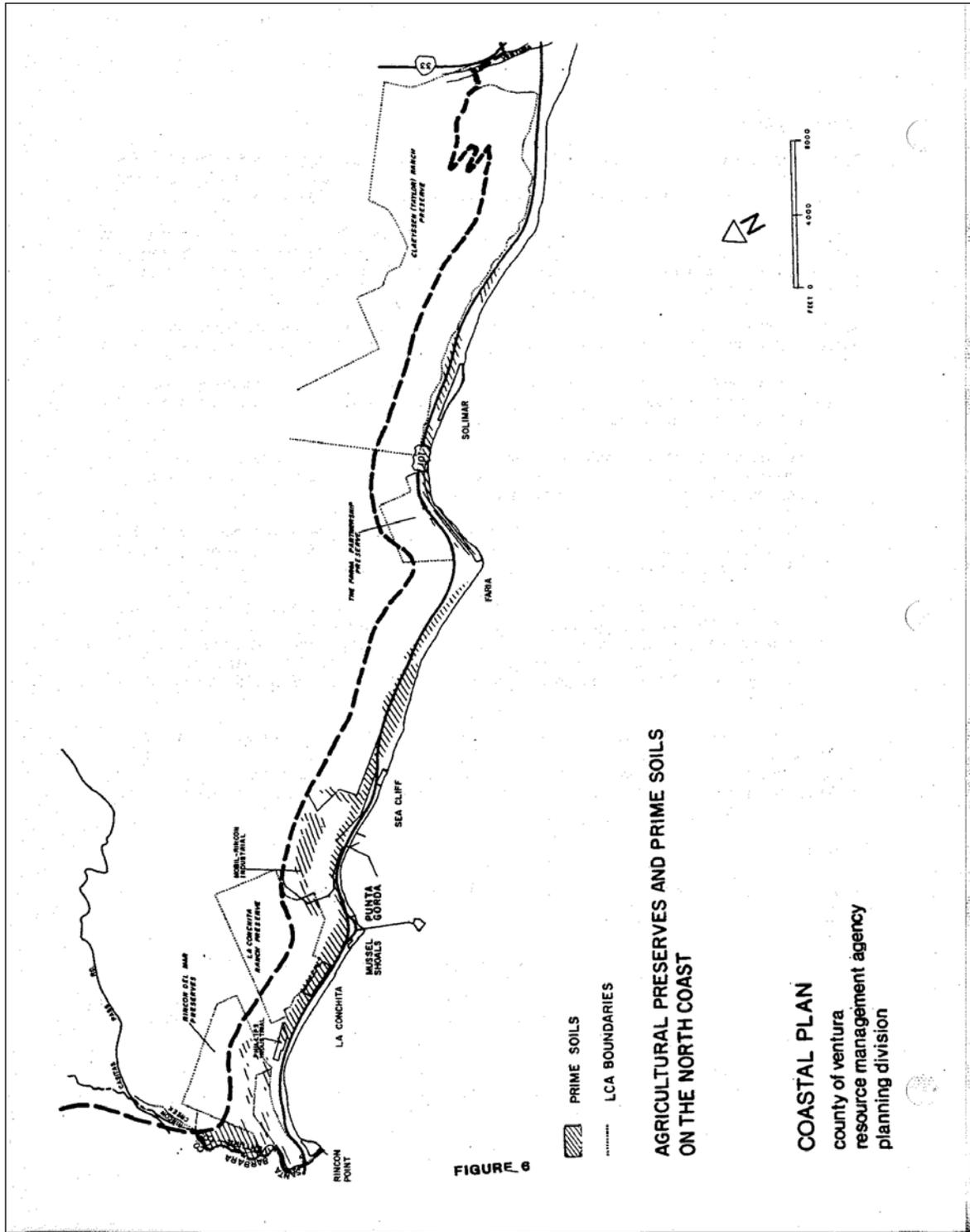


Figure 8
Pitas Point Quadrangle (Portion) Special Studies Zones

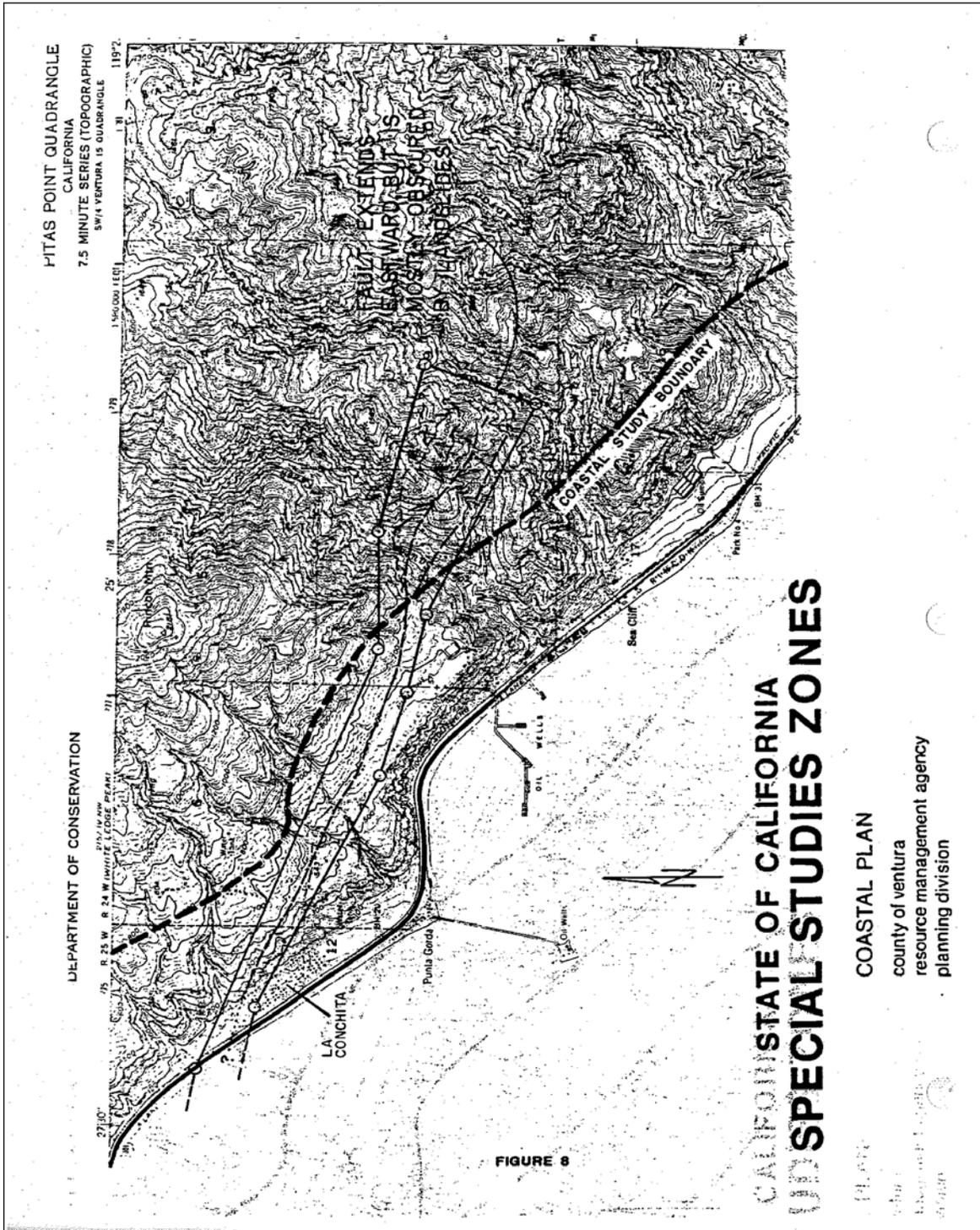


Figure 9
Existing OCS and Tideland Leases and Oil Facilities
on the North Coast

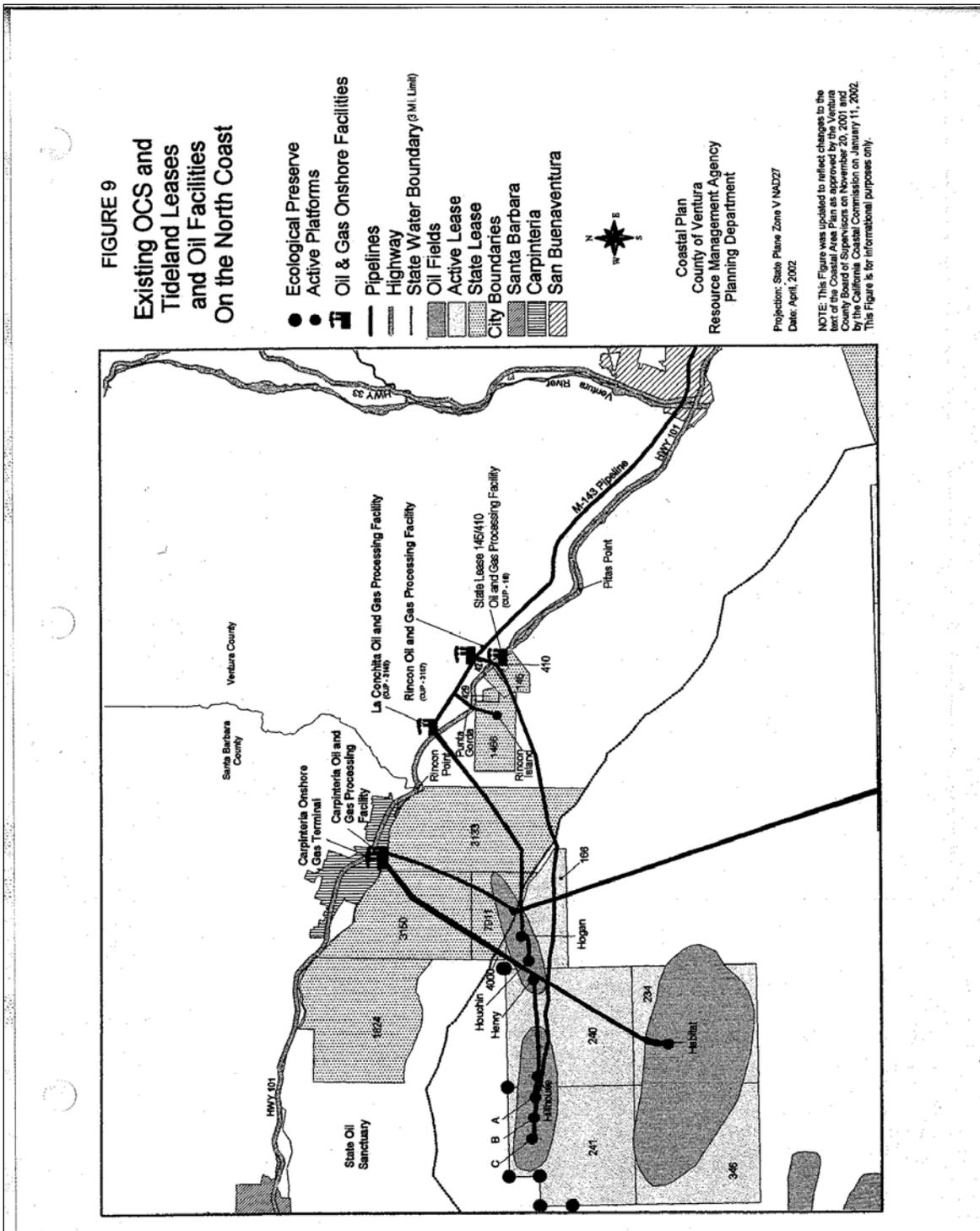


Figure 10
Energy Facilities on the North Coast

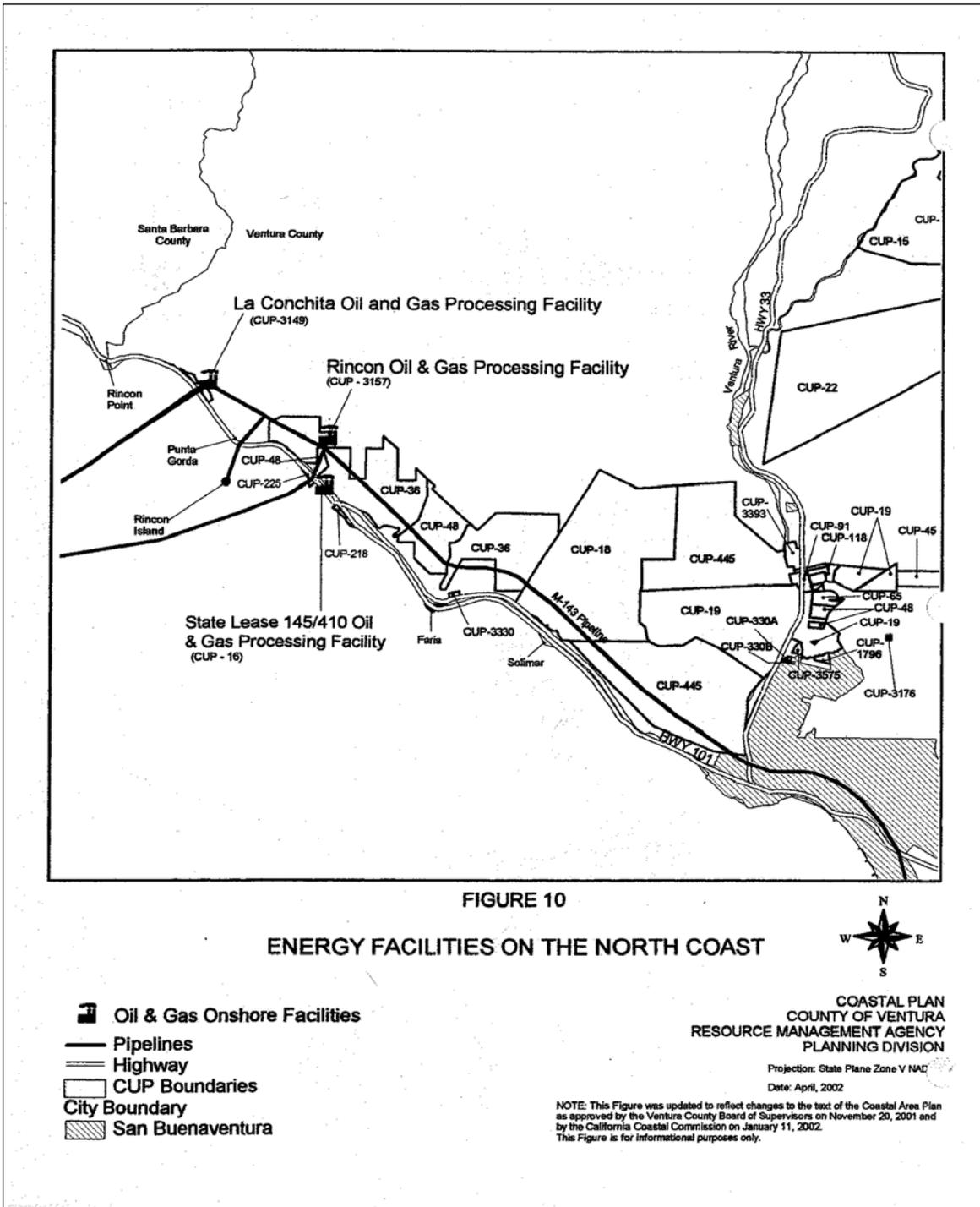


Figure 11
Rincon Point Residential Community

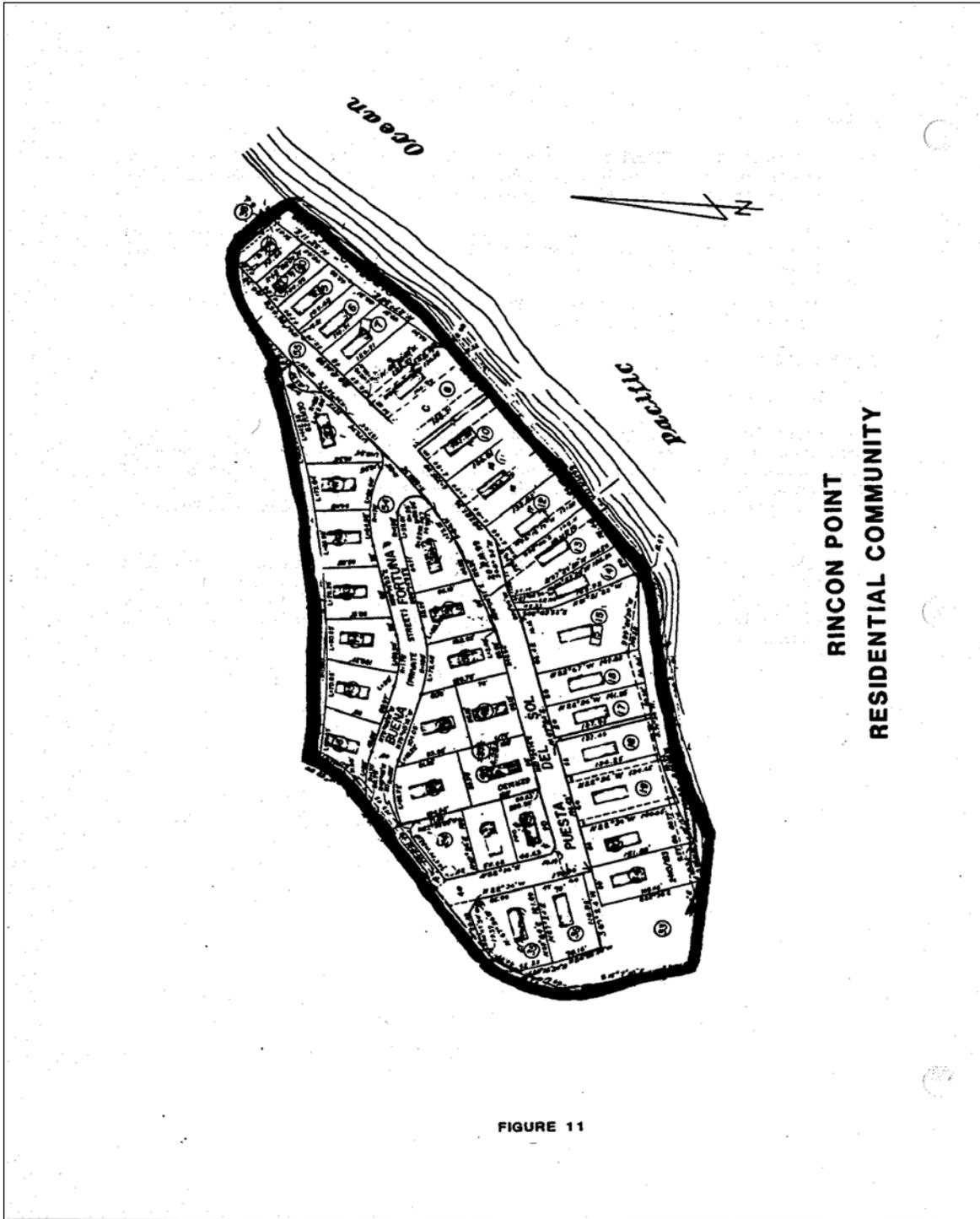


FIGURE 11

Figure 13
Mussel Shoals Residential Community

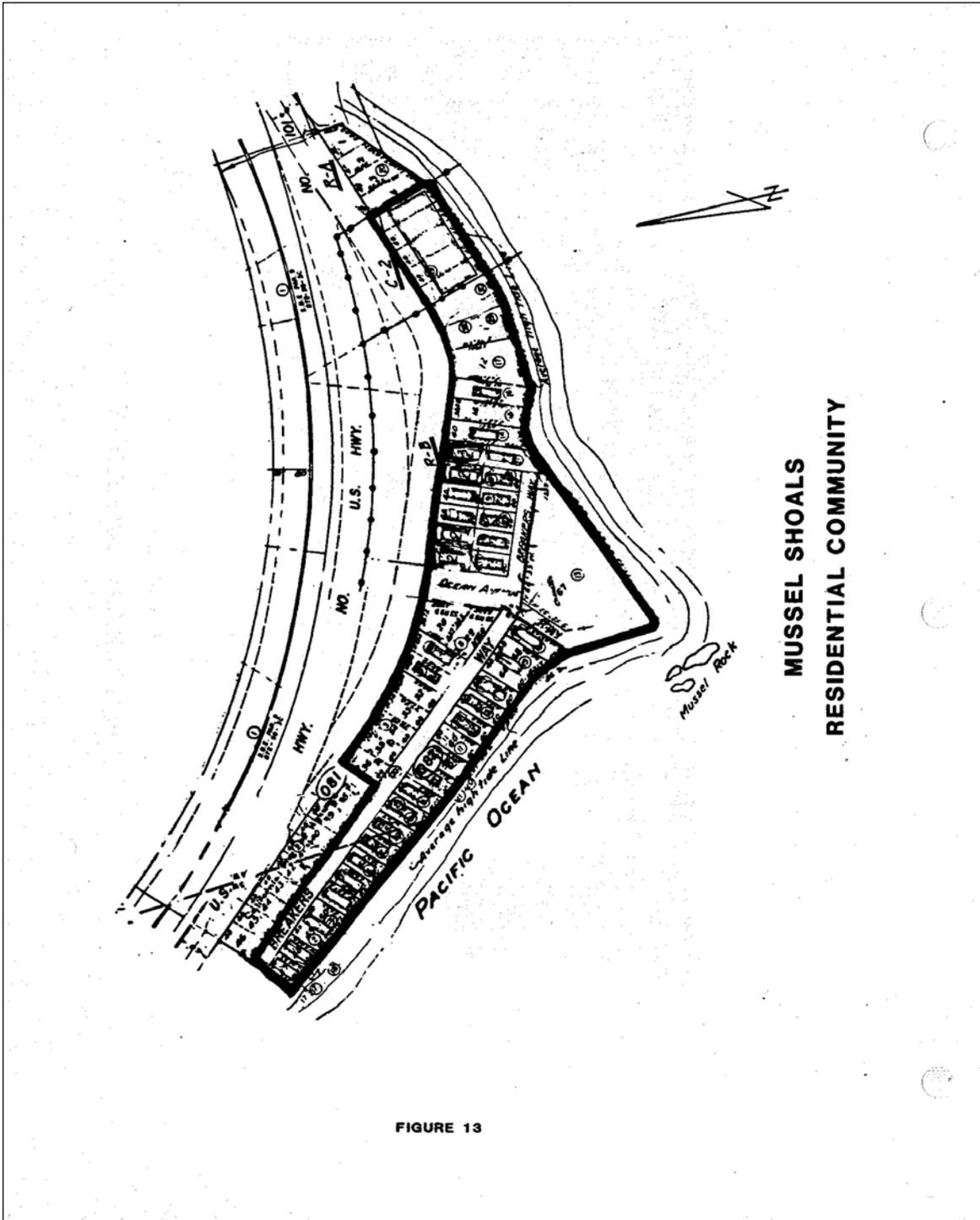


Figure 14
Sea Cliff Residential Community

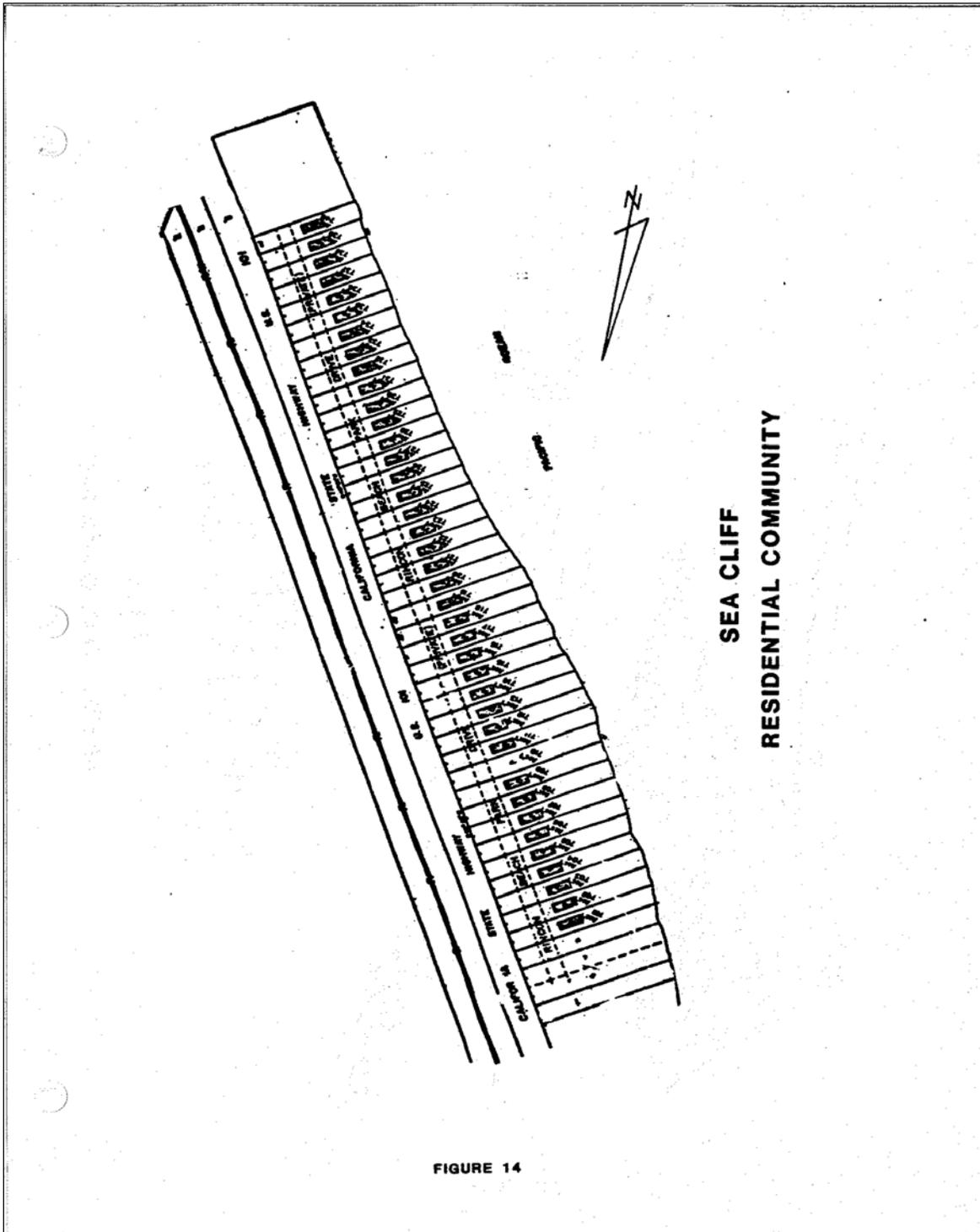


Figure 15
Faria Residential Community

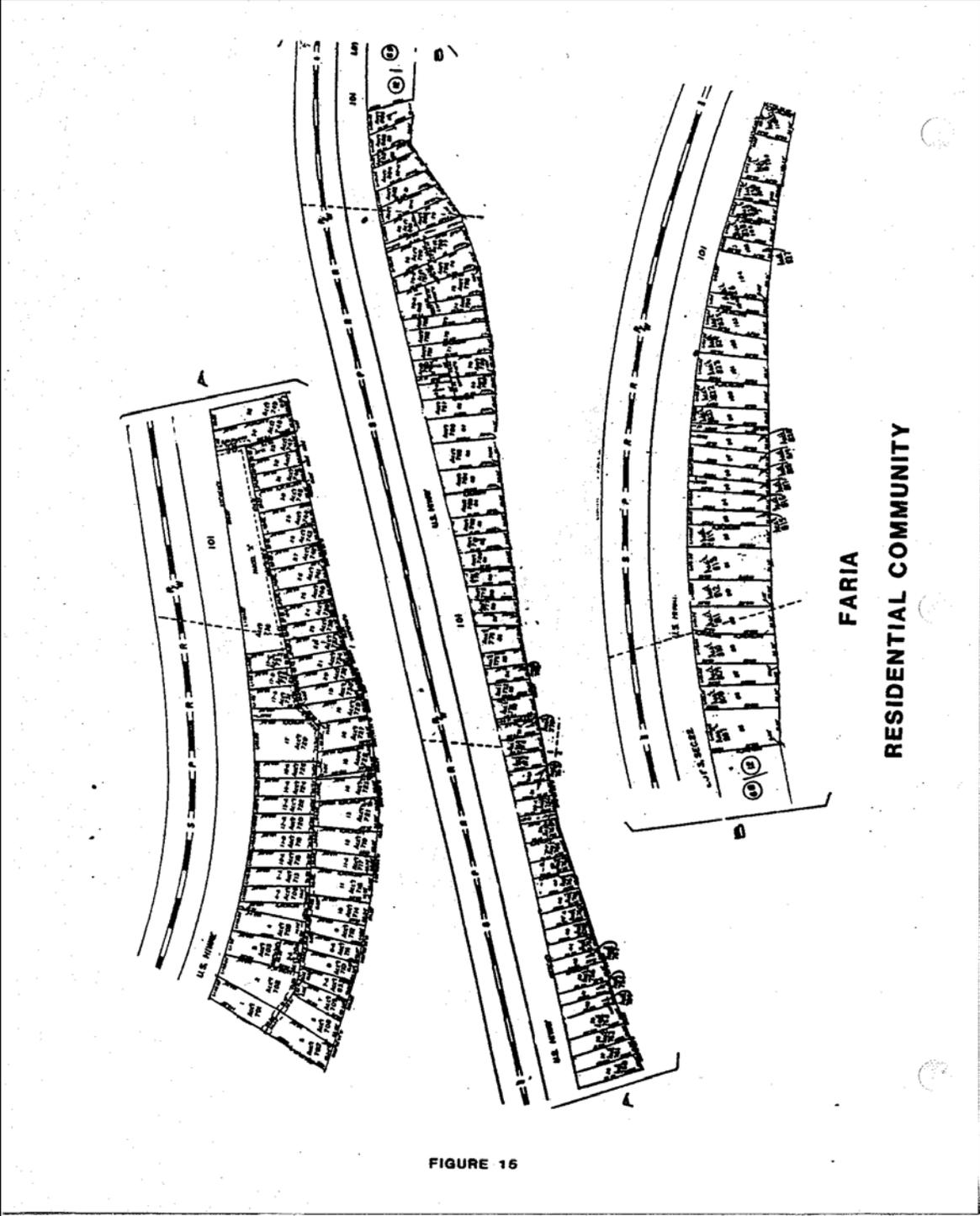


Figure 16
Solimar Residential Community

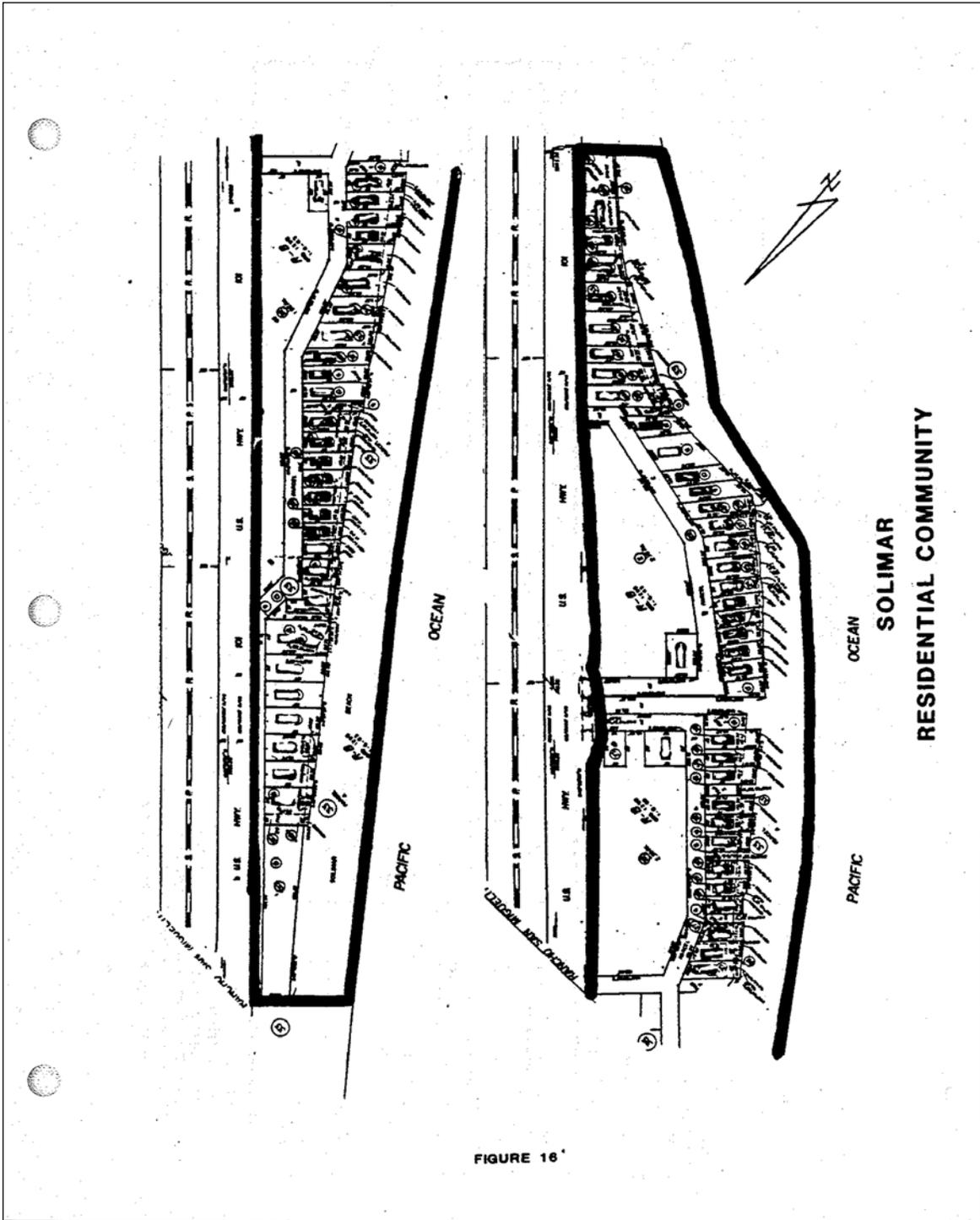


Figure 16.1

Summary Table Building Intensity/Population Density Standards (North Coast Area)

Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Open Space	1,590.1	5% ³	0.100	159	1.68	267	0.168
Agriculture	2,620.4	5% ³	0.025	65	1.68	109	0.042
Recreation	112.2	5%	N/A	N/A	N/A	N/A	N/A
TOTALS	4,322.7			224		376	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Low	12.6	29%	2.00	25	1.68	42	3.33
Medium	10.2	42%	6.00	61	1.68	102	10.00
High	79.5	65%	36.00	2,862	1.68	4,808	60.48
TOTALS	102.3			2,948		4,952	

Commercial/Industrial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	0.6	40%	13.1	1.0	13	21.67
Industrial	361.2	40%	238.3	2.0	476	1.32
TOTALS	361.8		251.4		489	

12/10/96

Footnotes:

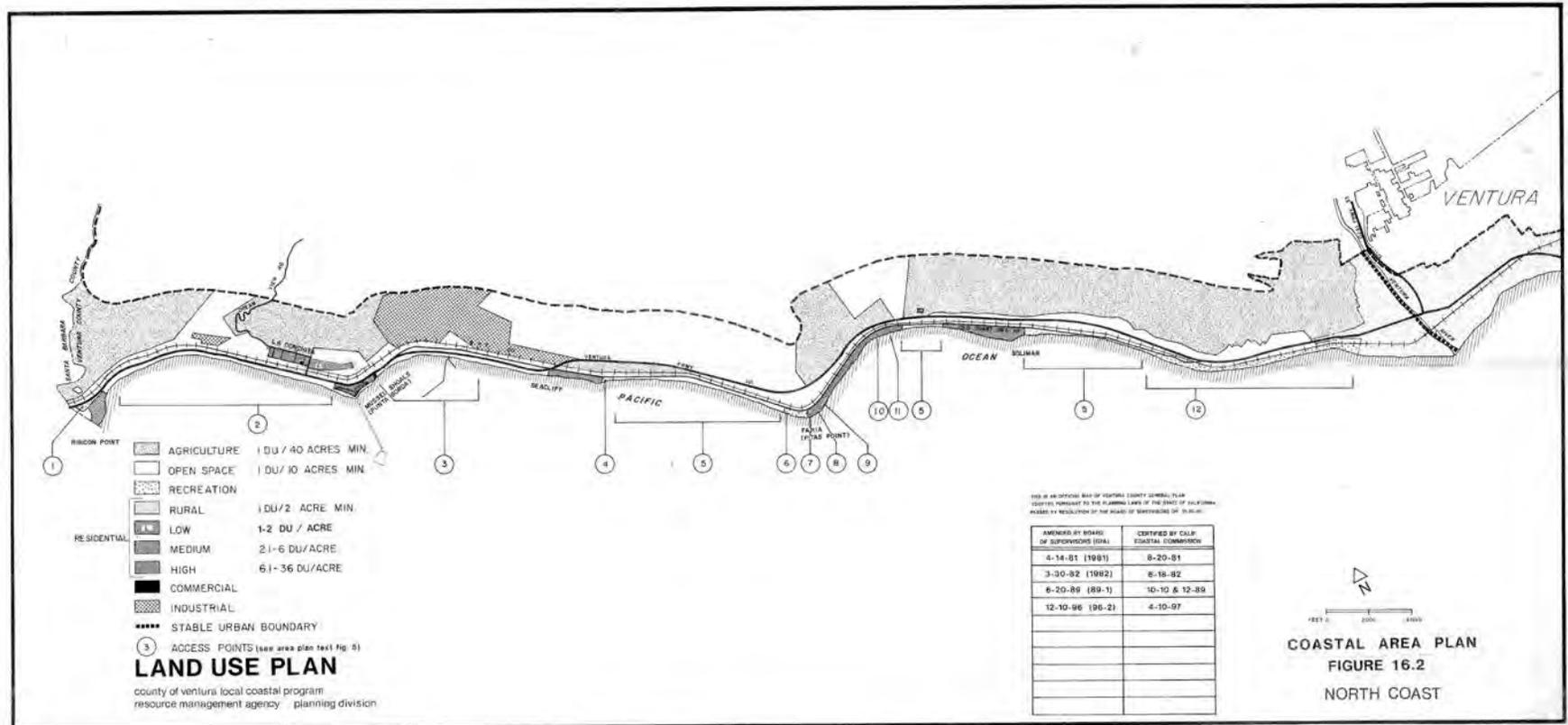
¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

² Year 2000 Forecast for Ventura Nongrowth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

Figure 16.2
Local Coastal Area Plan – Land Use Map: North Coast



The Central Coast

Area Summary

The Central Coast is the sandy edge of the extensive Oxnard Plain. The cities of San Buenaventura, Oxnard and Port Hueneme share 16.5 miles of coast with *agriculture*, sand dune, fresh and saltwater marsh ecosystems, Southern California Edison's Mandalay and Ormond Beach power plants, wastewater treatment plants, harbors, and a variety of heavy industry and oil operations.

Unincorporated lands within the Central Coast are varied. Several *parcels* are surrounded by the City of San Buenaventura just north of the Santa Clara River. Further south (down Harbor Boulevard), inland from McGrath Lake and Mandalay Beach are approximately 1,400 acres of unincorporated land used for *agriculture* and/or oil production. Edison Canal, which separates the agricultural land, supplies water to the Edison Mandalay generating station.

Further south is Hollywood Beach, an unincorporated beach residential area zoned "R-B-H" (Residential Beach Harbor - minimum *lot* size 1,750 square feet) with some "C-C" (Coastal Commercial) development. The City of Oxnard borders the beach community on three sides. The adjacent sandy beach has been designated Hollywood Beach County Park.

Interposed between Hollywood Beach and Silver Strand is Channel Islands Harbor. Jurisdiction over the harbor is shared between the County and the City of Oxnard. Silver Strand, including Hollywood-by-the-Sea, is another unincorporated beach residential area. On the north side of Silver Strand is the City of Oxnard, while on the south and east is the U.S. Naval Construction Battalion Center, which is within the City of Port Hueneme. Zoning is also primarily "R-B-H" with a limited amount of "C-C". The County's Silver Strand Beach Park extends the length of the shoreline and has public parking facilities at each end.

Remaining unincorporated segments of the Central Coast are found at Ormond Beach east of Perkins Road, south of Hueneme Road, and near the southernmost boundary of Oxnard's city limits. While some heavy and light industrial *development* has occurred within the City of Oxnard, the unincorporated land remains open and is used for *agriculture*.

Much of the unincorporated lands in Ormond Beach contain portions of coastal *wetlands* that include saltmarsh and freshwater ponds. Endangered species closely identified with saltmarshes have been verified in the vicinity by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. Further south are two waterfowl ponds. One of the ponds, the privately-owned Ventura County Game Preserve, zoned "COS" (Coastal Open Space), is partially within the County's coastal zone. The Point Mugu Game Preserve, also privately owned, is outside the coastal zone. The Point Mugu Ponds are recognized by the U.S. Fish and Wildlife Service as a highly valuable waterfowl wintering *habitat* (USFWS 1979).

Policies

1. All zoning and *development* shall be in conformance with the Land Use maps (Figures 26.2 and 26.3), which have been designed to reflect these goals and policies. The Zoning Compatibility Matrix ([Figure 33](#)) indicates the zones which are consistent with the various land *use* categories.
2. In case of reasonable doubt as to the precise alignment of land *use* boundaries on the Land Use Plan Maps, the *Planning Director* is authorized

to determine the precise boundary locations. Such determinations must comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:

- a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
- b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Section 13569.

Environmentally Sensitive Habitats

A. Coastal Dunes

Remnants of the once-extensive Mandalay coastal dune complex are scattered throughout the Central Coast. Viable dunes within the County's jurisdiction are found near McGrath Lake. Approximately 80 acres are within the unincorporated area, while the rest of the complex falls within the City of Oxnard's jurisdiction ([Figure 17](#)).

The dunes surround the lake, effectively sheltering the rare freshwater *habitat* from wind and erosion. The lake is used by numerous water birds, and the area supports a variety of other coastal species.

Some of the unincorporated area has been identified for potential acquisition by the California Department of Parks and Recreation as part of McGrath State Beach. The active West Montalvo oil field extends in part beneath the dunes. Oil wells and a Chevron Oil Company processing plant are next to the proposed acquisition. The unincorporated dune area seaward of Harbor Boulevard is designated "Open Space" in this Coastal Plan. Landward of Harbor Boulevard, the dune area is designated "*Agriculture*" in this Coastal Plan.

Objective

To protect the County's coastal sand dunes, their communities, and the processes that form them from degradation and erosion.

Policies

1. Coastal sand dunes on County unincorporated land are designated "Open Space" or "*Agriculture*," in this Coastal Plan as well as "Open Space" or "Agricultural" on the County's General Plan Land Use Map in order to provide for maximum coastal dune protection.
2. Activities leading to degradation, erosion or destruction of coastal dunes will not be allowed. This includes, but is not limited to, use by off-road vehicles, sand mining, *filling*, or dumping.

3. The County encourages acquisition of the McGrath Lake dunes by State Parks, and the designation of the area as a State Preserve.
4. The County supports less-than-fee acquisitions by the State as a means of preservation, such as open space easements and tax incentives.

B. Wetlands

Only small portions of the Central Coast's once-extensive *wetlands* remain today. One of the best remnants is the mouth of the Santa Clara River, which encompasses a variety of *habitats* with coastal flora and fauna including approximately 60 acres of pickleweed (*Salicornia virginica*) marsh. The endangered Belding's savannah sparrow, the rare California black rail, the endangered light-footed clapper rail, and the endangered California least tern have all been observed in the area.

West of Harbor Boulevard, the Santa Clara River is under the jurisdiction of the Cities of San Buenaventura and Oxnard, and the California Department of Parks and Recreation. The part of the river within McGrath State Beach has been designated State Preserve. East of Harbor Boulevard another portion of the *wetland* is within County jurisdiction ([Figure 18](#)) and it is zoned "COS" (Coastal Open Space, 10 acre minimum).

McGrath Lake is immediately south of McGrath State Beach and west of Harbor Boulevard ([Figure 19](#)). While it is a natural freshwater lake, probably formed in association with the sand dunes, most of its water now comes from agricultural *runoff*. The freshwater marsh around the edge attracts a variety of birds and small animals. The northern end of the lake and the land surrounding it are within the County and zoned "COS". A large portion of the *wetland* is within the City of Oxnard's jurisdiction. Near the southern end of the lake ([Figure 18](#)) is another segment of County land zoned "COS". The area is designated "Open Space" in this Coastal (Area) Plan and in the County's General Plan.

South of Port Hueneme and immediately north of Mugu Lagoon is Ormond Beach, historically the site of some of the most extensive *wetlands* in the County. Today there are approximately 100 acres of saltmarsh remaining. Most of the marsh is within the City of Oxnard's jurisdiction. Historically, the area was part of an extensive tidal marsh. According to saltmarsh experts, the marsh is still in relatively viable condition as characterized by dense stands of pickleweed and the presence of a variety of characteristic Southern California saltmarsh species. Few scientific studies have been done on the area. However, the endangered California least tern and Belding's savannah sparrow have been observed in the marsh. Additionally, this is one of the few areas in Southern California with an intact dune-transition zone-marsh system (R. Vogl, C. Onuf, pers. comm.).

