

ORDINANCE NO. _____

**AN ORDINANCE OF THE VENTURA COUNTY BOARD OF SUPERVISORS
AMENDING DIVISION 8, CHAPTER 1, ARTICLES 2 & 9 OF THE
VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING
ORDINANCE
TO REVISE STANDARDS OF THE SCENIC RESOURCE PROTECTION
OVERLAY ZONE**

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

Section 1.

Article 2, **Section 8102-0, Application of Definitions**, of the Ventura County Ordinance Code is hereby amended by the addition of the following definition located in the appropriate alphabetical order:

Native Vegetation – Naturally occurring vegetation in Ventura County. Native vegetation includes, but is not limited to, oak woodland, coastal sage scrub, chaparral, perennial grassland, California annual grassland, riparian woodland and riparian scrub. Native vegetation does not include ruderal vegetation and plant species listed by the California Invasive Plant Council. In addition, native vegetation does not include ornamental, landscape or crop vegetation, including sod and lawn grasses and actively managed fallow farmland.

Section 2.

Article 9, **Section 8109-4.1 - Scenic Resource Protection Overlay Zone**, is hereby amended to read as follows:

Sec. 8109-4.1 - Scenic Resource Protection Overlay Zone

Sec. 8109-4.1.1 - Application

The abbreviated reference for this zone when applied to a base zone shall be "SRP." The provisions of this overlay zone are intended to apply to areas of the County within the viewshed of selected County lakes and State or County-designated highways depicted as "Scenic Resource Area" on the Resource Protection Map of the Ventura County General Plan *Goals, Policies, and Programs* and other scenic areas as determined by an Area Plan. The suffix "SRP" shall be added to the base zone covering land so identified (example: RA-40 ac/SRP), but shall have no effect on the provisions of the base zone, except as provided herein.

Sec. 8109-4.1.2 - Required Permits

In this overlay zone, the permit requirements of Article 5 shall apply and a Planning Director-approved Planned Development Permit is also required whenever any one of the following actions are proposed:

- a. Grading that results in an excavation or fill of more than five feet in height, or involves a cumulative area of 1,000 square feet or larger.

- b. Construction of new structures that meet any of the following characteristics:
 - (1) The proposed structure exceeds 15 feet in height; or
 - (2) Any part of a proposed structure is located within 20 vertical feet of the nearest crest of a prominent ridgeline, unless the applicant can demonstrate that the structure will not be silhouetted on the ridgeline as viewed from the County Regional Road Network, a County designated scenic lake, or public location as prescribed by an Area Plan; or
 - (3) The proposed structure(s) cumulatively exceeds 1,000 square feet, or 20 percent of the floor area of an existing structure located within 40 feet, whichever is greater.
- c. Increase in the height or size of any existing structure that exceeds either one of the following:
 - (1) 20 percent of the existing structure's height where the existing structure is located within 20 vertical feet of the nearest crest of a prominent ridgeline, whichever is more restrictive, unless the applicant can demonstrate that the structure will not be silhouetted on the ridgeline as viewed from the County Regional Road Network, a County designated scenic lake, or public location as prescribed by an Area Plan; or
 - (2) 20 percent cumulative increase in the size of an existing structure's floor area or 1,000 square feet, whichever is greater.
- d. Destruction or removal of 1,000 square feet or more of native vegetation.

Sec. 8109-4.1.3 - General and Special Exemptions

- a. A discretionary permit is not required if the applicant can demonstrate to the satisfaction of the Planning Director that proposed grading or structures will not be visible from any road right-of-way within the County General Plan Regional Road Network or scenic lake identified by the County General Plan, or other location as specified by an Area Plan. Visibility from the Regional Road Network shall be measured from the sidewalk, if available, or as close as practical to the edge of pavement.
- b. A discretionary permit is not required for:
 - (1) Restoration of land to its prior condition following floods, landslides or natural disasters;
 - (2) Construction of an at-grade pool on a previously approved graded area;
 - (3) Re-grading of existing or previously irrigated agricultural areas for agricultural purposes so long as no new excavation or fill would exceed five feet in height;
 - (4) Removal of: agricultural crops, vegetation on previously cultivated agricultural areas that have been abandoned for up to five years or on land classified as Prime, Statewide Importance or Unique on the California Department of Conservation Important Farmlands Inventory, landscape vegetation, and non-native invasive plants and escaped exotics found on the list compiled by the California Invasive Plant Council; or

- (5) Vegetation modification adjacent to existing buildings as required by the Fire Protection District (VCFPD) pursuant to VCFPD Ordinance, or pursuant to a Community Wildfire Protection Plan or similar fuel modification/wildfire protection plan adopted by the VCFPD.

Sec. 8109.4.1.4 - Required Tree Permit

A ministerial or discretionary Tree Permit shall be obtained from the Planning Director pursuant to Section 8107-25 et seq. to alter or destroy any Protected Tree or any trenching, excavating or applying poisons within the drip line or within 15 feet of the trunk of a Protected Tree. If a Planned Development Permit is required pursuant to Section 8109-4.1.2, any required Tree Permit shall be processed concurrently.

Sec. 8109-4.1.5 - Development Standards

- a. All discretionary development shall be sited and designed to:
 - (1) Prevent significant degradation of a scenic view or vista;
 - (2) Minimize alteration of the natural topography, physical features and vegetation;
 - (3) Utilize native plants indigenous to the area for re-vegetation of graded slopes, where appropriate considering the surrounding vegetative conditions;
 - (4) Avoid silhouetting of structures on ridge tops that are within public view;
 - (5) Use materials and colors that blend in with the natural surroundings and avoid materials and colors that are highly reflective or that contrast with the surrounding vegetation and terrain, such as large un-shaded windows, light colored roofs, galvanized metal, and white or brightly colored exteriors.
 - (6) Minimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas
- b. All on-site freestanding advertising, identification and non-commercial message signs in excess of five feet in height and all off-site advertising signs are prohibited in the SRP Overlay Zone.

Section 3.

This ordinance shall become effective thirty days after its adoption by the Board of Supervisors.

PASSED AND ADOPTED this 6th day of April, 2010, by the following vote:

AYES:

NOES:

ABSENT:

Kathy I. Long
Chair, Board of Supervisors

ATTEST:

MARTY ROBINSON

County Executive Officer and
Clerk of the Board of Supervisors
County of Ventura, State of California

By: _____
Deputy Clerk of the Board