



Planning Commission Staff Report – Hearing of January 31, 2019

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478

Subject: Public Hearing to Consider County-Initiated Amendments to the Ventura County General Plan and Articles 2, 3, 4, 5, 9 and 18 of the Ventura County Non-Coastal Zoning Ordinance, including Zoning Map Revisions to Establish a Habitat Connectivity and Wildlife Corridors Overlay Zone and a Critical Wildlife Passage Areas Overlay Zone and to Adopt Regulations therein; and to Consider a Finding that the Project is Categorically Exempt from the California Environmental Quality Act (PL16-0127).

A. PROJECT INFORMATION

1. Applicant:

County of Ventura, 800 S. Victoria Avenue, Ventura, California, 93009.

2. Location:

The proposed amendments to the Ventura County General Plan and Non-Coastal Zoning Ordinance (NCZO) would be applicable to all parcels located within the mapped Habitat Connectivity and Wildlife Corridors (Exhibits 3 and 4) and Critical Wildlife Passage Areas within Ventura County. (Exhibits 5, 6 and 7)

3. Request:

Planning Division staff requests that your Commission review this staff report and its attachments and adopt a resolution (Exhibit 12) recommending that the Board of Supervisors (Board) adopt the recommended actions for proposed amendments to the General Plan and the NCZO (Articles 2, 3, 4, 5, 9 and 18) related to the establishment of a Habitat Connectivity and Wildlife Corridors Overlay Zone and a Critical Wildlife Passage Areas Overlay Zone, and the regulation of development therein as stated in Section 8 of this report. These amendments are included in Exhibit 13 (General Plan amendments) and Exhibits 14 and 15, (NCZO amendments) of the staff report.

4. Review/Decision-Making Authority:

Pursuant to the Government Code section 65853, General Plan amendments, including the addition of a map and zoning ordinance amendments, require review and recommendation by the local jurisdiction's Planning Commission and the approval of the local legislative body, which for the County is the Board. Under the NCZO and state law, your Commission is required to review, conduct a public hearing on, consider, and make recommendations to the Board regarding the proposed GP amendment and NCZO revisions. The Board, at a subsequent public hearing, will consider your Commission's recommendations

and decide whether to adopt, not adopt, or adopt with modifications the proposed GP amendment and NCZO amendments.

5. History and Background:

a. Purpose and Need

Ventura County hosts an abundance of wildlife, including deer, mountain lions, coyotes, bobcats, various reptiles, amphibians, bird and fish species, as well as threatened and endangered species including California condors, coastal California gnatcatcher, least bell's vireos, and red-legged frogs, among others. Ventura County also contains portions of two large areas of permanently protected natural open space, containing a large number of plant and wildlife populations and their habitats, some of which are endemic to these areas. These include the 572,000-acre Los Padres National Forest, which occupies most of the northern half of the unincorporated area. To the south, the Santa Monica Mountains National Recreational Area forms a matrix of national, state, and locally-protected areas, as well as private holdings that extend eastward into Los Angeles County.

Smaller in area, but equally important, are the county's coastal habitat areas. While these are scattered along the coastline, they are connected to habitats located at the mouths of the three major river systems, the Ventura River, the Santa Clara River, and Calleguas Creek, which are of special importance as wildlife movement corridors. These protected open space areas, and to a lesser extent the rural areas between cities, contain a variety of different habitats including oak woodlands, grasslands, coastal sage scrub, chaparral, wetlands, and coastal dunes.

Preserving the geographic connections among protected areas enables wildlife and plant populations access to necessary resources throughout the county and beyond. These connections are a crucial component of protecting Ventura County's biological diversity.

Movement through habitats is often essential for wildlife survival. Animals must find food and shelter and offspring must establish new home ranges. Isolated populations may survive for a limited time, but will be vulnerable to die-off due to diseases, periodic loss of food resources, and inbreeding. For all these reasons, preservation of biological resources requires that plant and animal species be able to successfully move through the areas of the county that contain the habitats they depend on.

Certain land use activities and development patterns are more likely than others to imperil wildlife populations and create direct impediments to wildlife movement, such as impermeable fencing that blocks animals from moving through the landscape. Other land use activities can result in indirect impediments, such as vegetation removal, which can impact the availability of food and protective cover for animals, and excessive artificial lighting, which can change migration patterns

and interfere with pollination. Such indirect impediments can make linkages among core habitats less effective.

In the broadest sense, the objectives of this project are to: (1) regulate the siting of structures, uses and activities within individual lots so as to avoid key habitat areas used by wildlife; (2) consolidate development to provide open areas as a means to facilitate wildlife passage within and between individual lots; and (3) provide access to, and movement between, surrounding protected habitat areas on a regional geographic scale. The proposed regulations also incorporate an array of options and exemptions to ensure the continued ability of property owners to develop their properties.

It is important to clarify the following key terms used throughout this staff report:

Habitat Connectivity and Wildlife Corridors: These are natural habitat areas or largely undeveloped lands of sufficient width to facilitate the movement, migration, foraging, breeding, and dispersal of multiple animal or plant species. These areas facilitate important ecological functions such as seed and wildlife dispersal or pollination and can vary significantly in size, shape and composition at a variety of scales, from tens of feet to hundreds of miles. They contain riparian habitats, streams, canyons, and wooded ridgelines. In some cases, vegetated areas within developed areas may function as habitat linkages for certain species. Several such corridors and linkages have been identified in Ventura County. They include the Sierra Madre – Castaic Connection, the Santa Monica – Sierra Madre Connection, which incorporates the Santa Clara River, and the Ventura River Corridor (Exhibit 2). See Section 5.b, below, for a more detailed discussion of the linkages. Throughout this staff report, these mapped areas are referred to as the “mapped linkages.”

Habitat Connectivity: This term describes the degree to which a landscape facilitates movement of organisms among habitat areas, providing for wildlife movement and migration, foraging, finding mates, dispersal of offspring, and the ability to react to environmental changes. As stated above, the goals of the proposed General Plan and NCZO amendments are to enhance and maintain habitat connectivity within the mapped linkages and corridors.

Functional Connectivity: This term describes the degree to which a physical setting (landscape) facilitates or impedes the movement of organisms. Functional connectivity is a product of both the features of the physical setting (e.g., vegetation, physical development) and the behavioral response of plants and animals to these physical features.

b. Regional Efforts to Map Wildlife Corridors

In 2001, a group of scientists, researchers, and academics released a report on habitat connectivity throughout California. The report, titled *Missing Linkages: Restoring Connectivity to the California Landscape* (Missing Linkages report), included input and collaboration with approximately 160 scientists, conservationists, non-governmental and governmental land management staff,

and planners with the objective of identifying the location of and threats to, the most important movement corridors for California's wildlife.

All the linkage areas referenced in this staff report were identified in the *Missing Linkages* report as important areas for wildlife movement (i.e., the Santa Monica – Sierra Madre Connection, the Sierra Madre-Castaic Connection and the lower reach of the Ventura River) (Penrod, et. al., 2001). A complete bibliography of the sources cited herein is attached as Exhibit 23.

Additional work on identifying critical linkages continued after the *Missing Linkages* report was published, and Southern California was selected to be the location of the first comprehensive regional corridor planning project. The goal of the project, known as the *South Coast Missing Linkages: A Wildland Network for the South Coast Ecoregion (SCML)*, was to develop a comprehensive plan for a regional habitat network that would maintain and restore critical habitat linkages among existing open space throughout southern California.¹ The resulting report, which was issued in 2008, identified two critical habitat linkages in Ventura County: 1) the Santa Monica – Sierra Madre Connection, which incorporates the Santa Clara River; and 2) the Sierra Madre – Castaic Connection. The Santa Monica-Sierra Madre Connection links several important wildlife habitat networks including the Santa Monica Mountains, the Santa Susana Mountains, the Simi Hills, and Santa Clara River Corridor, and the Los Padres National Forest. The Sierra Madre-Castaic Connection incorporates several key habitat areas including the Dick Smith, Chumash, and Matilija Designated Wilderness Areas (South Coast Wildlands, 2008).

In 2010, the mapped linkages identified in the SCML report were incorporated into a report titled *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California* (CEHCP report), by the California Department of Transportation (Caltrans) and the California Department of Fish and Game. (Spencer, et. al., 2010) This project involved the mapping of habitat connectivity throughout the entire state and the report demonstrates how Ventura County's wildlife corridors are a portion of a larger statewide network of wildlife corridors and linkages. In addition, other jurisdictions and public agencies have incorporated the SCML into their planning efforts, including the following:

- The County of Los Angeles has included the Simi Hills/Santa Susana area

¹ The South Coast Missing Linkages project was conducted, and report published, in partnership between the Wildlands Conservancy, the Resources Agency, the United States Forest Service, California State Parks, California State Parks Foundation, the National Park Service, San Diego State University Field Stations Program, Environment Now, the Nature Conservancy, the Conservation Biology Institute, Santa Monica Mountains Conservancy, Wetlands Recovery Project, Mountain Lion Foundation, Rivers and Mountains Conservancy, California Wilderness Coalition, Wildlands Project, Zoological Society of San Diego Center for Reproduction of Endangered Species, Pronatura Conabio, and Universidad Autonoma de Baja California.

(as well as other areas mapped by the SCML) as a linkage as part of its Significant Ecological Areas (SEAs) program. SEAs are officially designated areas within LA County with important biological resources and its objective is to conserve genetic and physical diversity within LA County by designating biological resource areas that are capable of sustaining themselves into the future.” The SEA Ordinance establishes the permitting, design standards, and review process for development within SEAs, balancing preservation of the County’s natural biodiversity with private property rights.

- Southern California Association of Governments has incorporated the SCML into its open space planning for the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy.
- The four Southern California National Forests (Los Padres, Angeles, San Bernardino, and Cleveland) have incorporated the SCML into their Resource Management Plans.

In addition to the areas identified by the SCML project, the lower reach of the Ventura River has long been recognized as a significant biological resource and critical linkage area by the County of Ventura. The lower reach of the Ventura River runs from the southern edge of the Sierra Madre – Castaic Connection, (located near the intersection of Santa Ana Road and the Nye Ranch Fire Road, east of Lake Casitas) to the Pacific Ocean. This portion of the Ventura River connects coastal and estuarine habitats with riparian habitats along the Ventura River corridor leading into the Los Padres National Forest and the Transverse Range.

The proposed Habitat Connectivity and Wildlife Corridors (HCWC) overlay zone coincides with the unincorporated portions of Ventura County as mapped in the SCML (Exhibits 3 and 4). Within the HCWC overlay zone, staff identified three critically important subareas identified herein as Critical Wildlife Passage Areas (Exhibits 5, 6, and 7), which are fully described in Section 8.f below.

Although the lower reach of the Ventura River corridor is not included in the SCML or CEHCP reports, biologists and other scientists familiar with the Ventura River have expressed support for including it on the County’s proposed HCWC overlay zone. Moreover, the lead author of the SCML report (K. Penrod) has provided comments expressing support for inclusion of the Ventura River (Exhibit 16).

