

# Exhibit 1

## VENTURA COUNTY GENERAL PLAN 2016 ANNUAL REPORT

California Government Code Section 65400(a)(2) requires that Ventura County submit an Annual Report on the status of the General Plan that includes information on progress made to implement the General Plan and to meet its share of regional housing needs. This Annual Report must be submitted to the Board of Supervisors, the Office of Planning and Research and the Department of Housing and Community Development (HCD) in April of each year. This year's Annual Report is organized as follows:

- A. Overview of the County General Plan status and consistency with State General Plan Guidelines;
- B. Review of Ventura County's progress in meeting the regional housing needs objectives;
- C. Summary of Housing Element Programs and Implementation Status;
- D. Summary of General Plan and Zoning Ordinance Amendments (Active, Pending, and Inactive Projects); and
- E. Summary of new State legislation and court decisions that may affect the General Plan and its implementation.

The first four sections are intended to meet the reporting requirements of Government Code Section 65400(a)(2). Section E provides additional information on recent legislation or court decisions that could affect the General Plan. This year's Annual Report includes housing data for the 2015 calendar year as well as information on conditions unique to Ventura County that affected housing construction during the year 2015.

### **A. Overview of General Plan Status and Consistency with State General Plan Guidelines**

Section 65400 of the Government Code requires jurisdictions to include the degree to which the approved General Plan complies with the State of California General Plan Guidelines (Guidelines) in their Annual Report. Planning Division staff reviewed the State's General Plan Guidelines, and determined that Ventura County's General Plan meets the mandatory requirements described therein.

The Guidelines provide a definitive interpretation of State statutes and case law as they relate to planning. In addition, the Guidelines outline the general framework for preparation and revision of a General Plan, Attorney General Opinions, and the relationship of the General Plan to State CEQA requirements. Finally, the Guidelines describe elements that are mandatory for all General Plans (e.g., Housing Element, Land Use Element, Circulation Element, etc.). In general, however, the State's Guidelines are advisory rather than prescriptive, thus preserving opportunities for local jurisdictions to address contemporary planning topics in a locally appropriate manner.

Staff found that the Ventura County General Plan is consistent with the requirements of the State Guidelines. The following revisions constitute the County's most recent updates to the General Plan:

- In 2005, the County adopted a focused update to the General Plan that involved changing the General Plan horizon year from 2010 to 2020. The focused amendment included updates to the Goals, Policies and Programs, to three appendices (Land Use Appendix, Public Facilities and Services Appendix, Hazards Appendix), and to six of the Area Plans.
- In October 2013, the County Board of Supervisors adopted the 2014-2021 Housing Element. In December 2013, HCD certified the County's 2014-2021 Housing Element as being in compliance with State housing law.
- In September 2015, the County Board of Supervisors adopted a comprehensive update to the Saticoy Area Plan.

The horizon year for the County's General Plan is 2020. Therefore, in December 2015, the County's Board of Supervisors initiated a comprehensive update to the Ventura County General Plan.

Additional information on the status of the County's General Plan, as well as its implementing ordinances, is provided in the following locations:

- Section D below includes a description of ongoing, pending, and inactive amendments to the General Plan or its implementing ordinances.
- Attachment 1 details the way in which the uniquely structured Ventura County General Plan integrates the mandatory elements into various chapters and appendices.
- Attachment 2 lists adoption dates of the most recent revisions to various chapters of the General Plan and its associated Area Plans.

In addition to the General Plan, the Planning Division maintains ten Area Plans that incorporate community-specific goals and policies. As shown in Attachment 2, dates for the most recent *comprehensive* update to the County's Area Plans ranges from 1988 to 2015.

## **B. Review of Ventura County's Progress in Meeting the Regional Housing Needs (RHNA) Objectives**

### **Housing Objectives**

The Southern California Association of Governments (SCAG) adopted the Regional Housing Needs Assessment (RHNA) for all jurisdictions within the region for the period from January 2014 to October 2021. The RHNA dwelling unit (DU) numbers by income category for the unincorporated area of Ventura County (including extremely low-income) are shown in Table 1 below:

**Table 1  
2014-2021 RHNA for Unincorporated Ventura County**

<b>Income Category</b>	<b>RHNA Allocation for (DUs)</b>	<b>Est. Annual Housing Need (DUs)</b>
Extremely Low (<30% median)	123	15
Very Low (>30%-<50% median)	123	15
Low (>50%-<80% median)	168	21
Moderate (>80%-<120% median)	189	24
Upper (>120% median)	412	52
<b>Totals</b>	<b>1,015</b>	<b>127</b>

It is the County’s responsibility to provide adequate opportunity sites for private developers (or non-profit housing groups) to build at least 1015 housing units. As demonstrated in the adopted 2014-2021 Housing Element, which was certified by the State’s Department of Housing and Community Development (HCD) in December 2013, adequate opportunity sites are available for the current Housing Element cycle.

The County’s Housing Element articulates a variety of existing regulations, as well as existing or planned programs, that support the development of housing affordable to low and moderate-income households. Unit types generally considered affordable to such groups include manufactured housing on small lots, second dwelling units, farmworker housing units or complexes, and multi-family housing ranging from 12 to 20 dwelling units per acre (du/acre). For example, multi-family housing can be built on sites zoned Residential High Density (RHD) at a density of 20 du/acre through a ministerial permitting process, which is less time consuming and expensive than a discretionary process. Last year, the Board also expanded the number of opportunity sites through its adoption of the Saticoy Area Plan update, which contains approximately 164 new sites for duplex, triplex, quadplex, or multi-family units.

**Ventura County’s Progress in Meeting Housing Needs**

Table 2 below shows the total number of housing units completed within the unincorporated area by dwelling unit type during the current cycle (2014-2021) as well as the previous housing cycle (2006-2013). Of the 65 units completed within the unincorporated County in 2015, approximately 20% were located in the Ojai Valley area, 11% near Oxnard and 9% near Thousand Oaks. The remaining 60 percent were scattered throughout the unincorporated County.

As shown in Table 2, the housing boom peaked in Ventura County in 2006, with 466 dwelling units built that year. The downward trend in housing development, which started in 2007, leveled off in 2011 at 55 to 60 dwelling units per year. An exception was 2012, where the number of dwelling units spiked due to the development of the Valle Naranjal project, a 66-unit farmworker housing complex in Piru. On average, more than half the dwelling units built in the unincorporated County during the past five years were conventional, single-family units.

**Table 2**  
**Housing Completions by Dwelling Unit Type**

Dwelling Unit Type	Previous Housing Cycle (2006-2013)								Current Cycle	
	2006 (DUs)	2007 (DUs)	2008 (DUs)	2009 (DUs)	2010 (DUs)	2011 (DUs)	2012 (DUs)	2013 (DUs)	2014 (DUs)	2015 (DUs)
Single-Family Conventional Dwellings	159	119	102	77	62	46	28	38	36	44
Single-Family Mobile Homes	24	21	11	8	5	4	3	4	4	5
Second DU's	38	26	33	24	14	9	7	13	10	15
Farmworker Units	1	4	9	1	0	1	8	3	5	1
Apartments	130	58	0	0	0	0	66	0	0	0
Townhomes	114	2	4	0	0	0	0	0	0	0
<b>Total</b>	<b>466</b>	<b>230</b>	<b>159</b>	<b>110</b>	<b>81</b>	<b>60</b>	<b>112</b>	<b>58</b>	<b>55</b>	<b>65</b>

**Determining Affordability**

In order to determine the affordability of housing units, both household income and cost of the new housing units must be determined. First, gross income by affordability is calculated based on annual median income for a family of four. According to the U.S. Department of Housing and Urban Development (HUD), the median family income (for a family of four) in Ventura County in FY 2015 was \$89,300. Utilizing the County median income, the monthly gross income for the four income categories was calculated as shown in Table 3 below.