Another *wetland* segment south of the Edison Plant is within the City of Oxnard's jurisdiction. The remnant tidal saltmarsh is also being considered for acquisition and restoration by the California Department of Parks and Recreation. It is used by the off-road vehicles and suffering soil compaction and vegetation damage. In their 1979 study, "A Concept Plan for Waterfowl Wintering Habitat Preservation," the U.S. Fish and Wildlife Service point out that the greatest opportunities for maintaining waterfowl populations along the Pacific Flyway would be in the restoration or enhancement of diked, formerly tidal, marsh. The marsh areas at Ormond Beach may afford such opportunities.

In "Recommended Coastal Properties for Public Acquisition" the California Coastal Commission (1976) placed Ormond Beach *wetlands* in its second priority group for

acquisition: "Recreational sites that serve urban populations and environmental resource areas that need protection or restoration.

The privately-owned Ventura County Game Preserve, another freshwater *wetland* now artificially maintained, is partially located in the coastal zone.

Objective

To protect *wetlands* in the Central Coast and encourage their acquisition, restoration or enhancement by the State to perpetuate their value to onshore and nearshore coastal life, and to the people of California.

Policies

1. All projects on land either in a designated *wetland*, or within 100 feet of such designation, shall be sited and designed to prevent impacts which would significantly degrade the viability of the *wetland*. The purposes of such projects shall be limited to those in section 30233(a) of the Coastal Act.
2. Where any dike or *fill development* is permitted in *wetlands*, mitigation measures will, at a minimum, include those listed in section 30607.1 of the Coastal Act. Other reasonable measures will also be required as determined by the County to carry out the provisions of section 30233 (b) and (c) of the Coastal Act.
3. Channelization, dams, and other river or *stream* alterations will be limited to:
 - a. Necessary water supply projects.
 - b. Flood control projects to secure public safety in the flood plain when there are no other *feasible* protection methods.
 - c. Projects necessary for protection and enhancement of *wetlands habitats*.

Such permitted projects will incorporate *feasible* mitigation measures.

4. *Habitat* mitigation will include, but not be limited to, timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of *native vegetation*, reclamation or enhancement as specified in the California Coastal Commission "Interpretive Guidelines for Wetlands" and a plan for spoils consistent with the following policy.
5. Dredge spoils should not be used for beach replenishment unless it can be shown that the process would not adversely impact coastal processes or *habitats*; such as intertidal reefs, grunion spawning grounds, or marsh. The California Department of Fish and Game, as well as other appropriate agencies, will be consulted when spoils deposition on a beach is under consideration.
6. The County supports formal recognition of the value of the Ormond Beach saltmarshes and their enhancement or restoration as such by the landowners, California Department of Fish and ~~Game~~Wildlife, the U.S. Fish and Wildlife Service, National Marine Fisheries Service, and other appropriate agencies. Appropriate scientific experts and the current literature should be drawn upon in any reclamation or enhancement attempts.
7. The landowners and appropriate agencies, including the Coastal Commission, the Coastal Conservancy, and State Parks should work to limit

off-road vehicle access to the Ormond Beach marsh areas, including (but not limited to) fencing of areas.

8. Recreation in the Central Coast saltmarshes will include resource compatible uses such as nature observation, scientific study, educational trips, and possibly fishing. Appropriate public agencies will provide the public with off-site, as well as on-site, interpretive opportunities within existing programs as *feasible*. As funds become available, new programs should be developed.
9. The County will work in close cooperation with other agencies and jurisdictions to provide comprehensive and biologically sound management of coastal *wetlands*.

C. Film Production, Temporary

1. Temporary film production activities shall not result in substantial adverse impacts to ESHA or ESHA buffer, including indirect effects from outdoor lighting or noise.

D. Signs

1. Signs are prohibited within ESHA except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within ESHA or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent feasible.

~~Archaeological and Paleontological Resources~~

~~A. Archaeology~~

~~The Ventura County coast is archaeologically and culturally significant to a variety of groups. The beach and marsh areas of the Central Coast provided native residents with food and a variety of usable materials such as hematite. Several sites are recorded and registered on the National Historic Register of Historic Places. It is thought that an Indian trail traversed Ormond Beach, and that offshore areas contain early human sites. The Ormond Beach-Port Hueneme segments of the coast are believed to have been launching sites for canoe trips to the Channel Islands.~~

~~Intensive field reconnaissance is called for on the Central Coast. Recent development has obliterated a large number of archaeological sites and the heritage they contained.~~

~~Objective~~

~~To recognize that archaeological sites in the County's coastal zone are significant to an understanding of human and environmental history; to protect Central Coast archaeological sites from destruction to the maximum extent feasible.~~

~~Policies~~

- ~~1. Based upon the location of the proposed project, Public Works may require the following work to be performed as a permit condition:~~
 - ~~a. High sensitivity area - Field survey and test pits.~~
 - ~~b. Medium to high sensitivity area - Field survey.~~
 - ~~c. Moderate to negligible - No field work necessary.~~

~~For projects located in an area (a) or (b), the applicant will have a qualified archaeologist assess the development impacts and cultural significance of the site. As may be appropriate, the Northridge Archaeological Research Center at Cal State Northridge should be contacted for a Native American approved Monitor to observe and aid the work during excavation of auger holes, test pits, trenches or exposures (see Appendix 2).~~

- ~~2. Human burials should not be removed from the ground without specific authorization and under direction of Native American Monitors or Native American approved archaeologists.~~
- ~~3. Where significant archaeological resources have been identified on a site, a qualified archaeologist will be present, at the applicant's expense, during all excavating, grading, and other earth-moving activities.~~
- ~~4. Location of all coastal zone archaeological sites will be kept confidential to avert disturbance or destruction.~~
- ~~5. Archaeological, historical and ethnobotanical interpretation of native peoples in Ventura County should be incorporated into existing interpretive programs at public facilities as feasible, and into future interpretive programs as funding becomes available.~~
- ~~6. A summary of the qualifications of the archaeologist who performs the applicant's study will be presented as part of the rest of the information required.~~
- ~~7. Where new development would adversely impact archaeological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.~~
- ~~8. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

~~B. Paleontology~~

~~The geological and biological history of the Ventura County coast is significant. The coastal zone contains areas with fossils that are among the best in Southern California. (B. Welton, pers. comm.). Records in the Los Angeles County Museum of Natural History show extensive fossil sites in Ventura County. The coastal zone has yielded many "type" specimens, used as the example specimen against which all other finds of the same animal are compared. Groups of fossils are currently being used to help geologists unravel patterns of seismic movement in the area (J. Valentine, pers. comm.).~~

~~Unlike the archaeological sites, paleontological sites are not necessarily destroyed by grading and construction. In fact, grading will often expose additional rock layers and increase the potential for new finds.~~

~~Objective~~

~~To recognize the current and potential significance of coastal fossils to geological and biological knowledge of the County, as well as the popular interest in fossils; to preserve significant paleontological sites to the fullest extent possible and to take steps to preserve the information a site may yield.~~

Policies

- ~~1. Based upon the location of a proposed project on the Paleontological Sensitivity Map, to be prepared by the Los Angeles County Museum of Natural History, an evaluation of impacts on paleontological resources will be a consideration in the environmental review process.~~
- ~~2. Significant fossil discoveries on-site will be reported to the Los Angeles County Museum of Natural History or to other appropriate scientists to ensure preservation of the information a site may yield.~~
- ~~3. Consider adopting guidelines similar to those developed by the Los Angeles County Museum of Natural History for the City of Los Angeles as paleontology becomes part of the environmental review process.~~
- ~~4. Fossil discoveries will also be reported to the County Cultural Heritage Board to ensure maintenance of the information in Ventura County.~~
- ~~5. Where new development would adversely impact paleontological resources, reasonable mitigation measures will be required. Such measures may involve converting the site, moving the structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.~~
- ~~6. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

[Staff Explanation: Archaeological & Paleontological Resources were consolidated under Coastal Zone Objectives, Policies and Programs in an effort to initiate the reformatting of the Coastal Area Plan. Original policies were also noted as Coastal Zoning Ordinance regulations. The Coastal Area Plan was amended to provide clear policy direction and not regulations that implement policy.]