The Ventura County General Plan recognizes the Ventura River’s value as a resource that provides, “both essential habitat and migration corridors for wildlife in Ventura County” (General Plan, Goals, Policies and Programs, p. 18), and pursuant to the Ventura County Initial Study Assessment Guidelines (ISAGs), which were most recently approved by the Board in 2011, potential impacts to

the Ventura River, including its value as a wildlife corridor, have been evaluated for discretionary projects.

Recent studies have also confirmed the importance of the Ventura River as essential habitat for plants, animals and wildlife movement. The Ventura River Watershed Management Plan (Management Plan), approved by the Watershed Council² in 2015, provides a comprehensive discussion of the ecological resources associated with the Ventura River watershed. There are several references in the Management Plan that speak to the river's role in wildlife movement; two relevant passages are excerpted below:

The Ventura River and its associated drainages provide important connections between wilderness areas of the Santa Ynez foothills, the Los Padres National Forest, Sulphur Mountain, and the Pacific Ocean. The broad diversity of vegetation and physical topography in this area provides a mechanism for dispersal, supports wildlife travel routes, and allows habitat connectivity for a range of species from steelhead to neo-tropical song birds. Carnivores and ungulates (i.e., coyote, bobcat, bear, and deer), in addition to small, less mobile species, also utilize the river and adjacent uplands for movement and dispersal. (Management Plan, p. 537)

One of the only unconstrained habitat linkages is the Ventura River floodplain, which provides the critical feature of wildlife corridors in the region. Therefore, the Ventura River and floodplain provide both passage and dispersal corridors for a variety of both common and sensitive species. (Management Plan, p. 539)

The federal government has also acknowledged the value of the Ventura River for wildlife and wildlife movement. The draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Matilija Dam Ecosystem Restoration Project (USACE 2004),³ contains a thorough discussion of the biological resources that exist within the Ventura River watershed:

The diversity of aquatic and upland community types that occur within and adjacent to the project provide habitat for a wide

² The Ventura River Watershed Council included a broad range of participants including representatives from oil and gas companies, Ventura County Coalition of Labor, Agriculture and Business (CoLAB), the Ventura County Cattlemen's Association, environmental and conservation organizations, the Farm Bureau of Ventura County, academic institutions and local and state government.

³ The final EIS/EIR for the project includes public comments/responses and includes only the text that was modified from the draft EIS/EIR. The text included herein does not appear in the final EIS/EIR, therefore, it means no changes were made to the excerpted passages included above.

variety of resident and migratory wildlife species, including several special status species. Of particular importance are the habitat types associated with the Ventura River and its estuary that are known to provide habitat for several special status species including critical habitat for the federally endangered steelhead (*Oncorhynchus mykiss*) and tidewater goby (*Eucyclogobius newberryi*). (EIS/EIR, p. 146)

A total of 35 special-status species are known or expected to occur within the project area. Of these species, three are fish, two are amphibians, four are reptiles, 24 are birds, and two are mammals. Table 4.3-5 is a list of known and potentially occurring sensitive species that has been compiled from literature and recent field studies in the project area including the California Natural Diversity Database (CDFG, 2004), the USFWS Revised Planning Aid Memorandum (USFWS, 2000a), the USFWS Supplemental Planning Aid Report for the Matilija Dam Removal Project-Ventura County, California (USFWS, 2000b), and recent field studies conducted by Aspen Environmental Group. (EIS/EIR, p. 149)

The U.S. Fish and Wildlife Service has also studied the habitat connectivity value associated with the Ventura River when it issued the *Endangered and Threatened Wildlife and Plants: Revised Designation of Critical Habitat for California Red-Legged Frog; Final Rule* (2010). The analysis contained within the Final Rule indicated a strong role for the Ventura River corridor in maintaining connectivity between isolated populations of this threatened species.

In addition to the sources cited herein, and the Planning Division's lengthy history of classifying the Ventura River as a wildlife corridor for purposes of discretionary permit review, staff also notified the Board in January 2017 that the Ventura River would be included as a wildlife corridor for purposes of developing regulatory options for this project. (See Section 5.d below for more information about project history.) For these reasons, staff has included it as part of the proposed HCWC overlay zone as shown in Exhibit 2.

c. General Description of Features within the Habitat Connectivity and Wildlife Corridors

Within the proposed HCWC overlay zone, there are approximately 7,395 parcels totaling approximately 520,000 acres. Approximately 20 percent of the parcels (approximately 1,500) are owned by a public agency. Table 1 below summarizes zoning and acreage data for parcels within the proposed HCWC overlay zone.

Table 1 - Number of Parcels and Acreage by Zone Within HCWC

Parcel Zoning	Number of Parcels	Percentage of Total Parcels	Number of Acres	Percentage of Total Acres
Total	7,395	100	520,000 (approx.)	100
Rural and Residential Zones				
Single-Family Residential	347	5%	156	0.03%
Rural Agricultural	286	4%	2,808	0.54%
Rural Exclusive/ Single Family Estate	2,362	32%	3,952	0.76%
Residential Planned Development/ Residential High Density	163	2%	131	0.03%
Agriculture, Open Space, and Special Purpose Zones				
Agricultural Exclusive	1,005	14%	88,400	17%
Open Space	3,154	43%	421,200	81%
Timber Preserve	2	0.03%		
Specific Plan	8	0.11%	2,956	0.57%
Commercial and Industrial Zones				
Commercial Planned Development/ Neighborhood Commercial	22	0.30%	104	0.02%
Industrial Zones	46	0.62%	312	0.06%

Close to 100,000 acres (23 percent) of land within the proposed HCWC overlay zone are within the burn area of the Thomas, Hill, and Woolsey fires. The 2017

Thomas Fire burned approximately 76,500 acres and impacted areas in the hills around Santa Paula, Ventura, Ojai, and into the Los Padres National Forest. The Hill Fire (2018) burned approximately 4,500 acres, mostly in the area around Mountclef Ridge, and the Woolsey Fire (2018) burned approximately 97,000 acres from the Simi Hills south of Simi Valley extending to the cities of Thousand Oaks, Westlake Village, Agoura Hills, Calabasas, Malibu, and West Hills.

d. Project History

In April 2011, the Board adopted revisions to the ISAGs that recognized habitat connectivity and wildlife corridors as important considerations when evaluating potential impacts of discretionary development.⁴ However, a limited range of development projects require a discretionary permit, which would be subject to the use of the ISAGs and environmental review pursuant to the California Environmental Quality Act (CEQA). Development that is exempt (no permit required) or allowed through a ministerial review process (e.g., over the-counter zoning clearance) under the NCZO requires no assessment for potential impacts to habitat connectivity or wildlife corridors pursuant to CEQA.⁵

In 2015, the Board approved a consultant contract for the comprehensive General Plan Update (GPU) that included consultant work on a "Wildlife Corridors Program," but elected to complete this project ahead of the GPU. Therefore, Planning Division staff began examining the existing regulations governing wildlife corridors, developing project objectives, and regulatory options to achieve those objectives.⁶ This work resulted in the articulation of a single goal and four supporting objectives, which were then used to guide the preparation of options for the scope of work for this project. These recommendations and regulatory options were presented to the Board on January 24, 2017 (See Exhibit 17, Planning Division's January 24, 2017 Board letter). The Board directed staff to pursue the most comprehensive set of project elements and objectives.⁷

⁴<http://bosagenda.countyofventura.org/sirepub/cache/2/apdvnh0a1nqtanen2i45izdx/29284110032018045138974.PDF>

⁵ Some examples of exempt development under the NCZO include habitat removal (e.g., removal of native vegetation, including numerous species of native trees), and fencing that is six feet or less in height. Examples of ministerial development include single-family dwellings, greenhouses (up to 20,000 square feet) in the Open Space (OS) and Agricultural Exclusive (AE) zones, and accessory structures (up to 20,000 square feet) in the Open Space (OS) and Agricultural Exclusive (AE) zones.

⁶ <http://bosagenda.countyofventura.org/sirepub/agdocs.aspx?doctype=agenda&itemid=71595>

⁷ <http://bosagenda.countyofventura.org/sirepub/agdocs.aspx?doctype=agenda&itemid=79815>

6. Current Project Scope and Timeline

Based on direction by the Board in January 2017, the goal of the project is to improve and preserve habitat connectivity throughout the County's mapped habitat corridors. This goal is to be achieved through the implementation of four primary objectives within the proposed HCWC overlay zone:

- (1) Minimize habitat fragmentation;
- (2) Maintain corridor widths or enhance corridor "chokepoints" to facilitate species movement between natural areas. (A chokepoint is defined in the ISAGs as a narrow, impacted, or otherwise tenuous wildlife movement corridor or linkage);
- (3) Minimize physical barriers to wildlife movement (e.g., roads, fences, etc.); and
- (4) Minimize indirect barriers to wildlife movement (e.g., lighting, domestic animals, human presence, etc.).

The project proposes the following legislative actions to achieve these objectives:

- (1) Amend the General Plan, Resources Appendix, to add background information related to habitat connectivity and wildlife corridors that are identified in four maps consisting of the HCWC map and three Critical Wildlife Passage Area maps. (Figures 1.5.5 – 1.5.8 of the General Plan Resources Appendix) (Exhibit 8 – 11);
- (2) Update the background information on biological resources (Section 1.5 of the General Plan – Goals, Policies, and Programs [GPP]) as it relates to habitat connectivity and wildlife corridors (Exhibit 13);
- (3) Update the goals and policies in Section 1.5 of the General Plan (GPP - Biological Resources) (Exhibit 13);
- (4) Update the General Plan's GPP Glossary to include terms necessary to improve clarity and consistency, (Exhibit 13);
- (5) Amend the NCZO (Articles 2, 3, 4, 5, and 9) to add regulatory standards and new permitting requirements to address a range of potential development within the HCWC overlay zone (Exhibit 14); and
- (6) Amend the NCZO (Article 18) to rezone lots for inclusion in the proposed HCWC overlay zone and, for some of these parcels, inclusion in the

proposed Critical Wildlife Passage Areas overlay zone (Exhibit 15). See Exhibit 15A for the full list of parcels subject to the overlay zone(s).

7. Summary of Proposed General Plan Amendment

The proposed General Plan amendments (Exhibit 13) add background information and the aforementioned maps to the Resources Appendix, update the General Plan Glossary, and make minor revisions to the goals and policies related to biological resources. The existing General Plan provides the necessary framework for these amendments, as it already explicitly recognizes the importance of biological resources and the need to facilitate habitat connectivity. Minor updates to the background information and GPP Glossary are also needed to clarify and standardize terms.