**Table 3**  
**Estimated 2014 Income and Maximum Affordable For-Sale Unit Cost**

Income Category	Estimated 2015 Monthly Gross Income for Family of Four	Maximum Monthly Affordable Housing Payment	Maximum Affordable For-Sale Unit Cost
<b>Extremely Low</b> (< 30% of median)	Up to \$26,790	Up to \$670	Up to \$217,450
<b>Very Low</b> (>30% - <50% of median)	\$26,790 to \$44,650	\$671 to \$1,116	\$217,451 to \$362,420
<b>Low</b> (>50% - <80% of median)	\$44,650 to \$71,440	\$1,117 to \$1,786	\$362,421 to \$579,870
<b>Moderate</b> (>80% - <120% of median)	\$71,440 to \$107,160	\$1,787 to \$2,679	\$579,871 to \$869,800
<b>Upper</b> (>120% of median)	Over \$107,160	Over \$2,679	Over \$869,800

Estimates of the ability of households to pay for housing, based on 2015 income categories, are also shown in Table 3 above. The maximum affordable monthly housing payment assumes that no more than 30 percent of a household's gross income is devoted

to rent or home loan payment. Maximum affordable unit cost is the maximum cost of a for-sale residential unit, assuming that a 20 percent down payment is at a fixed 3.85 percent Annual Percentage Rate (APR) for a 30-year loan (APR from [www.fhfb.gov](http://www.fhfb.gov)). Using the maximum monthly affordable housing payment (i.e. 30 percent of the household's gross income), the maximum affordable for-sale unit cost is calculated as shown in the last column of Table 3.

### Housing Completions by Income Category

A summary of completed dwelling units by affordability category is provided in Table 4 below, along with a comparison of the dwelling units constructed against the RHNA allocation for the 2014-2021 Housing Element cycle. A total of 1,015 dwelling units were allocated to Ventura County through the RHNA process for this cycle. In the second year (2015) of the new cycle, 65 dwelling units were constructed, and 17 (26%) of those units were placed in the lower-income household categories while the rest (74%) were categorized as dwellings affordable only to moderate or upper-income households.

**Table 4  
Remaining Housing Need by Income Category  
(2014-2021 Housing Element Cycle)**

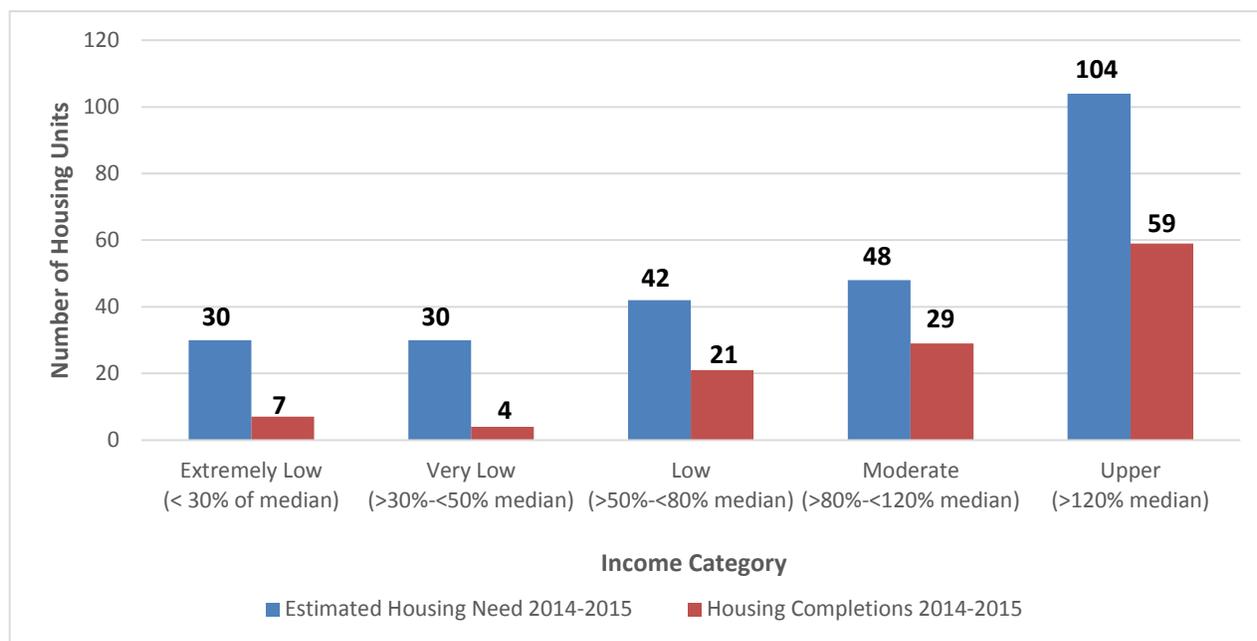
	Lower Income (<80% of median)			Moderate Income (80-120% of median)	Upper Income (>120% of median)	Unknown	Total
	Extremely-Low Income (<30% of median)	Very-Low Income (30-50% of median)	Low Income (50-80% of median)				
2014-2021 Housing Need	123	123	168	189	412	--	<b>1,015</b>
2014 - 2021 Housing Completions	7	4	21	29	56	3	<b>120</b>
<b>Remaining Housing Need</b>	<b>116</b>	<b>119</b>	<b>147</b>	<b>160</b>	<b>356</b>	<b>(3)</b>	<b>895</b>

As previously shown in Table 1, on average 127 dwelling units would need to be built annually within unincorporated Ventura County to meet the RHNA goals set for the 2014-2021 Housing Element. While the County has the capacity (based on land use maps) to meet its RHNA allocation, actual housing construction in 2015 was about half what is needed to meet the RHNA target of 127 units. For lower-income units, actual construction in 2015 was 17 units, or about 33% of the average number of dwelling units needed annually to meet the RHNA targets within the 2014-2021 Housing Element.

Figure 1 below provides a graph that compares the average, annual housing need for individual household income groups (as defined by the RHNA) to actual housing construction in 2014 and 2015 (the first two years of the current Housing Element cycle). This graph shows that construction activity is not keeping pace with projected housing need for any of the household income groups. More specifically, 23% of the development goals were met for the extremely low income category, 13% for the very low income category,

50% for low income category, 60% for moderate income category, and 57% for the upper income category. There are many potential explanations for the gap between projected need and actual housing construction – including lack of demand due to higher housing prices, ongoing fiscal uncertainty for area families, lack of grant money available to affordable housing developers, and water resource constraints.

**Figure 1**  
**Housing Need vs. Housing Completion 2014-2015**  
**(2014-2021 Housing Element Cycle)**



**Methodology and Reporting Requirements**

Planning Division staff categorized most of the dwelling units completed in 2015 by affordability category using the household income information in Table 3. Where actual sales data could not be attained, online data was used from the real estate website “Zillow” to determine market value estimates for the newly constructed single-family units. In some cases, units were placed in the upper income category due to their location. In instances where complete or consistent information was not available, the units were placed in the unknown category. Of the 65 dwelling units completed in 2015, two (2) units were listed in the unknown category due to the unavailability of sales data as required by HCD.

In March 2010, HCD adopted definitions and forms for use in reporting status of housing elements pursuant to Government Code Section 65400. The forms require information concerning annual number of housing units constructed and their affordability. Completed forms for the 2015 calendar year, including the 2014 new housing construction information, were provided online to HCD in March 2016. The forms submitted to HCD are provided in Attachment 3 (HCD Tables A, A2, A3, B, and C) and are summarized below.

