

EXHIBIT 3

Summary of Proposed
Non-Coastal Zoning Ordinance (NCZO)
Phase I Amendments
(Case No. PL19-0021)

The following is a summary of the proposed amendments listed by Article and Section number of the NCZO:

Article 1 – Authority, Purpose, and Application of Chapter

Article 1 provides the purpose and the applicability of the zoning regulations for the unincorporated area of Ventura County, including general prohibitions and interpretation of the ordinance. NCZO section 8101-4.4 currently provides guidance on interpreting terms that are not defined in the NCZO. This provision is proposed to be relocated to Article 2 (Definitions) where all information pertaining to defined terms in the NCZO are located and replaced with guidance on interpreting illustrations that are included in the NCZO. Several new illustrations have been added to the NCZO over the last several years to clarify and visually explain some regulations. NCZO section 8101-4.12 is an entirely new section on abbreviations used in the NCZO. There are several terms in the NCZO that are abbreviated but the written term is not included in the text of the ordinance. NCZO section 8108-4.12 provides a list of abbreviated terms widely used in the NCZO. See Exhibit 4, pages 4-7, to review the proposed changes in legislative format.

Article 2 – Definitions

Article 2, section 8102-0 sets forth defined terms used in the main body of the NCZO. Terms in the main body of the NCZO that are defined in Article 2 are proposed to be italicized. Italicizing defined terms in the NCZO is consistent with the format of the Coastal Zoning Ordinance and the Subdivision Ordinance and will alert the reader when there is a defined term in the main body of the NCZO. See Exhibit 4, pages 7-35, to review the proposed changes in legislative format.

Amendments in Article 2 include adding, revising, and deleting several terms, as follows:

- **Entirely New Definitions:** Agricultural Contractor Service and Storage Yard; California Environmental Quality Act (CEQA); Certificate of Review; County; District; General Plan; Flag Lot; and Luminaire, Outdoor.
- **Updated Definitions to Make Consistent with State Law and Other County Ordinances:** Abut, Biosolids; Certificate of Appropriateness; Chipping/Grinding Operation; Cultural Heritage Site; Dwelling, Single-Family; Grade; Grading; Gross Floor Area (GFA); Hazardous Material; Hazardous Waste; Household Hazardous Waste; Lot; Lot, Corner; Lot, Legal; Lot Line; Mixed Solid Waste; Mobilehome; Nonconforming Structure; Parcel; Planning Director; Recreational Vehicle; Recreational Vehicle Park; Resource Recovery; Retail Trade; and Setback.
- **Revised Definitions for Clarity and Consistency:** Accessory Structures, Habitable; Air Quality Management Plan (AQMP); Animal, Inherently Dangerous; Animal Keeping, Non-husbandry; Apiculture; Base Zone; Bathroom, Full; Bathroom, Half; Borrow Area; Biosolids Composting Operation; Building Lot Coverage; Campground; Caretaker, Animal; Commercial Vehicle; Commission; Correctional Institution; Decision-making Authority; Disability; Dwelling Unit, Accessory; Dwelling Unit, Animal Caretaker; Dwelling Unit, Farmworker; Dwelling Unit, Junior Accessory Dwelling Unit; Dwelling, Multifamily; Dwelling Unit;

