

BOARD MINUTES

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

SUPERVISORS SUSAN K. LACEY, FRANK SCHILLO,
KATHY I. LONG, JUDY MIKELS AND JOHN K. FLYNN

September 16, 1997 at 1:30 p.m.

222 GPA-97-4/222 Z-2918/ORD #4149

RESOURCE MANAGEMENT AGENCY - Planning - Public Hearing regarding General Plan Amendment GPA 97-4 (Components "A" through "D") and Zone Change Z-2918.

- (X) All board members are present.
- () All board members are present except Supervisors _____
- (X) The following people are heard: Joseph Eisenhut, Component A, Bob Braitman and John Pollito; Component C, Bruce Smith, Lowell Preston, Carla Bard, Russ Baggerly and A. Coyne.
- (X) The following documents are submitted to the Board for consideration: Letter dated September 15, 1997 from Russ Baggerly, Recording Secretary for the Environmental Coalition; Letter dated September 15, 1997 from Lynn Gray, R.G., Manager of Planning Services for Jensen Design & Survey; Letter dated September 16, 1997 from the Environmental Defense Center.
- (X) The Board holds a public hearing.
- (X) The Board states they will take straw votes on each component. Component A, upon motion of Supervisor Schillo, seconded by Supervisor Mikels, the Board approves Component A; Component B, upon motion of Supervisor Schillo, seconded by Supervisor Long, the Board approves Component B; Component C, upon motion of Supervisor Mikels, seconded by Supervisor Schillo, the Board approves Component C accepting the language as written by Public Works Agency (Exhibit 4), with Supervisor Flynn dissenting; a substitute motion is made by Supervisor Flynn, seconded by Supervisor Long to approve Component C by modifying Exhibit "4" Figure 5, page 4a-1, Section B, paragraph 4, line 2 stating it should read: extraction/recharge as calculated for the 15 year period ending at least two..., with Supervisors Schillo and Mikels dissenting; Component D, upon motion of Supervisor Schillo, seconded by Supervisor Mikels, the Board approves Component D. After discussion and due consideration, upon motion of Supervisor Lacey, seconded by Supervisor Mikels, and duly carried, the Board hereby approves the staff recommendations as stated in the straw votes.

By: *Larry Schillo*
Deputy County Clerk

CLERK'S CERTIFICATE

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

RICHARD D. DEAN, County Clerk and ex-officio Clerk of the Board of Supervisors, County of Ventura, State of California.

Dated: _____

Item # 27

By: _____
Deputy County Clerk

9/16/97

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September 16, 1997 (Agenda)

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

SUBJECT: General Plan Amendment GPA 97-4 (Components "A" through "D") and Zone Change Z-2918

RECOMMENDED ACTION:

As recommended by the Planning Commission and the County Staff:

1. Find that all the components of GPA 97-4 are Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA);
2. Adopt a Resolution (Exhibit "7") approving General Plan Amendment GPA 97-4 and Zone Change Z-2918; and
3. Adopt an Ordinance (Exhibit "8") approving Zone Change Z-2918.

FISCAL/MANDATES IMPACT:

This subject GPA/Zone Change has no impact on the County General Fund. There are no mandates associated with the subject GPA/Zone Change.

STATEMENT OF MATTER FOR BOARD CONSIDERATION:

General Plan Amendment GPA 97-4 contains four components ("A"-"D"). Component "A" is a privately-initiated request that was approved by the Board of Supervisors for post screening processing in February 1996. Component "B" is also a privately-initiated request that was approved at your Board's GPA Screening in February 1997. Component "B" also has an associated Zone Change. The County-initiated Components "C" and "D" are proposals to amend the General Plan's Goals, Policies and Programs document and the Lake Sherwood/Hidden Valley Area Plan, respectively. For detailed information on each component, please see attached Exhibit "1". However, please note that for Component "C", the Planning Commission's recommendation regarding the golf course irrigation policy can be found in the text below.

