

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Th28d

DATE: May 24, 2012

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Senior Deputy Director
Steve Hudson, District Manager
Barbara Carey, Supervisor, Planning and Regulation
Jacqueline Blaugrund, Coastal Program Analyst

SUBJECT: County of Ventura Local Coastal Program Amendment No. VNT-MAJ-1-12 for Public Hearing and Commission Action at the June 2012 Commission Meeting in Huntington Beach.

DESCRIPTION OF THE SUBMITTAL

Ventura County is requesting an amendment to the Local Implementation Plan (LIP) portion of its certified Local Coastal Program (LCP) to change the zoning designation of one approximately 7-acre parcel in the Santa Monica Mountains area near the Ventura and Los Angeles County line (APN: 700-0-260-140) from Coastal Rural Exclusive, 5-acre minimum parcel size (CRE-5 ac) to Coastal Rural Exclusive, 2-acre minimum parcel size (CRE-2 ac).

The County of Ventura submitted Local Coastal Program Amendment 1-12 on March 5, 2012. At its May 2012 Commission meeting, the Commission extended the 60-day time limit to act on Local Coastal Program Amendment 1-12 for a period not to exceed one year, which allowed for an extension of the deadline for Commission action to May 2013.

SUMMARY OF STAFF RECOMMENDATION

Commission staff recommends that the Commission **approve** the proposed County of Ventura LCP Amendment VNT-MAJ-1-12, as submitted. The motion to accomplish this is found on **Page 5** of this staff report.

SUBSTANTIVE FILE DOCUMENTS

County of Ventura Local Coastal Program, adopted in 1981; Board of Supervisors Resolution of Ordinance No. 4443 to adopt and transmit the Local Coastal Program Amendment to change the Zoning Ordinance for Zoning Maps and the Zoning Classification; Negative Declaration by County of Ventura Planning, May 15, 2011; Tentative Parcel Map No. 5854.

Additional Information: For further information, please contact Jacqueline Blaugrund at the South Central Coast District Office of the Coastal Commission at (805) 585-1800. The proposed amendment to the County of Ventura Local Coastal Program (LCP) is available for review at the Ventura Office of the Coastal Commission.

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EXHIBITS

- Exhibit 1. Ventura County Board of Supervisors Resolution**
- Exhibit 2. Vicinity Map**
- Exhibit 3. Proposed LIP Zone Change**
- Exhibit 4. Aerial Photograph with Current LIP Zoning**
- Exhibit 5. Aerial Photograph**
- Exhibit 6. Tentative Parcel Map No. 5854**

PROCEDURAL ISSUES

A. STANDARD OF REVIEW

The Coastal Act provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...

The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken. (Section 30513)

These zoning ordinances, zoning district maps, and other implementing actions are known, collectively, as the Local Implementation Plan (LIP) portion of an LCP. The proposed amendment affects only this LIP component of the certified County of Ventura LCP. The standard of review for the proposed amendment to the LIP of the certified Local Coastal Program, pursuant to Section 30513 of the Coastal Act, is whether the proposed amendment is in conformance with, and adequate to carry out, the provisions of the Land Use Plan (LUP) portion of the certified County of Ventura Local Coastal Program.

B. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The County held public hearings on the subject amendment request on November 10, 2011 and on January 24, 2012. The hearings were noticed to the public consistent with Sections 13551 and 13552 of Title 14 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

C. PROCEDURAL REQUIREMENTS

Pursuant to Section 13551 (b) of Title 14 of the California Code of Regulations, the County resolution for submittal may specify that a Local Coastal Program Amendment will either require formal local government adoption after the Commission approval, or is an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The County's Ordinance No. 4443, adopted by the Board of Supervisors on January 24, 2012, states that the amendment will take effect upon Commission certification. If the Commission approves the LCP Amendment, as submitted, no further action is required by either the Commission or the County.

STAFF MOTION, RESOLUTION, & RECOMMENDATION

Following public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation is provided prior to the resolution.