- Annual building activity: Attachment 3, Table A shows the annual building activity including new construction of very low, low and mixed-income multifamily projects for 2015. As shown, in the year 2015 a total of 65 dwelling units were constructed. Of those units, a total of 16 lower-income dwelling units (including extremely low, very low and low-income categories) were constructed in 2015. The types of lower-income dwelling units included 6 single-family dwellings, 9 second dwelling units, and 1 farmworker dwelling unit. As requested by HCD, a list of lower-income dwelling units by assessor parcel number is provided in Attachment 3.
- Units rehabilitated, preserved and acquired: Attachment 3, Table A2 is designed to report the annual number of units that were rehabilitated, preserved and acquired pursuant to GC Section 65583.1(c)(1). As reported by the 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER), no units in the unincorporated areas fell into this category in 2015. More detail regarding the location and funding for these efforts is provided below under *Housing Assistance, Rehabilitation, and Preservation Programs*.
- Moderate/ above-moderate income units: Attachment 3, Table A3 summarizes annual building activity for moderate and above moderate income units not reported in Table A. As shown, there were a total of 20 moderate-income and 29 above-moderate income level units constructed in 2014. The moderate-income level units consisted of 13 single-family, five (5) second dwelling units and two (2) mobile-home units. The above-moderate income level units were comprised of 25 single-family, one (1) second dwelling unit and three (3) mobile-home units.
- Progress towards RHNA: Attachment 3 (HCD Table B) summarizes the Regional Housing Needs Allocation Progress by year. The very low-income level category shown in Attachment 3 includes both extremely low and very low groups.

Table 4 above provides a summary of the information presented in Attachment 3, including the number of dwelling units, by income category, completed to-date during the 2014 – 2021 Housing Element cycle as established by the RHNA.

### **Housing Assistance, Rehabilitation, and Preservation Programs:**

Periodically, Ventura County prepares a Consolidated Plan that identifies the unmet needs for affordable and supportive housing, community development programs, social service programs, and economic development opportunities for low-income residents. County of Ventura staff, with input from member jurisdictions of the Community Development Block Grant (CDBG) Entitlement Area (EA) and area organizations (Fillmore, Moorpark, Port Hueneme, Ojai and Santa Paula), collectively prepared the 2010-12 Consolidated Plan to address unmet needs of low-income persons in the EA and proposed a three-year strategy to meet those needs. In FY 2012-13, a two-year extension to this plan was created, extending the Plan through FY 2014-15. The Consolidated Plan must be approved by the U.S. Department of Housing and Urban Development (HUD) in order for the County to receive a variety of federal grants including CDBG, Emergency Shelter Grant (ESG) and the HOME Investment Partnership Act (HOME) grant.

Annually, as required by HUD, the County prepares the Consolidated Annual Performance and Evaluation Report (CAPER), which contains information regarding accomplishments

funded by and in keeping with the intent of the CDBG, HOME, American Dream Down-payment Initiative (ADDI) (which is considered part of the HOME program), ESG and other funding sources. The Consolidated Plan and the 2014-15 CAPER are available on the Ventura County website at <http://ceo.countyofventura.org> under Community Development, HUD Grants. The CAPER is the source document for this summary.

The following programs, projects and activities illustrate the County’s progress towards meeting the identified housing needs for the 2014-15 fiscal year. Major programs and projects are summarized below:

Housing located within cities of Ventura County (FY 2014-15):

- Santa Paula – Special Needs Housing: Citrus Grove Senior Housing, HOME (6)
- Port Hueneme – Code Enforcement: Neighborhood Strategy Area, CDBG (986 cases)
- Santa Paula – Code Enforcement: Code Enforcement Program, CDBG (229 cases)
- Fillmore – Code Enforcement: Code Enforcement Program, CDBG (80 cases)
- Various locations – Housing Rehabilitation: Habitat for Humanity Neighborhood Revitalization Program, CDBG (2)

In addition to HUD funding, the Ventura County Board of Supervisors regularly allocates general fund dollars in support of housing. For example, on May 19, 2015 the Board of Supervisors allocated \$1,000,000 towards the construction of farmworker housing. In response to an RFP issued in December 2015, three applications were received. On February 23, 2016, all three of the applications submitted were recommended for funding, which contributes to the creation of 106 new units dedicated to the farmworker population. As shown in Table 5 below, the successful applications will result in the construction of farmworker housing within the cities of Oxnard or Ventura.

**Table 5  
Farmworker Housing Funds Awardees**

Project Name	Location	Total Units / Farmworker Units	Funding Allocation
Etting Road Farmworker Apartments	Oxnard	42 / 42	\$380,000
Rancho Verde Farmworker Apartments	Ventura	24 / 24	\$240,000
Westview Village Revitalization Project; Phase 3	Ventura	103 / 40	\$380,000

On April 6, 2010 the Board of Supervisors allocated \$3,100,000 in one-time funding to support three programs, including an allocation of \$2,000,000 in two-to-one matching funds for the construction of year-round emergency shelters. However, with no applications forthcoming, and the demonstrated success of the Homeless Prevention and Rapid Re-Housing Program (HPRP) funded with a one-time federal grant, the Board of Supervisors allocated \$750,000 of those funds to extend the HPRP program for another two years. In June 2013, with the \$1,250,000 left after the HPRP program award, the Board allocated \$300,000 to the Housing Authority of the City of San Buenaventura for

construction of the Castillo del Sol project, which provides 39 affordable studio apartments with preference given to adults with mental, developmental disabilities or who are homeless. The remaining \$950,000 remains set aside for its intended purpose towards the construction of year-round emergency shelters.

From the remaining \$1,100,000 of the initial \$3,100,000 award, \$600,000 was used by the Behavioral Health Department for two projects – one targeted for men and one for women – both social model detoxification facilities. The success of these projects was re-evaluated and determined effective. Funding is now included annually in their budget for this program. The remaining \$500,000 was used for the creation of the Ventura County Housing Trust Fund (VCHTF), which was recently designated a 501(c)(3) organization and was awarded \$2 million in funds from the Department of Housing and Community Development (HCD).

The VCHTF continues to pursue permanent sources of funding to ensure a perpetual source of much needed funding to increase the availability of housing for economically disadvantaged members of our community. Since its inception in 2013, the VCHTF has issued loans for seven projects (three in the City of Ventura, three in the City of Santa Paula, and one in Simi Valley) for the creation of 105 new units of housing for low- and very-low income households. These projects target a variety of populations, including families, veterans, seniors, disabled persons, and formerly homeless persons. As of this writing, two additional loans are pending – one in Ventura and another in the City of Moorpark – that would produce another 33 units of affordable housing. Provided that these projects are funded, the VCHTF will need to commit, by July 1, 2016, another \$730,000 in order to have utilized their entire \$2 million award before it expires. Additional funding and accomplishments related to the Super NOFA- Continuum of Care and the Ventura County Housing and Homeless Coalition can also be found on the CEO website, cited above.

As noted above, Ventura County funds housing programs and facilities outside the unincorporated County, consistent with its mission and the County's Guidelines for Orderly Development. While programs located outside the County's jurisdictional boundary are not included in Annual Report summary data, and may not be counted when evaluating progress towards meeting the RHNA (per State HCD rules), funds allocated by Ventura County do address unmet needs for affordable and supportive housing, community development programs, and social service programs for low-income residents on a countywide basis.

### **C. Summary of Housing Element Programs and Implementation Status**

All Housing Element programs and their implementation status are summarized in Attachment 3 (HCD Table C). Housing Element programs are either implemented through the County's Resource Management Agency (Planning Division) or through the Community Development Division of the County Executive Office. The Resource Management Agency's Planning Division currently encourages the construction of affordable housing in the unincorporated areas of the County through implementation of programs identified in the 2014-2021 Housing Element.

The Board of Supervisors adopted the 2014-2021 Housing Element in October 2013, and HCD certified it in December 2013 as being in compliance with California Housing Element law. As described in elsewhere within the Annual Report (see Sections B, C and D), the Planning Division continues to process amendments to the Coastal and Non-Coastal Zoning Ordinance(s) that implement programs identified in the Housing Element.

## **D. Summary of General Plan and Zoning Ordinance Amendments**

This section presents a summary of amendments to the General Plan as well as its implementing ordinances. The summary is divided into four sections: (1) completed programs (2015), (2) active programs, (3) pending programs, and (4) inactive programs.