The General Plan currently defines “Wildlife Migration Corridors” as, “*Linear spaces that connect the various areas of an animal’s habitat, and serve as links between feeding, watering, resting and breeding places. These corridors are especially important to larger, wider-ranging animal species.*” This definition addresses animals and their habitats and recognizes that connections among habitats are important for the survival and reproduction of some plant species as well.

The County’s current General Plan includes the following GPP Goal 1.5.1 to preserve and protect wildlife migration corridors:

“Preserve and protect significant biological resources in Ventura County from incompatible land uses and development. Significant biological resources include *endangered, threatened or rare species* and their habitats, *wetland habitats, coastal habitats, wildlife migration corridors* and *locally important species/communities.*” (Emphasis added.)

Moreover, GPP Policies 1.5.2-1 and 1.5.2-2 state:

- (1) *Discretionary development* which could potentially impact *biological resources* shall be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.
- (2) *Discretionary development* shall be sited and designed to incorporate all feasible measures to mitigate any significant impacts to *biological resources*. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body.

Amending the Resources Appendix of the General Plan to add information related to habitat connectivity and wildlife movement and the four maps, is necessary to link both the existing goals and policies to the appropriate maps and to provide clarity regarding the areas within which the proposed ordinance amendments will apply. As noted above, the mapped linkages are currently reviewed when conducting environmental review for discretionary development projects subject to CEQA.

Adding the four maps (Exhibits 8 - 11) will also provide the basis for establishing the HCWC overlay zone and Critical Wildlife Passage Areas (CWPA) overlay zone in the NCZO, and provide the groundwork for potential policy development within the General Plan as part of ongoing General Plan updates. For example, as noted above, the existing General Plan provides only one broad biological resource protection goal that mentions protection for wildlife corridors, but it currently provides no supporting policies that specifically address development in these areas.

8. Summary of Non-Coastal Zoning Ordinance Amendments.

The proposed NCZO amendments (see Exhibits 14, and 15) amend the following NCZO articles:

- Article 2: Definitions
- Article 3: Establishment of Zones, Boundaries, and Maps
- Article 4: Purposes of Zone
- Article 5: Permitted Uses (Zoning Matrix)
- Article 9: Standards for Specific Zones and Zone Types
- Article 18: Official Zoning Data of the NCZO

The proposed NCZO amendments add the following sections to Article 9:

Sec. 8109 - 4.8 - Habitat Connectivity and Wildlife Corridors Overlay Zone

4.8.1 - Applicability

4.8.2 - Outdoor Lighting

4.8.3 - Surface Water Features, Wildlife Crossing Structures, and Wildlife Impermeable Fencing

Sec. 8109 – 4.9 – Critical Wildlife Passage Areas Overlay Zone

4.9.1 – Applicability

4.9.2 – Exemptions

4.9.3 – Permitting Requirements

4.9.4 – Compact Development Siting Standard

4.9.5 – Discretionary Permit Application and Approval Standards

The proposed additions to Article 9 are summarized below. Two new overlay zones will facilitate the implementation of the proposed regulations. The HCWC overlay zone comprises the entirety of the habitat connectivity and wildlife corridors. The CWPA overlay zone consists of critical wildlife passage areas located within the larger HCWC overlay zone that merit enhanced protection for the reasons stated in Section 8.f below.

a. Outdoor Lighting (Applicable throughout the HCWC Overlay Zone)

Outdoor lighting is a prevalent indirect barrier to wildlife movement that the proposed ordinance seeks to address. Scientific research has shown that many types of outdoor lighting have the potential to negatively impact the behavior and

movement of animals. The indirect impacts created by lighting can include the disorientation of nocturnal species and the disruption of mating, feeding, migrating, and predator-prey interactions. Some of the adverse impacts of lighting on wildlife behavior were described in the materials presented to your Commission and the Board regarding NCZO amendments creating a Dark Sky overlay zone and accompanying regulations applicable to portions of the Ojai Valley, which were adopted by the Board on September 25, 2018 (hereafter referred to as the Dark Sky Ordinance).⁸

Even very low levels of light can have an impact on wildlife behavior. For example, research shows an observed change in prey detection of barn owls at a fraction of a foot-candle (a measure of the amount of light present at a given distance equal to the light emanating from a candle at a distance of one foot) (Gaston et. al., 2013). However, the intensity of light attenuates very quickly with increased distance. As a result, if lighting can be shielded, its timing and duration be set efficiently, and its location sited such that it does not spill over into important habitat areas, wildlife behavior, including movement and migration, would benefit.

Ecological light pollution includes chronic or periodically increased illumination, unexpected changes in illumination, and direct glare. Animals can experience increased orientation or disorientation from additional illumination and are attracted to or repulsed by glare. Artificial lighting and glare can affect foraging, reproduction, communication, and other critical behaviors. Artificial light disrupts interactions between species that have evolved behaviors based on natural light and dark conditions, with serious implications for species persistence (Longcore and Rich 2004). Lighting can have a large impact on wildlife in Ventura County's unincorporated areas because so much of the land is adjacent to or within areas commonly used by wildlife.

Summary of Outdoor Lighting Standards (NCZO Sec. 8109 – 4.8.2)

The proposed outdoor lighting standards are intended to minimize potential impacts of light on wildlife behavior. They were developed in consultation with the County's Building and Safety staff, and in large part incorporate applicable definitions and provisions from the Dark Sky Ordinance. A list of defined terms from the Dark Sky Ordinance that apply to these proposed ordinance amendments is attached as Exhibit 18.

The general regulatory approach is to limit light output and fixture heights, require "warmer" color lights, and require fixtures to be shielded and directed downward. There are also provisions allowing for brighter security lighting, lighting for

⁸ <http://bosagenda.countyofventura.org/sirepub/agdocs.aspx?doctype=agenda&itemid=93784>

specific areas such as driveways and walkways, and brighter lighting for specific uses such as outdoor sports areas. In addition, the proposed regulations require night-lighting installed in translucent or transparent agricultural structures such as greenhouses to be controlled so the lighting is not visible outside the structure. Such controls include shielding, directional lighting, and blackout screening. Table 2 below summarizes the compliance timing requirements for the proposed lighting regulations.

Numerous exemptions from these standards are proposed, including but not limited to lighting required by state and federal regulations, lighting in the road right-of-way installed by a public agency, temporary emergency lighting, intermittent lighting needed for nighttime agricultural activities, and seasonal or festive lighting. Certain types of lighting are proposed for prohibition including permanently installed lights that blink or flash, lighting located along the perimeter of a lot except for security lighting, and uplighting of landscapes or for aesthetic purposes between 10:00 p.m. and sunrise.

Table 2 – Proposed Lighting Regulations Compliance Timing Requirements

Type of Lighting	Compliance Timing	Notes
Newly-installed or replacement lighting	Ordinance effective date	
Existing lighting (not otherwise prohibited or permitted as part of a discretionary permit)	May remain in place; but must comply with certain standards as noted one year after effective date.	Non-conforming lighting (not considered “essential”) must be turned off between 10 p.m. and sunrise. All lighting should still be directed downward, if possible.
Existing lighting approved and installed as part of active discretionary permit	At least three years after ordinance effective date	Non-conforming lighting must be modified or replaced on approval of a minor or major permit modification to underlying permit. Replacement lighting may be phased in within a reasonable time after the three-year period.
Existing Prohibited Lighting (blinking, flashing, strobe, perimeter lighting, uplighting for aesthetic purposes)	One year after ordinance effective date	Existing aesthetic uplighting can still be used but must be turned off between 10 p.m. and sunrise.

b. Surface Water Features (Applicable throughout the HCWC Overlay Zone)

Surface Waters and Biological Resources

Ventura County's riparian areas, from its major river systems to its small ephemeral drainages, can provide plants and wildlife with a path to move through a landscape. The importance of these water features to wildlife and plants is well documented in the scientific literature, with more recent research showing that even ephemeral drainages are utilized by numerous species (Goodrich, et. al., 2018; Sánchez-Montoya, et. al., 2016; Abouelezz, et. al, 2018). Native species, such as mountain lion, deer, badger, and bear depend on riparian habitats for water and forage. Numerous native birds utilize riparian areas for breeding, foraging, and resting in stopover migrations. Small mammals and birds use riparian dispersal routes to scatter from their original habitats as a result of population pressures or food or water shortages.

Use and Degradation of Riparian Movement Corridors

Many riparian and alluvial habitats in Ventura County are degraded and threatened by numerous factors that diminish their functional value for wildlife movement. Invasive plant proliferation, vegetation removal, soil disturbance, and development directly adjacent to riparian corridors have caused substantial degradation in many small unnamed ephemeral drainages and larger river systems such as the Ventura River and Arroyo Simi. The degradation of local surface waters is reflected in the listing of numerous surface water features in Ventura County currently on the Federal Clean Water Act Section 303(d) List of Impaired Waters. Surface waters are listed for trash, pollutants, and pesticides, in part as a result of development within these upland areas. These impairments reflect the diminishing functional value of aquatic and riparian habitats.

Limitations of Existing Regulatory Structure for Surface Water Features

Although various existing local, state, and federal laws and regulations currently exist for the purpose of protecting water resources, these regulations are not typically focused on the protection of water resource for the purposes of ensuring wildlife movement. For example, standards and regulations implemented by the Ventura County Watershed Protection District target flood control and water quality standards and do not specifically address the objective of preserving the functional connectivity of a surface water feature. Moreover, in cases where a proposed project is either exempt from land use permit requirements (i.e., native vegetation removal) or requires a ministerial permit (i.e., construction of a single-family dwelling), potential impacts to surface water features are not typically evaluated. When these activities occur near drainages, erosion and sedimentation can occur, resulting in a loss of habitat value and potential

adverse effects to wildlife movement corridors, if the development is sited within these areas.

Proposed Buffer and Permitting Requirements for Surface Water Features (NCZO Sec. 8109-4.8.3)

Based on the biological importance of riparian habitats and the potentially adverse impacts that can result from development near these areas, the proposed amendments establish a 200-foot wide buffer (or setback) which is measured from the farthest extent of the surface water feature (SWF) and its associated riparian area. The primary purpose of the setback is to minimize impacts to habitat and direct disturbances to wildlife in riparian areas adjacent to SWFs. There is extensive scientific research regarding appropriate buffer distances from SWFs. In general, wide, densely-vegetated buffers are better than narrow and sparsely-vegetated buffers. The Environmental Law Institute found that effective buffer sizes for wildlife protection may range from 33 feet to more than 5,000 feet, depending on the species (McElfish et. al., 2008). Further, this research has shown that a buffer width of 100 to 300 feet would accomplish the objective of sustaining wildlife habitat in most cases (McElfish et. al., 2008).

The identification of SWFs in the HCWC overlay zone is based on the National Wetlands Inventory (NWI), which provides detailed information on the abundance, characteristics, and distribution wetlands throughout the United States. Produced, maintained, and supported by the United States Fish & Wildlife Service and the Federal Geographic Data Committee, the NWI incorporates data from the U.S. Department of the Interior Geological Survey (USGS) National Hydrography Dataset, historic hard copy maps, aerial imagery, and deep water and wetland spatial data that are updated over time. In addition, the NWI identifies vegetation communities that support wetland habitats.