A. APPROVAL OF THE LOCAL IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED

Motion:

*I move that the Commission **reject** the County of Ventura Local Implementation Plan Amendment VNT-MAJ-1-12 as submitted.*

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Plan amendment as submitted and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Resolution:

*The Commission hereby **certifies** the County of Ventura Local Implementation Plan Amendment VNT-MAJ-1-12 and adopts the findings set forth below on grounds that the Implementation Plan Amendment as submitted conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan, and certification of the Implementation Plan will meet the requirements of the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Plan.*

FINDINGS FOR APPROVAL AS SUBMITTED

The proposed amendment affects the Local Implementation Plan (IP) component of the certified County of Ventura LCP. The standard of review for the proposed amendment to the IP, pursuant to Sections 30513 and 30514 of the Coastal Act, is whether the IP, as amended by the proposed amendment, is in conformance with, and adequate to carry out, the provisions of, the LUP portion of the certified County of Ventura LCP. The following findings support the Commission's approval of the LCP amendment as submitted. The Commission hereby finds and declares as follows:

A. AMENDMENT DESCRIPTION AND BACKGROUND

The County of Ventura is requesting to modify the Local Implementation Plan (LIP) portion of its certified Local Coastal Program (LCP) to change the zoning designation of one parcel (approximately 7-acre in size) in the Santa Monica Mountains area near the Ventura and Los Angeles County line (APN: 700-0-260-140) from Coastal Rural Exclusive, 5-acre minimum parcel size (CRE-5 ac) to Coastal Rural Exclusive, 2-acre minimum parcel size (CRE-2 ac), as seen in Exhibit 3. This parcel has a countywide General Plan land use designation of Rural and a Coastal Area Plan (LUP) land use designation of Rural, 1-dwelling unit per 2-acres. The current zoning designation, CRE-5 ac, of parcel 700-0-260-140 allows for the construction of a single residence; however, modification of this zoning designation to CRE-2 ac would allow for the construction of up to three residences.

The subject LCP amendment is one component of a project initiated by Crown Pointe Estates LLC that includes a LIP amendment/zone change, a three lot subdivision request, and a County issued Planned Development Permit (CDP). On August 8, 2011, the Ventura County Planning Director conditionally approved the three lot subdivision which becomes effective upon approval of the subject amendment by the County Planning Commission, Board of Supervisors, and Commission. The associated Planned Development Permit (CDP) and parcel map for the site include the creation of three parcels that are approximately 2.00, 2.19, and 2.37 acres in size, on the subject site, as seen in Exhibit 6. The Planned Development Permit (CDP) also includes the demolition of four existing buildings, grading for future building pads, and installation of a storm drain and septic systems on parcel 700-0-260-140. Commission staff received a Final Local Action Notice for the appealable Planned Development Permit from the County of Ventura on August 24, 2011. This County approved permit was not appealed.

On January 6, 1959, the Ventura County Board of Supervisors granted Special Use Permit 838 for the construction of Camp Joan Mier children's camp (the special use permit was later converted to a Conditional Use Permit). This camp was located on the subject parcel. At the time that the Ventura County LCP was certified (1981), the subject site was designated "Coastal Open Space" by the Coastal Area Plan land use designation and the zoning designation was "Coastal Open Space--10-acre minimum parcel size". As such, the existing children's camp on a 7-acre parcel was considered a lawfully non-conforming use.

On March 23, 1989, the Commission received LCP Amendment 1-89 from the County of Ventura, which was submitted, in part, to bring the legal, non-conforming camp uses into compliance (staff would note that this amendment was part of an amendment to the general plan and zoning code county-wide that applied to many such camp uses, including two in the Santa Monica Mountains coastal zone area). The existing Coastal Open Space zoning designation allowed for camp uses; however the intensity of Camp Joan Mier did not meet the intent of the open space land use and zoning designation and the development standards for such uses. Therefore, an amendment to the certified LCP was necessary to bring the camp into conformance and to allow for expansion of camp facilities. Certification of LCP Amendment 1-89 resulted in a change of the Coastal Area Plan land use designation from "Open Space" to "Rural, 1 dwelling unit per acre", and the zoning designation from "Coastal Open Space, 10-acre minimum parcel size" to "Coastal Rural Exclusive, 5-acre minimum parcel size".