### **RECENTLY COMPLETED PROGRAMS:**

The following General Plan amendments, Ordinance amendments, or implementation activities were completed during the 2015 calendar year:

- 1. Saticoy Area Plan / Old Town Saticoy Development Code (Non-Coastal Zoning Ordinance):** On September 22, 2015, the Board of Supervisors unanimously approved a comprehensive update to the Saticoy Area Plan. The Area Plan includes updated land use and mobility maps, and a revised set of goals, policies and programs. Land use and mobility maps are also accompanied by a revised set of land use designations and new road classifications for the local road network. In addition to an updated Area Plan, the project included a form-based development code and design guidelines for Old Town Saticoy, and a Programmatic EIR. In order to maintain internal consistency between the General Plan and the Old Town Saticoy Development Code, an amendment to the Zoning Compatibility Matrix of the General Plan - Goals, Policies and Programs was required. The amendment adds four new zones (Town Center, Residential, Residential/Mixed Use and Light Industrial) into the Zoning Compatibility Matrix for non-coastal areas in the GPP. (Case Planners: Shelley Sussman, Ruchita Kadakia, Kari Finley)
- 2. Wireless Communications Facilities Ordinance (Non-Coastal Zoning Ordinance):** On March 13, 2015, the Ventura County Board of Supervisors adopted a new, comprehensive set of regulations for wireless communication facilities (WCF) in non-coastal areas. This amendment, called the Wireless Communications Facilities (WCF) Ordinance, includes an amendment to the Non-Coastal Zoning Ordinance (NCZO) with related amendments to the General Plan, Ojai Valley Area Plan, and Thousand Oaks Area Plan. Implementation of the WCF Ordinance is in progress, including preparation of a customized application form for Amateur Radio and a web site that shows WCF locations. Also see "pending projects" for the Coastal Zoning Ordinance (CZO) version of the WCF Ordinance. (Case Planner: Aaron Engstrom)
- 3. Miscellaneous Text Amendments:**
  - Noticing Text Amendment (NCZO): On June 2, 2015, the Board of Supervisors adopted an amendment to the NCZO that expands noticing requirements for public hearings by requiring that at least 15 property owners be notified. This amendment was initiated by the Board of Supervisors. (Case Planner: Jennifer Butler)

- Medical Marijuana: On January 26 2016, the Board of Supervisors adopted text amendments to the NCZO and CZO that prohibit the cultivation of medical marijuana and the operation of dispensaries and manufacturing facilities in the unincorporated areas of Ventura County (effective February 25, 2016). The adopted amendments will maintain local control within a timeframe provided by State legislation. (RMA Director Chris Stephens, Kari Finley).
- Santa Rosa Valley Trail: On October 20, 2015, the Board of Supervisors adopted an amendment that incorporated language into the *Goals, Policies & Programs* and the *Public Facilities & Services Appendix* of the General Plan that formally recognize the Santa Rosa Valley Trail as a recreational resource subject to consideration during development review or policy development. The Santa Rosa Valley Trail Master Plan was completed in 2014.

**4. Privately-Initiated Text Amendments - Motocross Facilities in OS Zone (Non-Coastal Zoning Ordinance):** On June 2, 2015, the Board of Supervisors adopted an amendment to the NCZO (a privately-initiated amendment) that was necessary to allow the extension of an existing Conditional Use Permit (CUP) for a motocross facility located outside Piru. The Board pre-screening took place in August 2015, and the adopted text amendment allows the existing facility to remain but limits such facilities elsewhere within the Open Space (OS) zone. (Case Planner: Kari Finley)

**5. Board of Supervisors Pre Screenings (Privately-Initiated Amendments):**

- Class II, Commercial Oilfield Waste Disposal Facilities in AE Zone (Anterra, Non-Coastal Zoning Ordinance): In January 2015, the Board of Supervisors rejected a prescreening for a proposed NCZO text amendment that would allow commercial, Class II oilfield waste disposal facilities in the Agricultural Exclusive (AE) zone. (Case Planner: Jennifer Welch)
- Hagle Lumber Company (General Plan Amendment): In August 2015, the Board of Supervisors approved a prescreening for a proposed General Plan map amendment (and rezone) that would re-designate approximately thirteen acres of land from Agricultural to Existing Community. The map revision would allow the expansion of an existing, rail-dependent lumber facility onto prime agricultural land located adjacent to a railroad facility in the Somis area. Because the property is currently designated Agricultural, the proposed GPA will require a SOAR vote. (Case Planner: Susan Curtis)
- Commercial Organics Processing Operations in AE Zone (Agromin Soil Products, Non-Coastal Zoning Ordinance): In September 15, 2015, the Board of Supervisors approved a pre-screening for a proposed NCZO amendment that would allow Commercial Organics Processing Operations in the Agricultural-Exclusive (AE) Zone on Farmland Designated as “Prime”, “Statewide Importance”, “Unique” or “Local Importance,” and on Land Under a Land Conservation Act Contract. The proposed amendment modified a previously pre-screened amendment to the NCZO. The revisions would allow substantially larger operations than were previously proposed (up to a maximum of 100 acres instead of 30 acres) and require that at least 60 percent of the finished products generated by commercial organics processing operations be used for an agricultural or an agricultural

accessory use in Ventura County, Carpinteria or outside the State of California. (Case Planner: Susan Curtis)

## 6. Miscellaneous Programs:

- Housing Successor Agency Annual Report – In accordance with Section 34276.1f) of the Health and Safety Code, the County submitted this report to HCD. (Donna McKendry, Community Development)
- Pending Projects Review – On November 10, 2015, the Board of Supervisors approved prioritization of fifteen pending projects. (Planner: Rosemary Rowan, Manager, Long-Range Planning)
- 2015 Annual Report – Housing data was submitted online to State HCD in March 2015. A full report was submitted to the Board of Supervisors and OPR in May 2015. (Planners: Rosemary Rowan, Jennifer Butler)
- Outside Projects: Ongoing reviews of outside agency projects and documents that may impact unincorporated areas. (Planners: Shelley Sussman, Kari Finley)
- Annual CIP Review: Review of proposed County projects for General Plan consistency. (Planner: Jennifer Butler)
- LAFCO updates: The following actions taken by LAFCO required updates to GIS land use layers in 2015: (a) annexation of approximately 23 acres of parcels in the Kelley Estates area to the City of Thousand Oaks (LAFCO 15-03); and (b) annexation of approximately 7 acres of the Olivas Park Drive extension to the City of Ventura (LAFCO 15-11); (GIS: Jose Moreno, Planner: Ruchita Kadakia,)
- Regional Planning: The Planning Division submitted final comments for the Joint Land Use Study (JLUS) last year, which was subsequently finalized and then presented to the Board on November 2015 by Steve DeGeorge, of the Ventura County Transportation Commission (VCTC). The JLUS includes a wide range of recommendations for ensuring compatibility between local land use regulations and ongoing military needs or activities within the Naval Base Ventura County (NBVC). (Planner: Rosemary Rowan, Manager, Long-Range Planning).

## ACTIVE PROGRAMS:

The following General Plan or Ordinance amendments are currently in progress. Estimated completion dates are shown for each active amendment. In the case of grant-funded projects, completion dates are mandated by the grant program. Due to the large number of active programs, one project is being handled by the Residential Permits section. In addition, a separate team was assembled in late 2015 to handle the General Plan Update (GPU). All other active programs are being handled by the Long-Range Planning section.

### *General Plan Update Team:*

1. **General Plan Update (GPU) (Countywide)**: This project includes a comprehensive update to the General Plan, as identified by the scope-of-work prepared by consultant firm Mintier Harnish and as adopted by the Board of Supervisors on September 22,

2015. This project includes several tasks outlined in previous Annual Reports or the Pending Projects report submitted to the Board in November 2015:

- *Building Coverage Standards*: Move standards from the General Plan and Area Plans to the NCZO.
- *Technical Appendices*: Update all technical appendices – including outdated Biological Resources, Water Resources and Farmland Resources.
- *Concurrent Zoning Ordinance Update*: The General Plan Update may generate zoning map or ordinance text inconsistencies within the NCZO and CZO. This includes map and text amendments needed to retain consistency between the General Plan and Zoning.