1H46-1.97

800 South Victoria Avenue, L #1740, Ventura, CA 93009 (805) 654-2481 FAX (805) 654-2509



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Summary of Individual Components and Planning Commission Recommendations			
Component-Area	Existing General Plan and/or Area Plan	Staff Recommended Amendment	Planning Commission Recommendation
"A": D. Murdock - Lake Sherwood/Hidden Valley Area Plan (Exhibit "2")	Policies 4.2.2-3. and 4.3.2-2. within the Area Plan prohibit expansion of water and sewer lines into non-community portion of Hidden Valley.	Amend the policies to allow connection to the water and sewer lines for existing or replacement homes.	<u>Approve</u> as recommended by staff.
"B": G. Parker - East Santa Rosa Valley area (Exhibit "3")	A 0.36 acre portion of one parcel is "OS" (Open Space 10 acre min. with "OS 40 Ac" zoning) and a 0.36 acre portion of adjoining parcel is "Rural" (2 acre minimum with R-A-4 Ac zoning).	Exchange the existing land use designations and zoning between the 0.36 acre portion of each parcel.	<u>Approve</u> as recommended by staff.
"C": County Initiated-Countywide policy and Land Use Map (Exhibit "4")	1. Water resources policy 1.3.2-10 requires that new golf courses use "significantly less" water than historically used on the site. 2. Area next to the city of Ventura is shown as unincorporated land on Land Use Map.	1. Amend policy to say "... equal to or less then ground and/or surface water that has been historically used on the site." 2. Indicate that the area is now part of the city.	<u>Approve</u> as changed by the Planning Commission to make policy 1.3.2-10 more restrictive than staff's recommendation.
"D": County Initiated-Lake Sherwood/Hidden Valley Area Plan (Exhibit "5")	1. Area Plan policy 2.5.2-2 references outdated support document. 2. Area Plan policy 3.4.2-2 conflicts with Fire District regulations and guidelines.	1. Amend to properly cross reference. 2. Amend to remove conflict.	<u>Approve</u> as recommended by staff.

PUBLIC TESTIMONY AT PLANNING COMMISSION HEARING:

At 8:30 a.m. on August 28, 1997, the Ventura County Planning Commission held a duly noticed public hearing on this matter. The following comments were received regarding GPA 97-4 and Zone Change Z-2918:

COMPONENT "A" - D. MURDOCK, LAKE SHERWOOD/HIDDEN VALLEY AREA PLAN:

After the staff presentation, the Commission heard from Bob Braitman (applicant's agent), indicating support for the staff recommendation.

After questions to the staff and further discussion, the Commission passed a straw vote (5-0) approving Component "A" as recommended by staff.

COMPONENT "B" - G. PARKER, EAST SANTA ROSA VALLEY:

After the staff presentation, the Commission received no public testimony.

After discussion, the Commission passed a straw vote (5-0) approving Component "B" inclusive of Zone Change Z-2918, as recommended by staff.

COMPONENT "C" - GOALS, POLICIES AND PROGRAMS:

Staff opened the presentation by explaining the purpose of the proposed amendment to the golf course irrigation policy (#1.3.2-10), which is to remove a vague and unquantifiable term (i.e. "substantially less than") from the policy. Staff indicated that in applying the existing policy to proposed projects, staff has experienced difficulty in ascertaining what the subject term actually means (e.g. 95% less water than historically used? 50% less? 5% less?). The proposed wording is intended to correct the situation. Staff then explained the purpose of the additional clarifying language to the policy 1.3.2-10 that was given to the Commission at the meeting, in a memo from Keith-Turner (see "Amended" Exhibit "4", Figure 1).

After the staff presentation, the Commission opened the public hearing.

Alasdair Coyne, Conservation Director of Keep the Sespe Wild Committee, indicated that the staff proposed rewording of the golf course irrigation would loosen the policy. He also took exception to the proposed policy's rewording being proposed by staff at the meeting without further publication/notification. He recommended that the phrase "historic water consumption" be changed to "previous ten years' water consumption." He also recommended that the "or" between subsections "a)" and "b)" be changed to "and" in order to tighten up the policy. For

his reasoning behind his recommended changes, see the letter he submitted to the Commission at the public hearing (Exhibit "4", Figure 3).