Recreation and Access

A. Recreation

The Central Coast is interspersed with a variety of developed, accessible recreation areas and has potential for more. [Figure 21](#) shows these areas. Beach parks have been developed in the cities of San Buenaventura, Oxnard and Port Hueneme, and the California Department of Parks and Recreation tentatively will purchase about 28 acres just north of Southern California Edison's Mandalay Beach Generating Station, to be encompassed by McGrath State Beach. This purchase would connect McGrath State Beach with the undeveloped 80 acre Mandalay State Beach Park north of West Fifth Street (both McGrath State Beach and Mandalay State Beach Park are within the City of Oxnard). It would also provide *access* to the scenic alternate bicycle/hiking route along Oxnard's beach road near the Mandalay Generating Station.

The two County parks near Channel Islands Harbor, Hollywood Beach and Silver Strand Beach are for day *use*. Silver Strand is 41 acres in size and has *parking lots* at both ends. Hollywood Beach County Park includes 50 acres with limited off-street parking.

Current recreational opportunities on the Central Coast are plentiful, and will expand as McGrath State Beach grows, and plans are fully implemented for

Mandalay County Beach Park, Ventura Harbor, Channel Islands Harbor and Oxnard Shores.

Objective

To provide direction to the State, and to local agencies as appropriate, for improving and increasing public recreational opportunities on the Central Coast consistent with public health and safety, and the protection of private rights.

Policies

McGrath State Beach Park

1. The County will:
 - a. Support the State Park's policies and programs.
 - b. Support logical extensions of McGrath State Beach.
 - c. Encourage well-designed facilities expansion for camping as long as all possible environmental mitigations are incorporated.
 - d. Encourage the designation of McGrath Lake and the surrounding dunes as a State Preserve.

Mandalay County Beach Park

2. Every effort will be made to preserve the dune formations on the site.
3. Adequate on-site parking will be provided consistent with proposed park use.

Hollywood Beach and Silver Strand Beach

4. The County will coordinate with the cities of Oxnard, Port Hueneme, and, as necessary, the U.S. Navy in an attempt to help alleviate the traffic problems.
5. Walkways and bikeways around Channel Islands Harbor to link Hollywood and Silver Strand Beaches should be provided as funds are available.
6. No *parking lots*, walkways or bikeways, or *structures* other than public restrooms, and lifeguard stations should be placed on the beach areas to maintain the natural state of the beaches.

Ormond Beach

7. Encourage the California Department of Parks and Recreation's currently proposed acquisition with the County portion of the marsh included.
8. Encourage State Parks to consider to Ormond Beach site between Halaco and the Southern California Edison power plant for acquisition with adjacent segments of saltmarsh for enhancement.

B. Access

The only unincorporated areas in the Central Coast sub-area actually on the shoreline are Silver Strand Beach and Hollywood Beach, a total of about 7,400 linear feet of beach frontage. Both beach parks are owned by Ventura County and are about 90 acres in size. There is adequate pedestrian *access* to the beaches via numerous stub-end *public streets*. *Lateral access* along the beach is also not a problem since the property is County owned. [Figure 22](#) is an *access inventory* of the Central Coast.

The major problems are a lack of off-street public parking, and the inability to accommodate visitor traffic in the residential areas. The streets are generally narrow with very limited on-street public parking and no public transportation is available to these areas. In addition to these physical constraints, there are financial and jurisdictional constraints. The only areas where the Silver Strand community could expand are owned by the federal government (U.S. Navy). Attempts to purchase or lease Navy property have proven generally too costly. Also, studies are now being conducted regarding the feasibility of annexation to either or both the cities of Oxnard and Port Hueneme. There is also no system of pedestrian walkways linking the beach areas with the Harbor.

Objective

1. To maximize public *access* to the Central Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act; to maintain existing *access*, and seek new *access* as funds become available.
2. To maintain or increase public *access* to *coastal resources* through increased parking capacity for vehicles and bicycles within the coastal zone.

[Staff Explanation: The proposed objective above establishes a basis for the development of related parking policies within the CAP. Also, the proposed policies below establish a basis for the development of related parking standards in the Coastal Zoning Ordinance.]

Vertical

1. For all new *development* between the first *public road* and the ocean, granting of an easement to allow *vertical access* to the *mean high tide line* shall be mandatory unless:
 - a. Adequate public *access* is already available within a reasonable distance of the site measured along the shoreline, or
 - b. *Access* at the site would result in unmitigable adverse impacts on areas designated as "*environmentally sensitive habitats*" or tidepools by the land *use plan*, or
 - c. Findings are made, consistent with Section 30212 of the Coastal Act, that *access* is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected, or
 - d. The *parcel* is too narrow to allow for an adequate *vertical access* corridor without adversely affecting the privacy of the property owner, or

Lateral

2. For all new *development* between the first *public road* and the ocean, granting of lateral easements to allow for public *access* along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas where the bluffs exceed five feet in *height*, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for *lateral access* during the periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential *structure*. In addition, all *fences*, no

trespassing signs, and other obstructions that may limit public *lateral access* shall be removed as a condition of *development* approval.

- a. Findings are made, consistent with Section 30212 of the Coastal Act that *access* is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected.

Environmentally Sensitive Habitats

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

General

4. In accordance with Sec. 30214(a), the time, place, and manner of *access* will depend on individual facts and circumstances, including topographic and site characteristics, the capacity of the site to sustain *use* at the intensity proposed, the proximity to adjacent residential *uses*, the privacy of adjacent owners, and the feasibility to provide for litter collection.
5. In accordance with Sec. 30214(b), the requirement of *access* shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

McGrath State Beach Park

6. Support redesign of the entrance to McGrath State Beach to augment *access* and to improve traffic flow within the park.
7. Support *access* limitations to certain areas as appropriate to maintain ecosystem viability.

Hollywood Beach/Silver Strand Beach

8. Coordinate with the appropriate agencies to help alleviate traffic and circulation problems, and provide additional public parking. New public parking facilities should be located outside residential areas due to the narrowness of existing roadways and conflicts with residential circulation.
9. Provide pedestrian walkways and bikeways around Channel Islands Harbor to link Hollywood and Silver Strand Beaches when funding is available.

Film Production, Temporary

10. Temporary film production activities shall result in negligible impacts to coastal resources, public recreation facilities, and public access to such facilities.
11. During the peak summer season (Memorial Day through Labor Day weekend), temporary film production activities:
 - Shall not preclude the general public from use of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to access a public beach or public recreation facilities.

12. No new permanent structures shall be erected for temporary film production activities, and the film permit area shall be returned to pre-permit conditions following film production striking.

Parking and Loading

13. New development, and intensifications in use, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.

14. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project applicant contributes to a program aimed at increasing coastal access parking. The following factors must be considered in determining whether a requested exception to off-street parking requirements should be granted:

- No additions or expansion to the structure are proposed and all existing on-site parking is retained;
- Business hours of operation are in the evening when beach recreational uses are low or non-existent;
- The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
- Shared parking, pursuant to section 8176-4.6 of the CZO, is not available to meet parking requirements; and
- Other transportation incentives programs listed in section 8176-4.8.1(b) of the CZO, are not feasible, or will not lessen the number of parking spaces required.

15. To promote the efficient use of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or mixed-use developments that accommodate multiple uses at different peak parking periods. Where feasible, such parking lots should accommodate public coastal access parking.

16. Restrictions on public parking that would impede public coastal access shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety.

17. New development that requires the removal of existing public parking shall provide an equivalent number of replacement public parking spaces in the immediate vicinity except where the provision of such parking is infeasible or alternatives are identified that offset the need for additional parking facilities.

18. Where feasible, new commercial, multi-family residential, or mixed-use development shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and

parking use where coastal access parking concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available coastal access parking (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2) more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include La Conchita (Surfside Street), Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

[Staff Explanation: In 2014, Public Works provided traffic calming measures for the Silverstrand area including increasing the number of parking spaces on Roosevelt Boulevard by creating angled on-street parking. This project was undertaken with local funds based upon input from a series of town hall meetings. The proposed program is aimed at continuing this effort and finding solutions to existing deficiencies in coastal access parking and supporting the preservation of existing commercial areas within the coastal zone.]

Signs

The primary purpose of the sign policies in this section is to utilize signs to protect and improve access to the coastline or other coastal resources.

19. Coastal access signage shall be posted in conspicuous areas and located so that access is maintained and visitors are directed to publicly available coastal access parking, beach access points, and public trails.

20. For the California Coastal Trail, coastal access signage should include distinctive signs incorporating the California Coastal Commission coastal access logo (foot and wave) or markers, consistent with visual resources.

21. Signs shall be located in areas that maintain coastal access except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be removed once the public safety issue is resolved.

22. With the exception of road or informational signs, placement of signs within the public right-of-way shall be prohibited.

23. No signs shall be posted on a public beach unless authorized by a coastal development permit. Signs on a public beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

[Staff Explanation: Refer to “Staff Explanation” provided under North Coast Access policies.]

Agriculture

There are five major agricultural areas wholly or partially within the Central Coast. According to the 1978 Assessor's land use data and an on-site survey, they total

approximately 1,500 acres. Some of the *parcels* are split by the *coastal zone* boundary. Only those areas estimated to be in the *coastal zone* are included in this discussion ([Figure 23](#)).

Most of the Central Coast agricultural lands contain Class I and Class II soils as identified by the U.S. Soil Conservation Survey. Cultivation of row crops is the predominant agricultural *use*, although some greenhouse and dry crop farming takes place. Approximately 350 acres, or 23 percent of the agricultural land, have been placed in agricultural preserves under Land Conservation Act contracts. Area descriptions from north to south follow:

I. Preble Lands (Non-Preserve)

The Preble sub-area includes 62 acres of row and truck crops, located immediately north of the 101 Freeway and bounded on the west and north by the corporate limits of the City of San Buenaventura. This area is broken into four *parcels*; 44 acres, 13 acres, 3 acres, and 2 acres in size, respectively. All *parcels* contain prime soils.

This area is zoned "C-A" (Coastal Agricultural). The Preble area is within the San Buenaventura Area of Interest and is designated "Agricultural" on the County's General (Plan) Land Use Map as well as in this Coastal Plan. The City of San Buenaventura Land Use Element designates the site for "Planned Mixed Use Development" for Phase I - first priority development. Poor *access* to the area is the major *development* constraint at this time.

II. Olivas Lands

Immediately south of the Preble area, extending to the Olivas Golf Course, are the Olivas agricultural lands. The area consists of six *parcels* (25, 32, 15, 35, 130 and 120 acres in size). U.S. Highway 101 separates the Preble area from the Olivas area.

Prior to construction of the freeway, *parcels* in these two areas were merged, forming a continuous stretch of *prime agricultural land*. The Olivas sub-area includes approximately 355 acres of row and truck crops. Approximately 120 acres of this area are in agricultural preserve.

The County General Plan designates this area as "Agricultural". The City of San Buenaventura General Plan designates the area as "*Agriculture*" through 2010.

III. McGrath Agricultural Lands

The unincorporated McGrath agricultural lands extend from the Santa Clara River on the north, to Wooley Road on the south, east of Harbor Boulevard. Approximately 883 acres are in the coastal zone. Of these, approximately 228 acres are in agricultural preserve under the Land Conservation Act. Zoning for the McGrath agricultural land includes:

- "COS" = Coastal Open Space, 10 acre minimum *lot* size,
- "COS-40Ac" = Coastal Open Space, 40 acre minimum *lot* size, and
- "CA" = Coastal Agricultural, 40 acre minimum *lot* size.

All agricultural lands in the McGrath area are designated "Open Space" in the General Plan and in this Coastal Area Plan.

Between Fifth Street and Wooley Road is a 219 acre *parcel* of row and truck crops that is designated "Agricultural" in the County General Plan. This *parcel* is within the City of Oxnard Area of Interest, and is phased for *development* after 1990 by the City's General Plan.

IV. Other Ownerships

Located between Teal Club Road and Doris Avenue, west of Victoria Avenue, and adjoining the McGrath agricultural lands are two *parcels* partially within the coastal zone. The two *parcels* (107 acres total) have been 19 acres within the *coastal zone* that are zoned "CA" (Coastal Agricultural) and are designated "Open Space" in this Coastal Area Plan. The balance of the *parcels'* acreage is designated "Agricultural" in the County's General Plan and the acreage is zoned "A-E" (Agricultural Exclusive).

V. Ormond Beach

There are two areas of unincorporated lands within the *coastal zone* in the vicinity of Ormond Beach, totaling approximately 65 acres. The *parcels* have prime soils and some are currently in agricultural *use*. The 65 unincorporated acres are designated "Agricultural" (51 acres) and "Open Space" (14 acres) in this Coastal Area Plan. All other (55 acres) of Ormond Beach agricultural lands are within the jurisdiction of the City of Oxnard.

The California Legislature passed the California Aquaculture Development Act which amends Section 30411 of the Coastal Act by finding and declaring that "salt water or brackish water *aquaculture* is a coastal *development use* which should be encouraged to augment food supplies." Since *aquaculture* research and *development* is in its infancy, the potential for this kind of *agriculture* in the *coastal zone* should be recognized. The unincorporated areas of Ormond Beach may be suitable for *aquaculture*.

Minimum *lot* size in the "Agriculture" land *use* designation is 40 acres per *single family dwelling*. This 40 acre minimum is sufficient to maintain economic viability for various agricultural *uses* (irrigated cropping). Non-irrigated activities may require a larger acreage. Studies as to what constitutes a viable farm unit have been done by Ventura County Agricultural Committee (Appendix 4), Ventura County Assessor's Office and Ventura County Farm Bureau.

Objective

To preserve agricultural lands on the Central Coast to the maximum extent *feasible*.

Policies

1. The stable urban boundaries are:
 - a. The Southern Pacific Railroad right-of-way north of U.S. Highway 101, in the Preble area, which divides the unincorporated County agricultural lands and the City of San Buenaventura's urban development.
 - b. Conterminous with the City of Oxnard's present city limit at Wooley Road and the Ormond Beach area.
2. Land divisions in, or adjacent to, agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Agency Foundation Commission should exclude lands designated "Agriculture" from any new or expanded service districts that could negatively impact agricultural viability.
4. New or expanded *public works facilities* will be sited or designed to mitigate environmental impacts on agricultural viability and open space lands.
5. As *aquaculture* develops it will be considered as a potential agricultural *use* in appropriate areas.

Hazards

The Central Coast *coastal zone* is part of the Oxnard Plain, an alluvial fan created by the disposition of the sediments from the Ventura River to the north, the Santa Clara River and Calleguas Creek to the south.

The Oak Ridge Fault System extends beneath the Central Coast's unincorporated lands. The Oak Ridge Fault is a steep reverse, or thrust, fault with a trace that extends westward along the Santa Susana Mountains, and toward the ocean on the southern side of the Santa Clara River.

The Fault System probably contains many branching faults and is believed to be associated with one or more faults of similar trend present in the Santa Barbara Channel west of the Oxnard Plain. The System is over 50 miles long on the mainland and may extend for an equal or greater distance offshore. It is considered active.

The McGrath Fault branches off the Oak Ridge Fault zone to extend westward into the ocean near the McGrath lands south of the Santa Clara River.

The *coastal zone* area of the Oxnard Plain may be particularly prone to liquefaction. A special study completed after the February 21, 1978 Point Mugu earthquake indicates that the areas south of the Ventura River, generally between Gonzales Road and Oxnard Shores, have a moderate to low liquefaction potential, while the Preble and Olivas communities, the Santa Clara River area, and Channel Islands Harbor, extending southward to Arnold Road, have a moderate to high liquefaction potential.

The Central Coast is the most heavily populated area of the Ventura coastal zone. Several large industries and utilities are located there, including Southern California Edison Company's Mandalay and Ormond Beach power plants, Oxnard and San Buenaventura wastewater treatment plants, and three harbors. Liquefaction from severe ground shaking could cause major damage and disruption of services.

According to the County General Plan's Hazards Appendix, the area in the Central Coast *coastal zone* has a subsidence rate of between 0.01 and 0.05 feet per year. A single point located at Hueneme Road and Highway 1 has dropped about one and a half feet in twenty-one years. Records up until 1968 show a dozen bench marks that have settled a foot in a fifteen to twenty year period.

The Santa Clara River is a flood hazard to some human activities in the Central Coast. Major floods occurred along the Santa Clara River in 1938, 1943, 1958, 1965, 1969, 1978 and 1980. Floods could inundate the Olivas Golf Course, portions of the City of Ventura Sanitation Plant, McGrath State Beach, Harbor Boulevard, and a major portion of the McGrath agricultural lands.

The Coastal Act specified that new *development* is to be located away from hazardous areas. New flood control projects shall be limited to those necessary to protect existing *development* or for public safety (Section 30236). Flood plain management, rather than structural solutions alone in this sub-area may be required.

Existing *uses* in the *coastal zone* portion of the Santa Clara River conform to the "Open Space" designation of the County's General Plan and this Coastal Area Plan. No *structures* are located on the coastal portion of the flood plain, with the exception of the City of San Buenaventura Sanitation Plant facilities, and recreational *structures* at McGrath State Beach. The California Department of Parks and Recreation General Development Plan for McGrath State Department of Parks and Recreation General Development Plan for McGrath State Beach recommends relocating the State Beach *structures* to avoid flood impacts.

Maintenance of *agriculture* and open space (parks, recreation and *habitat* preservation) would promote proper flood plain management, and would further reduce potential flood damage to structural development.

The General Plan Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an initial study on a proposed project to determine the need for an EIR. Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of projects.

In addition to the environmental hazards on the Central Coast there is another unique hazard associated with *development* adjacent to certain areas of the Point Mugu Naval Air Station. Bunkers are located at certain areas on the base where magazines store explosive materials. Depending on the quantity of material, the Navy has computed a hazardous distance (QD radius) around the magazine where no *development* should take place. In addition, the runways contain "overrun areas" where no *development* should take place. [Figure 24](#) depicts this area, found within the Ventura County Game Preserve property.

Objective

To protect public safety and property from natural and human hazards as provided in County ordinances.

Policies

1. The County's General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provide direction for geologic, seismic, flood and fire hazard avoidance.
2. The flood plain of the Santa Clara River will be limited to open space of agricultural *uses* to minimize flood hazard risk.
3. New *development* shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
4. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.
5. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed development.
6. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
7. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.

Beach Erosion

Unincorporated areas of the Central Coast with beaches include Hollywood Beach and Silver Strand. According to the Department of Navigation and Ocean Development (1979), erosion at Hollywood Beach is significantly minimized by the jetty at the north entrance of Channel Islands Harbor (Appendix 5).

Erosion at Silver Strand is also slight. While the middle section of the beach is subject to erosion during periods of high tides and wave action, homes on the shoreline are protected from damage by bulldozed sand dikes.

Beach sections that become eroded are stabilized with sand replenishment by the Army Corps of Engineers as requested by the Ventura County ~~Flood Control~~Watershed Protection District as funds are available.

Objective

To protect public safety and property from *beach erosion* as provided for in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
2. All shoreline protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline sand supply.
3. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetment, groins, breakwaters and related arrangements.
4. The County's Building and Safety Division will routinely refer all permits for seawalls, revetments, groins, retaining walls, and pipeline outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
5. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant may be required to obtain an engineering report that indicates how those impacts will be mitigated.
6. Permitted *structures* under policies 1 through 4 will not interfere with public *access* to the shoreline.
7. During their scheduled dredging of Channel Islands Harbor, the Army Corps of Engineers is encouraged to replenish beaches with severe erosional losses consistent with environmental restraints on the deposition of dredge spoils.

Energy and Industrial Facilities

Several industrial facilities for energy production are located on the Central Coast: 1) oil and gas and processing and distribution facilities; 2) electrical generating plants; and 3) marine terminals and storage tanks. Proposals have been made for expanding *development* of offshore oil and gas fields, related onshore facilities, and new electrical generating plants ([Figures 25](#) and [26](#)).

I. Oil and Gas Facilities

The West Montalvo oil field is located on the Oxnard Plain immediately south of the Santa Clara River. It extends into the State Tidelands. Most of the West Montalvo field lies within the unincorporated areas of the County; however, portions in the

vicinity of McGrath State Park and Mandalay Beach are in the corporate boundaries of the City of Oxnard. The onshore portion comprises approximately 80 percent of the proven acreage of the field. There are some directionally drilled wells in this field that produce from offshore by drilling under the ocean.

The onshore portion of the West Montalvo field consists of four leases: McGrath #4 lease; McGrath #5 lease; Patterson Ranch lease, Parcel 1 and Parcel 2. These leases are only partially within the *coastal zone* (Figure 26). There have been several Conditional Use Permits and modifications on these leases issued by the County over a period of many years.

There are currently three processing facilities within the coastal zone: one west of Harbor Boulevard near its intersection with Gonzales Road, and two east of Harbor Boulevard, south of the Santa Clara River. A compressor pump station is located south of Fifth Street, adjacent to the Edison Canal in Oxnard.

In September of 1978, there were 18 producing onshore wells, and one producing offshore well, in the West Montalvo oil field. These wells are located on both the east and west sides of Harbor Boulevard.

II. Pipelines

One major oil pipeline is located in the Central Coast. It is made up of three segments routed from the Rincon pump station to the Ventura Pump Station (which includes storage tanks) at Ventura Harbor and on to Los Angeles. Only the first segment crosses the coastal zone. It consists of an 8-inch line from the Ventura Pump Station to the Santa Paula Pump Station.

III. Electrical Generation and Transmission Facilities

The California Public Utilities Commission and California Energy Commission are the agencies responsible in the area of electric transmission lines which includes technical and safety performance and environmental concerns. All electrical transmission lines proposed for the *coastal zone* are developments under the Coastal Act, thus the County has permit review over them. However, the Warren-Alquist Energy Resources Conservation and Development Act of 1975 exempts new power plants with capacity greater than 50 megawatts and electric transmission lines connecting such plants to the existing transmission system from local government permit authority.

While impacts from erosion, grading, and the operation of equipment may occur during construction and result in damage to coastal land resources and *habitat* areas, the primary concerns are associated with overhead electric transmission lines and their long-term impacts on views and visual resources. Visual impacts are particularly severe in undeveloped areas, especially the foothills and upland areas, and along the coastal terrace. Mitigation measures are limited at this time to alternate routine locations and undergrounding of lines, which is expensive.

Reliant Energy operates two major electric generating stations on the Central Coast: Mandalay Beach, located on the coast within the City of Oxnard, seaward of Harbor Boulevard and approximately a half mile north of West Fifth Street; and Ormond Beach, also in the City of Oxnard on the beach, northwest of Arnold Road and approximately a half mile south of McWane Boulevard. The combined generating capacity of these two power plants is 2,010 megawatts (MW) or three times the total electrical requirements of Ventura County. Transmission lines from both generating stations cross the coastal zone.

Reliant Energy maintains four electrical distribution substations within the coastal zone. Only one of these is located in the County *coastal zone* - the 66KW distribution substation at Silver Strand Beach.

During a 1979 Notice of Intent proceeding (79-NOI-3), the County, Coastal Commission, Energy Commission, Department of Fish and Game, and (at that time) Southern California Edison Company agreed to some significant stipulations regarding the siting of new power plants in the Ormond Beach site. Briefly, these stipulations eliminate the construction of power plants from dunes, *wetlands*, or beach areas.

IV. Offshore Oil and Gas Development

Offshore oil and gas *development* occurs both in state *tidelands* and the federal Outer Continental Shelf (O.C.S.). Facilities in the Central Coast are used to support O.C.S. activities ([Figure 25](#)).

A. State Tidelands - Currently, all production from the West Montalvo offshore field is from State Tidelands, lease PRC 735. Production is accomplished from a series of directionally drilled wells from the onshore McGrath #4 Lease (Montalvo Field), seaward of Harbor Boulevard. A *tidelands* lease, PRC 3314, surrounds the McGrath #4 lease.

B. Federal Outer Continental Shelf:

1. Hueneme Field - The Hueneme Unit consists of Tracts P-0202 and P-0203, which are located approximately three to five miles southwest of Port Hueneme. There are two offshore oil platforms that were constructed since 1980, one of which is within this unit (Gina), while the other (Gilda) is in the Santa Clara unit. There is a small onshore treatment facility in the City of Oxnard immediately south of Reliant Energy's Mandalay Beach Generating Station. Called the "Mandalay Onshore Separation Facility," this facility sells gas to the Generating Station.
2. Santa Clara Unit - There are eight OCS (Outer Continental Shelf) tracts located five miles southwest of Ventura and six miles west of Port Hueneme. Platform Grace was installed on OCS Tract P-0217.

V. Other Facilities:

A. Refineries - There are two operating refineries and one inactive refinery in the County. None are located within the coastal zone, but all are important to *coastal zone* planning. One, the Oxnard Refinery, is in the Central Coastal Area.