In developing the 200-foot surface water feature buffer, County staff considered various sources of hydrological data other than the NWI, including red line channels and blue line streams.⁹ However, the NWI data was selected for the following reasons: (1) It is generally more comprehensive than red line channels, which are primarily considered in a flood control context; (2) It is based on more current data than blue line streams; and (3) Resource Management Agency,

⁹ A red line channel is defined as a channel or stream within the Ventura County Watershed Protection District's jurisdiction that carries a minimum of 500 cubic feet per second in a 100-year storm event and that is regulated by Ventura County Watershed Protection District Ordinance. A blue line stream is defined as any stream shown as a solid or broken blue line on quadrangle maps prepared by the USGS. Streams identified on USGS maps are primarily used in a federal regulatory context.

Planning Division staff have been using NWI data to determine potential impacts for discretionary projects for many years. In addition, for purposes of the proposed regulations, SWFs will not include lakes, reservoirs, and agricultural water impoundments since the primary focus of the surface water feature buffer is riparian habitats along drainage corridors.

Subject to exemptions noted below, the following activities and uses, including vegetation modification, proposed to be located within the 200-foot surface water feature buffer (or setback) require a Planning Director-approved Planned Development permit (PD permit):

- Initiation of any new land use, or construction of any new structure or addition to an existing structure, that is subject to a permitting requirement under Article 5 (i.e., a Zoning Clearance or other permit is required under Article 5) and that will result in any new fuel modification required by the Ventura County Fire Protection District.
- Wildlife impermeable fencing enclosures. (Additional details regarding wildlife impermeable fencing are discussed in Section 8.e of this report.)
- Vegetation modification (defined as the alteration of both native and non-native vegetation) exceeding ten percent of the area of the lot that is located within a SWF within a 12-month period. (For example, on a lot where a total of 1,000 square feet of the lot area is within a SWF, vegetation modification that exceeds 100 square feet would require a Planning Director-approved PD permit. Conversely, vegetation modification would be exempt if it is limited to a maximum of 100 square feet within a 12-month period.)

Several types of vegetation modification are exempt. Exemptions include planting/harvesting of crops or orchards that will be commercially sold; livestock grazing; vegetation modification conducted to comply with a condition of an existing County-approved land use entitlement, for existing legally-established structures; vegetation modification required to comply with any federal, state or local law or regulation, or performed by a public agency on publicly owned- or maintained-property; vegetation modification on land owned or maintained by a conservation organization for the purpose of maintaining or enhancing functional connectivity; development within a public road right-of-way; and development that is dependent on being located within a surface water feature setback (e.g., in-stream mining); or modification of intentionally planted landscaping.

Also exempt are the restoration or replacement of land, fences or improvements, and the reconstruction of structures (if less than 50 percent is destroyed), within six years if involuntary damaged or destroyed by fire, flood, landslide or natural disaster. In addition, the regulations will not prevent property owners from clearing fuel breaks around structures in accordance with Ventura County Fire

Protection District regulations and will not prevent the Fire District from conducting controlled burns. A comment letter from Fire Chief Lorenzen regarding these proposed regulations is attached as Exhibit 19.

The removal of invasive plants is eligible for a zoning clearance. Currently existing, legally-authorized structures (including existing fencing) are not subject to the regulations.

Applications for discretionary permits required pursuant to the SWF buffer regulations must include specific information prepared by a qualified biologist that demonstrates the project is consistent with specified development guidelines. These guidelines state that the specified development and wildlife impermeable fencing should be outside of applicable setback areas, minimize removal and disturbance of biological resources that have the potential to support functional connectivity and wildlife movement, and be designed to retain the largest possible contiguous undeveloped portion of land, if feasible.

The regulations also allow for the “reconsideration” of a designated SWF by the Planning Director, if requested by an applicant. When reconsideration is requested, the sole issue to be determined is whether the area qualifies as a SWF. Documentation required will include a field survey prepared by a qualified biologist in accordance with the ISAGs.

c. Wildlife Crossing Structures (Applicable throughout the HCWC Overlay Zone)

Roads can be harmful to wildlife for several reasons: they are a source of animal mortality; they can disrupt normal animal movements; and limit the dispersal of wildlife populations. However, in some cases, wildlife can cross roads and highways more safely by using passages such as drainage culverts, bridges, underpasses, or small below-grade access roads beneath or above roads and highways.

Several local studies of wildlife using crossing structures, as well as studies of roadkill counts, have occurred throughout Ventura County (Anderson, 2012; LSA, 2004). A study of crossing use by various types of wildlife at various locations in Ventura County (e.g., Highway 101, State Routes 23, 126 and 118), indicated that passages beneath highways can provide important safe avenues for animals to cross roads. (Sikich and Riley, 2012; Brown and Riley, 2013; Moriarty and Riley, 2016). Studies that monitored wildlife use of crossing structures along the SR-23 and SR-118 noted the wide variety of animals using the crossings, including deer, raccoon, coyote, bobcat, opossum, and striped skunk (Ng et. al., 2004). In addition, despite the SR-118 being a major barrier to movement, as evidenced by mapping of home ranges, gene flow still occurs in populations on either side of the highway because of the connectivity these crossing structures provide (Brown and Riley, 2013). Studies have further shown that small wildlife

such as reptiles, amphibians, and small mammals may use crossings under small-scale roads, such as those maintained by the County's Public Works Agency. Clearly, roadway crossing structures facilitate wildlife movement through and across roads in Ventura County.

The environmental context surrounding roadway crossing structures can influence the willingness of animals to cross, and proper management of some of these environmental attributes can increase the degree to which animals use these structures. For example, one study found that larger passages with vegetation close to the passage entrances, favorable habitat in the surrounding area, and low disturbance by humans were important features that influenced use of these structures by small and medium carnivores (Grilo et. al., 2008).

Proposed Buffer and Permitting Requirements for Wildlife Crossing Structures (NCZO Sec. 8019-4.8.3)

Staff evaluated over 400 state and local road crossings that are within the boundaries of the proposed HCWC overlay zone. Of these, approximately 25 percent were identified as having a high connectivity value for wildlife passage and were thus selected to be subject to the proposed wildlife crossing buffer regulations. A list of these crossings is attached as Exhibit 20. Additional information regarding the process used to select the crossings that are subject to the proposed regulations is attached as Exhibit 21.

The proposed regulations establish a 200-foot setback from the entry or exit point of specified wildlife crossing structures.¹⁰ Subject to exemptions outlined below, the following activities and uses, including any required vegetation modification, proposed to be located within 200 feet of a wildlife crossing structure require a Planning Director-approved PD permit:

- Initiation of any new land use, or construction of any new structure or addition to an existing structure, that is subject to a permitting requirement under Article 5 (i.e., a Zoning Clearance or other permit is required under Article 5) and that will result in any new fuel modification required by the Ventura County Fire Protection District.
- Wildlife impermeable fencing enclosures.

¹⁰ For a pipe or box culvert, the setback from the entry or exit point of a culvert is to be measured from the center of the inlet or outlet side. For a bridge structure, the setback is to be measured from the perimeter of the bridge structure. An illustration of the measuring points is provided in the ordinance (Exhibit 14).

Applications for discretionary permits under the wildlife crossing buffer regulations must include the same information and must be consistent with the same development guidelines as summarized in the SWF buffer section above.

Exemptions to the wildlife crossing structure regulations include vegetation modification required to comply with any federal, state or local law or regulation; vegetation modification performed by a public agency on publicly owned- or maintained-property; vegetation modification on land owned or maintained by a conservation organization for the purpose of maintaining or enhancing functional connectivity; livestock grazing; and development within a public road right-of-way.

Also exempt are the restoration or replacement of land, fences or improvements, and the reconstruction of structures (if less than 50 percent is destroyed), within six years if involuntary damaged or destroyed by fire, flood, landslide or natural disaster.

d. Invasive Plant Prohibition (Applicable throughout the HCWC Overlay Zone)

There has been extensive research on the negative ecological effects of invasive species on native plant habitats. In Ventura County and throughout southern California, giant reed (*Arundo donax*) clogs creek and river systems and outcompetes native riparian vegetation. Species such as common ivy (*Hedera helix*), pampas grass (*Cortaderia selloana*), and iceplant (*Carpobrotus edulis*) are some of the most aggressive invasive species in California and can be found commonly in landscaped areas.

Invasive grasses and shrubs have been shown to increase fire frequency when they replace stands of fire-adapted native vegetation (Brooks, et. al., 2004; Keeley, J. 2002). The spread of invasive plants can result in the conversion of natural areas with native vegetation and high-quality habitat, to stands of invasive weeds with minimal habitat value. Invasive weeds planted as ornamental landscaping or used in erosion control seed mixes can spread into adjacent areas causing habitat fragmentation and an overall reduction in habitat quality within protected areas. This is especially true for invasive species planted in rural areas, which can more easily spread into habitat areas simply because these areas often border protected lands. Invasive plants also colonize areas of disturbance more easily, such as construction and earth movement, which can spread seed. The cumulative effect of fires, soil disturbance, and native vegetation removal can result in further spread of invasive plants, diminishing habitat value and functional connectivity on a landscape scale.

Invasive Plant Standard (NCZO Sec. 8109-4.8.3.3)

The proposed ordinance prohibits the intentional planting of invasive plants unless planted as a commercial agricultural crop or grown as commercial nursery

stock. The purpose of this standard is to protect areas within the HCWC overlay zone from further degradation caused by invasive plants. For purposes of this ordinance, invasive plants are those listed on the California Invasive Plant Council Invasive Plant Checklist for California Landscaping. Standards associated with the selection of erosion control seed mixes and non-invasive plants will be applied to proposed projects and described in required landscape plans.

e. Wildlife Impermeable Fences (Applicable throughout the HCWC Overlay Zone in Open Space and Agricultural Exclusive Zones)

Wildlife movement can be compromised by direct barriers including certain types of fencing that animals can't penetrate. Fences that are too high or that have tightly spaced wires or mesh can entangle animals, prevent passage entirely, or trap and kill animals. Fencing that is impermeable to wildlife passage can also create significant barriers to critical resources such as food and water, habitat, and areas with access to other breeding animals needed to maintain genetic diversity.

Fencing standards related to the quantity, configuration and height of wildlife impermeable fencing were developed in consultation with several different stakeholders, including property owners, the Coalition of Labor Agriculture and Business, The Nature Conservancy, various wildlife movement experts from state and federal regulatory agencies, discussions with members of the Agricultural Policy Advisory Committee, and consultations with the Livestock and Range Advisor from UC Cooperative Extension. Project staff also participated in a site visit and tour of Rancho Temescal, a large property within the mapped linkage, to understand the different types of fencing used on a large agricultural property.