Russ Baggerly, President of Citizens to Preserve the Ojai, questioned the use of a Categorical Exemption for the proposed policy change. He also recommended that the phrase "substantially less than historic consumption" not be altered, but just quantified in the policy. For an amplification of his points, see the letter he gave to the Commission at the public hearing (Exhibit "4", Figure 4).

There was no public testimony offered for Component C-2 regarding the annexation related map change.

The public hearing on Component "C" was closed and the Commissioners asked for additional clarification from Planning Division and Public Works Agency (PWA) staff.

In response to a Planning Commission question, staff reiterated that the policy, as proposed by staff, would have no change or a net decrease in water usage, therefore, there would be no impact on the existing environment.

The Commissioners expressed a need for a General Plan definition of the phrase "historic ground and/or surface water consumption." Mr. Preston, Manager of the Water Resources Division, PWA indicated that there is an existing methodology utilized for establishing the historical period to be analyzed. Essentially, the time period can go back as far as 1980 and needs to be sufficiently long enough to account for drought and/or fallow periods, as well as changes in crop types. Staff recommended that instead of trying to place a definition of historic ground and/or surface water consumption in the General Plan, the County's Initial Study Assessment Guidelines could be amended to provide a definition.

After further discussion, a straw vote motion was made by Commissioner Bartels and seconded by Commissioner Reynolds that Policy 1.3.2-10 be amended as shown below (original staff recommended changes are shown in standard underlined/strikeover format and the Commission recommended changes are shown in shaded format).

10. All new golf courses shall be conditioned to prohibit landscape irrigation with water from groundwater basins or inland surface waters identified as Municipal and Domestic Supply or Agricultural Supply in the California Regional Water Quality Control Board's Water Quality Control Plan unless ~~either~~ a) the existing and planned water supplies for a Hydrologic Area including interrelated Hydrologic Areas and Subareas, are shown to be adequate to meet the projected demands for existing uses as well as reasonably foreseeable probable future uses within the area, ~~or~~ and b) it

is demonstrated that the total groundwater and/or surface water consumption for the golf course will be substantially equal to or less than the historic ground and/or surface water consumption (as defined in the Ventura County Initial Study Assessment Guidelines) for the site. Where feasible, reclaimed water shall be utilized for new golf courses.

Staff indicated that the Commission's change to replace the "or" with "and" between the "a)" and "b)" conditions is unnecessary and would make the policy much too restrictive. As such, staff does not agree with the proposed change. It should also be noted that "a" and "b" are inherently incompatible since "a" requires a cumulative impact analysis on water resources, whereas "b" requires that a new golf course have no adverse impact on water resources.

After discussion, the motion was passed (4-1; Commission Wesner dissenting) to modify the wording as suggested by Commissioner Bartels.

The Planning Commissioners suggested that the staff of the Water Resources and Planning Divisions prepare an amendment to the Initial Study Assessment Guidelines to define "historic ground and/or surface water consumption," and that it be reviewed by your Board along with GPA 97-4.

Since the Planning Commission hearing, the staff of the Water Resources Division has prepared draft changes to the Initial Study Assessment Guidelines for "Groundwater Quantity" and is recommending further changes to Policy 1.3.2-10 to ensure consistent terminology between the General Plan and the Initial Study Guidelines (Exhibit "4", Figure 5.).

The second part of Component "C" (i.e., the map change to reflect annexation) was approved (5-0) as recommended by staff, after a duly straw vote motion was made and seconded.

COMPONENT "D" - LAKE SHERWOOD/HIDDEN VALLEY AREA PLAN:

After the staff presentation, the Commission received no public testimony.

After discussion, the Commission passed a straw vote (5-0) approving Component "D" as recommended by staff.