The small Oxnard refinery is adjacent to Fifth Street in an unincorporated area, just east of the City of Oxnard. Feed stock for the refinery comes primarily from the Oxnard and West Montalvo fields. It has a capacity of approximately 2,500 B/D with an existing throughput of approximately 1,500 B/D.

B. Marine Terminals and Storage Tanks - The Ventura Marine Terminal, which is idle, is located on land just south of the Ventura Marina. The property is now annexed to the City of San Buenaventura. There is a transit storage tank site adjoining the Marine Terminal on the south.

C. Oil Field Waste Disposal Sites - This type of *use* is termed a "soil amendment activity" in the County's Non-coastal Zoning Code, and is allowed in several zoning categories including Open Space by Conditional Use Permit in the non-coastal areas of the County.

There are two sites in the Central Coast that formerly handled oil field wastes. They are located at the northeast corner of Fifth Street and Harbor Boulevard. The sites closed operations in 1980.

Objective

To allow the continued exploration and production of oil and gas in most of the Central Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between Harbor Boulevard and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*" will be considered as unacceptable for new energy and industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between Harbor Boulevard and the landward *coastal zone* boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial."
3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to Section 8175-85.7.8) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and location.
4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3 above, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and *access roads*.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in

accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.

- f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 below, transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the *Coastal Zone* related to oil and gas development.
 - m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.
 6. All future offshore oil and gas production coming on-shore in the Central Coast Area shall utilize existing facilities whenever economically and technically *feasible*.
 7. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
 8. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of a significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
 9. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
 10. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.

11. All offshore to onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
12. Except for pipelines exempted from coastal *development* permits under Section 30610 of the Coastal Act, as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant. This survey may be conducted as part of an environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.
13. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.
14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
15. Transmission lines rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or *archaeological resources*, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.

16. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
17. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627, all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.
18. As land becomes available, permanent service bases shall be encouraged to locate at the Port of Hueneme where similar *uses* are located and adequate harbor facilities are available.
19. Should crude oil pipelines need to be enlarged in the future, or a new pipeline installed, the route shall follow existing pipeline corridors, if *feasible*.
20. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
21. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related industrial facility supporting such *development* is defined as "*coastal-dependent development*" or "*coastal-related development*", based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

The Central Coast is the most urbanized portion of Ventura County's coastal zone. Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea are the only residentially developed, unincorporated areas, zoned "R-B-H" (Residential Beach Harbor, 1,750 square foot minimum). Several small neighborhood serving commercial and neighborhood-planned developments are located within these areas, along with the Hollywood Beach Elementary School.

No major public service capacity problems have been identified for the unincorporated areas of the Central Coast. Build-out in Hollywood Beach/ Silver Strand/Hollywood-by-the-Sea will not impact local water supplies. All their water is drawn from the lower aquifer, while agricultural users obtain water from privately-owned wells. The Preble, Olivas and McGrath agricultural lands are outside the seawater-intruded area, and will not be affected by the well-drilling moratorium. However, agricultural lands in the rest of the Central Coast *coastal zone* are subject to seawater intrusion. Adopted policies and ordinances developed under the "208" Countywide Planning Process will also be applied toward a solution to the problem.

Sewer service allocations for Silver Strand and the Hollywood Beach are sufficient to handle all sewage generated from residential build-out in the area.

Silver Strand and Hollywood Beach will continue to be severely impacted by traffic, especially in the summer months. The completion of Victoria Avenue between Gonzales Road and Silver Strand in 1984 and out-of-area visitation compounded traffic congestion in the Silver Strand and Hollywood Beach areas.

There is a public *parking lot* at both ends of Silver Strand Beach. According to the Ventura County General Services Agency, ways are being explored to improve the Channel Islands southern jetty for pedestrian use if funding can be obtained.

During heavy winter storms there is a problem with waver run-up and ponding in residential areas.

Objective

To maintain current service levels to existing developments.

Policies

1. New or expanded *public works facilities* (including roads, flood control measures, water and sanitation) will be designed to serve the potential population of the unincorporated and incorporated areas within the Coastal Zone, and designed to eliminate impacts on *agriculture*, open space lands, and *environmentally sensitive habitats*.
2. New service extensions required beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.
3. In working toward solutions to circulation problems in the unincorporated beach communities of Hollywood Beach, Hollywood-by-the-Sea and Silver Strand Beach, the County of Ventura should initiate a renewed effort to coordinate with citizens and responsible agencies. Pedestrian walkways and bicycle paths should be considered as part of the solution.
4. Public transportation into Hollywood Beach, Silver Strand, and Hollywood-by-the-Sea will be provided according to needs identified in the data collected by South Coast Area Transit (SCAT).
5. The Public Works Agency will explore the feasibility of a "traffic roundabout" at the southern base of Victoria Avenue in front of the Coast Guard station to help alleviate traffic pressures on the Silver Strand community. This should be done in cooperation with any other affected agency, such as the City of Oxnard.

Locating and Planning New Development

I. Residential

Existing residential *development* in the Central Coast sub-area is confined to Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea. These areas have recently been in-filling rapidly. As the only segments of unincorporated land on which urban *development* is allowed, they will continue to in-fill.

The section of Ventura County's General Plan covering Hollywood Beach, Silver Strand and Hollywood-by-the-Sea allows build-out to the prevailing base zoning, mainly "R-B-H" (Residential Beach Harbor), and "C-C" (Coastal Commercial). Some of the property zoned commercial has been converted to residential and homes have been built.

II. Commercial

The existing neighborhood commercial *uses* in the Hollywood Beach, Silver Strand Beach, Hollywood-by-the-Sea and Channel Islands Harbor areas, coupled with the

major commercial *uses* nearby in the cities of Port Hueneme and Oxnard, are sufficient to serve the area and any visitors entering the area.

III. Industrial

Other than the energy facilities previously mentioned, there are no industrial developments in the unincorporated areas of the Central Coast.

Objective

To allow build-out of existing urbanized areas to continue, consistent with the County's General Plan, regional goals within the Air Quality Management Plan and "208" (Water Quality) Plan.

Policies

1. The areas of Hollywood Beach, Silver Strand Beach and Hollywood-by-the-Sea will be the only areas where high density residential *development* will be allowed in the Central Coast.
2. No *structures* for human habitation will be allowed within those hazardous areas shown in [Figure 24](#).

Potential Conflicts

Conflicts could arise between unincorporated County lands presently in *agriculture* and potential *development* plans of adjacent cities. Section 30241 of the Coastal Act states that, 1) the maximum amount of *prime agricultural land* shall be maintained in agricultural production; 2) stable boundaries separating urban and rural areas shall be established; and 3) that clearly defined buffer areas to minimize conflicts between *agriculture* and urban *uses* shall be defined.

I. San Buenaventura Area of Interest

Within the San Buenaventura Area of Interest and within the *coastal zone* are two unincorporated agricultural sub-areas:

- A. Preble Agricultural Lands - The Preble agricultural lands include 62 acres of row and truck crops, immediately north of the 101 Freeway and bounded on the west and north by the corporate limits of the City of San Buenaventura. All *parcels* contain prime soils. Land *uses* immediately adjacent to this area include: the Southern Pacific Railroad and mixed urban *development* to the north, the 101 Freeway to the east and south, and a citrus packing plant to the west.

The location of the Preble area may be critical to the designation of stable urban boundaries because it is immediately adjacent to urbanized lands within the City of San Buenaventura.

Local plans and policies reflect *development* pressures from the proximity of urban development. The area is currently designated "Agricultural" on the County's General Plan and zoned "C-A" (Coastal Agricultural). The County's "208" Plan includes the area within the 1977 "Urban Growth" phasing boundary. The City of San Buenaventura's Land Use Element designates the site for "Planned Mixed Development." The area is designated a Phase I (first priority development). It is within the City of San Buenaventura's Sanitation District, and water is available and water pressure adequate. Urban services appear to be readily available. However, *development* may be restricted by the lack of adequate *access* to the site. Although it is adjacent to the freeway, *access* to the area is currently limited to a narrow road off of Seaward Avenue.

The Southern Pacific railroad tracks, located along the northern perimeter of the site, pose additional *access* problems.

Two logical urban boundaries exit in the Preble area: 1) the Southern Pacific Railroad tracks on the northern perimeter of the site, and 2) U.S. Highway 101 at the southern perimeter of the site. The City and County concur that the table urban-rural boundary will be the Southern Pacific Railroad right-of-way between the agricultural and urban lands.

- B. Olivas Lands - Immediately south of the Preble property are the Olivas agricultural lands. Highway 101 separates the two segments of land. Prior to construction of the freeway, *parcels* in these two areas formed a continuous stretch of *prime agricultural land*. The Olivas land includes 355 acres of row and truck crops. Approximately 120 acres of this area are in agricultural preserve.

Land *uses* adjacent to the sub-area include the 101 Freeway and agricultural activities on the north and east, the Olivas Golf Course on the south, and Harbor Boulevard, the Ventura Marina and the Pierpont/Keys residential *development* to the west.

The County General Plan designates this area as "Agricultural" (40 acre minimum). The City of San Buenaventura's General Plan also designates the area "*Agriculture*" through 2010. Unlike the Preble area, services are not readily available to the Olivas lands. They are not included in the City's sanitation district because of problems with water pressure. Existing plans and policies support maintenance of *agriculture* in this area, in conformance with the Coastal Act.

II. Oxnard Area of Interest

The Santa Clara River is the approximate boundary between the Oxnard and the San Buenaventura Areas of Interest. Within the Oxnard Area of Interest the potential conflict areas include the Edison Canal and a portion of the agricultural land in the Ormond Beach area.

The "Edison Canal" (so called because it was originally associated with holdings of the Southern California Edison Company) traverses the *coastal zone* from Channel Islands Harbor northward to the Generating Plant, currently owned by Reliant Energy, at Mandalay Beach. The canal flows through both unincorporated and City of Oxnard lands. Both recreational and residential *development* has been proposed along the canal. Conflicts could occur between the different land *uses* proposed in the Edison Canal Land Use Study and the owner of the canal and its right-of-way.

Figure 18
Santa Clara River Mouth

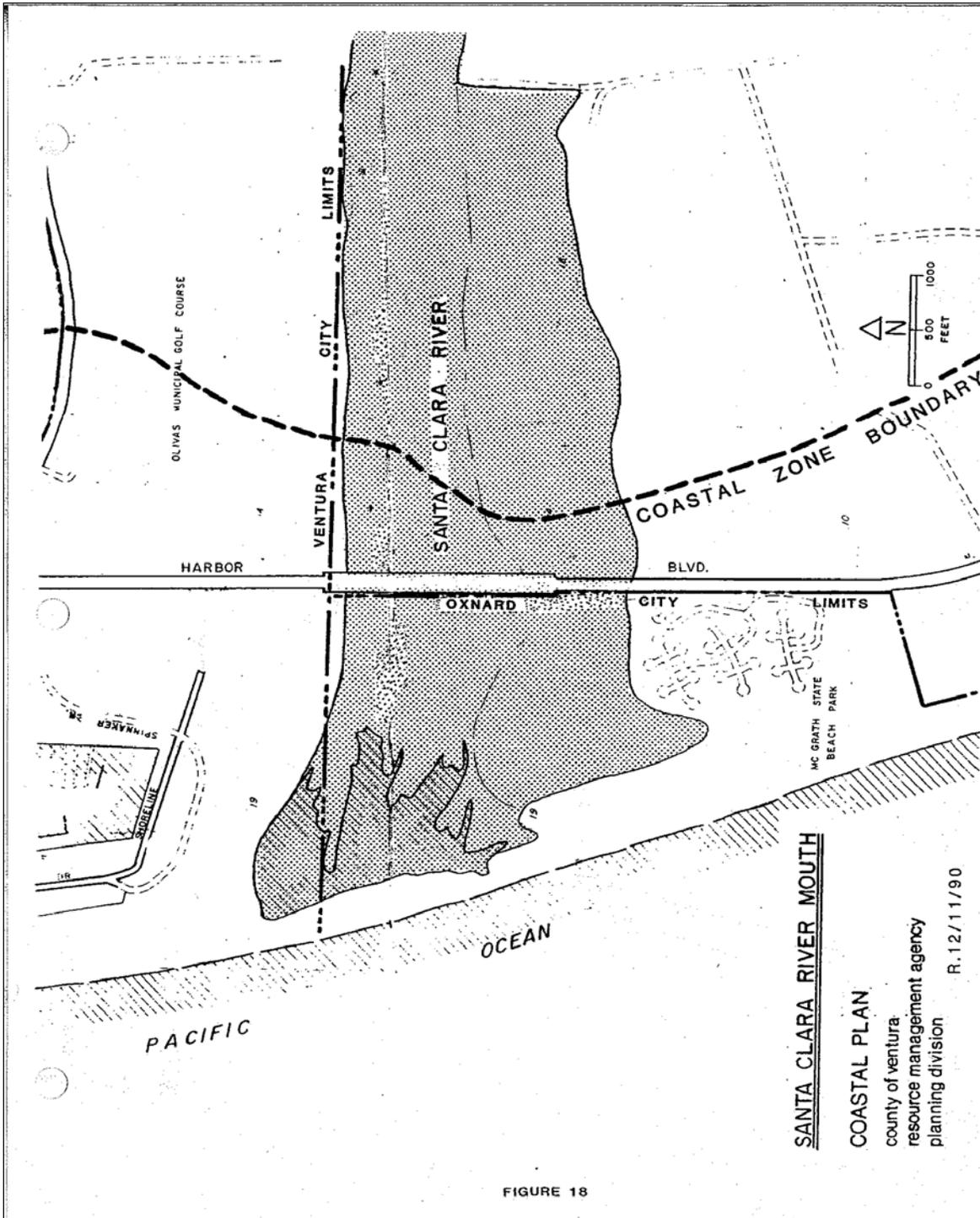


FIGURE 18

Figure 19
McGrath Lake

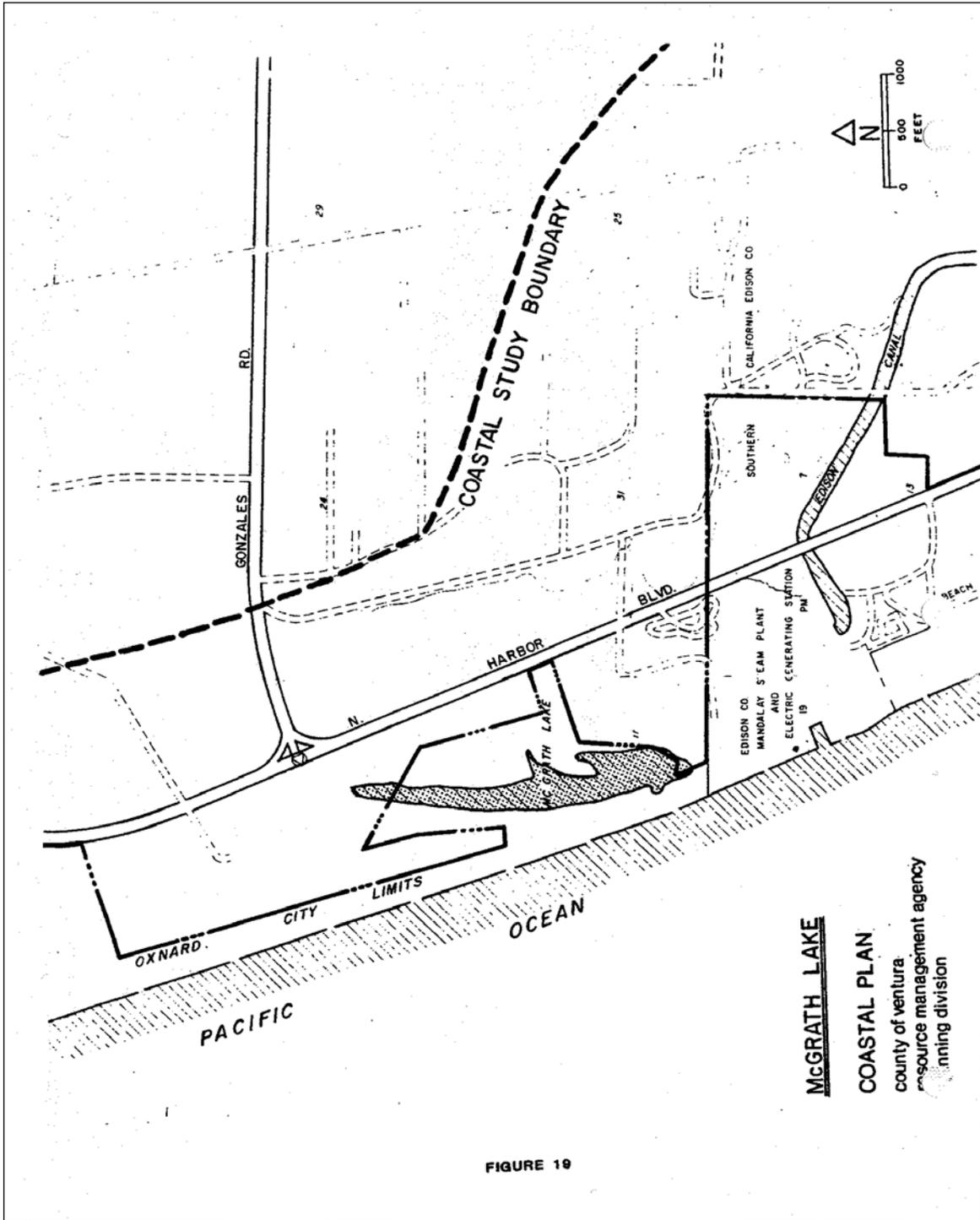


FIGURE 19

Figure 20
(Reserved for future use)

Figure 21
Recreational Areas on the Central Coast

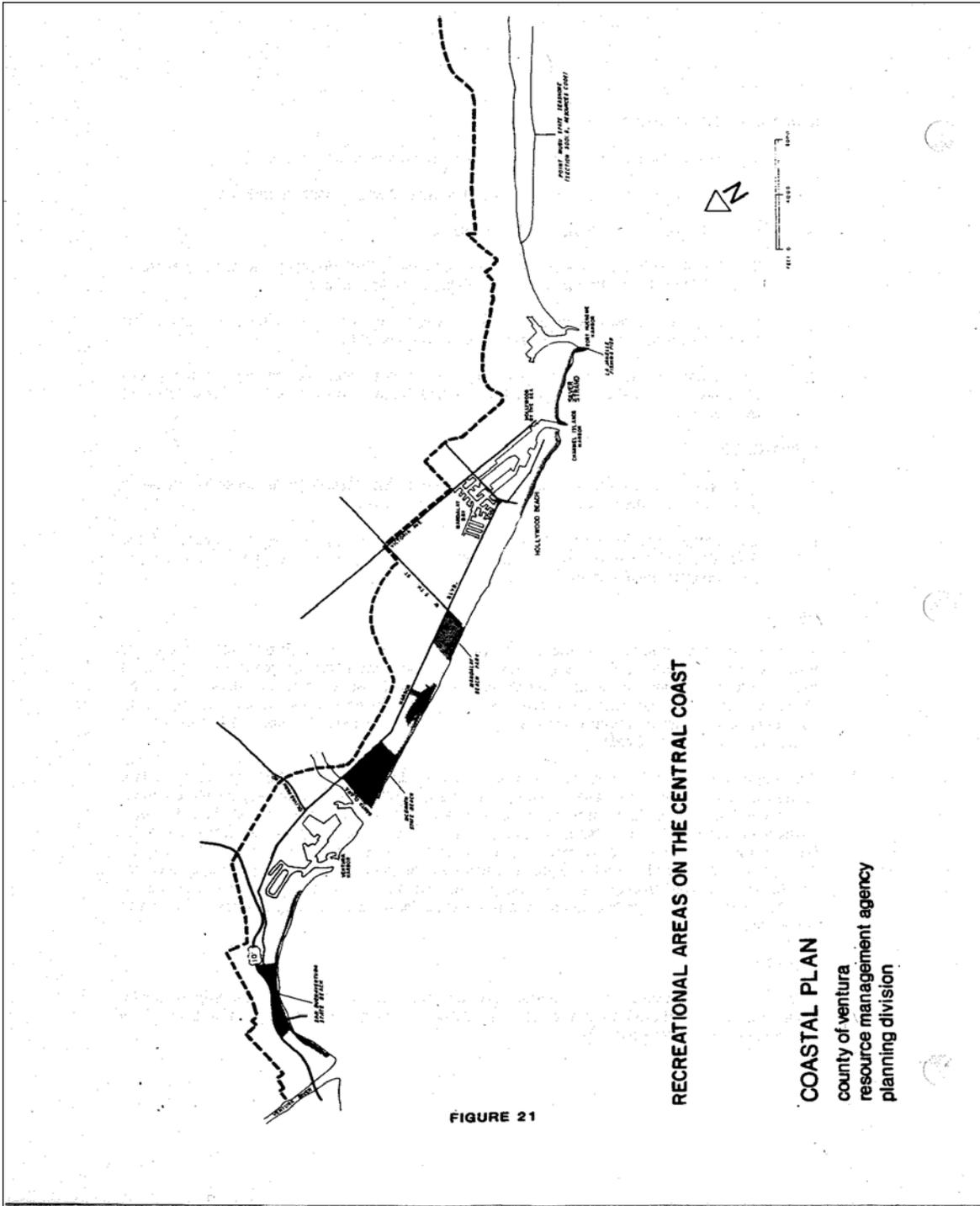


FIGURE 21

COASTAL PLAN
 county of ventura
 resource management agency
 planning division

Figure 22
Central Coast Access Inventory

Name and Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By
Hollywood Beach *	Park	50 ac.	--	Yes	Yes	County	County
Silver Strand Beach*	Park	41 ac.	--	Yes	Yes	County	County

6/20/89

Footnotes:

* See Local Coastal Area Plan Land Use Maps for the Central Coast and Harbor Area, Figures 26.2 and 26.3 (separate maps).

Figure 24
Central Coast Restricted Development Area
 (Map of Pt. Mugu NAS)

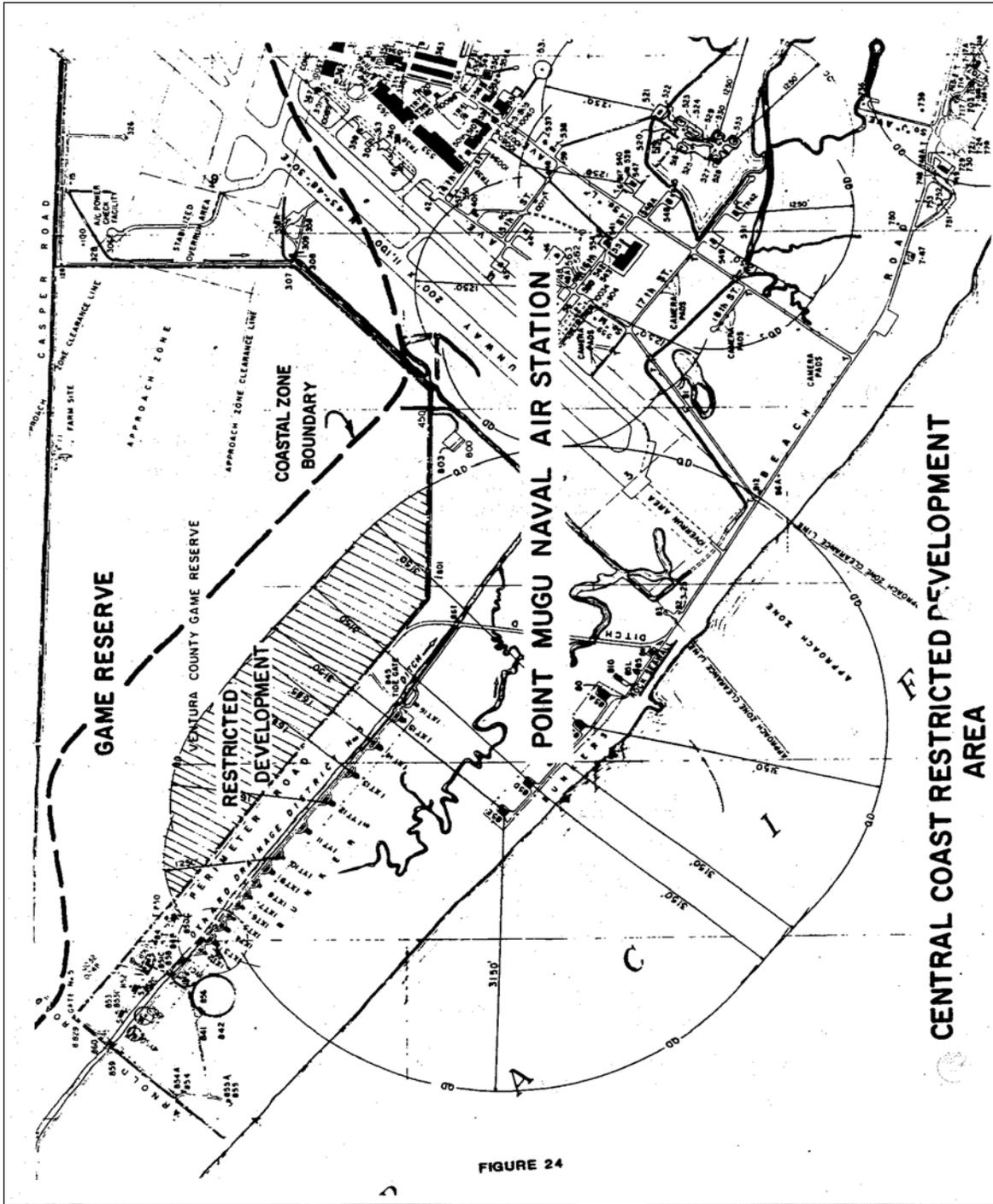


Figure 25 Existing OCS and Tideland Leases and Oil Facilities on the Central Coast