LCP Amendment 1-97 was submitted to the Commission by the County of Ventura, in part, to modify both the LUP and IP designation of “Rural” to change the maximum density standard from “1 dwelling unit per acre” to “1 dwelling unit per 2-acres”. At its meeting on April 10, 1997, the Commission approved this amendment. This amendment was sought to lower the density and the total number of dwelling units that could be approved in rural areas throughout the County and was initiated as a result of a change in the Guidelines for Orderly Development, a policy statement used by Ventura County to guide urban growth. As such, the subject parcel (700-0-260-140) currently has a Coastal Area land use designation of “Rural, 1 dwelling unit per 2-acres”, and a zoning designation of “Coastal Rural Exclusive, 5-acre minimum parcel size”.

The camp ceased operations, and in 2005 the property was sold. The subject property was purchased by Crown Pointe Estates, and is currently being utilized as a storage area for construction materials that have been used to develop adjacent properties also owned by Crown Pointe Estates. In 2008, the Commission certified LCP Amendment 1-07, which, in part, changed the land use and zoning designation of a nearby 6.38-acre parcel, located south of parcel 700-0-260-140, for the purpose of allowing for the construction of residential development by Crown Pointe Estates LLC. High density residential development is located east of parcel 700-0-260-140, and to the north and west development is lower in density, with predominately open space and two existing residences.

B. NEW DEVELOPMENT, COASTAL RESOURCES AND ESHA

The County of Ventura Land Use Plan requires that new development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it. Additionally, new development must be located where it will not have significant adverse impacts on coastal resources. Section 30250, as incorporated into the certified LUP, states, in relevant part, that:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30240 of the Coastal Act, which is incorporated as part of the Ventura County Land Use Plan, requires the protection of environmentally sensitive habitat areas (ESHA) against any significant disruption of habitat values. No development may be permitted within ESHA, except for uses that are dependent on the resource. Section 30240 of the Coastal Act further requires that development adjacent to ESHA is sited and designed to prevent impacts that would significantly degrade ESHA and to be compatible with the continuance of the habitat areas. Section 30240 states that:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*

- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

In addition, the County of Ventura LUP (Santa Monica Mountains Section) contains the following relevant policies for development:

Objective: To preserve and protect the upland habitats of the Santa Monica Mountains.

Policies:

1. *All new development, including all private and public recreational uses, shall preserve all unique native vegetation, such as Giant Coreopsis and Dudleya cymosa spp. marcescens.*
3. *All new upland development shall be sited and designed to avoid adverse impacts on sensitive environmental habitats.*

1. New Development and Coastal Resources

As discussed above, the proposed amendment involves the rezoning of one property (7-acres in size) to increase the maximum density of 1 du/5ac to 1 du/2 ac. This would allow for the subdivision of the property and eventual development of three residences, instead of the one residence that would be allowable under the existing zoning. So, it is necessary to analyze whether this potential increase in the maximum number of units would result in new development that would be located outside existing developed areas or where there are not adequate public services. Further it is necessary to determine whether the increase in density has the potential to result in significant adverse effects, either individually or cumulatively, on coastal resources, including environmentally sensitive habitat areas.