In addition to the input received from the stakeholders listed above, Planning Division staff consulted with researchers at University of California, Berkeley who are currently conducting studies related to the effects of fencing on wildlife movement and behavior. Their preliminary findings suggest that electric fencing (single and multiple strands), woven wire fencing, and fencing that is 60 inches or higher create barriers for wildlife and can result in altered predator-prey interactions (Personal communication. J. Brashares, A. McInturff 2018).

Wildlife Impermeable Fencing Standards and Permitting Requirements (NCZO Sec. 8109-4.8.3.6)

The purpose of the fencing standards is to limit the direct barriers created by fencing by limiting the amount of new wildlife impermeable fencing that may be installed to enclose an area. One goal of the regulations is to allow fencing types most commonly used on residential lots and for livestock ranching in Ventura County, while limiting those features that may have the greatest impact on

wildlife movement, (such as fence height). Wildlife impermeable fencing is defined in the ordinance as having one or more of the following design features:

- Any fence that is higher than 60 inches above grade, including any wire strands that are placed above a top rail of a fence.
- Electric fences comprised of any material or number of electrified strands.
- Wrought iron, plastic mesh, woven wire, razor wire, chain link, or that consists entirely of a solid surface, such as cinderblock.

The regulations prohibit both the installation of new wildlife impermeable fencing around the perimeter of any lot, and on any lot that has no existing lawfully-established principal use, to form an enclosed area. In addition, new fence posts, corner posts, or gate upright with open, vertical pipes on lots zoned Agricultural Exclusive (AE) and Open Space (OS) that could trap small birds or other animals must be entirely filled with concrete, sand, gravel, or other material, or covered with commercial caps.

Subject to exemptions outlined below, the installation of new or replacement fencing comprised entirely of wildlife impermeable fencing that forms one or more enclosures on lots zoned Agricultural Exclusive (AE) and Open Space (OS) are subject to the new permitting requirements based on the extent of lot area that is enclosed.

Specifically, wildlife impermeable fencing that encloses a cumulative area of up to ten percent of the gross area of a lot requires a ministerial permit. For example, the owner of a 10-acre lot could install wildlife impermeable fencing that encloses up to an acre of land with a (ministerial) zoning clearance. The installation of wildlife impermeable fencing enclosures that exceed ten percent of the gross lot area requires a Planning Director-approved PD permit. For lots with existing wildlife impermeable fencing, the proposed regulations exclude the cumulative area of the existing fencing from the calculation of gross lot area.

Applications for discretionary permits under the wildlife impermeable fencing regulations must include the same information and must be consistent with the same development guidelines as summarized in the SWF buffer section above.

Several exemptions are proposed. These include:

- Repair or maintenance of existing, legally-established fences;
- Restoration or replacement of fences to their prior condition following a fire, flood, landslide, or natural disaster;

- Fencing that forms an enclosed area within 50 feet of an exterior wall of a legally-established dwelling or *structure* related to an agricultural use;
- Fencing used to enclose commercially grown agricultural products intended for commercial sale;
- Fencing installed for or by a public agency for the purpose of directing wildlife toward a road crossing structure;
- Fencing used for habitat protection or a restoration project; and
- Fencing installed on a lot with an area of 10,000 square feet or less.

f. Critical Wildlife Passage Areas Overlay Zone (Applicable in the Oak View, Simi Hills and Tierra Rejada subzones)

One of the four key project objectives is to maintain corridor widths or enhance corridor “chokepoints” to facilitate species movement among natural areas. A chokepoint is defined in the ISAGs as a narrow, impacted, or otherwise tenuous wildlife movement corridor or linkage (like the narrow neck of an hourglass). They have also been described as narrow, physically constrained passages that constrict species movement between larger core habitat areas.

As part of project development, Planning Division staff initially intended to determine an appropriate minimum width that would be used to identify chokepoints within the mapped linkages. In researching an appropriate standard, however, it became clear that the minimum width of a linkage often depends on other factors and can vary substantially. Lands throughout Ventura County are seldom either pristine preserves or developed urban areas without any habitat value; rather they provide resources for wildlife in a matrix of protected, rural, and developed lands. Factors such as the likelihood of future urbanized development, (which can include gradual vegetation clearing, fragmentation of open space, and increased edge effects),¹¹ or the presence of landscape features commonly used by wildlife, are often more salient factors when considering linkage vulnerability.

Accordingly, these factors required staff to consider issues other than geographic width to identify those areas that are at highest risk of functional connectivity loss. To reflect this shift, staff developed the concept of Critical Wildlife Passage

¹¹ Edge effects can include adverse changes to species abundance, presence and behavior. They can occur when habitats are fragmented, and the proportion of edge habitat increases relative to interior habitat. Edge effects can be caused by irrigation, artificial night-lighting, habitat degradation and removal, and introduction of invasive species.

Areas (CWPAAs) to replace the emphasis solely on chokepoints. Some of the factors used to identify these areas include proximity to protected open space that serves as core habitat, the presence of geographic features that facilitate wildlife movement such as riparian corridors or ridgelines, and whether the area contains lands or is located adjacent to land permanently protected as open space. Table 3 summarizes the factors used to identify CWPAAs.

Approximately 15 areas within the proposed HCWC overlay zone were initially identified as potential CWPAAs based on a review of geographically narrow or critically important regions. Three areas were ultimately selected as the most critical CWPAAs, while 12 potential CWPAAs were excluded for a variety of reasons. Two of these 12 areas consist of the Santa Paula Creek and Sespe Creek corridors adjacent to the cities of Santa Paula and Fillmore, respectively. By virtue of being within the HCWC overlay zone and being relatively narrow in geographic scale, these creek corridors will be subject to the surface water feature regulations. Staff believes that the SWF setback regulation is sufficient to provide space for wildlife movement along the Santa Paula and Sespe Creeks.

Two of the other excluded areas are existing mineral extraction operations (the Pacific Rock Quarry Mine near Camarillo, and the P. W. Gillibrand Sand Quarry near Simi Valley), that operate under conditional use permits. Any future modifications to these operations would be subject to a discretionary permit, including CEQA review. Staff generally believes that areas dominated by the presence of existing uses subject to existing discretionary permitting requirements are sufficiently evaluated for their potential impacts to wildlife movement.

The area along the Conejo Grade was not selected as a CWPA, in part because the southern portion of this area lies within the City of Camarillo. In addition, there was a recently approved application for an Open Space and Wildlife Habitat Land Conservation Act contract that applies to a large portion of the land north of the Conejo Grade that will provide sufficient space for wildlife movement.

Other potential CWPA locations were not included because of the diminished likelihood of future development potential due to the proximity of relatively large areas of protected lands. This was the case for Mountclef Ridge, where much of the regional corridor is located within the City of Thousand Oaks and contains open space areas managed by the Conejo Open Space Conservation Agency.

As indicated above, three areas critical for wildlife movement were identified as being the most vulnerable to a loss of functional connectivity. These areas are: the Tierra Rejada Valley, portions of Oak View, and portions of the Simi Hills (Exhibits 5 - 7). A description of each of these CWPAAs follows Table 3, below. The parcels subject to the CWPA overlay zone are listed in Exhibit 15.

Table 3 – Critical Wildlife Passage Area Selection Factors

Critical Wildlife Passage Factor	Description
Governmental jurisdiction	<ul style="list-style-type: none"> The County has no land use authority within cities and thus these areas were excluded from the analysis.
Locations and configuration of protected lands as mapped by the California Protected Areas Database and the California Conservation Easement Database	<ul style="list-style-type: none"> Protected lands consist of preserved open space that typically provides high quality habitat for wildlife. The ability of wildlife to safely traverse the lands in between these protected areas can significantly affect functional connectivity within the larger regional linkage. For this reason, parcels near and adjacent to protected lands were considered higher priorities.
Proximity to, or extent of, urban development, particularly within a city or unincorporated community. This includes cities and areas within other counties.	<ul style="list-style-type: none"> Geographically narrow areas of unincorporated land connecting major north-south portions of the mapped linkages were considered the highest priority. Development in Ventura County is primarily concentrated in cities near services and commercial centers. Unincorporated areas near or adjacent to the boundary of a city (but not within a sphere of influence) or an existing community were generally considered higher priorities, particularly unincorporated areas near cities largely surrounded by mapped linkages. Remote areas with few or no roads or existing development were considered lower priorities.
Existing habitat value	<ul style="list-style-type: none"> Areas with more intact, native habitat and/or higher habitat values were considered higher value area for habitat connectivity than those with more fragmented or lower habitat values.
Proximity of major water bodies/courses	<ul style="list-style-type: none"> Areas between major water bodies/courses were considered higher priorities.
Proximity to a Roadway Crossing	<ul style="list-style-type: none"> Roadway crossings can provide wildlife a means to overcome a direct barrier, such as a freeway. Corridors near highways containing functioning crossings were considered higher priorities.

CWPA Summaries

- Oak View

The Oak View CWPA (Exhibit 5) was selected because it consists of a narrow north-south linkage that is constrained by Lake Casitas to the west and the urbanized areas of Oak View to the east. Much of this area contains oak woodland, grassland, and other patches of native vegetation that can serve as potential habitat for wildlife. Lake Casitas and the Ventura River serve as important regional habitat areas that can also provide water for numerous wildlife species that are attracted to the area. The proposed Oak View CWPA is located adjacent to the Lake Casitas Recreation Area, managed by the Bureau of Reclamation in cooperation with Casitas Municipal Water District. Approximately 3,500 acres of land were protected as Open Space by the federal government in 1974 (URS, 2005). These lands include the lake itself and areas mostly north of the lake.

However, the lands east of the lake and adjacent to the proposed CWPA are not protected. This portion of the mapped corridor is approximately 1,500 feet wide at its narrowest point and is heavily constrained by Lake Casitas and a portion of Oak View. This area may be more at risk because of the edge effects associated with the adjacent residential development. Land ownership in the CWPA is primarily private and contains existing low-density rural or agricultural development. However, even low-density development can create barriers to movement, and land use intensification in this area, including the development of new structures and uses, could substantially diminish functional connectivity in an already constrained area.

Finally, this area contains Santa Ana Road which fragments habitat, yet contains roadway crossings that may be conducive to wildlife movement. The proposed CWPA connects 69,000 acres of protected U.S. Forest Service Lands to the north and undeveloped open space in the south. Because this area is narrow, contains few protected lands, and is adjacent to urbanized development, yet still provides undeveloped open space and high-quality habitat capable of facilitating wildlife movement, it was selected as a CWPA.