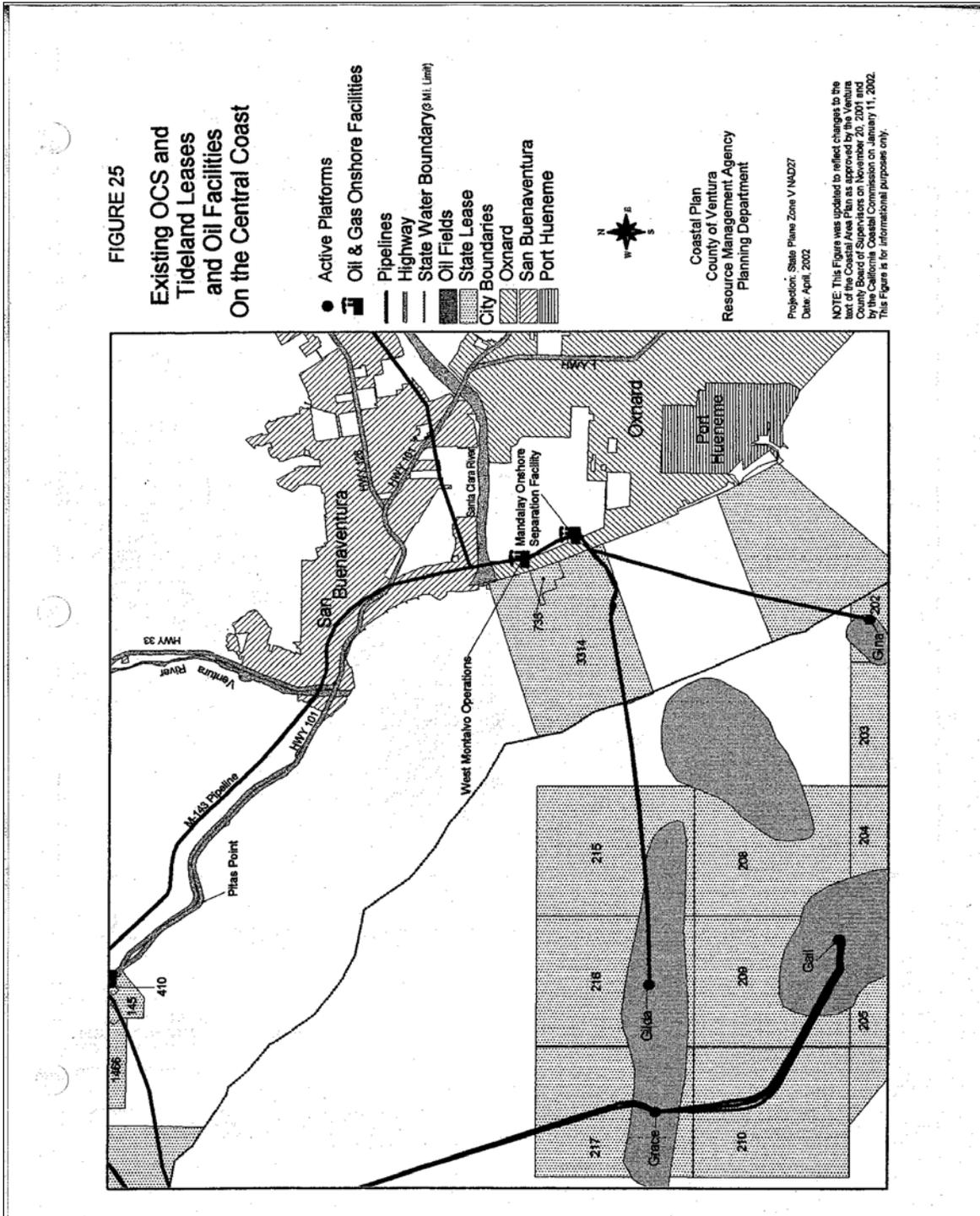


Figure 26
Energy Facilities on the Central Coast

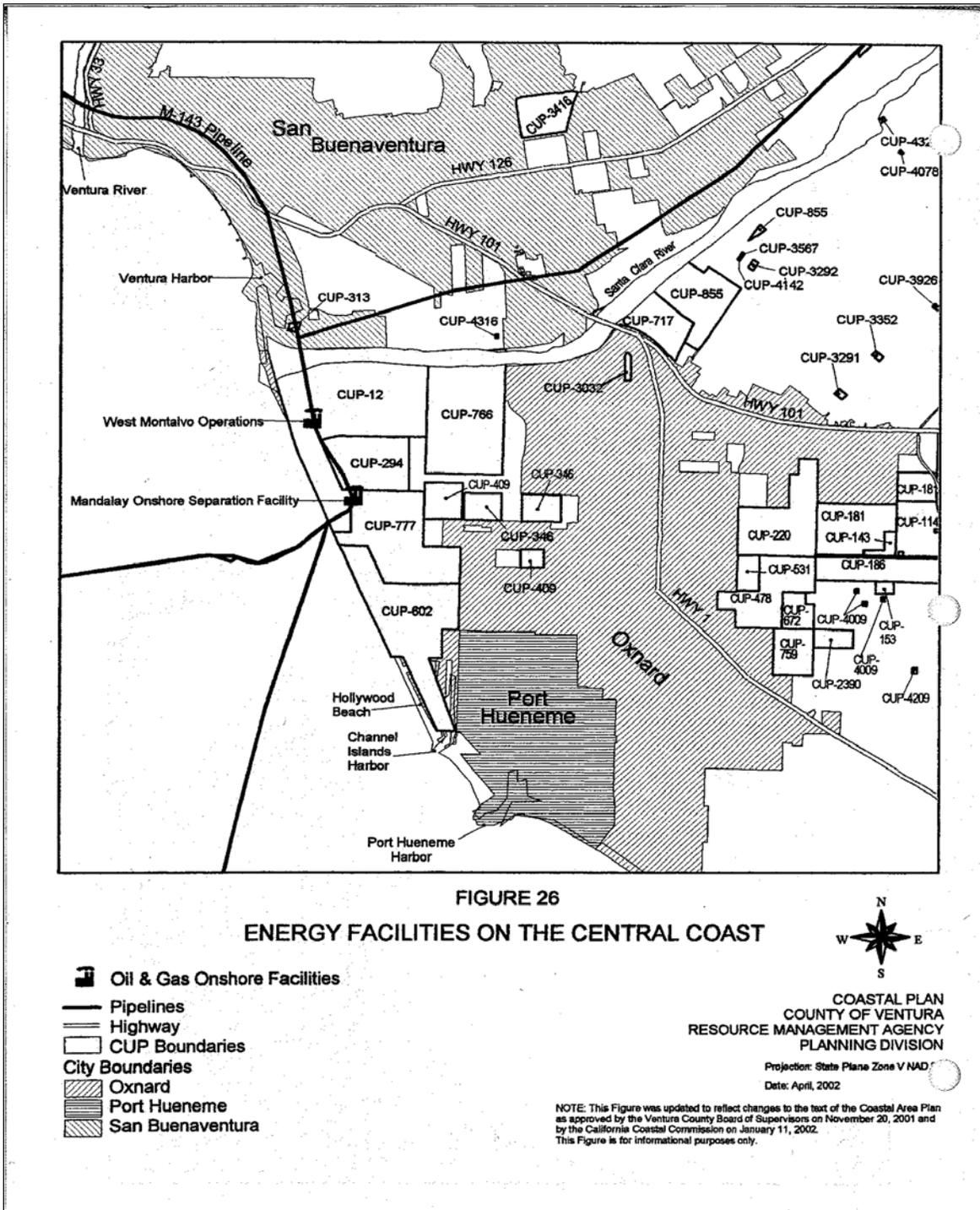


Figure 26.1
Summary Table Building Intensity/Population Density Standards (Central Coast Area)

Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Open Space	266.0	5% ³	0.100	26	2.76	71	0.267
Agriculture	1,486.3	5% ³	0.025	37	2.76	102	0.069
Recreation	28.0	5% ³	N/A	N/A	N/A	N/A	N/A
TOTALS	1,780.3			63		173	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
High	97.2	65%	36.00	3,499	2.76	9,657	99.35

Commercial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	3.1	40%	69.5	1.0	69	22.26

12/10/96

Footnotes:

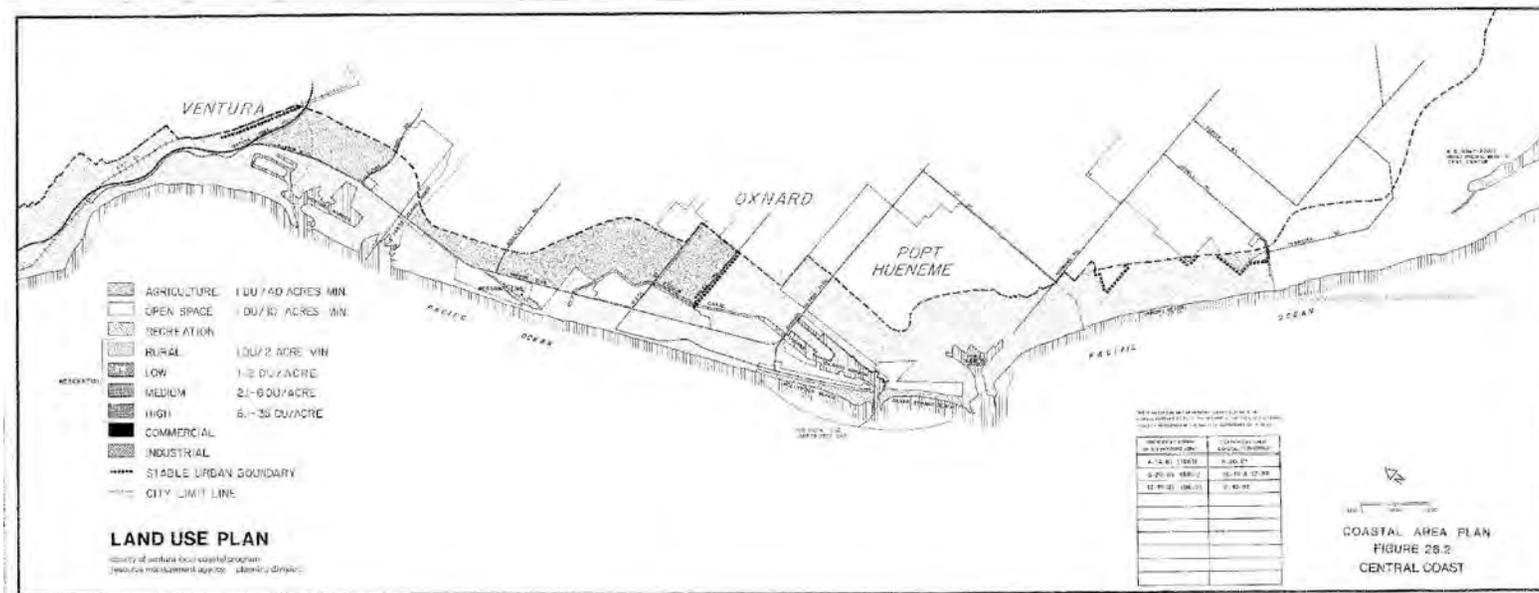
¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

² Year 2000 Forecast for Oxnard Growth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

Figure 26.2
Local Coastal Area Plan – Land Use Map: Central Coast



The South Coast

Area Summary

The South Coast encompasses about 18,600 acres of some of the most striking and diverse coastal terrain in the County. Included along its 13.1 mile length (only eight miles are under State or local jurisdiction) are Mugu Lagoon and surrounding coastal marshes, and approximately seven miles of the coastal Santa Monica Mountains. The sub-area's northern boundary is the Point Mugu Pacific Missile Test Center, with the Los Angeles County line as the sub-area's southern end point.

Most of the federally-owned land in the County *coastal zone* is located in the South Coast; however, it is excluded from Coastal Commission or County jurisdiction. The U.S. Navy Pacific Missile Test Center at Point Mugu is adjacent to Oxnard at Arnold Road. Mugu Lagoon, one of the largest and most important estuaries and tidal marshes in California, is within base boundaries.

A small community area is located immediately north of the Ventura - Los Angeles County line along a narrow coastal terrace. The area is designated "Existing Community" in the General Plan, allowing it to be developed to prevailing zoning.

A significant portion of the Santa Monica Mountains are within Ventura County's coastal zone, which extends up to five miles inland in this sub-area. While much of the area is undeveloped, there are two segments that are developed: one at Deals Flat, and another along branches of the Deals Flat *access* road. The latter *development* includes one to five acre ranchettes. Increased density in the area is controlled by this Coastal Area Plan which allows one *dwelling* per 10+ acres (subject to Hazards Section *Policy 7*: i.e., *slope/density formula*).

The Santa Monica Mountains are becoming significant for their recreation potential. Point Mugu State Park, about 7,400 acres of which are in the coastal zone, is the South Coast's major recreation and preserve area. The park stretches from the sandy beach to the inland mountains. A portion of Leo Carrillo Beach extends into Ventura County near the Malibu Bay Club. The California Department of Parks and Recreation has acquired an additional 12.5 acres of beach between Yerba Buena Road and Whaler's Village. Both Leo Carrillo and Point Mugu are included in the potential Point Mugu State Seashore (Resources Code Section 5001.6).

Another federal facility will be located in the South Coast: the National Park Service is in the process of consolidating a Santa Monica Mountains National Recreation Area. Land acquisition is in its incipient stages; however, the coastal property between Point Mugu State Park and Leo Carrillo State Beach Park has been identified for priority acquisition. Several other South Coast properties are slated for probable fee or less than fee acquisition, or some other recreational arrangement.

Private youth camps, totaling 1,788 acres, are located near Yerba Buena Road and Little Sycamore Canyon.

Policies

1. All zoning and *development* shall be in conformance with the Land Use Plan map (Figure 32.1), which has been designed to reflect these goals and

policies. The Zoning Compatibility Matrix ([Figure 33](#)) indicates the zones which are consistent with the various land use categories.

2. In case of reasonable doubt as to the precise alignment of land use boundaries on the Land Use Plan Map, the *Planning Director* is authorized to determine the precise boundary locations. Such determinations must comply with the goals and policies which are set forth in the written text of the Coastal Area Plan. Determinations shall be graphically portrayed on the adopted Land Use Plan Map. In granting the *Planning Director* such powers, it is understood that any interested party may appeal the Director's decision to the Planning Commission and subsequently to the Board of Supervisors (Ventura County Ordinance Code, Division 8, Chapter 1.1, Article 11) and, upon exhaustion of these local appeals, as follows:
 - a. The dispute or question of determination may be appealed to the Executive Director of the Coastal Commission. The Executive Director shall expediently transmit to the interested parties his or her determination as to the precise boundary location.
 - b. Where the Executive Director's determination is not in accordance with the local government determination, the Commission shall hold a hearing for purposes of determining the appropriate boundaries for the area. The Commission shall schedule the hearing on the determination for the next Commission meeting consistent with its Administrative Regulations Sections 13569.

Environmentally Sensitive Habitats

The South Coast sub-area contains numerous *environmentally sensitive habitat areas* ([Figure 27](#)). Therefore, a special overlay zone classification has been applied to most of the land easterly and southeasterly of the U.S. Navy Pacific Missile Test Center at Point Mugu. The only area that is not covered by the special overlay zone is the land within the Solromar "Existing Community". This special "Santa Monica Mountains" (M) overlay zone was implemented in order to recognize that Santa Monica Mountains are a *coastal resource* of statewide and national significance. The mountains provide *habitats* for several unique, rare or endangered plant and animal species. Such *habitats* may be easily damaged by human activities. Therefore, *development* in the overlay zone area requires case-by-case consideration, and, where applicable, shall be consistent with Sections 30230 and 30231 of the Coastal Act.

A. Coastal Dunes

La Jolla Beach, 40 acres of sandy beach and dunes with a prominent climbing, wind-formed dune, is part of Point Mugu State Park. While public ownership provides some protection of this dune area, its *access* and *use* should be reviewed by the State. The "Resource Management Plan for Point Mugu State Park" points out that the hillside dune needs protection from off-road vehicle *use*, and suggests that the area be included in the La Jolla Valley Nature Preserve. While the County does not have jurisdiction over these dunes, it is nevertheless concerned with their preservation ([Figure 27](#)).

The quality of dune *habitats* may be preserved by measures such as restricted vehicular *access*, clearly defined pathways, revegetation with native plants, interpretive centers and public education.

Objective

To encourage the State to adequately control *access* to the sand dunes and protect them against degradation.

Policies

1. The County encourages State Parks to control those activities that lead to dune degradation, including *use* of off-road vehicles, or dumping.

B. Tidepools

Tidepools are located near Point Mugu Rock, and between Big Sycamore Canyon and Deer Creek Canyon. Although not actually within the County's jurisdiction, it is significant to note that the offshore area between Laguna Point and Point Dume in Los Angeles County has been designated an "Area of Special Biological Significance" by the Regional Water Quality Control Board (see *Public Works* section), and that nearshore, intertidal and terrestrial coastal areas are ecologically closely interrelated.

Objective

To support the State in the protection of the tidepools.

Policies

1. The State should include interpretive programs regarding coastal ecology in any future *development* of recreational facilities.
2. Wastewater effluent and solid waste at public sites along the South Coast are to be properly disposed of.
3. Ventura County Environmental Health Division and the Ventura Regional County Sanitation District coordinate with the State to find acceptable alternatives for wastewater effluent disposal on the South Coast.
4. Shoreline protection *structures* such as revetments, seawalls, groins, or breakwaters are allowed when they are necessary to protect existing *developments*, coastal dependent land *uses* and public beaches. Any *structures* built under these conditions that affect tidepools will incorporate mitigation measures that reduce intertidal or nearshore *habitat* loss as *feasible*.
5. An applicant for any new coastal project, including *shoreline protective devices*, will demonstrate that their proposal will not cause long-term adverse impact on the beach or intertidal areas. Impacts include, but are not limited to, destruction of the rocky substrate, smothering of organisms, contamination from improperly treated wastewater and findings to be made will include, but not be limited to, proper wastewater disposal.
6. The Statewide "Guidelines for Wetlands and Other *Environmentally Sensitive Wet Habitats*" will be used in analyzing any projects with the potential to impact tidepools.

C. Creek Corridors

Major creek corridors on the South Coast include Calleguas Creek, La Jolla Canyon, Big Sycamore Canyon, Serrano Canyon, Deer Creek Canyon and Little Sycamore Canyon ([Figure 27](#)).

Calleguas Creek watershed includes over 343 square miles of land and empties into the ocean via Mugu Lagoon south of Point Mugu Naval Air Station, north of the Santa Monica Mountains. The flood plain and agricultural lands along the creek are subject to extreme flooding during heavy rains.

The riparian corridors in the Santa Monica Mountains (Big Sycamore, Serrano, Deer Creek, and Little Sycamore) are important watershed areas. Maintenance of

their compliment of *native vegetation* will help diffuse floods and *runoff*, minimize soil erosion, and diminish sedimentation.

Objective

To maintain creek corridors in as natural a state as possible while still accommodating needs for public health and safety.

Policies

1. *Stream* or creek corridors are considered to be watercourses, either perennial or intermittent, as shown on USGS quadrangle maps, as measured between the high water mark, or the break in each bank.
2. All projects on land either in a *stream* or creek corridor or within 100 feet of such corridor, shall be sited and designed to prevent impacts which would significantly degrade *riparian habitats*, and shall be compatible with the continuance of such *habitats*.
3. Substantial alterations (channelizations, dams, etc.) to river, *stream*, or creek corridors are limited to:
 - a. Necessary water supply projects;
 - b. Flood control projects where no other method for protecting existing *structures* in the flood plain is *feasible*, and where such protection is necessary for public safety or to be protect existing *development*; or
 - c. *Developments* where the primary function is the improvement of fish and wildlife *habitat*.
4. Projects allowed per the above policies will incorporate the best mitigation measures *feasible*.
5. The Coastal Commission's adopted "Statewide Interpretive Guidelines for Wetlands and Other *Environmentally Sensitive Habitats*" will be used when evaluating new projects in creek corridors.
6. The County supports the policies found in the Santa Monica Mountains Comprehensive Plan and has adopted a resolution agreeing to incorporate that Plan when analyzing any *development* request in the Mountains. In addition, the County will routinely submit *development* proposals to the Santa Monica Mountains National Recreation Area for review.

D. Film Production. Temporary

1. Temporary film production activities shall not result in substantial adverse impacts to ESHA or ESHA buffer, including indirect effects from outdoor lighting or noise.

E. Signs

1. Signs are prohibited within ESHA except for resource protection or interpretative and educational signage, or signage necessary to ensure public safety. Signage within ESHA or its buffer shall be sited and designed to minimize impacts on the resource to the maximum extent feasible.

D. Santa Monica Mountains

The Santa Monica Mountains contain some of the most significant inland *habitats* in the County's coastal zone. Many creeks and *streams* with their riparian corridors, coastal dunes, and rare native bunchgrass and giant coreopsis can be found in the mountains. In addition, grasslands, chaparral, and oak woodlands are found.

Some of these *environmentally sensitive habitats* are mapped, but others occur in several small areas throughout the mountains, making them impractical to accurately map.

Objective

To preserve and protect the upland *habitats* of the Santa Monica Mountains.

Policies

1. New *development*, including all private and public recreational *uses*, shall preserve all unique *native vegetation*, such as Giant Coreopsis and Dudleya cymosa ssp. marcescens.
2. The County shall update its inventory of upland *habitats*, wildlife travel networks, nesting sites, and appropriate buffer areas as part of the Implementation Phase of the *Local Coastal Program* (LCP). This update may use existing information and shall involve consultation with appropriate environmentalists, scientists and government agencies dealing with the Santa Monica Mountains as a whole. A map focusing on *sensitive environmental habitats* and their buffers shall be prepared and included in the LCP and shall be continually updated as additional information becomes available. *Environmentally sensitive habitats* shall conform to the definition in the Act, PRC Section 30107.5.
3. All new *upland development* shall be sited and designed to avoid adverse impacts on *sensitive environmental habitats*.
 - In cases where *sensitive environmental habitats* are located on a project site where the impacts of *development* are mitigated consistent with the Plan, the County shall assure that all *habitat* areas are permanently maintained in open space through an easement or other appropriate means.
 - When such impacts of *development* would be unavoidable, the County shall ascertain within the specific project review period whether any public agency or non-profit organization, including the National Park Service, Coastal Conservancy, the Santa Monica Mountains Conservancy, State Department of Parks and Recreation, County Recreation Services, and Trust for Public Lands, is planning or contemplating acquisition of any portion of the subject property to preserve it in open space. The permit may not be approved if such agency or organization has been specifically authorized to acquire any portion of the property which would be affected by the proposed *development*, and funds for the acquisition are available or could reasonably be expected to be available within one year of the date of application for the permit. If the permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again on the same ground.
4. Where possible for subdivision and undeveloped contiguous *lots*, construction and/or improvements of driveways/accessways which would increase *access* to the subject area or adjacent areas shall be permitted only when it has been determined that environmental resources in the area will not be adversely impacted by the increased *access*. Grading cuts shall be minimized by combining the accessways of adjacent property owners to a single road where possible. The intent is to reduce the number of direct ingress-egress points off public routes and to reduce grading. At *stream*

crossings, driveway *access* for nearby residences shall be combined. Hillside roads and driveways shall be as narrow as *feasible* and follow natural contours.

5. *Development* dependent upon a water well shall be approved only if such well would not either individually or cumulatively cause adverse impacts on affected riparian areas or other *coastal resources*. This policy shall be implemented as data becomes available through the County CEQA process and other review procedures.
6. All proposals for land divisions in the Santa Monica Mountains shall be evaluated to assure that any future *development* will be consistent with the *development* policies contained in this Plan. Where potential *development* cannot occur consistent with the *development* policies contained in this plan, the request for division shall be denied. Environmental assessments shall accompany tentative map applications and shall evaluate the ecological resources within and adjacent to the site and the consistency of the proposed division and *development* with the standards of the *Local Coastal Program*.
 - All applications shall identify future *building* envelopes and shall be identified on the final map. Building envelope is defined as:

The one area of a proposed *parcel* which shall contain all *structures*, including but not limited to: the primary residential *structure*, other accessory residential *structures*, barns, garages, swimming pools, and storage sheds. Specifically excluded are *fences* and walls which may be placed along property lines.
 - All identified *environmentally sensitive habitat areas* and/or *slopes* over 30% shall be permanently maintained in their natural state through an easement or other appropriate means and shall be recorded on the final tract or *parcel* map or on a grant deed as a deed restriction submitted with the final map. *Development* shall not be permitted in areas over 30% *slope*.
 - All offers-to-dedicate trail easements consistent with recreation policy #8 below, shall be recorded on the final map. Trail easements established by deed restriction shall be recorded on the deed no later than final map recordation.

Scenic and Visual Qualities:

7. New *development* shall be sited and designed to protect public views to and from the shoreline and public *recreational areas*. Where *feasible*, *development* on sloped terrain shall be set below road *grade*.
8. *Development* shall not be sited on ridgelines or hilltops when alternative sites on the *parcel* are available and shall not be sited on the crest of major ridgelines.
9. Except within the Solromar "Existing Community", all *development* proposals located within 1,000 feet of publicly owned park lands shall be sited and designed to mitigate potential adverse visual impacts upon park lands. Appropriate mitigation measures include additional landscaping, use of natural materials, low *building* profile, earth tone colors, and the like. *Development* shall not be sited within 500 feet of a park boundary unless no alternative siting on the property is possible consistent with the policies of this Coastal Area Plan.

E. Mugu Lagoon and San Nicholas Island

Although completely on Federal land and thus not in the coastal zone, Mugu Lagoon deserves discussion in this Plan because of its important *habitat* values and its relationship biologically to intertidal and offshore waters, both State and Federal, and its related importance for commercial and sport fisheries.

Mugu Lagoon is the last Southern California estuary to remain in its approximate natural site. Numerous sociological research programs indicate its importance. A number of species found in the Lagoon have been exterminated in other estuaries. The Lagoon serves as a nursery for offshore species. A variety of marine mammals feed and rest in the Lagoon.

Much of the credit for preservation of the Lagoon goes to the U.S. Navy. Protection of fish and wildlife is assured through, among other sources, the 1967 Fish and Wildlife Plan for Point Mugu and San Nicholas Island, jointly subscribed by the State and Federal governments. Although the Lagoon is within the Pacific Missile Test Center (PMTTC) and therefore on federal land, it is impacted by activities in the unincorporated, non-federal surrounding lands, particularly those along Calleguas Creek and Revlon Slough. A small portion of this tributary area is in the *Coastal Zone* where *development* activities will be reviewed for consistency with the policies of this Coastal Area Plan.