Section 30250 of the Coastal Act, as incorporated into the certified LCP, requires that new development be located within, or in close proximity to, existing developed areas able to accommodate development. In this case, the subject parcel is situated north of Pacific Coast Highway, on a coastal terrace, between Ellice Street and the base of the western portion of the Santa Monica Mountains. The property is situated between areas zoned for and/or developed with residential development of higher densities to the east and south, and lower densities to the north and west. There is a higher density (24 du/ac) multi-family development and a medium density (20,000 sq. ft. lot minimum) single family development to the east of the subject site. To the south, there is a single family subdivision (1du/ac). The areas to the north and west of the subject site are designated for low density (10 acre minimum lot size) residential development. As such, the subject site is located contiguous with existing developed areas. The potential increase to a maximum of three residences on this site on the coastal terrace will be a logical addition to the existing neighborhood on the adjacent parcels to the south and east. It is clear that the more steeply sloping areas to the north (10-acre minimum) would not be appropriate for

higher density development, so the proposed zone change will not be growth inducing to those areas. Pursuant to Section 30250 as stated above, although a change in the zoning designation of the subject parcel would serve to increase the density of allowable development, any such development would be located contiguous to existing developed areas and immediately adjacent to surrounding development, thereby reducing impacts to coastal resources. Clustering development and redevelopment of existing developed areas decreases cumulative impacts to coastal resources, such as the degradation of contiguous habitat areas. Therefore, the Commission finds that the proposed IP amendment is consistent with or adequate to carry out the policies of the certified LUP, with respect to new development.

2. ESHA

The subject approximately 7-acre parcel is located in the Santa Monica Mountains area of Ventura County near the Ventura and Los Angeles County line. Situated on a coastal terrace between Ellice Street and the base of the western portion of the Santa Monica Mountains, the subject property is surrounded by existing development. To the east and south of the property the zoning designations are “Coastal Residential Planned Development, 24 dwelling units per acre”, and “Coastal Rural, 1-acre minimum parcel size”, respectively. The properties to the north and west of parcel 700-0-260-140 maintain a lower density of development, and are zoned “Coastal Open Space, 10-acre minimum parcel size”.

Section 30240 of the Coastal Act, as incorporated into the certified LUP, requires the protection of ESHA against any significant disruption of habitat values. Additionally, no development may be permitted within ESHA, except for uses that are dependent on the resource. Section 30240 of the Coastal Act further requires that development adjacent to ESHA is sited and designed to prevent impacts that would significantly degrade ESHA and to be compatible with the continuance of the habitat areas. The County of Ventura LUP (Santa Monica Mountains section policies) states that sensitive habitat and unique vegetation within the Santa Monica Mountains should be protected and that development should be sited to avoid adverse impacts on sensitive environmental habitats.

As previously stated, the subject parcel has been developed, and is located in an area where development is contiguous. Because of the development that has occurred for the children’s camp, the existing vegetation on the subject parcel is primarily composed of ornamental and ruderal species. There is no chaparral, coastal sage scrub, or oak woodland habitat on site that is part of a large, contiguous area of native habitat. The LUP ESHA map does not designate the site as containing ESHA. Additionally, biological surveys conducted in February 2010, July 2005, and May 1993, found no endangered, threatened, rare, or other special status plant species on the site. A debris basin exists 300 feet north of the project site, and during the 1993 biological survey, a Blochman’s dudleya, California Native Plant Society List 1b species, was identified. However, this species was located outside of the project area and no suitable habitat has been identified onsite. Further, surrounding the subject parcel, there is a 100 foot fuel modification zone that was previously created and that has been maintained through time. As such, the Commission finds that the subject site does not contain habitat that meets the definition of ESHA.

Therefore, the subject LCP amendment, although increasing the density allowed on the subject parcel, would not serve to negatively impact ESHA due to the fact that the site is not designated as ESHA, nor does it contain habitat that meets the definition of ESHA. The Commission therefore finds that the proposed LCP amendment would ensure that a modification of the zoning designation of the subject parcel from CRE-5 ac to CRE-2 ac would not serve to deleteriously affect ESHA, consistent with the Coastal Act and the certified Ventura County LUP.

In conclusion, the Commission finds that the proposed LCP amendment, as submitted, is consistent with, and adequate to carry out, the new development, coastal resource, and ESHA policies of the LUP.