Employee Housing; Employee Housing, Agricultural; Employee Housing, Permanent; Employee Housing, Seasonal; Employee Housing, Temporary; Energy Production from Renewable Sources and Energy Storage; Energy Storage; Entitlement; Farmworker Housing Complex; Farmworker, Principally Employed; Filming Activities; Filming Activities, Occasional; Filming Activities, Permanent; Filming Activities, Temporary; Garage and Yard Sales; Geographic Information System (GIS); Government Building; Historic Repository; Homeshare; Household Hazardous Waste; Inauguration; Interpretative Center; Kennel/Cattery; Lighting, Security; Lot Area, Gross; Lot Area, Net; Lot, Reverse Corner; Lot, Through; Lot Width; Mining; Mining, Accessory Uses; Mining, Agricultural Site; Motel; Motocross/OHV (Off-Highway Vehicle) Park; Nonconforming Use; Open Storage; Outdoor Events; Outdoor Recreational Facility; Outdoor Sales and Services, Temporary; Overlay Zone; Park, Urban; Parking Area; Parking Facility; Personal Services; Point of Interest; Public Works Maintenance; R-Zone; Radio Studios; Retreat; Reuse Salvage Facility; Roof Structures; Rooster; Setback, Front; Setback, Rear; Setback, Side; Short-term Rental; Small Utility Structures; SMARA; Stockpiling of Construction Related Debris and/or Fill Material for Non-Agricultural Operations; Structural Alteration; Structure; Surface Water Feature; Temporary; Temporary Collection Activity; Temporary Rental Unit; Vermiculture; Waste Collection and Processing Activities to Mitigate an Emergency; Waste Processing Facility; Waste Transfer Station; Wholesale Nurseries for Propagation; Wireless Communication Facility (or Facilities), Wireless Communication Facility, Building-Concealed; Wireless Communication Facility, Collocation; Wireless Communication Facility, Faux Trees; Wireless Communication Facility, Flush-Mounted; Wireless Communication Facility, Ground-Mounted; Wireless Communication Facility, Modification; Wireless Communication Facility, Non-Stealth; Wireless Communication Facility, Prominently Visible; Wireless Communication Facility, Public Viewpoint; Wireless Communication Facility, Roof-Mounted; Wireless Communication Facility, Routine Maintenance; Wireless Communication Facility, Section 6409(a) Modification; and, Wireless Communication Facility, Stealth.

- **Terms and/or Definitions to Be Removed:** Several terms have previously been deleted from the ordinance but are still listed and shown as “deleted” in Article 2. This amendment would entirely remove the following terms from the list of defined terms in Article 2 since they are no longer applicable to the ordinance: Clubhouse; Community Center; Day Care Facility; Family Day Care Home, Large; Family Day Care Home, Small; Festivals, Animal Shows, Receptions, and Similar Events, Temporary Outdoor; Hazardous Waste Facility; Mining, Public Works Maintenance; Produce Stand; Qualified Affordable/Elderly Housing Development; Shall and May; Site; Vehicle, Food Service; and, Waste Treatment and Disposal.

The following terms are proposed to be entirely deleted from Article 2 since they are considered unnecessary definitions: General Plan Consistency and Person.

Article 3 – Establishment of Zones, Boundaries and Maps

Article 3 provides the establishment of zones, the minimum lot size of each zone and alternatives and exceptions to minimum lot sizes. The proposed changes to this Article include creating a table to list all the zoning designations and their minimum lot sizes to make it easier to read and to make the style consistent with of the rest of the ordinance and making clerical edits. See Exhibit 4, pages 35-40, to review the proposed changes in legislative format.

Article 4 – Purposes of Zones

Article 4 provides the purposes of all the zoning designations in the unincorporated area of the County. The proposed changes to this article are stylistic and clerical changes only. See Exhibit 4, pages 40-45, to review the proposed changes in legislative format.

Article 6, Lot Area and Coverage, Setbacks, Height, and Related Provisions

Article 6 sets forth specific development standards which are applicable to the zones specified and to delineate certain instances where exceptions to the requirements are allowed. The more notable change to Article 6 is outlined in Sections D(1)(c) of the November 14, 2024, Planning Commission staff report. A summary of the minor changes in this Article are provided below.

- **Section 8106-1.1 (Development Standards for Uses and Structures in Open Space, Agricultural Exclusive, and Residential Zones)**: Section 8106-1.1 provides the applicable zoning designation, the minimum lot area, the maximum percentage of building lot coverage, and footnotes with several exceptions to these regulations in a table format. Planning staff proposes to revise Section 8106-1.1 under the column entitled “ Maximum Structure Height” and under “Exceptions (Principal Structure)” for the rows with the zoning designation of OS-REC, OS, AE, RA, RE, RO, R1, and R2 to add the term “setback” so that it is clear the height of a principal structure may be increased from 25 feet to 35 feet if each side yard “setback” is at least 15 feet. See Exhibit 4, page 46, to review the proposed changes in legislative format.
- **Section 8106-8.6 (Light Fixtures)**: This section provides regulations for freestanding light fixtures over 2 feet in height. In addition to clerical edits, staff proposes new text that would clarify the process to permit these types of structures in the commercial and industrial zones. See Exhibit 4, page 49, to review the proposed changes in legislative format.