- Simi Hills

The Simi Hills CWPA encompasses the community of Bell Canyon, the eastern portion of the Santa Susana Field Lab, Sage Ranch Park, Box Canyon, and a portion of the Santa Susana Knolls (Exhibit 6). A significant portion of the mapped habitat linkages that move north-south through this area is in Los Angeles County, leaving a relatively narrow portion within the jurisdiction of Ventura County. This portion of the Simi Hills is critical in connecting preserved open space lands throughout the linkage that serve as core habitat for wildlife. These preserved open space areas include the Upper Las Virgenes Canyon Open Space Preserve, the Chesebro and Palo Comado Canyon Parks, and the Santa Monica Mountains to the south.

To the north, the Simi Hills CWPA connects various largely undeveloped and protected areas such as Rocky Peak Park and the Los Padres National Forest. The Simi Hills CWPA is flanked by urbanized areas to the west by the City of Simi Valley and to the east by the communities of West Hills, Canoga Park, and Chatsworth in Los Angeles County. Portions of the Simi Hills CWPA contain areas that serve as parks or have lands that been encumbered by conservation easements, such as Sage Ranch Park and portions of the Santa Susana Field Lab. In recent years, the National Park Service and other wildlife researchers have tracked mountain lions and other wildlife in this area. In June 2018, four mountain lion cubs were found in the Simi Hills by researchers. Although these areas are not at high risk of further development in the near term, they were included to ensure that the CWPA remains as a contiguous area that continues to provide functional connectivity through the area in the future.

- Tierra Rejada Valley

The Santa Monica Mountains to the Sierra Madre Connection serves as the primary north-south regional linkage in Ventura County, connecting two large core habitat areas, those being the Santa Monica Mountains and the Los Padres National Forest. This linkage becomes constrained both in the area near Santa Susana Pass, and in the Tierra Rejada Valley (Exhibit 7).

Although the Tierra Rejada Valley does not form a narrow corridor, it is constrained by three cities on virtually all sides: Simi Valley to the east and north east; Moorpark to the north and northwest; and Thousand Oaks to the south. As such, wildlife movement beyond this area is significantly constrained by urbanized development except for a patchwork of parks and open space preserves to the north and south, which includes Bard Reservoir, Wood Ranch and Wood Ridge Open Spaces, Oak Park in Simi Valley, and Happy Camp Canyon Regional Park.

Despite the urban densities of the surrounding cities, existing development densities within the Tierra Rejada Valley are relatively low. With minimum lot sizes typically between 10 to 40 acres, this area is particularly important to maintain functional connectivity. Moreover, the Arroyo Simi, which lies within and directly adjacent to the Tierra Rejada Valley CWPA, serves as important habitat for both resident and migrating wildlife. Studies of wildlife movement and use of roadway crossings have shown that wildlife utilize crossings associated with SR-23 and SR-118 in the Tierra Rejada Valley, and that large, far-ranging wildlife such as mountain lions are known to occur in this area. Additional studies referencing the connection between the Tierra Rejada Valley and wildlife movement are cited in the bibliography (Exhibit 22).

This area contains significant barriers including SR-23 and SR-118 to the north as well as Tierra Rejada Road to a lesser extent. However, wildlife movement studies completed to date indicate that wildlife are successfully traversing SR-23 and SR-118 at critical roadway crossings.

Table 4 below presents parcel summary information for each of the CWPAs.

Regulations Applicable within CWPAs - Compact Siting Standard (NCZO Sec. 8109-4.9)

Due to the importance of maintaining functional connectivity within these critical areas, the regulations developed for CWPAs encourage compact development to help maintain undeveloped areas that can serve as linkages for wildlife movement. The purpose of these standards is to address habitat fragmentation by encouraging the grouping of development on individual lots, thereby preserving both the land owner's ability to develop while also protecting more undeveloped, open areas for plants and animals to move. In addition, compact development generally results in less disturbance to vegetation and reduces nighttime lighting, noise, human presence, and other direct and indirect barriers to wildlife movement. The standards are designed to encourage the concentration of proposed development on a regulated lot. However, they do not change existing lot coverage standards, which are the primary determinants of how much development can occur within any lot.

The compact siting standards apply to new structures and other new uses on lots over two acres in size in all zones except lots zoned Commercial (CO, C1, CPD) and residentially-zoned lots within the Simi Hills CWPA. There are no industrially-zoned lots within the CWPAs. The installation of wildlife impermeable fencing forming an enclosed area on lots over two acres is also subject to the compact siting standards, but only on lots zoned Open Space (OS) or Agricultural Exclusive (AE).

The Simi Hills residential areas are exempt for several reasons. First, there are two parcels in the Santa Susana Knolls community zoned for residential high-density development. The development density required by this zoning designation would be difficult to achieve under the proposed CWPA compact siting regulations. Second, the residentially zoned parcels in the Box Canyon community generally run adjacent to Box Canyon Road and many of the parcels are irregularly shaped and constrained by steep slopes, which would make the compact siting standard difficult to implement. Finally, the Bell Canyon subdivision is governed by existing covenants, conditions and restrictions which require perimeter fencing that is permeable to wildlife. Bell Creek runs through the subdivision, and a trail system provides pathways for wildlife through the tract. For these reasons, staff believes that the compact siting regulations required within CWPAs would not significantly improve the habitat connectivity currently provided through the Simi Hills communities.

The proposed regulations allow for a ministerial permit, subject to specified exemptions, for most new structures, additions, uses, and installation of wildlife impermeable fence enclosures, provided they are sited exclusively in one of two contiguous areas created by a line bisecting the lot into two sections of equal

area, or if they are located entirely within 100 feet of a public road or street or an existing structure, use, driveway, or publicly accessible trail on the same lot. New development, uses, and wildlife impermeable fencing that does not meet the requirement for a ministerial permit requires a discretionary Planning Director-approved PD permit.

It is important to note that the proposed regulations do not impact existing building coverage limits. For example, building lot coverage for development in the both the Agriculture Exclusive (AE) and Open Space (OS) zones is limited to five percent of the lot for conforming lots; this limit would not be modified. Therefore, under the compact siting standard, a lot in either one of these zones could be developed up to the five percent building lot coverage limit on the portion of the lot that the landowner selects for development pursuant to a ministerial zoning clearance.

Additional exemptions to the CWPA regulations include the following:

- Agricultural shade/mist structures, animal shade structures, and above-ground fuel storage as an accessory use.
- Restoration or replacement of land, fences or improvements, and the reconstruction of structures (if less than 50 percent is destroyed), within six years if involuntary damaged or destroyed by fire, flood, landslide or natural disaster.
- Construction and maintenance of driveways or roads internal to a lot.
- Structures or improvements that are temporary or are located entirely or substantially underground (e.g., pipelines, cables, individual sewage disposal systems).
- Water production, storage, transmission, and distribution facilities.
- Aboveground pipelines/transmission lines.
- Repair or maintenance of an existing, legally-established structure or fence.
- Except for any associated wildlife impermeable fencing or associated structures, the following:
 - (1) Animal Keeping and Animal Husbandry (domestic animals, horses & other equines, including more than permitted by Art. 7)
 - (2) Apiculture
 - (3) Aquaculture/Aquiculture
 - (4) Vermiculture (open beds)
 - (5) Agricultural Promotional Uses
 - (6) Cemeteries
 - (7) Cultural/historic uses
 - (8) Filming Activities
 - (9) Firewood operations
 - (10) Drilling for temporary geologic testing
 - (11) Botanic Gardens and Arboreta

- (12) Athletic Fields
- (13) Golf Courses
- (14) Parks
- (15) Wholesale Nurseries for Propagation

Table 4 – Parcel Summary Information for CWPA's

CWPA Location	Total Acreage	Total Number of Parcels	Number of Parcels Subject to the Compact Siting Standard *
Oak View	1,228	30	30
Simi Hills	6,017	1,883	637
Tierra Rejada	3,108	110	109

* Lots smaller than 2 acres, not entirely within CWPA boundary, zoned as Residential in the Simi Hills CWPA, or zoned as Commercial are not subject to the CWPA permitting requirements or the compact siting standard (NCZO Secs. 8109-4.9.3 and 8109-4.9.4).

g. Discretionary Permit Standards

Applications for discretionary projects in a CWPA must include specific information prepared by a qualified biologist to demonstrate that the project is consistent with specified development guidelines. These guidelines state that the specified development and wildlife impermeable fencing should be outside of applicable setback areas, minimize removal and disturbance of biological resources that have the potential to support functional connectivity and wildlife movement, and be designed to retain the largest possible contiguous undeveloped portion of land, if feasible.

h. Summary of Proposed Ordinance Provisions

Table 5 summarizes the general applicability scheme for the proposed standards and how the proposed standards address the project objectives.

Table 5 - NCZO Standards, Project Objectives, and Applicability

Ordinance Regulations	Project Objectives	Applicability
Outdoor Lighting Sec. 8109-4.8.2	Minimize Indirect Barriers	Throughout the Habitat Connectivity and Wildlife Corridors Overlay Zone
Buffers around Surface Water Features Sec. 8109-4.8.3	Minimize Indirect Barriers Protect Corridor Widths Minimize Vegetation Loss and Habitat Fragmentation	Throughout the Habitat Connectivity and Wildlife Corridors Overlay Zone
Buffers around Wildlife Crossing Structures Sec. 8109-4.8.3	Minimize Direct barriers Protect Corridors Widths Minimize Vegetation Loss and Habitat Fragmentation	Throughout the Habitat Connectivity and Wildlife Corridors Overlay Zone
Prohibition on Intentional Planting of Invasive Plants Sec. 8109-4.8.6	Minimize Vegetation Loss and Habitat Fragmentation	Throughout the Habitat Connectivity and Wildlife Corridors Overlay Zone
Minimize Wildlife Impermeable Fencing Sec. 8109-4.8.4	Minimize Direct Barriers Minimize Habitat Fragmentation	In Open Space and Agricultural Exclusive Zones throughout the Habitat Connectivity and Wildlife Corridors Overlay Zone
Compact Development within Critical Wildlife Passage Areas Sec. 8109- 4.9	Minimize Direct Barriers Minimize Indirect Barriers Protect Corridors Widths Minimize Vegetation Loss and Habitat Fragmentation	Within three CWPA's – Open Space, Agricultural Exclusive, Timber Preserve, and Residential zones, except Residential zones those within the Simi Hills.

i. Amendments to the Zoning Map – Article 18

Adoption of a HCWC overlay zone and CWPA overlay zone would result in all parcels located within these zones receiving a suffix “/HCWC” or “/HCWC/CWPA” at the end of the base zoning classification — e.g., a parcel zoned OS-10 acres would now become “OS-10 ac/HCWC” or “OS-10ac/HCWC/CWPA” to indicate that additional requirements from the overlay zone will apply to the parcel.

The addition of the suffix constitutes an amendment to the Zoning Maps located within Article 18 of the NCZO. The proposed amendments to Article 18 and a list of all affected parcels are attached as Exhibit 15.

j. Enforcement of the Ordinance

The provisions included in the proposed ordinance will be enforced through the County's existing complaint-driven code compliance process.