However, many upstream activities affecting Mugu Lagoon may involve Federal participation or Federal assistance, and these will be subject to Coastal Commission review for consistency with the California Coastal Management Program.

The Calleguas Creek watershed includes over 343 square miles, including the major urbanized areas of Simi Valley, Thousand Oaks, Moorpark and Camarillo, and as well, major agricultural lands in the Oxnard Plain. A portion (approximately 400-500 feet) within the *Coastal zone* of Calleguas Creek drains into the Lagoon. Rapid urbanization and increased agricultural irrigation has resulted in increased *runoff* and sedimentation in the Lagoon.

According to the State Department of Fish and Game and the U.S. Fish and Wildlife Service (June 1976), sedimentation from Calleguas Creek may elevate the Mugu Lagoon *wetland* above the tidal prism (ocean tide flooding) and thereby change the water quality and environmental characteristics of the *wetland*. Urbanization in the upstream watershed increase *runoff*, both in total volume and in the magnitude of the peak flow. Further, conversion of native watershed to urban and agricultural land increases summer flows (low flows) to the proximity of Mugu Lagoon. Increased flows lead to potentially lowered salinity in the Lagoon, increased pollution and increased erosion in unprotected areas along the unimproved channel reaches which ultimately may deliver more sediments to the Lagoon. The result is damage to both flora and fauna in the Lagoon (California Department of Fish and Game, 1976).

An important concern regarding any alterations of Calleguas Creek is the impact on endangered species in the Lagoon area. According to the U.S. Fish and Wildlife Service (USFWS), the endangered light-footed clapper rail, Belding's savannah sparrow and California least tern utilize the Lagoon.

Some flood control improvements (such as those that decrease sedimentation) along Calleguas Creek may be necessary for the maintenance or enhancement of the *wetland*. According to the Ventura County Flood Control District (Ventura County Coastal Planning Study, Flood Control Planning, Surface and Groundwater Hydrology, 1972), without improvements to reduce sedimentation and to maintain

an optimum exchange of tidal and fresh waters, the Mugu *wetland* may ultimately cease to exist or become severely degraded as a *wetland* area.

Objective

To maintain Mugu Lagoon, including the main estuary and the entire *wetland* system within the Pacific Missile Test Center, in as natural a state as possible, to the extent consistent with national security needs.

Policies

1. Upstream *development* and activities subject to Federal consistency review, including solid waste disposal, soil management practices, flood control, water reclamation, sewage treatment, *use* of pesticides and fertilizers, etc. should not impair the biological productivity of Mugu Lagoon nor its value for scientific and educational purposes, nor the offshore fisheries with which it is linked.
2. Flood control projects should avoid intrusion into Mugu Lagoon, be sited and designed to prevent degradation of the *wetland*, and incorporate *feasible* mitigation measures. Channelization, dams, and other river or *stream* alterations should be limited to necessary water supply projects, flood control projects necessary for public safety, and projects necessary to protect and enhance *wetlands habitats* and to reduce sedimentation in Mugu Lagoon.
3. Projects which adversely impact *habitat* should include mitigation measures such as timing of the project to avoid disruption of breeding and/or nesting of birds and fishes, minimal removal of *native vegetation*, reclamation or enhancement programs.
4. Dredging, diking or *filling* of Mugu Lagoon should be limited to restoration and nature study purposes or projects required for national security. Any *fill* or degradation of *wetlands* should be accompanied, where *feasible*, by creation or enhancement of equivalent *wetlands* area.
5. The County supports the work already done, and any future plans the Navy may propose to maintain and enhance the productivity of the Mugu Lagoon consistent with the *Local Coastal Program*.
6. The County supports continued and future reliance on joint Federal-State plans such as the 1967 Fish and Wildlife Management Plan for Point Mugu and San Nicholas Island. Marine mammal populations should be protected or, in the case of sea otters, re-established where *feasible* consistent with national security needs.

~~Archaeological and Paleontological Resources~~

~~A. Archaeology~~

~~The entire Ventura County coast is archaeologically and culturally significant to a variety of groups. Earlier, it was the site of one of the densest Native American populations in North America. On the South Coast, particularly in the Santa Monica Mountains, archaeological sites are abundant.~~

~~Recent research indicates that knowledge of the distribution and location of earlier human habitation sites will add yet another dimension to our understanding of climatic and environmental cycles (Euler et al. 1979).~~

~~The County's Public Works Agency review all major development applications for archaeological resources. Specific sites, however, are not named to avert disturbance or destruction.~~

~~Objective~~

~~To recognize archaeological sites in the County's coastal zone as significant to an understanding of human and environmental history, and to protect South Coast archaeological sites from destruction to the maximum extent feasible.~~

~~Policies~~

- ~~1. Based upon the location of proposed project, Public Works may require the following work as a permit condition:
 - ~~a. High sensitivity area - Field survey and test pits required.~~
 - ~~b. Medium to high sensitivity area - Field survey required.~~
 - ~~c. Moderate to negligible - No field work necessary.~~~~

~~For projects in an area (a) or (b), the applicant will have a qualified archaeologist assess the development impacts and cultural significance of the site. As may be appropriate, the Northridge Archaeological Research Center at Cal State Northridge should be contacted for a Native American approved Monitor to observe and aid the work during excavation of auger holes, test pits, trenches or exposures (Appendix 2).~~

- ~~2. Human burials should not be removed from the ground without specific authorization, and under the direction of Native American Monitors or Native American approved archaeologists.~~
- ~~3. Where significant archaeological resources have been identified on a site, a qualified archaeologist will be present, at the applicant's expense, during all excavating, grading and other earth-moving activities.~~
- ~~4. Location of all coastal zone archaeological sites will be kept confidential to avert disturbance or destruction.~~
- ~~5. Archaeological, historical, and ethnobotanical interpretation of native peoples in Ventura County should be incorporated into existing and future interpretive programs at public recreation areas.~~
- ~~6. Credentials of the qualified archaeologist who performs the applicant's study will be presented with the rest of the information required.~~
- ~~7. Where new development would adversely impact archaeological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving the structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.~~
- ~~8. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

~~B. Paleontology~~

~~The geological and biological history of the Ventura County coast is significant. The coastal zone contains areas of marine fossils that are among the best in Southern California (B. Welton, pers. comm.). Records in the Los Angeles County~~

~~Museum of Natural History show extensive fossil sites in Ventura County. The coastal zone has yielded many "type" specimens, which are used as the example specimens against which all other finds of the same animal are compared. Groups of fossils are currently being used by geologists to unravel patterns of seismic movement in the area (J. Valentine, pers. comm.).~~

~~Unlike archaeological sites, paleontological sites are not necessarily destroyed by grading and construction. In fact, grading will often expose additional rock layers and increase the potential for new finds.~~

~~Objective~~

~~To recognize the current and potential significance of coastal fossils to geological and biological knowledge of the County, as well as popular interest in fossils, and to preserve significant paleontological sites to the fullest extent possible and steps taken to preserve the information a site may yield.~~

~~Policies~~

- ~~1. Based upon the location of a proposed project on the Paleontological Map Series of the Planning Division's Unified Mapping System, paleontological resources will be a consideration in the environmental review process.~~
- ~~2. Significant fossil discoveries on a site will be reported to the Los Angeles County Museum of Natural History or to appropriate scientists to ensure preservation of the information they may yield.~~
- ~~3. During the environmental review process, utilize the Initial Study Assessment Guidelines adopted by the County of Ventura.~~
- ~~4. Fossil discoveries should also be reported to the County Cultural Heritage Board to ensure maintenance of the information in Ventura County.~~
- ~~5. Where new development would adversely impact paleontological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving the structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.~~
- ~~6. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.~~

[Staff Explanation: Archaeological & Paleontological Resources were consolidated under Coastal Zone Objectives, Policies and Programs in an effort to initiate the reformatting of the Coastal Area Plan. Original policies were also noted as Coastal Zoning Ordinance regulations. The Coastal Area Plan was amended to provide clear policy direction and not regulations that implement policy.]

Recreation and Access

A. Recreation

Recreation on the South Coast is available in several areas, many of which have state, as well as national, significance ([Figure 28](#)).

Point Mugu State Park, encompassing over 15,200 acres with 19,224 feet of beach front, offers camping, backpacking, day hiking, picnicking, nature study and beach use. Current overnight campsites total 164, parking spaces 285, and there are 40 picnic tables. The Point Mugu State Park General Development Plan (CPR 1977)

proposes expanding facilities to 416 campsites, 695 parking spaces, 3 bus spaces, 3 interpretive facilities, 125 picnic tables and equestrian facilities.

A portion of another State facility, Leo Carrillo Beach, is partially within Ventura County and partially within Los Angeles County. Two 1980 additions to the State facility, a 26 acre extension of Leo Carrillo and approximately 6 acres of Yerba Buena Beach, are undeveloped. Intense *use* of the area has led to sanitation and enforcement problems. A potential State Parks acquisition east of Highway 1 would include upstream portions of Little Sycamore Creek, identified as a riparian corridor in this Plan. The State proposes to develop the site for a 40 space *parking lot*, comfort stations and trails, all projects that could adversely affect *stream* processes.

Potential for additional State recreation facilities exists in the 14,000 linear feet of privately-owned beach frontage south of Point Mugu State Park near Deer Creek. The beach is popular and users may be part of the "turn-away" crowd from the State Park. Unsupervised parking and overnight camping may pose health and sanitation problems. No restrooms or sanitation facilities are currently provided.

Recreation in the Santa Monica Mountains has taken on national significance with the formation of the Santa Monica Mountains National Recreation Area. The rugged, unstable terrain of this geologically young range includes diverse *habitats* and a number of ecosystems in *coastal zone* boundaries. Chaparral and coastal sage dominate the landscape. Riparian and oak woodlands, with a wide range of native wildlife, are also present. Much of the watershed is still natural.

The mountains are geologically and biologically closely related to the northern Channel Islands. While certain hazards, such as steep *slopes*, limited water, and fire danger preclude many kinds of *access* and recreation, the National Recreation Area will afford a variety of outdoor activities. Beach *use* and *use* of inland areas are closely related. The National Recreation Area is now in the early states of land acquisition.

Objective

In recognition of the scenic beauty, relatively undisturbed natural resources, popularity of recreation, as well as its greater out-of-area significance, to encourage the State and Federal governments in broadening recreational opportunities on the South Coast consistent with public health and safety, and the protection of private property rights.

Policies

1. The California Department of Parks and Recreation should continue with protection of the unique and sensitive natural resources in Point Mugu State Park as a major goal of management.
2. The California Department of Parks and Recreation should work closely with the County and the National Park Service as the Santa Monica Mountains National Recreation Area develops to be sure that, within environmental constraints, are consistent with long-range County goals, maximum public recreation and *access* are achieved and upland supporting areas are protected.

Leo Carrillo State Beach

3. As State Parks evolves its plans for these beach segments, care should be taken to conform to the California Coastal Act. Creek corridors, such as Little Sycamore Creek, should remain as natural as possible to maintain watershed, *habitat*, and upland recreation area.

Deer Creek Beach Frontage

4. The County supports acquisition of the beach by the California Department of Parks and Recreation or the Santa Monica Mountains National Recreation Area.

Santa Monica Mountains National Recreation Area

5. To work closely with the National Park Service in the *development* of the National Recreation Area Management Plan to determine appropriate recreational *uses* for the Santa Monica Mountains.
6. The County supports the "Major Feeder Trail" connecting the Backbone Trail to the Pacific Coast between Yerba Buena and Deer Creek Roads as shown in the Santa Monica Mountains Comprehensive Plan.
7. The County shall incorporate the policies and accompanying maps, including the Trail Systems map found in the Santa Monica Mountains Comprehensive Plan (1979) as part of the Coastal Area Plan.
8. *Development* shall neither preclude continued *use* of, or preempt the option of establishing inland recreational trails along identified routes, as indicated in the Santa Monica Mountains Comprehensive Plan (1979), and the Coastal Slope Trial as proposed in the U.S. Department of the Interiors Santa Monica Mountains Draft Environmental Impact Statement and General Management Plan (September 1980), or along routes established by custom to destinations of public recreation significance. An offer-of-dedication or a deed restriction of a trail right-of-way shall be required as a condition of approval on property crossed by such trail routes.
9. All new trail corridors shall be a minimum of twenty-five (25) feet in width with a larger corridor width for major feeder trails. The routing of trails shall be flexible in order to maintain an adequate buffer from adjacent *development*. Where *feasible*, *development* shall be sited sufficiently distanced from the trail so as not to interfere with the trail route.
10. Among other methods of acquiring trail easements as established by the Santa Monica Mountains Comprehensive Plan (1979) and other future proposals, the following shall be considered:
 - a. Integrate trail easements with future capital improvement projects.
 - b. Provide incentives through contracts for lower taxes in exchange for allowing public trail rights or credits for required Quimby Act parkland dedication.
 - c. Allow for donations through gifts and acquisition of tax delinquent properties.
 - d. Acquire the trail routes through fee or less than fee acquisition.
11. To implement present and future trail routes, the County shall continue to coordinate with the State Department of Parks and Recreation, the Department of Interior National Recreation Area Staff, Los Angeles County, and trail activists from Los Angeles and Ventura County.
12. Before a permit for *development* of any shoreline or inland *parcel* is approved, its suitability for public recreational *use* shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service. If the County determines that the property may be suitable for such *use*, the

County shall ascertain whether any public agency or non-profit organization, including the National Park Service, Santa Monica Mountains Conservancy, Coastal Conservancy, State Department of Parks and Recreation, County Recreation Services, and Trust for Public Lands, is planning or contemplating acquisition of any part of the subject property, specifically authorized to acquire any portion of the property which would be affected by the proposed *development*, and funds for the acquisition are available or could reasonably be expected to be available within one year from the date of application or permit. If a permit has been denied for such reasons and the property has not been acquired by such agency or organization within a reasonable time, a permit may not be denied again on the same ground.

B. Access

Most of the coastal recreation areas along this sub-area are accessible from California Highway 1. Some of the inland areas can be reached via mountain roads. [Figure 29](#) is an inventory of *access* on the South Coast.

Constraints to public *access* are diverse. While Point Mugu State Park is easily reached from Highway 1, much of it is accessible only by moderate to strenuous hiking. Because of the park's high biological and scenic values, it may not be appropriate to augment *access* more than already planned by the California Department of Parks and Recreation.

The Deer Creek beach frontage, privately owned, is highly accessible, as evidenced by its popularity. However, illegal camping may sometimes inhibit potential users and somewhat block their *access* to the area.

The popularity of Leo Carrillo Beach and the new State Park acquisitions, along with the overall popularity of Highway 1, has led to problems that include extensive illegal parking and camping, as well as enforcement and sanitation problems. Private *parcels* interspersed with current and potential state acquisitions block public *access* along the beach. Bluff erosion poses safety hazards to current and potential vertical accessways.

The only area of the South Coast with significant *development* is the Solromar "Existing Community." The area has about 2,800 linear feet of shoreline, but it is not continuous frontage. The State has purchased two beach areas adjacent to, and within, the "Existing Community" area. These are the Leo Carrillo State Beach extension and the Yerba Buena Beach. *Vertical access* is not a major problem in this area, or anywhere along the South Coast, but *lateral access* should be sought between Leo Carrillo and Yerba Buena State Beaches.

Objective

1. To maximize public *access* to the South Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act; to maintain existing *access*, and seek new *access* as funds become available.
2. To maintain or increase public access to coastal resources through increased parking capacity for vehicles and bicycles within the coastal zone.

[Staff Explanation: The proposed objective above establishes a basis for the development of related parking policies within the CAP. Also, the proposed policies below establish a basis for the development of related parking standards in the Coastal Zoning Ordinance.]

Policies

Vertical Access

1. For all new *development* between the first *public road* and the ocean, granting of an easement to allow *vertical access* to the *mean high tide line* shall be mandatory unless:
 - a. Adequate *public access* is already available within a reasonable distance of the site measured along the shoreline, or
 - b. *Access* at the site would result in unmitigable adverse impacts on areas designated as "*environmentally sensitive habitats*" or tidepools by the plan, or
 - c. Findings are made, consistent with Section 30212 of the Act, that *access* is inconsistent with public safety, military security needs, or that *agriculture* would be adversely affected, or
 - d. The *parcel* is too narrow to allow for an adequate *vertical access* corridor without adversely affecting the privacy of the property owner, or

Lateral Access

2. For all new *development* between the first *public road* and the ocean, granting of lateral easements to allow for *public access* along the shoreline shall be mandatory unless subsection (a) below is found. In coastal areas, where the bluffs are less than five feet in *height*, all beach seaward of the base of the bluff shall be dedicated. In coastal areas where the bluffs are less than five feet, the area to be dedicated shall be determined by the County. At a minimum, the dedicated easement shall be adequate to allow for *lateral access* during periods of high tide. In no case shall the dedicated easement be required to be closer than 10 feet to a residential *structure*. In addition, all *fences*, no trespassing signs, and other obstructions that may limit *public access* shall be removed as a condition of *development* approval.
 - a. Findings are made, consistent with Section 30212 of the Act that *access* is consistent with public safety, military security needs, or that *agriculture* would be adversely affected.

Environmentally Sensitive Habitats

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

General

4. In accordance with Section 302214(a), the time, place, and manner of *access* will depend on individual facts and circumstances; including topographic and site characteristics, the capacity of the site to sustain *use* at the intensity proposed, the proximity to adjacent residential *uses*, the privacy of adjacent owners, and the feasibility to provide for litter collection.

5. In accordance with Section 30214(b), the requirement of *access* shall be reasonable and equitable, balancing the rights of the individual property owner and the public.

Leo Carrillo State Beach

6. To augment public *access* and recreation, and to improve the scenic value of the coastline, alternative arrangements for the now-illegal camping should be provided. Several alternatives should be explored, including new parking seaward from Highway 1, other parking, the extension of bus service to the area from Ventura, or the camping improvements suggested in the Santa Monica Mountains State Parks' Development Plan (CPR 1977).
7. Any future vertical accessways must be designed to minimize bluff erosion.
8. *Lateral accessways* linking the Leo Carrillo Extension and the Yerba Buena Beach should be provided by the State.
9. The California Department of Parks and Recreation should acquire private *parcels* along the beaches where *feasible*, as well as provide for maximum public *access*.
10. The re-designation of Lot 10 Tract 4483 by the County in 2006, a portion of which was initially designated as commercial, to residential, a lower priority under the Coastal Act, to facilitate a specific project proposal, shall be offset by a requirement that the project proponent pay a fee in support of low cost, visitor-serving overnight accommodations in conjunction with the land *use* and *zoning ordinance* re-designation and the *development* of the subject property.

(Note: Policy 10, of this section, was certified as a result of LCP Amendment 1-2007, pursuant to a suggested modification by the California Coastal Commission.)

Santa Monica Mountains National Recreation Area

11. South Coast Area Transit, in conjunction with the National Park Service, should fully explore through long-range planning the possibilities of extending service to the area, including (but not limited to) Federal funds for extended service, particularly from lower income areas, park-and-ride from central points in Ventura County using smaller, more cost-effective buses, service agreements with the Los Angeles County Rapid Transit District, and charter buses.
12. The National Park Service and State Parks should work together to determine the extent of impacts from additional visitation generated by new national parks in the County, particularly impacts on existing park facilities.
13. The County supports the work of the Santa Monica Mountains Recreational Transit Program to provide public transportation to the Santa Monica Mountains National Recreation Area.
14. The acquisition of the beach area around Deer Creek is encouraged by either the California Department of Parks and Recreation or the National Park Service.

Film Production, Temporary

15. Temporary film production activities shall result in negligible impacts to coastal resources, public recreation facilities, and public access to such facilities.
16. During the peak summer season (Memorial Day through Labor Day weekend), temporary film production activities:
- Shall not preclude the general public from use of a public beach; and
 - Shall not occupy public parking spaces to the extent the general public is restricted from using such spaces to access a public beach or public recreation facilities.
17. No new permanent structures shall be erected for temporary film production activities, and the film permit area shall be returned to pre-permit conditions following film production striking.

Parking and Loading

18. New development, and intensifications in use, shall be designed to include the number of off-street parking spaces necessary to satisfy any new parking demand.
19. In order to support the preservation of existing, neighborhood-serving commercial areas within the coastal zone, exceptions to off-street parking requirements may be allowed, provided that the project applicant contributes to a program aimed at increasing coastal access parking. The following factors must be considered in determining whether a requested exception to off-street parking requirements should be granted:
- No additions or expansion to the structure are proposed and all existing on-site parking is retained;
 - Business hours of operation are in the evening when beach recreational uses are low or non-existent;
 - The primary customer base is nearby residents or beachgoers that do not generate additional parking demand;
 - Shared parking, pursuant to section 8176-4.6 of the CZO, is not available to meet parking requirements; and
 - Other transportation incentives programs listed in section 8176-4.8.1(b) of the CZO, are not feasible, or will not lessen the number of parking spaces required.
20. To promote the efficient use of parking areas and reduce the amount of paved or impervious surfaces, shared parking may be allowed for commercial or mixed-use developments that accommodate multiple uses at different peak parking periods. Where feasible, such parking lots should accommodate public coastal access parking.
21. Restrictions on public parking that would impede public coastal access shall be prohibited except where such restrictions are demonstrated to be necessary for the provision of public safety.
22. New development that requires the removal of existing public parking shall provide an equivalent number of replacement public parking spaces in the immediate vicinity except where the provision of such

parking is infeasible or alternatives are identified that offset the need for additional parking facilities.

23. Where feasible, new commercial, multi-family residential, or mixed-use development shall minimize the demand for public parking by providing on-site bus stops, bicycle storage, sidewalks, or other facilities or programs that support alternative modes of transportation.

Program

Parking and Loading

1. The Public Works Agency, in coordination with the Planning Division, will prepare a parking study that evaluates existing parking facilities and parking use where coastal access parking concurrently serves visitor-serving coastal recreation, commercial development, and residential neighborhoods. The parking study will also identify strategies aimed at the following: (1) increasing the amount of available coastal access parking (for example, by identifying potential locations for additional public parking or by restriping existing parking areas to increase the number of spaces), (2) more efficiently using available parking (for example, by establishing a time restricted parking program), and (3) reducing parking demand (for example, by extending bus or shuttle services to coastal beach areas). The study areas for this program include La Conchita (Surfside Street), Hollywood Beach (Los Altos Street and Ocean Drive), and Silverstrand (Roosevelt Boulevard and Panama Drive). (Pending available funding).

[Staff Explanation: In 2014, Public Works provided traffic calming measures for the Silverstrand area including increasing the number of parking spaces on Roosevelt Boulevard by creating angled on-street parking. This project was undertaken with local funds based upon input from a series of town hall meetings. The proposed program is aimed at continuing this effort and finding solutions to existing deficiencies in coastal access parking and supporting the preservation of existing commercial areas within the coastal zone.]

Signs

The primary purpose of the sign policies in this section is to utilize signs to protect and improve access to the coastline or other coastal resources.

24. Coastal access signage shall be posted in conspicuous areas and located so that access is maintained and visitors are directed to publicly available coastal access parking, beach access points, and public trails.
25. For the California Coastal Trail, coastal access signage should include distinctive signs incorporating the California Coastal Commission coastal access logo (foot and wave) or markers, consistent with visual resources.
26. Signs shall be located in areas that maintain coastal access except where there is no feasible alternative to protect public safety. In such cases, the impact to coastal access shall be mitigated and, where feasible, the sign shall be removed once the public safety issue is resolved.
27. With the exception of road or informational signs, placement of signs within the public right-of-way shall be prohibited.

28. No signs shall be posted on a public beach unless authorized by a coastal development permit. Signs on a public beach which purport to identify the boundary between State tidelands and private property, or which indicate that public access to State tidelands or public lateral access easement areas is restricted, shall not be permitted.

[Staff Explanation: Refer to "Staff Explanation" provided under North Coast Access policies.]

Agriculture

Agriculture on the South Coast extends from the farm lands east of Point Mugu Naval Station near Calleguas Creek, to the northernmost foothills of the Santa Monica Mountains. Limited agricultural activities occur in the mountains on flatter terrain ([Figure 30](#)).

A portion of the Broome Ranch (approximately 690 acres) falls within the coastal zone. All of the ranch's acreage is in three agricultural preserves. A portion is also in the Calleguas Creek flood plain. The agricultural lands are zoned "C-A" (Coastal Agricultural, 40-acre minimum *lot* size) and designated "Open Space" (10 acre minimum *lot* size) by the County's General Plan.

Minimum *lot* size in both this Coastal Plan and the County's General Plan for the "Agriculture" land use designation is 40 acres per *single-family dwelling*. This 40 acre minimum is sufficient to maintain economic viability for various agricultural uses (irrigated crops). Non-irrigated activities may require a larger acreage. Studies as to what constitutes a viable farm unit have been done by Ventura County Agricultural Committee (Appendix 4), Ventura County Assessor's Office and Ventura County Farm Bureau.

Objective

To preserve agricultural lands on the South Coast to the maximum extent *feasible*.

Policies

1. Soils will be conserved and erosion minimized by the *use* of best grading management practices as set forth by the Soil Conservation Service.
2. Land divisions in, or adjacent to agricultural areas, will not be allowed to affect agricultural productivity.
3. The Local Area Foundation Commission should exclude agricultural lands from any new or expanded service districts that could impact agricultural viability.
4. New service extensions beyond the stable urban boundary will be designed to mitigate any effects on agricultural viability.
5. As *aquaculture* develops it will be considered as a potential agricultural *use* in appropriate areas.

Hazards

The severe and rugged terrain of the Santa Monica Mountains present considerable hazards and constraints to new *development*. A 50-year and 100-year flood hazard area is located along the Calleguas Creek flood plain. Severe *slopes* not only have the potential for instability and erosion, but may also serve as constraints to the proper

functioning of water and septic systems. An additional concern in this area is *access*, especially *emergency access* in case of fire or other disasters.