Article 7, Standards for Specific Uses

Article 7 includes development and regulatory standards for all development and for specific uses allowed in the unincorporated area of Ventura County. The more notable changes to Article 7 are outlined in Sections D(1)(e) and D(1)(g) of the November 14, 2024, Planning Commission staff report, including, but not limited to, changes to the regulations of accessory bathrooms, wholesale nurseries for propagation, and advertising for outdoor events. Several stylistic, clerical, and clarifying edits to this Article are also proposed. See Exhibit 4, pages 50-77, to review the proposed changes in legislative format.

Article 8, Parking and Loading Requirements

Article 8 establishes requirements for the amount, location, and design of off-street motor vehicles and bicycle parking and loading areas. The notable change to this Article is outlined in Section D(1)(h) of the November 14, 2024, staff report. All other proposed changes are stylistic and clerical. See Exhibit 4, pages 78-84, to review the proposed changes in legislative format.

Article 9, Standards for Specific Zones and Zone Types

Article 9 provides development criteria for all zones and specific zones pertaining to, but not limited to, landscaping, noise, circulation, and open storage. A summary of the minor changes in this Article are provided below. There are also several stylistic, clerical, and clarifying edits to this Article. See Exhibit 4, pages 84-109, to review all the proposed changes in legislative format.

- **Section 8109-0.5 (Stormwater Quality Protection)**: This section explains that new development must be constructed in accordance with local and state stormwater requirements. Staff proposes changes to this section to update the stormwater permit number and stormwater ordinance number to reflect the current numbers, which are Ventura Countywide Stormwater Quality Management Program, Los Angeles Regional Phase I Municipal Separate Storm Sewer System National Pollutant Discharge Elimination System (Los Angeles Regional Phase I MS4 NPDES) Permit No. CAS004004 and the Ventura Stormwater Quality Management Ordinance No. 4450, as may be amended. See Exhibit 4, page 84, to review the proposed changes in legislative format.
- **Sections 8109-4.6.1 (Temporary Rental of Dwelling Must Be Expressly Authorized) and 8109-4.6.5.3 (Limitation on Short-Term Rentals)**: This section explains when a temporary rental of a dwelling is authorized under the ordinance. Staff proposes to reorganize this section to create three subsections (a), (b) and (c) for the ease of the reader. New text is proposed to be added to this section that is taken from Section 8109-4.6.5.3 that clarifies the only short-term rentals now authorized for permitting in the TRU Overlay Zone are those located on a property designated by the County as a “landmark” as of June 19, 2018 pursuant to Section 8109-4.6.12(d). All other short-term rentals were phased-out as of July 19, 2020, pursuant to the previously adopted ordinance and completion of its sunset date. New text is also proposed to clarify that “homeshares” remain authorized for permitting. Section 8109-4.6.5.3 is proposed to be deleted. See Exhibit 4, pages 87-98, to review the proposed changes in legislative format.

Article 11, Entitlements – Process and Procedures

Article 11 establishes procedures for the processing of land use entitlements, including permits and variances and for modification, suspension, or revocation of any permit or variance, and appeal thereto. The notable change to this Article is outlined in Section D(1)(i) of the November 14, 2024, staff report. A summary of other minor changes in this Article are provided below. Several stylistic and clerical edits to this Article are also proposed. See Exhibit 4, pages 109-131, to review all the proposed changes in legislative format.