B. CEQA COMPLIANCE AND EXEMPTION DETERMINATION

Pursuant to the requirements of the California Environmental Quality Act (Public Resources Code, Division 13 §21000-21178, "CEQA"), and State CEQA Guidelines (Title 14, California Code of Regulations, §15000-15387), the proposed project was evaluated for compliance with CEQA. The proposed project consists of the County's adoption and implementation of the above-described General Plan and NCZO amendments necessary to establish a HCWC overlay zone and a CWPA overlay zone, and to adopt standards to encourage development that is compatible with maintaining mapped habitat linkages throughout unincorporated Ventura County. Accordingly, the proposed GP and NCZO amendments are considered a CEQA "project". (14 Cal. Code Regs. Tit. 14, § 15378, subd. (a)(1).) As explained below, however, the proposed General Plan and NCZO amendments are CEQA exempt under Title 14, sections 15061(b)(3), 15307 and 15038 of the California Code of Regulations.

Currently, ministerial development proposals within known habitat linkages are not regulated for the purpose of facilitating wildlife movement. The proposed project involves the adoption of standards to ensure that certain uses, some of which are currently allowed with ministerial permits, are compatible with the movement and distribution of wildlife and plant species throughout their local and regional habitats.

Planning Division staff has determined that the adoption of the proposed project is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the project may cause a significant effect on the environment. Importantly, "significant effect on the environment" is expressly defined by the California Public Resources Code as that which effects "a substantial, potentially substantial, **adverse** change in the environment." (Cal. Pub. Resources Code, § 21068 [emphasis added].) Here, to the extent the project affects the environment, the effect is expected to be beneficial since the proposed project is intended to protect biological resources, by including limits on vegetation removal, buffers created for surface water features and wildlife crossing structures, limits on the intentional planting of invasive plants, and the requirement for compact development in critical areas within the habitat linkages. In addition, staff has determined that the project does

not result in the direct or indirect loss of agricultural soils or create any land use incompatibility issues with agricultural operations, as this project does not include any structures or uses, and agricultural operations are generally excluded from the proposed regulations.

Moreover, because the project consists of regulations intended to benefit the environment, it is also exempt pursuant to CEQA Guidelines Sections 15307 and 15308, *Actions by Regulatory Agencies for Protection of Natural Resources*, and *Actions by Regulatory Agencies for Protection of the Environment*, respectively. These two classes of exemptions consist of actions taken by regulatory agencies to assure the maintenance, restoration, or enhancement of a natural resource or the environment. As described above, this project is intended to fully meet these criteria.

Finally, staff has determined and recommends that this is not a project that is excepted from the above-described categorical CEQA exemptions on the basis of unusual circumstances. (Cal. Code Regs., tit. 14, § 15300.2.) In particular, staff has determined that: (1) there is no substantial evidence identified by staff or members of the public during the several meetings or in correspondence received as described in Section E below, to support a finding of unusual circumstances; and (2) there is no reasonable possibility that the project will cause a significant effect on the environment due to unusual circumstances. Staff's determination and recommendation in this regard is based on the findings above that the proposed project undertaken to protect and preserve the County's natural resources and environment, and to the extent there is a substantial change to the regulated areas, such change will be beneficial, rather than adverse, to the environment. (Cal. Pub. Resources Code, § 20168.)

C. GENERAL PLAN AMENDMENT FINDINGS AND SUPPORTING EVIDENCE

The following discussion summarizes why the proposed General Plan amendment is in the public interest, and has the potential to benefit the general welfare, and is consistent with good planning practice.

1. The legislative body must deem that the proposed General Plan Amendment is in the public interest [Gov. Code §65358]

Ventura County contains an abundance of wildlife and plant populations and their habitats, as well as areas that form a matrix of national, state, and locally-protected areas as well as private holdings. These protected open space areas, and to a lesser extent the rural areas between cities, contain a variety of different habitats including oak woodlands, grasslands, coastal sage scrub, chaparral, wetlands, and coastal dunes. Preserving the geographic connections among protected areas helps to provide wildlife and plant populations with access to necessary resources throughout the County and beyond. These connections are a crucial component of protecting Ventura County's biological diversity.

Movement through habitats is often essential for wildlife survival. Animals must find food and shelter and offspring must establish new home ranges. Moreover, climate change will require some species to shift their historic geographic ranges. Isolated populations may survive for a limited time, but will be vulnerable to die-off due to diseases, periodic loss of food resources, and inbreeding. For all these reasons, preservation of biological resources requires that plant and animal species be able to successfully move through the areas of the County that contain the habitats they depend on.

The proposed project includes several elements intended to encourage development that is compatible with maintaining mapped habitat linkages throughout unincorporated Ventura County, thereby helping to preserve and maintain the County's biological diversity. Such actions are clearly in the public interest and have the potential to benefit the County's general welfare.

1. Upon adoption of the General Plan Amendment, the General Plan must be internally consistent [Gov. Code §65302, §65359].

The proposed project adds several key features to the Ventura County General Plan, including: (a) the Habitat Connectivity and Wildlife Corridors Map showing the full extent of habitat linkages throughout Ventura County; (b) the three Critical Wildlife Passage Area Maps; (c) background information on habitat linkages and wildlife movement; (d) new definitions for the purpose of improving clarity related to habitat linkages and wildlife movement; and (e) a policy that links these features to the standards included in the NCZO.

Adding these features to the General Plan will provide the basis for establishing two overlay zones within the NCZO and allows for the addition of important policy revisions to the existing General Plan, which currently provides only one broad biological resource protection goal that mentions protection for wildlife corridors, but currently provides no supporting policies that specifically address development within the mapped corridors.

The proposed General Plan amendments will ensure both internal consistency as well as consistency with proposed revisions to the NCZO.

D. NCZO AMENDMENT FINDINGS AND SUPPORTING EVIDENCE

The NCZO authorizes the Board to amend the zoning ordinance by approving text amendments or zone changes *"whenever the public health, safety, or general welfare, good zoning practice, and consistency with the General Plan justify such action..."*

Pursuant to NCZO section 8115-0, the Board must make certain findings in order to amend the NCZO. The Board's ability to make these required findings is evaluated below for your Commission's consideration in making its recommendations to the Board.

1. The proposed amendment would not be detrimental to the public health, safety or general welfare:

Protecting the natural environment by enhancing the ability of native wildlife and plants to access the fullest possible extent of their habitats in an otherwise geographically fragmented, urbanizing landscape is an important factor in protecting the public health and general welfare. The proposed amendments provide standards to evaluate the impacts of certain exempt and ministerial forms of development on wildlife migration corridors, thus furthering the purposes of biological resources protection, while allowing for the reasonable development and enjoyment of property. Therefore, based on the evidence in the record, the proposed NCZO text amendments serve to protect the health, safety, and general welfare of the people of the unincorporated areas of Ventura County.

2. The proposed amendments constitute good zoning practice:

The proposed amendments involve the following general components: (1) establish a HCWC overlay zone and a CWPA overlay zone and associated standards; and (2) amend the permit threshold criteria for requiring certain ministerial and discretionary permits to encourage compact development patterns, prohibit intentional planting of invasive plant species, limit wildlife impermeable fencing, and discourage development and vegetation removal near surface water features and crossing structures used by wildlife to safely cross under road and highways. In addition, the amendments establish regulations to minimize the effects of outdoor lighting. The proposed revisions provide well-organized standards for regulating land use and development within the proposed overlay zones, but do not create an undue burden on development due to allowances for compliance periods, reconsideration requests, as well as the exemptions allowed. Therefore, the amendments constitute good zoning practice.

3. The proposed amendment is consistent with the Ventura County General Plan:

A review of the General Plan land use policies was conducted, and it was determined that the proposed amendment will not conflict with General Plan land use policies. To the contrary, the proposed amendment to the NCZO will support the implementation of General Plan goals and policies intended to promote the protection of biological resources and wildlife connectivity in particular.

The General Plan currently defines "Wildlife Migration Corridors" as "Linear spaces that connect the various areas of an animal's habitat, and serve as links between feeding, watering, resting and breeding places.

Goal 1.5.1 of the *Goals, Policies, and Programs* of the General Plan states:

"Preserve and protect significant biological resources in Ventura County from incompatible land uses and development. Significant biological resources include

endangered, threatened or rare species and their habitats, wetland habitats, coastal habitats, wildlife migration corridors and locally important species/communities.”

Moreover, policies 1.5.2-1 and 1.5.2-2 of the *Goals, Policies, and Programs* state:

1. *Discretionary development* which could potentially impact *biological resources* shall be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.
2. *Discretionary development* shall be sited and designed to incorporate all feasible measures to mitigate any significant impacts to *biological resources*. If the impacts cannot be reduced to a less than significant level, findings of overriding considerations must be made by the decision-making body.

In addition to these existing General Plan goals and policies, the proposed General Plan Amendments described above are intended to be wholly consistent with, and supportive of the revisions proposed in the Non-Coastal Zoning Ordinance. Therefore, the proposed amendment is consistent with the General Plan.

E. STAKEHOLDER OUTREACH

The following list summarizes stakeholder outreach efforts. As demonstrated by the breadth of activities listed, input was sought from farmers, ranchers, large property owners, non-profit groups, the oil and gas industry, state and federal agencies, cities within the County, and County agencies. Staff also conferred with various experts on wildlife movement and corridors throughout the project, including academic researchers currently studying wildlife movement and fencing in California.

1. In the summer and fall of 2016 former Planning Division project manager Kari Finley held meetings with various cities within the County to discuss wildlife corridor issues as they affect both the County and respective cities.
2. Wildlife Corridor Team Meeting with Western States Petroleum and various oil and gas company representatives including CRC, Seneca, Aera Energy, etc. (August 2, 2017 and September 2018).
3. County and City Planning Director's Meeting (June 29, 2017). Planning Division staff presented wildlife corridor project objectives and preliminary data and issues assessment.
4. Planning Division hosted Stakeholder Outreach Meeting 1 (June 8, 2017). Over 30 stakeholders from various organizations attended a 3-hour meeting at the County Government Center. Stakeholders were identified in consultation with the Planning Director based on prior and current project interest, knowledge and expertise of issues, and land ownership within the mapped corridors. Staff presented general issues and concepts for wildlife corridor project ordinance and policy development seeking input and feedback from stakeholders. The meeting

focused mainly on lighting and fencing and touched on native vegetation removal, habitat fragmentation, and chokepoints, which were discussed in more detail at the August 2017 stakeholder meeting described below.