During the upcoming fiscal year, the GPU team expects to complete Phase 2 and 3, and begin Phase 4 of the GPU. Phase 2 milestones include the preparation of the General Plan Background Report, with focus group and Planning Commission workshops scheduled to gather input on the Report; community, focus group and Planning Commission workshops to gather input on the county's assets, issues, and opportunities; and preparation of an Assets, Issues, and Opportunities Summary Report. Phase 3 milestones include community, Planning Commission and Board of Supervisor workshops to develop the General Plan Vision and Guiding Principles. Phase 4 activities include commencing the preparation of land use alternatives and policy options based on analysis developed and input gathered during Phases 2 and 3; and commencing the preparation of the Alternatives Concepts and Policy Options Report.

*Residential Permits Section:*

2. **Subdivision Ordinance Update (Countywide)**: This project will update the Subdivision Ordinance to more accurately reflect the current standards and practices involved in processing subdivision requests. The Subdivision Map Act has been amended a number of times since the Board adopted the current County Subdivision Ordinance, and recent court cases clarified that certain requirements of the Subdivision Map Act should be incorporated as amendments to the ordinance. In 2014, the Board approved a scope of work, budget, and schedule for this project but its initiation was delayed due to lack of staff resources. (Preparers: Linda Ash, County Counsel Counsel; Dan Klemann, Planning Manager)

*Long-Range Planning Section:*

3. **Local Coastal Program (LCP) Amendments (Coastal Zone)**: This project includes a substantive update of the Coastal Zoning Ordinance (CZO) and a limited set of amendments to the Coastal Area Plan (CAP). All amendments are funded through a grant from the federal Coastal Impact Assistance Program, or CIAP. Phase 1 amendments were adopted by the Board in late 2012 and certified by the California Coastal Commission (CCC) in early 2013. Phase 2 amendments are more substantive, and will be brought forward for review and adoption in two groups as follows:
  - Phase 2A: This set of amendments will address six topic areas: Water-efficient landscaping, tree protection, signs, parking, temporary film production, and

archaeology/paleontology. Also included are updated, introductory sections to the CAP and the coastal version of the noticing amendment. On March 17, 2016, the Planning Commission voted to recommend approval of this set of LCP amendments (with minor revisions) to the Board of Supervisors. (Board hearing date: June 17, 2016; Potential CCC hearing date: December 2016. Case Planner: Jennifer Welch)

- **Phase 2B:** This set of amendments will address three topic areas: Environmentally Sensitive Habitat Areas (ESHA), Wireless Communication Facilities (see No. 4 below) and Coastal Trail. Due to an extended staff vacancy, the ESHA amendments are behind schedule and may be processed on a separate track. (Tentative Board hearing date(s): December 2016 and/or March 2017; Case Planners: Jennifer Welch, Abigail Convery, Aaron Engstrom)

The CIAP grant deadline is December 2016, and all Phase 2 (A, B) draft work products will be completed by that deadline. However, it is expected that the public hearing and CCC certification process will continue past the grant deadline.

- 4. Wireless Communications Facilities Ordinance (Coastal Zone):** This project is the coastal version of the Wireless Communications Facilities (WCF) Ordinance, which was adopted by the Board for the non-coastal zone in March 2015. LCP amendments for this project are being processed concurrently with Phase 2B amendments to the LCP. (Case Planner: Aaron Engstrom)
- 5. Coastal Biology (Coastal Zone):** This CIAP funded project examines the coastal habitat of the Santa Monica Mountains, in particular Environmentally Sensitive Habitat Areas (ESHA) within the coastal zone. Work is divided into eleven (11) tasks, including a standard methodology for assessing habitat value for ESHA. The primary outstanding task is development of draft LCP amendments that would update CAP policies and CZO regulations, developed during the 1980s, necessary to bring the County's standards in line with more recently certified LCPs for L.A. County and Malibu. This task was delayed due to a staff vacancy, but the vacancy was filled in March 2016 and progress has now resumed on the package for ESHA. (Case Planner: Abigail Convery; Grant deadline: 12/31/2016)
- 6. Zoning Ordinance Amendments for Consistency with the General Plan (Countywide):** Since the County's rezoning program in the mid-1980s, changes occurred to the General Plan that resulted in inconsistencies between zoning and the General Plan. For example, the minimum parcel size for Rural-designated land was increased from one acre to two acres in the General Plan, but the associated RA (Rural Agricultural) and CR (Coastal Rural) zones still specify a one-acre minimum. Such inconsistencies must be corrected per State law and, to date, 972 parcels have been identified with inconsistent zoning. However, 402 of those parcels are due to mapping errors in Lockwood Valley that can be corrected without legislative action and, of the remaining 570 parcels, rezones or other corrections will be processed in two phases:

- Phase 1: This group includes rezones that can be processed with a Negative Declaration and without a GPA. Tasks include an evaluation of zoning patterns, preparation of zoning and text amendments, landowner notifications, environmental analysis, and public hearings.
- Phase 2: This group generally includes rezones that may require a GPA (text or map amendments) and rezones that may require an EIR to process.

As presented to the Board in November 2015, the estimated completion date for this project is June 2018. However, staff expects to complete the first phase of this project by July 2017 unless the number of inconsistent zones (currently under review<sup>1</sup>) is found to be substantially higher than anticipated. (Case Planners: Ruchita Kadakia, Owen Deutsch, GIS analyst)

- 7. Habitat Connectivity Protection Overlay Zone (Countywide):** This project was initiated by the Board in late 2008. Between project initiation and early 2010, staff completed preliminary recommendations for a proposed Habitat Connectivity Protection Overlay Zone (HCPOZ), but the project was put on hold in 2010. In order to complete this project, the Planning Division will review and update the prior work, including wildlife overlay maps and all draft text amendments, conduct a preliminary Board review, complete public outreach and technical expert peer review, finalize text amendments, and conduct public hearings. Anticipated text amendments include modifications to the General Plan, General Plan Technical Appendices (Section 1.5 Biological Resources), the Non-Coastal Zoning Ordinance, and the Subdivision Ordinance.

In November 2015, the Board directed staff to prioritize this project and complete it by December 2017. Staff expects to bring forward a recommended approach (with options) to the Board later this year and to complete the project by the requested deadline. Although the Planning Division estimated that this project would require \$144,000 in funds, approximately \$75,000 has already been allocated to the HCPOZ project through the GPU budget. (Case Planners: Kari Finley, Abigail Convery, Consultant)

- 8. Special Needs Housing (Countywide):** This project, prioritized by the Board in late 2015, includes four separate projects or programs that were initiated in early 2016:
- Supportive and Employee Housing: Update the NCZO to comply with state legislation that requires transitional and supportive housing be permitted as a residential use subject only to restrictions that apply to other residential dwellings of the same type in the same zone. Revisions would correct the definition of supportive housing, modify the Use Matrix, and update regulations to ensure compliance with the state Employee Housing Act.
  - Farmworker Housing Standards: Housing Element Program 3.3.3.5(8). In consultation with farmworker housing organizations, evaluate development standards applicable to discretionary farmworker complexes and, if warranted to

---

<sup>1</sup> Additional analysis by GIS staff is needed to identify zoning that is inconsistent with Area Plan land use designations or inconsistent zoning on parcels with split land use designations.

facilitate farmworker complexes, adopt new or amend existing development standards.

- Senior Citizen Housing Needs: Housing Element program 3.3.3-11. Evaluate senior citizen housing needs and potential ordinance revisions that promote the preservation and expansion of senior citizen housing. The project would include a limited, stakeholder outreach program and a review of population forecasts for Ventura County.
- Senior Mobile-home Park Overlay Zone: Evaluate a senior mobile home park overlay zone and prepare ordinance or other revisions that preserve existing, senior mobile home parks.