PLANNING COMMISSION OVERALL ACTION/RECOMMENDATION:

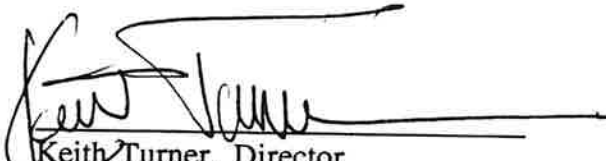
The Commission passed a duly made and seconded motion (5-0) encompassing all straw votes, as detailed in the Planning Commission Resolution (attached Exhibit "6"), recommending adoption of GPA 97-4 and Zone Change Z-2918.

LETTERS RECEIVED AFTER PLANNING COMMISSION'S ACTION:

As of September 9, 1997, no additional letters were received regarding this GPA.

This item has been reviewed by County Counsel and a copy sent to the Office of the Chief Administrative Office. If you have any questions regarding the foregoing matter, please contact me at (805) 654-2481.

Sincerely,



Keith Turner, Director
County Planning Division

KT:ka

Attachments:

- Exhibit "1" - Planning Commission Staff Report
- Exhibit "2" - Component "A"; D. Murdock, Lake Sherwood/Hidden Valley Area Plan Policies GPA
- Exhibit "3" - Component "B"; G. Parker, East Santa Rosa Valley GPA and Zone Change
- Exhibit "4" - Component "C"; Goals, Policies and Programs GPA
- Exhibit "5" - Component "D"; Lake Sherwood/Hidden Valley Area Plan GPA
- Exhibit "6" - Planning Commission's Recommended Action Resolution
- Exhibit "7" - Draft Board of Supervisors Adoption Resolution
- Exhibit "8" - Draft Zoning Ordinance for Z-2918

RESOLUTION 222

A RESOLUTION OF THE BOARD OF SUPERVISORS OF VENTURA COUNTY APPROVING GENERAL PLAN AMENDMENT NO. GPA 97-4 AND APPROVING AMENDMENT TO THE NON-COASTAL ZONING ORDINANCE FOR ZONE CHANGE Z-2918

WHEREAS, a legally notice public hearing on this matter was held by the Board of Supervisors of Ventura County (hereafter referred to as the Board) on September 16, 1997, at Ventura, California; and

WHEREAS, the Board has considered all written and oral testimony and exhibits, as well as the recommendations of County staff and the County Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED as follows:

1. This Board finds that based on the evidence and testimony received that there is no substantial evidence that General Plan Amendment GPA 97-4, Components "A" - "D" (GPA) and Zone Change Z-2918 (ZC) will have a significant effect on the environment; and this Board finds that the subject GPA/ZC is Categorical Exempt under the provisions of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Ventura County Administrative Supplement to CEQA as follows:

Component "A" - Classes 1 & 2 exemptions;

Component "B", including Z-2918 - Class 5 exemption;

Component "C" - Classes 6, 7 & 8 exemptions;

Component "D" - Classes 6 & 8 exemptions; and

2. This Board adopts General Plan Amendment No. 97-4 and Zone Change No. Z-2918 consisting of Components "A" through "E" as described in Exhibit "2", Figure 2; Exhibit "3", Figures 2, 3 & 4; Exhibit "4", Figures 1 & 2; and Exhibit "5", Figure 1 in the Board Transmittal Letter dated September 16, 1997, except that the wording for Component "C" (Exhibit "4", Figure 1), Goals, Policies and Programs document Water Resources Policy No. 1.3.2-10 shall read as follows:

"All new golf courses shall be conditioned to prohibit landscape irrigation with water from groundwater basins or inland surface waters identified as Municipal and Domestic Supply or Agricultural Supply in the California Regional Water Quality Control Board's Water Quality Control Plan unless either: a) the existing and planned water supplies for a Hydrologic Area, including interrelated Hydrologic Areas and Subareas, are shown to be adequate to meet the projected demands for existing uses as well as reasonably foreseeable probable future uses within the area, or b) it is demonstrated that the total groundwater extraction/recharge for the golf course will be equal to or less than the historic groundwater extraction/recharge (as defined in the Ventura County Initial Study Assessment Guidelines) for the site. Where feasible, reclaimed water shall be utilized for new golf courses."; and

3. This Board finds that Zone Change No. Z-2918 is consistent with the General Plan, as amended, and is justifiable in terms of general welfare, public convenience and good zoning practice pursuant to the Ventura County Code Section 8115-0; and
4. This Board orders that GPA 97-4, Components "A" through "D" including Zone Change Z-2918, shall become effective on October 16, 1997.