5. CoLAB and Supervisor Foy jointly hosted a Wildlife Corridor Meeting (July 26, 2017). Planning Division staff were not present.
6. Planning Division hosted Stakeholder Outreach Meeting 2 (August 8, 2017). Over 30 stakeholders attended a second stakeholder outreach meeting. Staff presented revised concepts and issues on fencing and lighting as well as invasive plants, noise, habitat fragmentation, and chokepoints. Staff presented each topic area followed by an open discussion.
7. Tour of Rancho Temescal (September 6, 2017). T. Cohen, B. Sloane, R. Atmore, and Planning Division staff toured portions of Mr. Cohen's ranch to look at various types of fencing and lighting used on his property. Goal of tour was to inform staff of constraints and requirements for various uses requiring fencing and lighting. Staff also visited a rural residential neighborhood in Santa Rosa Valley to tour additional fencing types and fencing and enclosure configurations typical for animal keeping.
8. Supervisor Long hosted a Constituent Outreach Meeting with CoLAB (October 25, 2017). Planning Director, Kim Prillhart attended and provided an update and outline of the project's goals and status.
9. Planning Division staff provided project update to the Linkage Implementation Alliance (LIA) (October 25, 2017). The LIA is a group of planners, regulators, and researchers that meets regularly to discuss issues related to habitat linkage issues.
10. Open Space Acquisition Roundtable hosted by Supervisor Parks (November 13, 2017). Planning Division staff provided the group with a project update and summary of wildlife corridor issues being considered.
11. Planning Division staff met with LAFCo Executive Officer Kai Luoma (October 2017). Wildlife Corridor Project staff discussed LAFCo's previous work on wildlife corridor issues and discussed the degree to which mapped corridors are considered during review of LAFCo decisions.
12. Project staff tour with Caltrans of roadway crossings on SR-23 (November 2, 2017). Staff met with Caltrans biologists, toured crossing structure areas along SR-23, and discussed fencing, one-way gates, maintenance activities, etc.
13. Planning Division staff provided project update to the LIA (June 21, 2018).

14. Planning Division staff met with the Livestock and Range Advisor from U.C. Cooperative Extension to discuss issues related to fencing, and livestock management. (June 27, 2018)
15. Planning Division staff presented project update to the Agriculture Policy Advisory Committee (July 12, 2018).
16. Planning Division staff discussed fencing design and impacts on wildlife movement with researchers from U.C. Berkeley, Division of Ecosystem Sciences, Dept. of Environmental Science, Policy, and Management (July 19, 2018)
17. Planning Division staff discussed wildlife crossing structure selection methodologies with National Park Service wildlife biologists and Caltrans biologists (August, 2018).
18. Planning Division staff held Stakeholder Outreach Meeting 3 - Project Staff presented the draft ordinance standards and sought input from stakeholders. Some of this feedback resulted in additional revisions to the proposed Ordinance. (August 14, 2018)
19. Planning Division staff met with Western State Petroleum Association to discuss issues related to oil and gas. Staff followed up with tours of both Aera Energy and Carbon California oil and gas holdings. (Sept. 2018)
20. Project Website Updates - Project staff created and maintained project website that included background information on the importance of maintaining habitat connectivity, notes and presentations from the stakeholder outreach meetings, links to the South Coast Missing Linkages Reports, a lookup feature to allow a property owner to determine if a lot is within a mapped corridor, and a summary of the direction provided by the Board of Supervisors in January 2017.

This outreach resulted in several modifications to the ordinance including, but not limited to changes to fencing regulations, the identification of certain exemptions, parcel size thresholds used for the compact siting standards, refinements to the crossing structure identification methodology, standards for essential lighting and security lighting, and allowances made for invasive plants that are grown for commercial agricultural purposes.

F. PLANNING COMMISSION HEARING NOTICE AND COMMENTS

The Planning Division provided a public notice regarding the Planning Commission hearing in accordance with Government Code section 65090 and NCZO section 8111-3.1. The Planning Division placed a legal advertisement providing notice of this public hearing in the *Ventura County Star*, *Ojai Valley News*, and the *Mountain Enterprise* in Frazier Park on January 18, 2019. Staff also sent postcards to all 4,400 property owners with at least one parcel within

the HCWC overlay zone, and emailed notices to approximately 140 interested parties.

As of the date this staff report was made available to the public, staff has received 130 comments regarding the project. (Exhibit 23)

G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division staff recommends that the Planning Commission take the following actions:

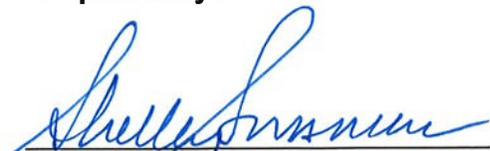
1. **CERTIFY** that the Commission has reviewed and considered this staff report and all exhibits hereto, and has considered all other materials and public comments received during the public comment and hearing processes; and
2. **ADOPT** a resolution (Exhibit 12) recommending that the Board of Supervisors take the following actions regarding the amendments to the Ventura County General Plan and the Non-coastal Zoning Ordinance:
 - a. **CERTIFY** that the Board has reviewed and considered the Board letter and all exhibits hereto, the Planning Commission staff report and all exhibits thereto, and has considered all other materials and public comments received during the public comment and hearing processes;
 - b. **FIND** on the basis of the entire record and as set forth in Section B of this Planning Commission staff report that the adoption of the proposed amendment to the Ventura County General Plan (Exhibits 8 – 11, and 13), adoption of the proposed ordinance amending the Non-Coastal Zoning Ordinance (Exhibit 14), and adoption of the proposed ordinance amending the zoning maps contained in Article 18 of the Ventura County Non-Coastal Zoning Ordinance (Exhibit 15) to add a habitat connectivity wildlife corridor overlay zone and critical wildlife passage area overlay zone are exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility the project may cause a significant effect on the environment; **FIND** that because the project consists of regulations intended to benefit the environment, it is also exempt from CEQA pursuant to CEQA Guidelines sections 15307 and 15308; and **FIND** that there is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances pursuant to State CEQA Guidelines section 15300.2;
 - c. **FIND** based on the substantial evidence set forth in Sections A, B, C, D, E and F of the Planning Commission staff report, the public testimony received, and the entire record, that the General Plan amendment (Exhibits 8 – 11, and 13) is in the public interest, and has the potential to benefit the general welfare, and is consistent with good planning practice;

- d. **FIND** based on the substantial evidence set forth in Sections A, B, C, D, E and F of the Planning Commission staff report, the public testimony received, and the entire record, that the ordinances amending Articles 2, 3, 4, 5 and 9 of the Ventura County Non-Coastal Zoning Ordinance (Exhibit 14) and adoption of the zoning maps contained in Article 18 of the Ventura County Non-Coastal Zoning Ordinance (Exhibit 15), are in interest of public health, safety or general welfare and good zoning practice, and is consistent with the Ventura County General Plan;
- e. **ADOPT** a resolution (Exhibit 12) approving the proposed amendment to the Ventura County General Plan and the Resources Appendix, goal 1.5.1, policies 1.5.2-1 and 1.5.2-2 (Exhibit 13) and to add four maps. (Exhibits 8, 9, 10, and 11.)
- f. **ADOPT** the proposed ordinance amending Articles 2, 3, 4, 5, And 9 of the Ventura County Non-Coastal Zoning Ordinance to create the habitat connectivity and wildlife corridor overlay zone and critical wildlife passage areas overlay zones (Exhibit 14);
- g. **ADOPT** the proposed ordinance amending the zoning maps contained in Article 18 of the Ventura Non-Coastal Zoning Ordinance (Exhibit 15); and
- h. **SPECIFY** the Clerk of the Board of Supervisors at 800 S. Victoria Avenue, Ventura, CA 93009 as the location and custodian of the documents and materials that constitute the record of proceedings upon which these decisions are based.

This staff report has been reviewed by County Counsel. The Board of Supervisors hearing to consider the proposed amendments is tentatively scheduled for March 12, 2019, in the Board of Supervisor's Hearing Room.

If you have any questions concerning the information presented above, please contact Shelley Sussman at (805) 654-2493 or shelley.sussman@ventura.org.

Prepared by:



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RMA/Planning Division

Reviewed by:



Kim Prillhart, Planning Director
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EXHIBITS

- Exhibit 2 Geographic Map of the Habitat Connectivity and Wildlife Corridors in the South Coast Ecoregion
- Exhibit 3 Habitat Connectivity and Wildlife Corridors in the North Half of the Ventura County Unincorporated Area
- Exhibit 4 Habitat Connectivity and Wildlife Corridors in the South Half of the Ventura County Unincorporated Area: Index Map and Subareas
- Exhibit 5 Oak View Critical Wildlife Passage Area Map
- Exhibit 6 Simi Hills Critical Wildlife Passage Area Map
- Exhibit 7 Tierra Rejada Critical Wildlife Passage Area Map
- Exhibit 8 Habitat Connectivity and Wildlife Corridors Map (Resources Appendix – Figure 1.5.5)
- Exhibit 9 Oak View Critical Wildlife Passage Area Map (Resources Appendix Figure 1.5.6)
- Exhibit 10 Simi Hills Critical Wildlife Passage Area Map (Resources Appendix Figure 1.5.7)
- Exhibit 11 Tierra Rejada Critical Wildlife Passage Area Map (Resources Appendix Figure 1.5.8)
- Exhibit 12 Planning Commission Resolution
- Exhibit 13 Amendments to the General Plan – Goals, Policies, and Programs and Resources Appendix
- Exhibit 14 NCZO Amendments (Articles 2, 3, 4, 5, and 9)
- Exhibit 15 Ordinance Amending the Zoning Classifications and Zoning Maps in the NCZO (Article 18)

- Exhibit 15A Amendments to Zoning Classifications for the Habitat Connectivity and Wildlife Corridors Overlay Zone
- Exhibit 15B Habitat Connectivity and Wildlife Corridors Overlay Zone Map
- Exhibit 15C Amendments to Zoning Classifications for the Oak View Portion of the Critical Wildlife Passage Areas Overlay Zone
- Exhibit 15D Oak View Portion of the Critical Wildlife Passage Areas Overlay Zone Map
- Exhibit 15E Amendments to Zoning Classifications for the Simi Hills Portion of the Critical Wildlife Passage Areas Overlay Zone
- Exhibit 15F Simi Hills Portion of the Critical Wildlife Passage Areas Overlay Zone Map
- Exhibit 15G Amendments to Zoning Classifications for the Tierra Rejada Portion of the Critical Wildlife Passage Areas Overlay Zone
- Exhibit 15H Tierra Rejada Portion of the Critical Wildlife Passage Areas Overlay Zone Map
- Exhibit 16 Letter dated October 17, 2018 from Kristeen Penrod
- Exhibit 17 January 2017 Board of Supervisors Staff Report

- Exhibit 18 Glossary of Applicable Terms from the Dark Sky Ordinance
- Exhibit 19 Letter dated January 8, 2019 from Ventura County Fire District Chief Mark Lorenzen
- Exhibit 20 List of Wildlife Crossing Structures Subject to Proposed NCZO Amendments
- Exhibit 21 Technical Appendix: Selection of Wildlife Crossing Structures Subject to Proposed NCZO Amendments
- Exhibit 22 Bibliography
- Exhibit 23 Public Comments