The most important earthquake faults in the Santa Monica Mountains portion of the *coastal zone* are the Bailey Fault near Calleguas Creek, and the Sycamore Canyon, Boney Mountain and Malibu Coastal Faults in the mountainous areas ([Figure 31](#)). Historic records indicate that only six earthquakes larger than 4.0 magnitude on the Richter Scale have originated within 15 miles of the South Coast area since 1934. All were less than 5.3 magnitude and four of the epicenters were located off the coast.

The Bailey Fault marks the boundary between the western Santa Monica Mountains and the Oxnard Plain. It extends from Mugu Lagoon northerly to an intersection with the Camarillo Fault near Calleguas Creek and U.S. Highway 101. The existence of the fault is verified by water well data. The fault is designated as potentially active until more information becomes available for evaluation.

The Sycamore Canyon and Boney Mountain faults are the most prominent of the series of north-east trending breaks extending from Point Mugu to Thousand Oaks. These faults are designated as potentially active until more information is available.

The Malibu Coastal Fault, the Santa Monica and Raymond Hill Faults are thought to be a series of major north-dipping thrust faults that extend along the coast, onshore and offshore for many miles. Faults within this system are considered active. As much as 50 miles of left slip has occurred since Eocene times, about 50 million years ago (Norris and Webb 1976). The 1973 Point Mugu earthquake is believed to have originated on the Malibu Coastal Fault.

The South Coast immediately along the coast shows high potential for liquefaction in the area of Calleguas Creek and Mugu Lagoon.

- Landslides and Slope Stability - In general, the Santa Monica Mountains contain highly expansive soils. The soils, together with the steep topography, tend to increase the frequency of *slope* failure and erosion. According to the Ventura County Public Works Agency, grading, increased irrigation or septic *runoff*, and seismic activity may also trigger *slope* movement or erosion.
- Flood Hazards - Calleguas Creek is a major flood corridor in the South Coast. It flows along the northern *slopes* of the Santa Monica Mountains to the Mugu Lagoon. Severe flooding has occurred along the *coastal zone* portion of this corridor, resulting in damage to adjacent agricultural crops, transportation facilities and the military base. The lower reaches of the creek are currently unimproved. The Ventura County Flood Control District (VCFCD) is evaluating flood control solutions to this problem (see full discussion in LCP *Environmentally Sensitive Habitat Paper*).

There are also a number of creek corridors within the Santa Monica Mountains (e.g., Big Sycamore, Little Sycamore, Deer Creek, etc.) that could pose extreme flood and erosion hazards to new *development*.

- Fire - Fire is significant natural hazard in the Santa Monica Mountains. The Ventura County Hazards Appendix classifies the entire Santa Monica Mountains area as "extreme" for fire hazard. While many of the *slopes* contain safe coastal vegetation, the fire-adapted chaparral of drier *slopes* along with steepness, moisture and rainfall conditions, and severe *emergency access* constraints can combine to create a dangerous situation. Periodic burns are considered a natural event in chaparral communities, and fires should be anticipated as a regular occurrence. Secondary impacts of fires in this area include mudflows, landslides, and erosion due to loss of ground cover.

The Santa Monica Mountains are currently designated "Open Space" (one *dwelling unit* per 10 acres minimum) and "Recreation" (state park lands). In some areas of the Santa Monica Mountains, however, 40-100 acre minimum *lot* sizes are justified based on water availability, *access*, *slope*, geologic and fire hazards. For these reasons, it is necessary to maintain the Santa Monica Mountains as "Open Space," and also to investigate the application of 40-100 acre sub-zones where *access* to County-maintained roads is inadequate, and where severe *slopes* increase the potential for geological instability.

The General Plan's Hazards Appendix provides extensive information on various hazards, including fault zones, fire hazard areas, landslides, and flood plains. It is one of the principal documents consulted by Planning and the Public Works Agency when formulating an initial study on a proposed project to determine the need for an EIR. Should an EIR be required, the General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix are used in evaluating the various impacts of the projects.

Objective

To protect public safety and property from natural and human-induced hazards as provided for in County ordinances.

Policies

1. The County's existing General Plan Goals, Policies and Programs (Chapter 2) and Hazards Appendix provides direction for geologic, seismic, flood and fire hazard avoidance.
2. New *development* shall be suited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.
3. All new *development* will be evaluated for its impacts to, and from, geologic hazards (including seismic safety, landslides, expansive soils, subsidence, etc.), flood hazards, and fire hazards. *Feasible* mitigation measures shall be required where necessary.
4. The County may require the preparation of a geologic report at the applicant's expense. Such report shall include *feasible* mitigation measures which will be used in the proposed *development*.
5. *Structures* for human habitation (regularly, habitually, or primarily occupied by humans) shall be set back a minimum of 50 feet from an active fault. This *setback* may be increased when geologic conditions warrant.
6. New *development* shall be sited and designed so as not to cause or contribute to flood hazards, or lead to the expenditure of public funds for flood control works.
7. The South Coast portion of the Santa Monica Mountains requires special attention and the following formula and minimum *lot* sizes will be utilized as new land divisions as proposed in the "Open Space" or "Agricultural" designations:
 - a. The following *slope/density formula* will be used to compute the *average slope* of property proposed to be subdivided:

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

where:

- S = average slope (%)
- I = contour interval (ft.)
- L = total length of all contour lines (ft.)
- A = total area of the lot (sq. ft.)

b. Once the *average slope* has been computed, the following table will be used to determine a minimum lot size for newly proposed lots:

0% - 15%	=	10 acres
15.1% - 20%	=	20 acres
20.1% - 25%	=	30 acres
25.1% - 35%	=	40 acres
35.1% & above	=	100 acres

8. A landscaping plan for fire and erosion control will be submitted for any new *development* located in extreme fire hazard areas as shown in the County's Hazard Appendix Fire Hazard Map. As many native plants as *feasible* should be used, and information on kinds and sources of these plants are available through the County.
9. The majority of the Santa Monica Mountains are designated "Open Space" or "Recreation" in this Coastal Area Plan. This is consistent with the County General Plan, the Santa Monica Mountains Comprehensive Plan (1979) and the areas U.S. National Park Services National Recreation area designations.

Beach Erosion

Beach erosion on the South Coast occurs at Point Mugu State park along Sycamore Beach and the Beaches in the Solomar "Existing Community" area.

Major erosion occurs during the winter months. The U.S. Army Corps of Engineers indicates a 1.9 foot per year erosion rate for Sycamore Beach, and a 0.9 foot per year erosion rate for Solomar Beach. The problem is severe in these areas.

Construction of new residential units on existing legal *lots* within the "Existing Community" area may require special review to ensure that new *development* does not bring about substantial wave and erosion damage, nor require new shoreline protection *structures*.

Objective

To protect public safety and property from *beach erosion* as provided for in existing ordinances, and within the constraints of natural coastal processes.

Policies

1. Construction or maintenance of shoreline *structures* will be limited to only those projects needed to protect existing *development*, public recreation, and existing roads from beach erosion.
2. Proposed *shoreline protective devices* will only be approved and/or located in conformance with Coastal Act Sections 30235 and 30253.
3. All shore line protective *structures* which alter natural shoreline processes will be designed to eliminate or mitigate adverse impacts on local shoreline and sand supply.

4. A *building* permit will be required for any construction and maintenance of protective shoreline *structures*, such as seawalls, jetties, revetments, groins, breakwater and related arrangements.
5. The County's Building and Safety Division will routinely refer all permits for seawalls, revetments, groins, retaining walls, pipelines and outfalls to the Flood Control and Water Resources Division of the Public Works Agency to be evaluated not only for structural soundness, but environmental soundness as well whenever necessary. This includes a survey of potential environmental impacts, including (but not limited to) the project's effects on adjacent and downstream *structures*, net *littoral drift*, and downcoast beach profiles.
6. If the potential environmental impacts of the proposed *structure* are considered significant by the Public Works Agency, the applicant may be required to obtain an engineering report which indicates how those impacts will be mitigated.
7. Permitted shoreline *structures* will not interfere with public rights of *access* to the shoreline.

Energy and Industrial Facilities

No energy or industrial facilities are located on the South Coast or within the inland areas of the Santa Monica Mountains at this time. It is unlikely any facilities will locate anywhere within the Santa Monica Mountains given their status as a National Recreation Area (NRA). The federal government is developing a management plan for the entire NRA.

Objective

To allow exploration and production of oil and gas in most of the South Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between State Highway 1 and the shoreline; or land designated "Residential," "Recreational," or shown as "*Environmentally Sensitive Habitat*" will be considered as unacceptable for new energy or industrial facilities of any kind. Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between State Highway 1 and the landward *coastal zone* boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial".
3. All surface activities, including those regulated by the Division of Oil, Gas and Geothermal Resources related to the *development* of onshore oil and gas resources in the *coastal zone* are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See the Coastal Zoning Ordinance (including, but not limited to Section 8175-85.7.8) for a list of standard oil *development* design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required depending on the specific request and the location.

4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and *access roads*.
 - b. Plans for the consolidation, to the maximum extent *feasible*, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of *development* that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on *habitat areas, prime agricultural lands, recreational areas, scenic resources* and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt. For any *development* requiring a grading permit, either (1) a Storm Water Pollution Control Plan (SWPCP) shall be prepared and submitted in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 - Special Provisions, D. Programs for Construction Sites, or (2) a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared and submitted in accordance with the State General Permit for Stormwater Discharges Associated with Construction Activity, whichever is applicable.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 6, transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the *Coastal Zone* related to oil and gas *development*.
 - m. All facilities supporting oil and gas *development* must comply with the terms and requirements of the State General Industrial Activities Storm Water Permit, including the *development* and submittal of a Storm Water Pollution Prevention Plan.
5. All energy and industrial facilities in the Plan shall be so sited and designed to eliminate or reduce, to the maximum extent *feasible*, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.
6. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.

7. When *feasible*, pipelines shall be routed to avoid important *coastal resources*, including recreation, *environmentally sensitive habitats* and archaeological areas. Unavoidable routing through recreation, *habitat*, or archaeological areas, or other areas of a significant *coastal resource* value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, duration, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.
8. The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive *coastal resources*, and if so, shall require spacing at intervals which provide appropriate protection.
9. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
- 10 All offshore and onshore pipelines shall, where *feasible*, be located at existing pipeline landfall sites, and be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, landfall sites shall be prohibited from areas designated as "Residential" or shown as "*Environmentally Sensitive Habitat*."
11. Except for pipelines exempted from coastal *development* permits under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the *coastal zone* to determine what, if any, *coastal resources* may be impacted by construction and operation of a pipeline and any *feasible* mitigation measures. The costs of this survey shall be borne by the applicant. This survey may be conducted as part of an environmental review if an Environmental Impact Report or a Mitigated Negative Declaration is required for a particular project.
12. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous *grade* and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at *grade* level and compacted if necessary. All sites previously covered with *native vegetation* shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

13. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where *feasible*, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
14. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near *habitat*, recreational, or *archaeological resources*, whenever *feasible*. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
15. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically *feasible* unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
16. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan shall be used as a criterion in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627) all activities on the OCS must comply with the Outer Continental Shelf Air Regulations as specified in 40 CFR Part 55.
17. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.
18. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas *development* and an energy-related industrial facility supporting such *development* is defined as "*coastal-dependent development*" or "*coastal-related development*", based on the specific geographic, technological, and economic characteristics of the project being proposed.

Public Works

Public service capacities for sewer, water and roads are severely limited in the South Coast sub-area. Two distinct areas are identified: 1) the designated Solromar "Existing Community" area along the coast, and 2) inland areas of the Santa Monica Mountains.

Water for the limited demands of existing *development* is available in the Solromar "Existing Community" area. Water to residents of the Mountains is provided by

individually-owned well sites. Adequacy of water supplies for mountain areas is determined by on-site inspection by the Environmental Health Division of the County.

Sewer service in the entire South Coast is provided by individual septic tank systems permitted through the Environmental Health Division. Several septic systems in the "Existing Community" area are located directly on the beach. These areas are classified as having "severe" septic tank limitations. Damage to these systems could occur from erosion of a combination of storm waves and high tides. The Regional Water Quality Control Board now has a policy that prohibits the *use* of walls to protect septic systems on the beach.

The waters offshore of the "Existing Community" area have been designated by the State Regional Water Quality Control Board (RWQCB) as an Area of Special Biological Significance (ASBS). The ASBS extends from Laguna Point in the north to just south of Point Dume in Los Angeles County.

The RWQCB prohibits the direct discharge of wastes into an ASBS or its immediate vicinity with the exception of vessel wastes, dredging or disposal of dredging spoils.

Under the current "208" Areawide Water Treatment Management Plan, a study of septic tank problems in the Santa Monica Mountains was completed in January 1980 by the Environmental Health Division. Several options were proposed that could alleviate present septic tank problems. Included was a recommendation that a septic system management entity be established (or an on-site wastewater management zone) to ensure proper inspection, maintenance and control.

State Highway 1 can handle traffic generated by build-out of the "Existing Community" and mountain areas allowed in the present County General Plan and this Coastal Plan. *Public roads* within the Mountains are substandard, subject to slides and erosion, and restrict *emergency* services. The Public Works Agency will continue to maintain the roads. However, no improvements will be undertaken in the near future because of limited funds and the environmentally sensitive nature of the area.

The County General Plan designates approximately 90 percent of this sub-area as "Open Space" (one unit per 10+ acres). The existing beach residential *development* (Solromar) has been designated "Existing Community" and is allowed to build out to the density of prevailing coastal zoning (this allows *parcels* less than one acre in size). The two private camps on the South Coast are designated "Rural".

With the exception of the "Existing Community" area, the Mountains are zoned "COS(M)" (Coastal Open Space with Santa Monica Mountains Overlay) and "C-R-E-20 Ac. (M)" or "-5 Ac. (M)" (Coastal Rural Exclusive at 20 or 5 Ac. Min. with Santa Monica Mountains Overlay) for the private youth camps.

Objective

Any new or expanded *public works facilities* (including roads, flood control measures, water and sanitation facilities) constructed on the South Coast, will be designed to serve the potential population within limits established by the *Local Coastal Program* (LCP) consistent with the County's Air Quality Management Plan and "208" (Water Quality) Plan.

Policies

1. The recommendation of the "208" Plan Septic Tank Problem Area-Santa Monica Mountains Study for the establishment of a septic system maintenance district will be supported.
2. That new service district boundaries shall be consistent with the adopted Coastal Area Plan and County General Plan policies.

3. *New development* in the Santa Monica Mountains should be self-sufficient with respect to sanitation and water and should not require the extension of growth inducing services. *Development* outside of the established "Existing Community" area shall not directly or indirectly cause the extension of public services (roads, sewers, water, etc.) into an open space area. The County shall make the finding for each individual *development* requiring sanitary facilities and potable water that said private services will be able to adequately serve the *development* over its normal lifespan.
4. Public utility *use* by the Pacific Missile Test Center (PMTC) does not create impacts on circulation, sewer and water *use* for the foreseeable future because of stable or declining land *use* intensity at the base. However, any change in intensity of *use*, such as civilian-military shared *use*, should be examined for impacts on Coastal Act and LCP land *use* priorities. Similarly, any future adverse impacts of groundwater extraction for the Navy base should be examined for such impacts.

Locating and Planning New Development

New development on the South Coast is constrained by the "Existing Community" designation for the Solomar area and the terrain of the Santa Monica Mountains. Water service is only provided for the "Existing Community" area. Individual wells provide water in the mountain areas. There is no sewer service for either the coastal or mountain areas; septic tank systems are utilized.

Although Highway 1 capacities can accommodate additional traffic from build-out in the mountain areas, *public roads* within the mountains are generally substandard and subject to slides and erosion. Highway 1 is also subject to slides and erosion problems which have caused traffic delays.

Objective

To preserve the South Coast sub-area in as natural a state as possible while maintaining the private property rights and needs for public safety.

Policies

1. The "Existing Community" will be allowed to build out to its existing boundary within zoning and environmental constraints.
2. Consistent with the environmental characteristics and limited service capacities of the Santa Monica Mountains area, only very low density *development* as prescribed by the "Open Space" designation will be allowed in the Santa Monica Mountains. The *slope/density formula* found in the "Hazards" section will be utilized to determine the minimum *lot* size of any proposed land division.

Potential Conflicts

Development conflicts in the Santa Monica Mountains portion of the South Coastal zone are diminished, in part, because large areas are already set aside for recreational purposes. Proposed acquisitions by Santa Monica Mountains National Recreation Area will further restrict *development*. Conflicts could arise between land owners wishing to develop their lands and the physical constraints imposed by terrain, hazards, and health and safety problems.

At this time no conflicts exist between agricultural and urban land *uses*.

Figure 27
Environmentally Sensitive Habitat on the South Coast

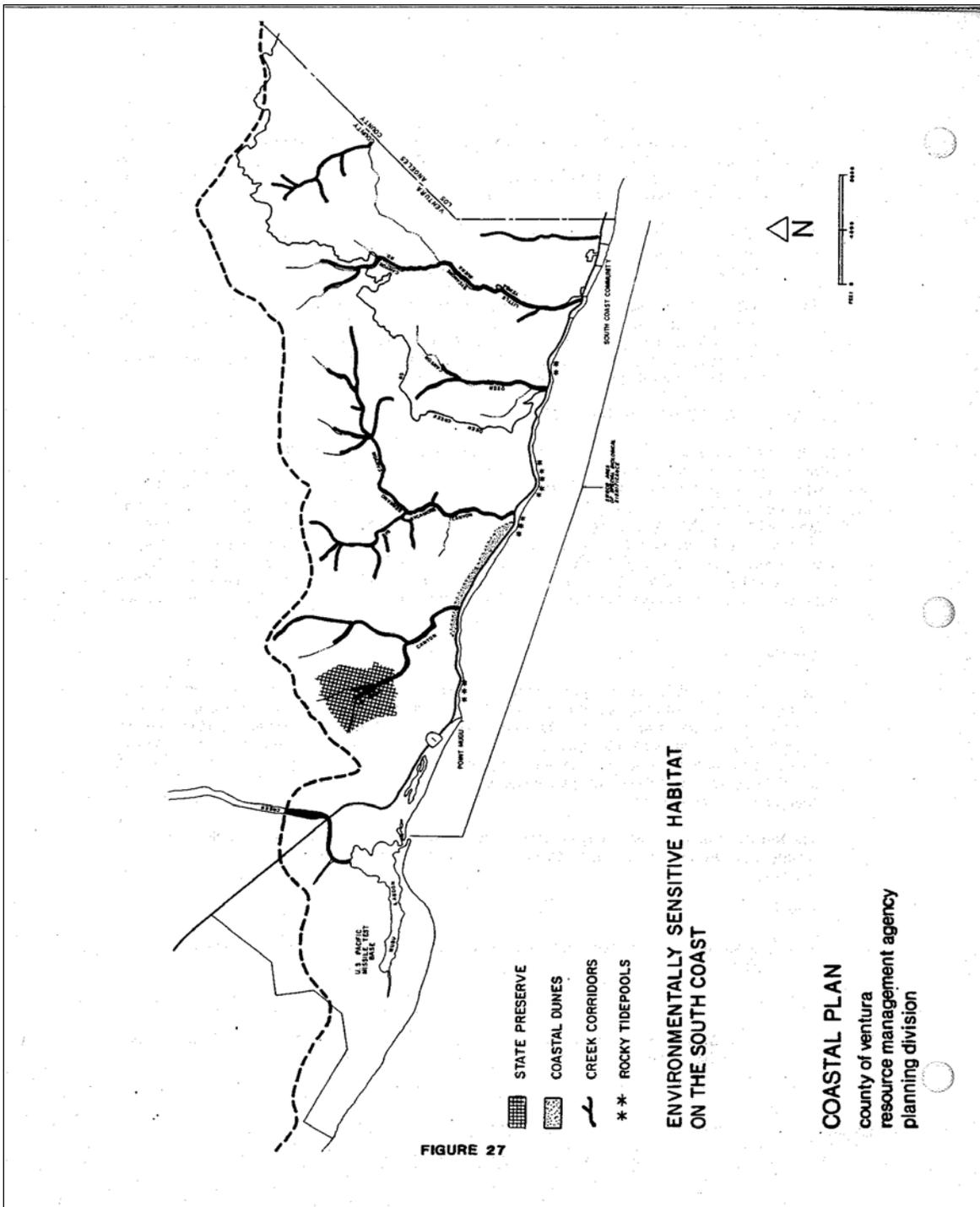


Figure 28
Recreational Areas on the South Coast

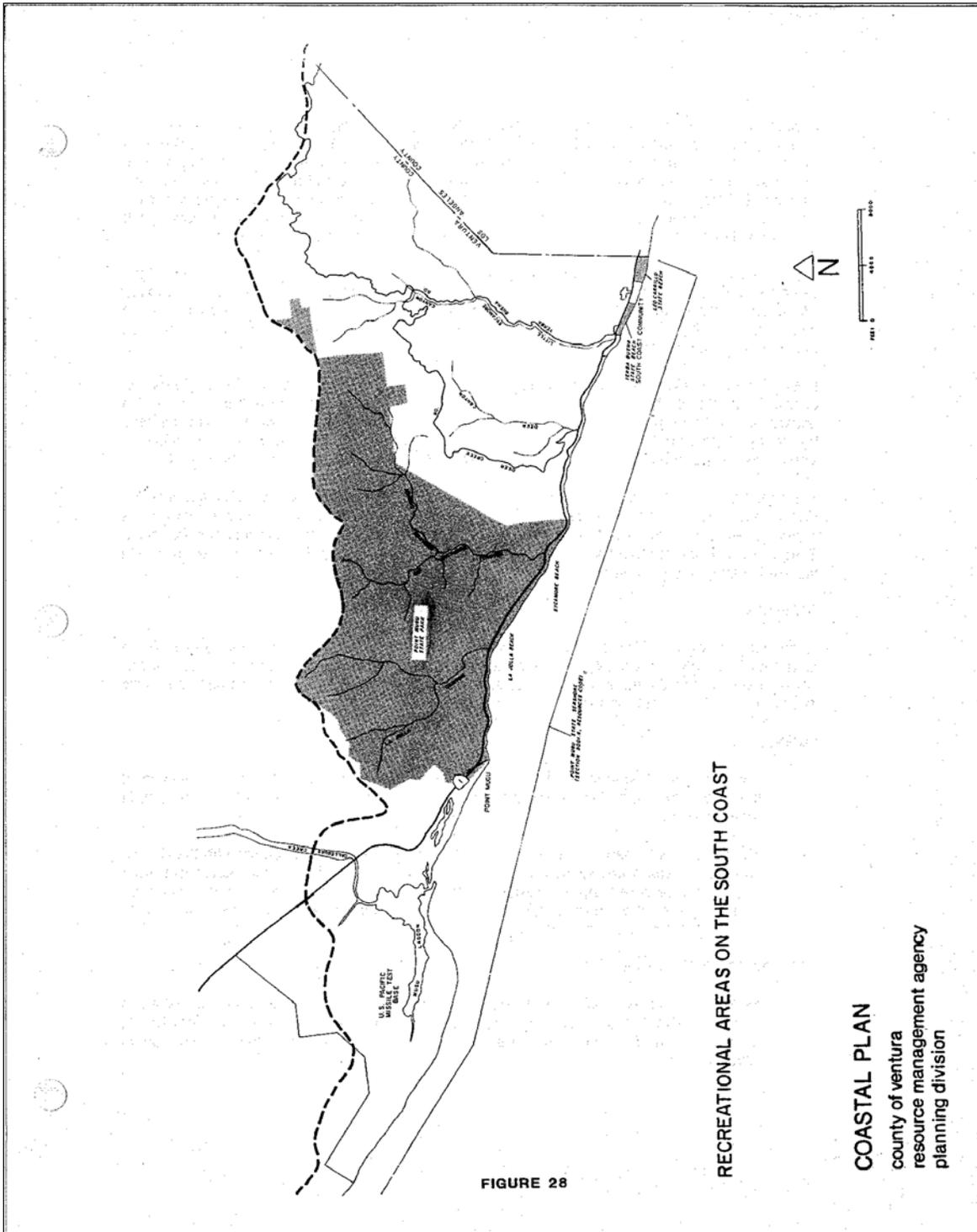


Figure 29
South Coast Access Inventory

NO.*	Name & Location	Access Type	Size	Frontage	Open	Signed	Owned By	Managed By	Remarks
1.	Vista Point - Mugu Rock West of Hwy. 1, 9 miles South of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
2.	Point Mugu State Park East and West of Hwy. 1, 10 miles south of Oxnard	Park	15,200 ac.	3.6 miles	Yes	Yes	State Parks	State Parks	
3.	Bass Rock Point Lookout West of Hwy. 1, 11 miles south of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
4.	Vista Point West of Hwy. 1, 12 miles south of Oxnard	View	---	---	Yes	Yes	Caltrans	Caltrans	
5	Leo Carrillo State Beach	Park	32 ac.	1.1 miles	Yes	Yes	State Parks	State Parks	Ventura County portions of park are undeveloped at this time.