The four projects listed above will be processed concurrently. The estimated processing time these amendments is 2-1/2 years, with a completion date of June 2018. (Case Planners: Kari Finley, Jennifer Butler)

**9. Saticoy Area Plan Implementation Programs (Non-Coastal Zone):** The Saticoy Area Plan contains implementation programs where the Planning Division is the lead agency. Programs scheduled for the upcoming fiscal year are:

- Historical Properties: Process landmark status nominations for Saticoy Depot and submit grant applications to fund improvements for the Depot. Determine final status for "Sites of Merit, and apply for grant funding to produce HABS documents for four eligible Sites of Merit re-designated from residential to industrial use.
- Privately-Initiated Projects: Work with private landowners actively pursuing development projects in Saticoy (GPA applicant, Saticoy Depot site). As needed, assist landowners to identify water supply solutions for these developments.

RMA/Planning will also work with other agencies on the initial 5-year implementation programs. (Case Planners: Shelley Sussman, Ruchita Kadakia)

**10. Miscellaneous Programs:** The Long-Range Planning section is responsible for a wide variety of ongoing programs, such as the Annual Report, updates to the Locally Important Species (LIS) list, review of outside projects being processed by Cities and other jurisdictions, Annual CIP review, LAFCO updates, and grant applications and administration. The level of work needed to complete these tasks fluctuates throughout the year and can impact staff resources available for other work programs.

## **PENDING PROGRAMS**

The following General Plan or Ordinance amendments remain on hold pending available funding or staff resources. Estimated timelines and staff resource needs were provided to the Board on November 10, 2015, and that information is replicated below.

1. **Ojai Valley Dark Skies Ordinance:** On September 16, 2014 the Board directed staff to complete a Dark Skies Ordinance for the Ojai community, subject to an evaluation of costs and priorities. Beneficial reasons for the ordinance cited in the Board item include "improved star viewing, greater tranquility and maintenance of rural ambience...beneficial effects on natural biorhythms of people and animals, and

decreased energy consumption.” This project would include amendments to the Non-Coastal Zoning Ordinance and a possible amendment to the Ojai Valley Area Plan. Public outreach would be conducted with the Ojai Valley MAC. It is anticipated that this project would be implemented through an overlay zone and associated Non-Coastal Zoning Ordinance regulations.

Type: Board-Directed  
Staff Resource Estimate: 1.0 FTE  
Preliminary Cost Estimate: \$144,000  
Primary Funding Source: Planning Division Budget  
Project Duration Estimate: 1-1/2 Years  
Tentative Start Date: Early 2017

2. **Landscape Guidelines (Water Efficient Landscaping)** – In July 2015, the California Water Commission adopted the Department of Water Resources (DWR) Model Water Efficient Landscape Ordinance (WELO). These regulations are in addition to the Governor’s Executive Order B-29-15 and the Water Conservation in Landscaping Act of 2006. Local agencies may adopt the State WELO or adopt a water efficient landscape ordinance that is as effective as the State ordinance. Although the County’s existing Landscape Guidelines substantially comply with state regulations, amendments are needed to comply with the State WELO and the Governor’s Executive Order. This project would include revisions to the Non-Coastal Zoning Ordinance and to permitting applications/procedures to comply with State law.

Project Type: State Mandated  
Staff Resource Estimate: .25 FTE  
Preliminary Cost Estimate: \$36,000  
Primary Funding Source: Planning Division Budget  
Project Duration Estimate: 1/2 year  
Tentative Start Date: Mid-2017

3. **Second Dwelling Units:** Housing Element program 3.3.3-9 would promote the construction of second dwelling units for lower-income households by seeking funding to solicit, assemble, and distribute pre-approved building plans for second dwelling units (FY 2014-15). The scope-of-work for this project is focused on the preparation of grant applications that, if awarded, would result in hiring a consultant to prepare the pre-approved building plans and coordinate plan development with various divisions within RMA (Planning, Building and Safety, etc.). Such units would be “pre-approved” for construction, with the exception of necessary sewer connections or septic systems. It may be possible for this project may be linked to an on-going project within the Building & Safety Division related to farmworker dwellings. As outlined, project duration includes the time needed to prepare and obtain a grant award (including two Board hearings), obtain a consultant, and administer the consultant work. The scope-of-work and costs would be updated at the time a grant is awarded.

Type: Board-directed (Housing Element)  
Staff Resource Estimate: .5 FTE  
Preliminary Cost Estimate: \$72,000  
Funding Sources: Planning Division Budget, Grant Funds

Project Duration Estimate: 1 year  
Tentative Start Date: Mid-2018

4. **Housing Impact Mitigation Fee Ordinance** (countywide): This ordinance would eliminate the project-by-project assessment of the indirect housing impacts generated by new commercial/industrial uses and substitute a programmatic approach through payment of in-lieu fees. Currently, an EIR requirement is triggered for project applicants that may be creating a jobs/housing imbalance, as required by the County's Initial Study Assessment Guidelines. In order to save money on consultant costs, this program would be processed concurrently with the Inclusionary Housing Ordinance. Because the Housing Impact Mitigation Fee would apply to a limited number of applicants, project timing is not critical (this issue affected only one applicant within the past five years). Project costs include consultant services to prepare a housing market study and fee nexus study. *Note: To reduce consultant costs, this project would be processed concurrently with the related Inclusionary Housing Ordinance.*

Type: Board-directed (Housing Element)  
Staff Resource Estimate: 1.5 FTE  
Preliminary Cost Estimate: \$296,000 (\$216,000 for staff; \$80,000 for consultant)  
Funding Sources: Planning Division (staff); Board-allocation (consultant)  
Project Duration Estimate: 2 years  
Tentative Start Date: Mid-2018

5. **Inclusionary Housing Ordinance** (countywide): This ordinance would require new housing projects to set aside a percentage of dwelling units for lower-income households. Although included in the adopted 2014-2021 Housing Element, this project was put on hold due to pending litigation, first at the State Supreme Court level and more recently at the U.S. Supreme Court level (both courts rejected the appeal). Project costs include consultant services to prepare a housing market study and fee nexus study. *Note: The Planning Division will complete a cost-benefit analysis prior to project initiation. Per prior Board direction, this ordinance would only apply to developments that exceed 10 lots. However, a preliminary staff analysis indicates that little benefit would accrue from the ordinance due to the small number of potential, unincorporated area subdivisions that could exceed the 10-lot threshold.*

Type: Board-directed (Housing Element)  
Staff Resource Estimate: 2.0 FTE  
Preliminary Cost Estimate: \$368,000 (288,000 for staff; \$80,000 for consultant)  
Funding Sources: Planning Division (staff); Board-allocation (consultant)  
Project Duration Estimate: 2-1/2 years  
Tentative Start Date: Mid-2018

6. **Decks in Coastal Zone:** This project was initiated by the Board of Supervisors on September 6, 2014, subject to a cost/priority assessment. It would result in a revision to the Coastal Zoning Ordinance (CZO) to allow open decks in side and rear yard setbacks. A preliminary review of this proposal uncovered technical and legal constraints that would complicate the amendment process, and the project would require California Coastal Commission (CCC) coordination and certification. *Note: Prior to project initiation, the Planning Division would conduct a feasibility analysis to review*

*potential conflicts with Building Codes, Fire Codes, and stormwater management regulations. This review would include discussions with California Coastal Commission (CCC) staff and a review for consistency with the Coastal Act and with the CCC's recently adopted Sea Level Rise Guidance Document.*

Type: Board-directed  
Staff Resource Estimate: 1.25 FTE  
Preliminary Cost Estimate: \$195,000 (\$180,000 staff; \$15,000 consultant)  
Primary Funding Source: Board-allocated funds  
Project Duration Estimate: 1-1/2 Years (plus CCC certification process)  
Tentative Start Date: Mid-2018

7. **Saticoy Area Plan Implementation Programs:** The Board of Supervisors approved the Saticoy Area Plan update on September 22, 2015, and it contains implementation programs where the Planning Division is the lead agency. The following list includes programs identified with an implementation timeline of 1 to 5 years (*modified to exclude active programs*):

- **MOB-P5:** Work with PWA Transportation and landowners to design and build a new, privately-financed road link between SR 118 and Lirio Ave. (MOB-P-5)
- **HAZ-P1:** Collaborate with other agencies to design, obtain funding for, and initiate necessary updates to the Saticoy Drain. Collaborate with other agencies to identify grants or other funding mechanisms to construct Saticoy Drain improvements, including planned mobility improvements.
- **PF-P1:** Coordinate with multiple agencies, and the City of Ventura, to identify water supply solutions for Saticoy.
- **PF-P4:** Work with PWA Transportation and City of Ventura to identify funding sources to design/build key road improvements.