Upon motion by Supervisor Lacey, seconded by Supervisor Schillo, duly carried, the foregoing Resolution was passed on this 16th day of September 1997.

John H. Flynn
Chair, Board of Supervisors

Attest:
Richard D. Dean, County Clerk
County of Ventura, State of
California, and Ex-Officio
Clerk of the Board of Supervisors
thereof



By

Larry Skillard
Deputy Clerk

JE:ka

1H51-1.97/2

Item 27A
9/16/97

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA
TUESDAY, SEPTEMBER 16, 1997 AT 1:30 P.M.

ORD. #4149/222(GPA 97-4)/222.Z-2918
AMENDING THE COUNTY ZONING NON COASTAL
ORDINANCE REGARDING ZONE CHANGE Z-2918

An ordinance amendment to the Ventura County Non-Coastal Zoning Ordinance relating to East Santa Rosa Valley area of the County is presented to the Board at this time, and upon motion of Supervisor Lacey, seconded by Supervisor Mikels, and duly carried, it is ordered that the same be passed and adopted as an ordinance of the County of Ventura, to be known as Ordinance No. 4149.

Board members vote as follows:

Ayes: Supervisors Lacey, Schillo, Long, Mikels and Flynn

Noes: None

Absent: None

All members of the Board present voting on the passage and adoption of said Ordinance, it is hereby declared and ordered that said Ordinance is hereby passed and adopted as an Ordinance of the County of Ventura, to be known as Ordinance No. 4149.

It is further ordered that said ordinance shall take effect and be enforce at-the expiration of thirty (30) days from the date hereof, and-before the expiration of fifteen (15) days the same shall be published, with the names of the members of the Board of Supervisors voting for and against the same, at least once in the Ventura County Star Free Press West a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

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Item 27B

9/16/97

ORDINANCE NO. 4149

AMENDMENT TO THE VENTURA COUNTY NON-COASTAL ZONING ORDINANCE (Z-2918)
RELATING TO THE EAST SANTA ROSA VALLEY AREA OF THE COUNTY.

The Board of Supervisors of the County of Ventura ordains as follows:

Land having the following description and as shown in Exhibit "3", Figure "4" of the Board of Supervisors' letter regarding General Plan Amendment No. GPA 97-4 (Component "B") and Zone Change Z-2918, dated September 16, 1997, on file with the Ventura County Planning Division and the Clerk of the Board of Supervisors, it hereby rezoned as shown below for the following Assessor parcels (APNs):

EAST SANTA ROSA VALLEY

APN	FROM ZONE*	TO ZONE*
516-0-220-155(Por)	O-S-40AC	R-A-4AC
516-0-130-185(Por)	R-A-4AC	O-S-40AC

Por. = PORTION OF ASSESSOR PARCEL

*ZONE DESCRIPTIONS: R-A-4AC = RURAL AGRICULTURAL AT FOUR ACRE MINIMUM
O-S-40AC = OPEN SPACE 40 ACRE MINIMUM

The Planning Director is hereby directed to AMEND the Ventura County Zoning Ordinance Code, Section 8118-2 and ADD to the Ventura County Zoning Ordinance Code, Section 8118-2.1297 to reflect this change of zone effective thirty (30) days after the adoption of this Ordinance.

PASSED AND ADOPTED THIS 16TH DAY OF SEPTEMBER 1997 by the following votes:

AYES:

Supervisors Lacey, Schills, Long,

Mikels and Flynn

NOES:

None

ABSENT:

None

John K. Flynn
CHAIR, BOARD OF SUPERVISORS

ATTEST:

RICHARD D. DEAN, County Clerk,
County of Ventura, State of
California, and ex officio
Clerk of the Board of Supervisors
thereof.

By Larry Hillard
Deputy Clerk