- **Section 8111-1.1.1 (a)(4) and (a)(5) (Zoning Clearance: Purpose of):** This section provides the purpose of Zoning Clearances. The proposed amendments include deletion and addition of text to clarify the permit process for minor work on landmarks and historic districts consistent with the Ventura County Cultural Heritage Ordinance under subsection (4) of Section 8111-1.1.1. The amendments also include separating out the cultural heritage sites of merit and potential designated cultural heritage sites and creates a new subsection (5) under Section 8111-1.1.1. See Exhibit 4, pages 109-110, to review the proposed changes in legislative format.
- **Section 8111-1.1.1(b) (Zoning Clearance: Issuance of):** This section provides the required findings to issue a Zoning Clearance, including that the lot must be legal to issue a Zoning Clearance (NCZO, § 8111-1.1.1(b)(7)). The proposed amendments to this section include adding an exception to the legal lot requirement that allows the issuance of a Zoning Clearance and building permits for certain actions on illegal lots without legalizing the lot in compliance with the Ventura County Subdivision Ordinance. Adding this provision to the zoning ordinance provides property owners of illegal lots an opportunity to understand what can and cannot be done on the illegal lot and provides a reference to the Ventura County Subdivision Ordinance for more information. The actions that would be allowed on an illegal lot are for, but not limited to, health and safety and utility purposes, or emergency services, or to demolish structures to abate a violation. For example, this provision will allow property owners who have unpermitted structures on an illegal lot to remedy the violation by obtaining a Zoning Clearance and demolition permit to remove the unpermitted structures without being required to legalize the lot, which would involve more time and expense to the property owner. The issuance of the Zoning Clearance and demolition permit for this action would not inadvertently legalize the lot since the demolition of an unpermitted structure is not considered “development” for purposes of legalizing a lot in accordance with the Ventura County Subdivision Ordinance and the California Subdivision Map Act.
- Additionally, Section 8111-1.1.1(b)(10) requires the issuance of a Certificate of Appropriateness for a designated or potentially eligible cultural heritage site prior to the issuance of a Zoning Clearance. This subsection (b)(10) is proposed to be revised to also include the Certificate of Review permit option prior to the issuance of a Zoning Clearance to make consistent with the permit requirements of the Cultural Heritage Ordinance. See Exhibit 4, pages 111-112, to review the proposed changes in legislative format.
- **Section 8111-1.1.1(c)(2) (Zoning Clearance: Expiration and Extensions of):** This section provides provisions for the expiration of a Zoning Clearance and the procedures for extensions to Zoning Clearances. The provisions for the expiration and extension of Zoning Clearances as set forth in Section 8111-1.1.1(c)(2) (Zoning Clearances for which a Building Permit is Not Required) is proposed to be

revised to make consistent with the current regulations under Section 8111-1.1.1(c)(1) (Zoning Clearances for which a Building Permit is Required) that specifies that when only a portion of a project approved under a Zoning Clearance is completed within the time period specified in the Zoning Clearance, only the portion of development that was completed shall be considered effective and authorized. The portion of the project that was not completed by the expiration date is not effective or authorized and a new Zoning Clearance is required to establish the project that was not completed by the expiration date of the original Zoning Clearance. For example, if a single Zoning Clearance authorized the installation of four unmodified sea cargo containers (where no building permit is required pursuant to Section 8111-1.1.1(c)(2)) and only two were installed and completed within the time specified on the Zoning Clearance (i.e., 180 days unless an extension is granted), only the two that were installed within the 180-period are considered effective and authorized by the Zoning Clearance, whereas the two other proposed sea cargo containers would not be effective or authorized until a new Zoning Clearance is issued and installation is completed within the specified time period under the new Zoning Clearance. This amendment clarifies that only those structures or uses described on a Zoning Clearance pursuant to Section 8111-1.1.1(c)(2) that have been completed within the time allowed (including extensions granted by the Planning Director), and have received all required county, state, or federal permits, are considered authorized and effective. This amendment does not change the effective period of a Zoning Clearance but rather makes the Zoning Clearance expiration and extension procedures consistent for projects requiring a building permit or not, helps to ensure the safety of the property owners and neighbors by reevaluating the uncompleted portion of the project to ensure that it adheres to the original permit's specifications and current code, and avoids potential long-term construction disturbances to neighboring properties. See Exhibit 4, pages 112-113, to review the proposed changes in legislative format.

- **Section 8111-1.2.1.1 through Section 8111-1.2.1.8 (Permit Approval Standards)**: These sections contain the permit approval standards and findings to grant a discretionary permit. Staff proposes to correct the section numbers of the permit approval findings, starting with Section 8111-1.2.1.1, since they are incorrectly numbered and is not consistent with the numbering system of the rest of the ordinance. Currently, Section 8111-1.2.1.1 includes two sections: Section 8111-1.2.1.1a and 8111-1.2.1.1b [adds underline for emphasis], which is not the formatting convention of the rest of the ordinance. To correct this issue, staff proposes to renumber these sections starting with Section 8111-1.2.1.1 and ending with Section 8111-1.2.1.8. This change will make it easier to cite the specific permit approval findings sections and will resolve a long-standing clerical issue. See Exhibit 4, pages 115-118, to review the proposed changes in legislative format.