RMA/Planning will also work with other agencies on the initial 5-year implementation programs, including the reclassification of a segment of SR-118 as part of the GPU and various roadway, linear park, and other implementation programs.

Type: Board-directed  
Staff Resource Estimate: 1.5 FTE  
Preliminary Cost Estimate: \$216,000  
Primary Funding Sources: Planning Division Budget, Grant Funds  
Project Duration Estimate: 4 years

8. **Mitigation Bank Program:** On April 26, 2011, as part of actions taken to adopt the County's Initial Study Assessment Guidelines, the Board directed the Planning Division to seek and apply for grant or similar funding to develop County-wide biological resource mitigation programs, but only a minimal effort was made to seek grant funding due to limited staff resources. These programs would establish biological resource conservation banks that provide a cost-effective means by which potential significant project impacts to biological resources can be mitigated to a level of insignificance.

**Options Analysis:** Setting up a mitigation bank program would require substantial time and staff resources. The scope-of-work for this program initially will be limited to an investigation of the problem (i.e. lack of affordable or available mitigation land), and an

options report will be prepared that outlines different ways to address the problem and describe the experience of other jurisdictions. Staff would report back to the Board on the results of this investigation prior to the preparation of grant applications or the expenditure of additional funds.

Type:	Board-directed
Staff Resource Estimate:	.25 FTE (investigation, report to Board)
Preliminary Cost Estimate:	\$36,000
Funding Source:	Planning Division Budget
Project Duration Estimate:	1/2 Year
Tentative Start Date:	Mid-2018

## INACTIVE PROGRAMS

The following projects were identified by the Planning Division but have not yet been brought forward for Board of Supervisors direction or funding.

1. **Non-Coastal Zoning Ordinance Update (NCZO):** Planning Division records include a long-list of requested amendments made by the Planning Director, Residential/Commercial Permit managers, Long-Range Planning Section manager, or County Counsel. Regular updates are needed to keep this ordinance up-to-date with current planning practice, new State laws, and various Planning Director interpretations regarding unclear passages of the ordinance. Failure to update the NCZO on a regular basis can result in complications and delays when processing permits.
2. **Area Plan Updates:** The County has adopted ten Area Plans<sup>2</sup> that regulate land uses and discretionary development in specific geographical communities/areas within the unincorporated area of the County. Attachment 2 lists each of the Area Plans and the date of adoption or last major amendment. Although minor updates to the Area Plans will be processed concurrently with the GPU, comprehensive updates are most needed for Area Plans that last received a comprehensive update in the 1980s:
  - a) **Coastal Area Plan (CAP)** – Updates are needed for sections not included in the current LCP amendment process. Special topics include the following:
    - *Sea Level Rise:* New regulations are needed to address the Sea Level Rise Guidance Document adopted by the California Coastal Commission in 2015.
    - *Military Land Use Compatibility:* Naval Base Ventura County is primarily located within the coastal zone, and the recently adopted Joint Land Use Study (JLUS) includes recommendations for CAP and CZO amendments.
  - b) **North Ventura Avenue Area Plan:** An Area Plan update is needed to address the development potential for the former Petrochem site.
  - c) **El Rio/Del Norte Area Plan:** An Area Plan update is needed to address development potential for specific sites and infrastructure problems in the existing residential area.

---

<sup>2</sup> Coastal Area Plan, Piru Area Plan, Ojai Valley Area Plan, El Rio/Del Norte Area Plan, North Ventura Avenue Area Plan, Saticoy Area Plan, Ahmanson Ranch Area Plan, Oak Park Area Plan, Lake Sherwood/Hidden Valley Area Plan, and Thousand Oaks Area Plan.

3. **Coastal Zoning Ordinance (CZO):** Planning Division records include a long list of requested amendments made by the Planning Director, Residential/Commercial Permit managers, Long-Range Planning Section manager, or County Counsel to amend the NCZO to correct errors or process permits in a more efficient manner. Regular updates are needed to keep this ordinance up-to-date with current planning practice, new State laws, and various Planning Director interpretations regarding unclear passages of the ordinance. Failure to update the CZO on a regular basis can result in complications and delays when processing permits.
4. **Cultural Heritage Ordinance (CHO):** The Cultural Heritage Ordinance (CHO) was originally adopted by the Ventura County Board of Supervisors in 1968 (Ordinance 2026) to create procedures for designation and protection of “items of special historical or aesthetic character or interest.” The CHO was last amended in December 2000 to add the Site of Merit designation for 200+ properties and to clarify the Cultural Heritage Board’s role in review of alteration to these sites. In January 2016, the Cultural Heritage Board requested a study session to be held to discuss potential revisions to the County’s Cultural Heritage Ordinance. Potential amendments would bring the CHO into conformance with current case law and clarify the County’s procedures with regard to review of undesignated, potentially historic cultural heritage sites, the designation of County landmarks, and the issuance of Certificates of Appropriateness. The CHB expects to finalize a recommendation for the Board of Supervisors in 2016.
5. **Greenbelt Agreements:** Advisory Measure A, initiated by the Board of Supervisors in 1998, recommended that the County and the ten cities adopt existing and future greenbelts by ordinance. However, three Greenbelt agreements remain in Resolution form and Program 3.1.3 of the Goals, Policies and Programs states that four additional greenbelt agreements should be considered by the County and appropriate cities for Las Posas Valley, Hidden Valley, Upper Ojai, and between Moorpark and Simi Valley north of Hwy 118. Budget reductions in FY2004 eliminated the planner position responsible for overseeing this program

## E. State Legislation and Court Decisions

### STATE LEGISLATION:

The following is a summary of State land use-related legislation, enacted in 2015, that may affect the County General Plan or its implementing ordinances.

- **AB451 (Bonilla) – Private parking facilities:** Allows cities or counties to authorize, via ordinance or resolution, operators of privately owned and maintained off-street parking facilities to regulate unauthorized parking in their facilities. *Status: chapter 168, statutes of 2015*
- **AB744 (Chau) – Planning and zoning: density bonuses:** requires a local government, upon the request of a developer that receives a density bonus, to reduce the minimum parking requirements for a housing development, if it meets specified criteria. *Status: chapter 699, statutes of 2015*