6/20/89

Footnotes:

* Keyed to the Local Coastal Area Plan Land Use Map for the South Coast, Figure 32.1 (separate map)

Figure 30
Agricultural Preserves and Prime Soils on the South
Coast

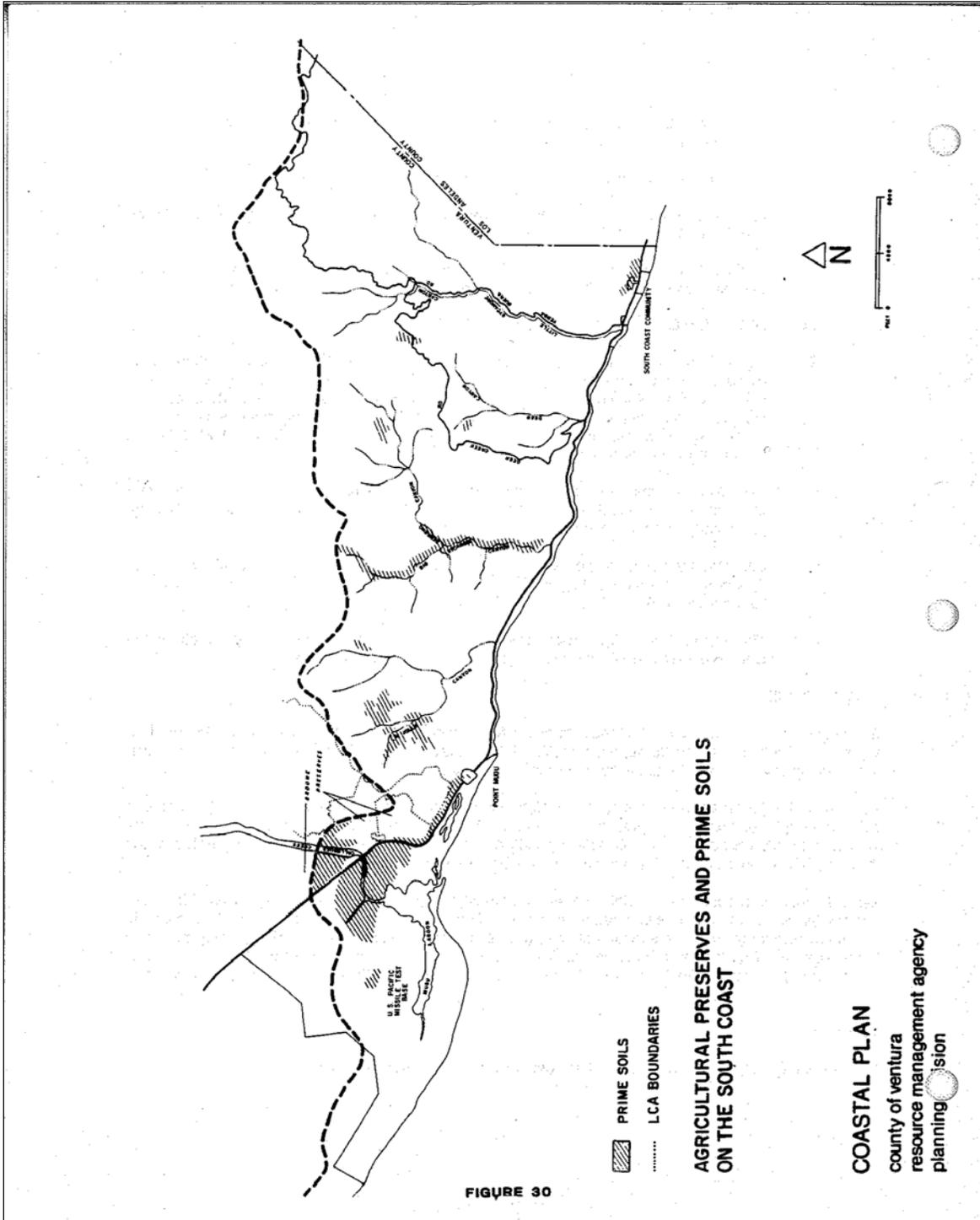


Figure 31
Hazards on the South Coast

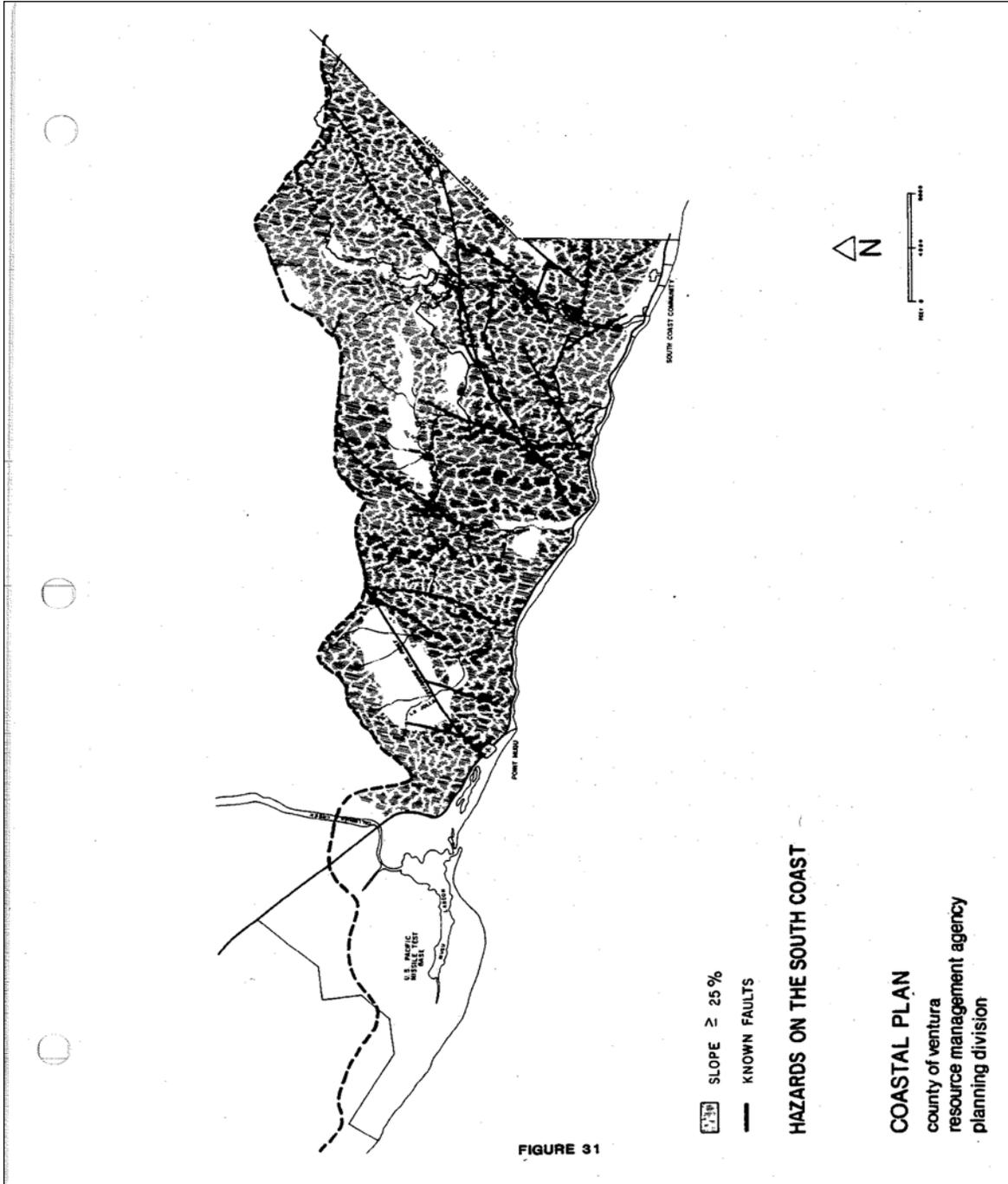


Figure 32
Summary Table Building Intensity/Population Density Standards (South Coastal Area)

Open Space/Agriculture/Recreation

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Open Space	10,142.7	5% ³	0.100	1,014	1.82	1,845	0.182
Agriculture	649.8	5% ³	0.025	16	1.82	29	0.045
Recreation	6,999.8	5%	N/A	N/A	N/A	N/A	N/A
TOTALS	17,792.3			1,030		1,874	

Residential

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Maximum Intensity (DU/Ac) ¹	Dwelling Units	Average Pop/DU ²	Population	Average Population Density (Persons/Acre)
Rural	102.2	25% ⁴	0.50	51	1.82	92	0.90
Low	6.7	29%	2.00	13	1.82	23	3.43
Medium	7.5	42%	6.00	45	1.82	81	10.80
High	25.2	65%	36.00	907	1.82	1,650	65.48
TOTALS	141.6			1,016		1,846	

Commercial/Industrial

Designation	Acres	Max. Bldg. Coverage (% Of Lot Area)	Projected Floor Area (X 1,000 SF)	Average Number Of Employees Per 1,000 SF	Employees	Average Employees/Acre
Commercial	3.7	40%	80.6	1.0	80	21.62

Footnotes:

¹ Excludes *second dwelling* units per Section 65852.2 of the State Government Code.

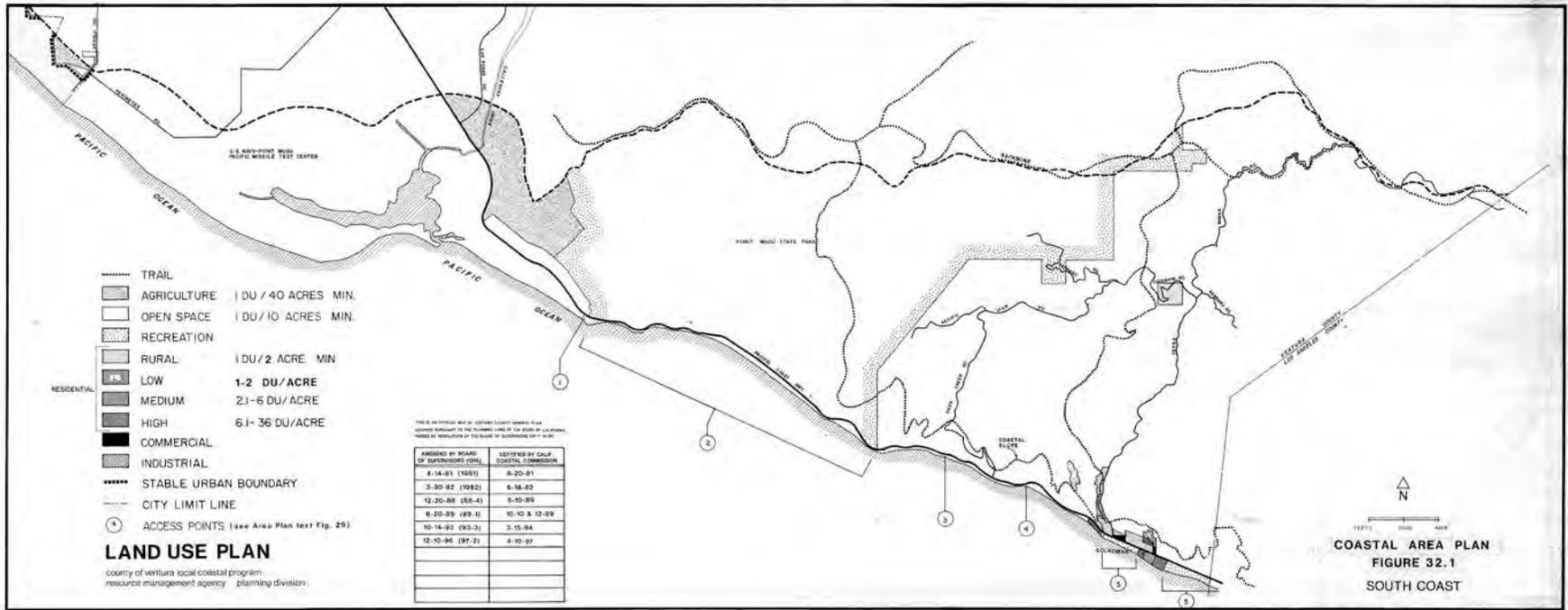
² Year 2000 Forecast for Thousand Oaks Nongrowth Area.

³ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 22.3 square feet of *lot area* over 5,000 square feet.

⁴ Excludes greenhouses, hothouses, and the like. For nonconforming *lots*, maximum *building* coverage shall be 2,500 square feet, plus 1 square foot for each 4.6 square feet of *lot area* over 5,000 square feet.

N/A - Not Applicable.

Figure 32.1
Local Coastal Area Plan – Land Use Map: South Coast



**Figure 33
Zoning Compatibility Matrix**

PLAN MAP LAND USE DESIGNATIONS	ZONES	COS (10 AC. Min.)	CA (40 AC. Min.)	CR (1 AC. Min.)	CRE (10,000 S.F. Min.)	CR-1 (7,000 S.F. Min.)	CR-2 (3,500 S.F./DU)	RB (3,000 S.F. Min.)	RBH *	CRPD	CC	CM	
Open Space (10 Ac. Min.)													Compatible with Plan
Agriculture (40 Ac. Min.)													Compatible only with zone suffix equal to or more restrictive than that shown in circle.
Recreation													
Rural (Residential 2 Ac. Min.)													
Low (Residential 1-2 DU/Ac.)													= X acre minimum lot size
Medium (Residential 2.1-6 DU/Ac.)													= X thousand square feet minimum lot size
High (Residential 6.1-36 DU/Ac.)													= X units per acre maximum
Commercial													
Industrial													

Footnotes:

* 1,750 S.F. per *single-family dwelling*/3,000 S.F. per *two-family dwelling*.

12/10/96

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Attachment 8: Letter from the Breakers Way
Home Owners Association
dated December 14, 2016

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DEC 15 2016

BREAKERS WAY HOME OWNERS ASSOCIATION
C/O KENNETH M. HIGH
300 ESPLANADE DR. SUITE 850
OXNARD, CA 93036

December 14, 2016

Ms. Kim Prillhart
Planning Director
County of Ventura
800 South Victoria Ave.
Ventura CA 93009

Re LCP Amendment 2A-signs

Dear Kim:

After we spoke during the Board meeting last week, I wrote the enclosed letter to the Coastal Commission dated December 7, 2016 on behalf of the members of the Breakers Way Home Owners Association at Mussel Shoals objecting to the staff proposed modifications to the LCP Amendment 2A on signs. A copy is attached. My concern, as you can see from the precise analysis of the modifications, is that they could be interpreted as prohibiting no trespassing signs on private property even though they only deter trespassing through it to public areas.

In response, Jacki Pell, who is the member of the Coastal Commission staff who made the presentation about the proposed modifications, went on record at the Coastal Commission hearing on December 8, 2016 about the intent and language of the proposed modification. She stated the following, which I transcribed directly from the video tape on the website:

“A resident has submitted a letter stating that he believes the proposed changes would prohibit the installation of no trespassing signs on private property...”

The intent of the suggested modification is to insure that public access to public areas is maintained. Staff would also like to note that we believe that the subject amendment would allow the posting of no trespassing signs on private property so long as they do not deter public access to public areas and the language suggested in modification 5 would not prohibit such signs.”

Before this all gets lost in the mish mash of future hearings, I wanted to request that the County staff find a way to memorialize this interpretation. That would best and most reliably be handled for future planners at the County and the CC and for the public by adding a caveat into the ordinance, as I suggested in my December 7, 2016 letter, stating “Nothing in this ordinance shall constitute a prohibition on signs on private property that deter illegal trespass onto private property”. It would seem difficult for the CC to object to that additional clarification since it expresses the acknowledged intent of the proposed language of the sign ordinance. However, if

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that is not the County's preference, surely it can be handled in some fashion so as to make such an interpretation stick in future times when there is different staff with different agendas.

Please advise whether planning will be doing so on its own, or whether the various association representatives will need to make presentations requesting the same at the public hearings. It would be appreciated, if we could be so advised well in advance of the next hearing on these amendments.

Thanks so much for your cooperation.

Very Truly Yours



Kenneth M. High

CC Members BWHOA
Charles Casperly (Solimar HOA),
David Lamb (Faria HOA)
Richard Wallace (Seacliff HOA)

PAUL A. MILLER
ALAN R. TEMPLEMAN
PATRICK T. LOUGHMAN
DARIN MARX
BRETT C. TEMPLEMAN
JEFFREY D. JOHNSEN
CRISTIAN R. ARRIETA
RAMON L. GUIZAR
STEVEN B. HILTON

OF COUNSEL
KENNETH M. HIGH, JR.
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CARL F. LOWTHORP, JR.
(1933-1992)
ROBERT C. McMILLAN
(1940-2001)
RICHARD A. RICHARDS
(1934-2005)

December 7, 2016

California Coastal Commission
South Central Coast Area
89 South California St. Suite 200
Ventura CA 93001

Re: Agenda Item 8c Thursday December 8, 2016
VC LCP Amendment 2A LCP-4-VNT-16-0033-1

Dear Members of the Commission:

I am the President of the Breakers Way Home Owners Association ("BWHOA") consisting of the owners of about 40 houses on the beach at Mussel Shoals located south of the La Conchita community and north of the pier to Rincon Island. These homes are serviced by a private dead end private road on the landward side of the houses, with absolutely no beach access except via the road and then through the gated side yards of the houses. However, the public has open and unobstructed access to the beach as well as parking at the south end of the BWHOA homes at the end of the public road which dead ends at the entrance to the pier to Rincon Island.

BWHOA made no objection to the sign provisions of Amendment 2A during the years of meetings and hearings, because the language allowed signs which deterred public access onto private property, specifically the private road and the side yards of the BWHOA homes. The coastal commission staff at the last minute has now proposed modifications to the Land Use Plan so as to state that "Signs that adversely impact public access shall be prohibited" instead of "Signs shall be located in areas that maintain public coastal access." The proposed change to the Implementation Plan would prohibit "Any sign that is intended to deter public access" and deleted the words "without legitimate purpose". Either such changed provisions could be applied to prevent any signs intended to deter trespass on what is unquestionably private property in order to illegally take access to the beach. Obviously, any sign deterring access onto private property in order to access the beach, does adversely impact public access, even though such access would constitute trespass. And the modification prohibiting signs intended to deter public access would prevent signs even if posted for the legitimate purpose of deterring trespass.

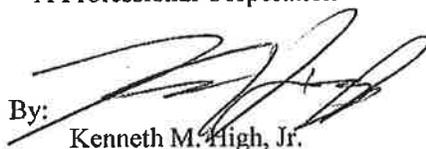
{0019955.0001 11067940.}

Therefore, on behalf of the members of BWHOA, I want to formally object to the proposed changes and implore the Coastal Commission to either accept the original language adopted by the County Board of Supervisors or insert a caveat to the effect that, "nothing in this plan is intended to prohibit signs that deter illegal trespass onto private property". Obviously, this would not apply IF there were a circumstance where such access onto private property was legal due to long term use arising the level of implied dedication or otherwise. BUT, where there is no possibility of there being any legal right of access, the property owners should and do have the right to post signs on their own property deterring illegal entry. The staff modifications take away that right. Therefore, we respectfully request that they not be adopted.

Very truly yours,

LOWTHORP, RICHARDS, McMILLAN,
MILLER & TEMPLEMAN
A Professional Corporation

By:



Kenneth M. High, Jr.

KMH/mpo

{0019955.0001 11067940.}

Attachment 9: Public Notice Published in the
Ventura County Star on March 4, 2017, and copy
of E-mail Notice sent on March 1, 2017 to over
600 Recipients.

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New Order



Your order is sent!!

Customer Information

Customer Name VENTURA CO/RESOURCE MGMT AGENCY/PLANNING **Master Id** 61844
Address 800 S VICTORIA AVE #L1740 **Phone** (805)654-2478
City VENTURA **Fax** (805)654-2509
State - Zip CA - 93009

Ad Placement Information: Section of Newspaper and Type of Notice

Legal GOVERNMENT - NOTICE OF HEARING

Order Information

Attention Name Anna Hall **Billing Reference No.** Save
Ad Description PLO12-0158 Phs2A BOS **Sale/Hrg/Bid Date**
Special Instructions MINIMUM 1/8 page ad.

Orders Created

Order No.	Newspaper Name	Publishing Dates	Ad	Price Description	Price	Ad Status
2982073	VENTURA COUNTY STAR, CA	03/04/2017	-		Pricing will be done by DJC	Sent

Order No.	Newspaper	View
2982073	VENTURA COUNTY STAR	View Ad In PDF

17-15

PUBLIC HEARING NOTICE FOR CONSIDERATION OF A RESOLUTION TO ACKNOWLEDGE RECEIPT OF, ACCEPT, AND AGREE TO THE CALIFORNIA COASTAL COMMISSIONS' SUGGESTED MODIFICATIONS TO THE PHASE 2A AMENDMENTS TO THE VENTURA COUNTY LOCAL COASTAL PROGRAM (PL12-0158); ALL SUPERVISORIAL DISTRICTS

All interested persons are invited to attend and be heard at a public hearing to be held by the VENTURA COUNTY BOARD OF SUPERVISORS on Tuesday, March 14, 2017 at 11:30 a.m. in the Board of Supervisors Hearing Room, County Government Center, Hall of Administration, 800 South Victoria Avenue, Ventura, California, 93009.

APPLICANT: County of Ventura

LOCATION: All coastal zone parcels in unincorporated Ventura County

PROJECT DESCRIPTION: On December 8, 2016 The California Coastal Commission conditionally certified amendments to the Coastal Area Plan and Coastal Zoning Ordinance for the following seven topic areas: archaeological/ paleontological resources, temporary film production, parking/loading, public noticing, signs, tree protection, and water efficient landscaping, collectively referred to as Phase 2A amendments to the Local Coastal Program (LCP). In order for the Phase 2A amendments to take effect as conditionally certified by the Coastal Commission, the Board of Supervisors must acknowledge receipt of, accept and agree to the Coastal Commission's nine (9) suggested modifications.

ENVIRONMENTAL REVIEW: Exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265.

SUMMARY: The suggested modifications to the Phase 2A amendments cover the topics of signs, temporary film production, parking and loading, tree protection, and water efficient landscaping. Four of the modifications apply to CAP policies, and five of the modifications apply to related CZO regulations. The modifications do not affect the purpose and intent of the Phase 2A amendments. In most cases, the proposed modifications are clarifications which improve the enforceability of the regulations or improve consistency with the California Coastal Act. While most of the suggested modifications are minor revisions to the large package of Phase 2A amendments, the following modifications are more substantive:

Modifications 4 and 9 (Tree Protection): The suggested modifications to the CAP (Tree Protection Policy 3) and CZO (Sec. 8178-7.4.1 (a) – General Standards) include new text that specifies two additional circumstances under which a protected tree may be removed – specifically, when needed to establish “reasonable economic use” of the property and when the tree removal or alteration is part of an approved Habitat Restoration Plan.

Modification 7 (Parking and Loading): The suggested modifications to the CZO (Sec. 8176-2.7 (c) – Coastal Access) include new provisions that would allow parking restrictions necessary to maintain military security or to repair/upgrade public roads. This modification also includes a requirement that impacts to coastal access parking only be allowed when other alternatives are found infeasible and when permanent impacts are mitigated.

Draft Review Copies: Review copies of the full text of the proposed LCP amendments are posted in the following locations:

Ventura County Resource Management Agency, Planning Division, 3rd Floor, Hall of Administration, 800 South Victoria Avenue, Ventura, California, 93009 Planning Division website at:

<http://www.vcrma.org/planning/ordinances/local-coastal-update.html>
Oxnard Downtown Main Library, 251 S. 'A' St., Oxnard, CA 93030 E.P.
Foster Library, 651 East Main Street, Ventura, CA 93001

Comments: Questions or written comments related to the proposed amendments may be submitted to Jennifer Welch, RMA/Planning Division, L#1740, 800 South Victoria Avenue, Ventura, CA 93009, (805) 654-2465. Or you may e-mail your comments to Jennifer.Welch@ventura.org or FAX them to (805) 654-2509.

In addition to the upcoming Ventura County Board of Supervisors hearing, the California Coastal Commission must make a formal determination of legal adequacy prior to the proposed LCP amendments becoming effective. If you seek to challenge the action resulting from this notice in court, you may be limited to only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Ventura County Planning Division at, or prior to, the public hearings.

In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please call (805) 654-2251.

By: Kim L. Prillhart, Director
Ventura County Planning Division

Engstrom, Aaron

From: Engstrom, Aaron
Sent: Wednesday, March 01, 2017 4:44 PM
To: Engstrom, Aaron
Subject: Notice of Public Hearings Regarding Ventura County Phase 2A and Phase 2B Local Coastal Program Updates

Dear Sir/Madam:

This e-mail provides information regarding upcoming hearings for Phase 2A and Phase 2B of the Ventura County Local Coastal Program (LCP) Update. Both of the hearings will be located at the Hearing Room of the Ventura County Board of Supervisors. Please note that the topic of Environmentally Sensitive Habitat Areas (ESHA) is **not** included in these updates.

Phase 2B Update:

The County of Ventura LCP Phase 2B Update is scheduled to be heard by the California Coastal Commission at 9:00 a.m. on Thursday, March 9, 2017.

The staff report may be viewed on the California Coastal Commission's website (click on the link provided below).

<https://documents.coastal.ca.gov/reports/2017/3/th22a-3-2017.pdf>

On February 27, 2017, a public notice was published in the Ventura County Star informing the public of the pending hearing.

Phase 2A Update:

The California Coastal Commission's conditional certification with suggested modifications of the County of Ventura LCP Phase 2A Update is scheduled to be heard by the Ventura County Board of Supervisors at 11:30 a.m. on Tuesday, March 14, 2017.

The Clerk of the Board publishes the agenda and documents for the hearing on Thursday prior to the Board Meeting date on the Board of Supervisors' website (click on the link provided below).

<http://www.ventura.org/bos-archives/agendas-documents-and-broadcasts>

The California Coastal Commission's suggested modifications can also be viewed on the agency's website (click on the link provided below).

<https://documents.coastal.ca.gov/reports/2016/12/th8c-12-2016.pdf>

On March 4, 2017, a public notice will be published in the Ventura County Star informing the public of the pending hearing.



SAVE THE DATES!

California Coastal Commission Hearing for Phase 2B of the LCP Update:

March 9, 2017, 9:00 a.m.

Hearing Room of the Board of Supervisors
County Government Center, Hall of Administration
800 South Victoria Avenue
Ventura, California

Ventura County Board of Supervisors Hearing for Phase 2A of the LCP Update:

March 14, 2017, 11:30 a.m.

Hearing Room of the Board of Supervisors
County Government Center, Hall of Administration
800 South Victoria Avenue
Ventura, California

For more information, please contact:

Aaron Engstrom | Associate Planner

Long-Range Planning

aaron.engstrom@ventura.org

Ventura County Resource Management Agency | Planning Division

P. (805) 654-2936 | F. (805) 654-2509

800 S. Victoria Ave., L #1740 | Ventura, CA 93009-1740

Visit the Planning Division website at vcrma.org/planning

Ventura County General Plan Update. Join the conversation at VC2040.org

For online permits and property information, visit [VC Citizen Access](#)

Pursuant to the California Public Records Act, email messages retained by the County may constitute public records subject to disclosure.