- **AB1015 (Bloom) – parking: car share vehicles:** Allows local governments to designate parking spaces for the exclusive or non-exclusive use of a car-sharing or ride-sharing program. *Status: chapter 41, statutes of 2015*
- **AB1236 (Chiu) – Local ordinances:** electric vehicle charging stations: requires each city and county to adopt an ordinance establishing a streamlined permitting process for electric vehicle charging stations. *Status: chapter 598, Statutes 2015*
- **AB2 (Alejo) – Community revitalization and investment authority:** Authorizes local governments to create community Revitalization and Investment Authorities to use tax increment revenue to improve the infrastructure, assist businesses and support affordable housing in disadvantaged communities. *Status: chapter 319, statutes of 2015*
- **AB313 (Atkins) – Enhanced Infrastructure Financing Districts:** Clarifies procedures for replacing dwelling units that are removed or destroyed within an Enhanced Infrastructure Financing District (EIFD) and makes other technical changes to EIFD law. *Status: chapter 320, statutes of 2015*
- **AB57 (Quirk) – Cell Tower Permitting:** This bill would provide that a colocation or siting application for a wireless telecommunications facility is deemed approved if the city/county fails to approve or disapprove the application within the reasonable time periods specified in applicable decision of the Federal Communications Commission, all required public notices have been provided regarding the application, and the applicant has provided a notice to the city/county that the reasonable time period has lapsed. *Status: chapter 685, statutes of 2015*
- **Local Regulations of Medical Marijuana**
  - a) AB 266 (Bonta): Would create a state and local licensing and regulatory structure for the regulation of medical cannabis in the state. The bill would establish a new Office of Medical Cannabis Regulation within the Office of the Governor to oversee state regulatory efforts and would also require several other state agencies to assume licensing and regulatory responsibilities. *Status: chapter 689, statutes of 2015*
  - b) AB243 (Wood): Establishes a regulatory program for the cultivation of medical cannabis, as part of the medical Marijuana Regulation and Safety Act (MMRSA). *Status: chapter 688, statutes of 2015*
  - c) SB643 (McGuire): Authorizes a county/city to levy transactions and use tax on marijuana and marijuana products subject to current voter approval thresholds; and requires the Board of Equalization (BOE) to compile a report on actual and expected marijuana tax revenues. *Status: chapter 719, statutes of 2015*
- **AB1164 (Gatto) - Fake Grass Ordinance:** Prohibits cities/counties from enacting or enforcing any ordinance or regulation that prohibits the installation of drought tolerant landscaping, synthetic grass or artificial turf on residential property. Allows local agency to impose reasonable restrictions on the type of drought tolerant landscaping. *Status: chapter 671, statutes of 2015*
- **AB1303 (Gray) – Map Act Extension for Disadvantaged Jurisdictions:** Provides an automatic 24-month extension for unexpired subdivision maps approved after

January 1, 2000, in jurisdictions that meet specified criteria. *Status: chapter 751, statutes of 2015*

- **SB107 (Leno) – Redevelopment:** This bill includes numerous provisions which clarify and simplify the RDA dissolution process and address local fiscal situations. *Status: chapter 325, statutes of 2015*
- **SB379 (Jackson) – Climate Adaptation in Safety Element:** Requires cities and counties to review and update their safety elements to address climate adaptation and resiliency strategies applicable to the city/county. *Status: chapter 608, statutes of 2015*

## **COURT DECISIONS**

The following is a summary of recent court decisions (2015) that may affect the County General Plan or its implementing ordinances.

### **Carson Harbor Village, Ltd. v. City of Carson (2015) 239 Cal. App. 4th 56, as modified on denial of rehearing (Aug. 21, 2015), review denied (Oct. 28, 2015)**

Mobile home park filed a mandate action against the city challenging the city's denial of the park's application to convert the park from rental spaces to a subdivision of individually owned lots. The court held the city was permitted to deny the application based on inconsistency with open space element of city's general plan and that substantial evidence supported the City's finding that the conversion to residential units would be inconsistent with its open space element by placing at risk state and federally regulated wetlands located within the mobile home park.

The subdivision laws governing the conversion of rental mobile home parks to ownership units restricts a local agency's public hearing review to the issue of compliance with those statutory requirements. However, in changing its decision in a prior case, the court of appeal found that in this case, the proposed mobile home park conversion could be denied for inconsistency with the general plan.

### **Save Our Heritage Organisation v. City of San Diego (2015) 237 Cal. App. 4th 163, rehearing denied (June 22, 2015), review denied (Sept. 9, 2015)**

The court reiterated the rule that a project's consistency with the general plan does not have to be absolute; that the proposed project need only be compatible with the objectives, policies and general land uses of the applicable plan. Further, the local agency's consistency determination is given great deference.

In this case, the City approved a project that included construction of the new Centennial Bridge. Petitioners challenged the approval on ground the project did not comply with certain policies of the City's general plan (e.g. the historic preservation element, the urban design element, and the recreation element) because the project involved a significant and unmitigatable impact on a historical resource: the Cabrillo Bridge.

The general plan required the local agency to find the proposed project would not adversely affect the general plan. The court found that although the proposed Centennial Bridge component would be inconsistent with several policies found in the general plan, it would not adversely affect the general plan and the project as whole would be consistent with several of the established goals and policies of San Diego General Plan; namely, creating

a more pedestrian-oriented environment within the park, reducing vehicular and pedestrian conflicts, improving public access, increasing free and open parkland, restoring landscape areas, and restoring the area to being a center for cultural activities and special events.

No project could completely satisfy every policy stated in the general plan, and state law does not impose such a requirement. Once a general plan is in place, it is the province of elected local officials to examine the specifics of a proposed project to determine whether it would be in harmony with the policies stated in the plan. It is not the role of the courts to micromanage these development decisions. Rather, the court's function is simply to decide whether the city officials considered the applicable policies and the extent to which the proposed project conforms to those policies, whether the officials made appropriate findings on the issue, and whether those findings are supported by substantial evidence.

**Orange Citizens for Parks & Recreation v. Superior Court (2013) 217 Cal. App. 4th 1005, review granted and opinion superseded sub nom. Orange Citizens for Parks & Recreation v. S.C., 311 P.3d 236 (Cal. 2013)**

This case is pending before the Supreme Court and presents the following issue: Is the proposed development project of low density housing consistent with the City of Orange's general plan. The appellate court held that City acted reasonably in finding low density residential units are consistent with its general plan "Open Space" designation.

**Attachments:**

- Attachment 1 – Ventura County General Plan Compliance with State of California General Plan Guidelines
- Attachment 2 – Amendment Dates of Ventura County General Plan and Area Plans
- Attachment 3 – HCD Tables A, A2, A3, B, and C – Annual Element Progress Report
- Attachment 4 – 2014-15 Housing Successor Agency Annual Report

**Exhibit 1: Attachment 1**  
**Ventura County General Plan**  
**Compliance with State General Plan Guidelines**

State Requirements	Ventura County General Plan Chapters And Appendices			
	Resources	Hazards	Land Use	Public Facilities
<b>Land Use Element:</b>				
Housing			X	
Business			X	
Industry			X	
Open Space	X	X	X	X
Agriculture	X		X	
Scenic Beauty	X			
Education				X
Public Buildings & Grounds				X
Solid & Liquid Wastes		X		X
Population Density/Building Intensity			X	
Flooding		X		X
Timberland Production	X		X	
<b>Circulation Element:</b>				
Major Thoroughfares				X
Transportation Routes				X
Terminals				X
Utilities				X
<b>Housing Element</b>			X	
<b>Conservation Element:</b>				
Water	X			X
Hydraulic Force		X		X
Forests	X			
Soils	X			
Rivers	X	X		X
Harbors				X
Fisheries	X			
Wildlife	X			
Minerals	X			
<b>Open Space Element</b>	X		X	
<b>Noise Element</b>		X		
<b>Safety Element</b>		X		X

**Exhibit 1: Attachment 2**  
**Last Amendment Date of**  
**Ventura County General Plan and Area Plans**

<b>Document Title</b>	<b>Date of <i>Comprehensive</i> Amendment</b>	<b>Date adopted or last amended</b>
<b>Countywide General Plan:</b>	2005	
Goals, Policies and Programs		10-22-13
Resources Appendix		06-28-11
Hazards Appendix		10-22-13
Land Use Appendix		10-22-13
Public Facilities and Services Appendix		05-08-07
<b>Area Plans:</b>		
Ahmanson Ranch Area Plan <sup>3</sup>	1998	12-15-92
Coastal Area Plan	2016	03-17-16
El Rio/Del Norte Area Plan	1996	06-28-11
Lake Sherwood/Hidden Valley Area Plan	2005*	04-06-10
North Ventura Avenue Area Plan	1988	12-11-90
Oak Park Area Plan	1988	11-15-05
Ojai Valley Area Plan	1996	11-15-05
Piru Area Plan	2008	06-28-11
Saticoy Area Plan	2015	09-22-15
Thousand Oaks Area Plan	2005*	04-06-10

\* Updates included revisions to population and density tables as well as land use maps. Amendments were significant but not comprehensive.

<sup>3</sup> The development agreement for the Ahmanson Ranch Area Plan expires in 2017, and its deletion is included in the GPU scope-of-work.