C. PUBLIC ACCESS AND RECREATION

Coastal Act Section 30210, as incorporated in the County's certified Local Coastal Program, specifically requires that public access and recreational opportunities shall be provided to the maximum extent feasible:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The County of Ventura certified Land Use Plan requires that upland areas necessary to support recreational uses should be preserved for such uses. Section 30223 of the Coastal Act, as incorporated into the LCP states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The Ventura County South Coast Area Recreation and Access section of the LUP contains the following relevant policies for recreation and access:

Objective: In recognition of the scenic beauty, relatively undisturbed natural resources, popularity of recreation, as well as greater out-of-area significance, to encourage the State and Federal governments in broadening recreational opportunities on the South Coast consistent with public health and safety, and the protection of private property rights.

Objective: To maximize access to the South Coast sub-area consistent with private property rights, natural resources and processes, and the Coastal Act; to maintain existing access, and seek new access as funds become available.

Policies:

2. *The California Department of Parks and Recreation should work closely with the County and the National Parks Service as the Santa Monica Mountains National Recreation Area develops to be sure that, within environmental constraints, are consistent with long-range County goals, maximum public recreation and access are achieved and upland supporting areas are protected.*
8. *Development shall neither preclude continued use of, or preempt the option of establishing inland recreational trails along identified routes, as indicated in the Santa Monica Mountains Comprehensive Plan (1979), and the Coastal Slope Trail as proposed in the U.S. department of the Interior's Santa Monica Mountains Draft Environmental Impact statement and General Management Plan (September 1980), or along routes established by custom to destination of public recreation significance. An offer-of-dedication or a deed restriction of a trail right-of-way shall be required as a condition of approval on property crossed by such trail routes.*
11. *To implement present and future trail routes, the County shall continue to coordinate with the State Department of Parks and Recreation, the Department of Interior National Recreation Area Staff, Los Angeles county, and trail activists from Los Angeles and Ventura County.*
12. *Before a permit for development of any shoreline or inland parcel is approved, its suitability for public recreational use shall be evaluated within the specified project review period by the County in consultation with the State Department of Parks and Recreation and the National Park Service...*

The approximately 7-acre subject parcel, is located in the Santa Monica Mountains area of Ventura County near the Ventura and Los Angeles County line. The subject property is situated on a coastal terrace between Ellice Street and the base of the western portion of the Santa Monica Mountains, north of the widely used County Line public beach. The Santa Monica Mountains area of Ventura County supports a variety of recreational uses, including an extensive trail system that traverses the landscape and links public recreational activities throughout the Coastal Zone. As discussed above, the proposed amendment involves the rezoning of one property (7-acres in size) to increase the maximum density of 1 du/5ac to 1 du/2 ac. This would allow for the subdivision of the property and eventual development of three residences, instead of the one residence that would be allowable under the existing zoning. So, it is necessary to analyze whether this potential increase in the maximum number of units would adversely impact coastal access and recreation. Clearly, such an increase in density has the potential to adversely impact access or recreational opportunities in this area, in that additional units would increase the potential for conflicts between a public access trail and reduce alternatives for siting a trail that could minimize conflicts with residential uses.

Although the area within and surrounding the subject parcel has been developed, pursuant to both the Coastal Act and the certified LUP, the feasibility of expanding recreational uses, including the expansion of trails, should be analyzed and coordination among State and Federal agencies should occur in order to do so, as required by the policies of the certified LUP. In the

course of processing the subject LCPA and other permits, the County of Ventura provided notice to surrounding residences, interested persons, and State and Federal agencies upon completion of the Negative Declaration (ND). Subsequent to receiving notice of the ND, the Santa Monica Mountains Conservancy and the National Park Service commented that a trail easement would be beneficial in this location to connect the future Coastal Slope Trail to County Line Beach and to provide continued access to the historically-used Yellow Hill Trail. The Coastal Slope Trail is intended to run along as much of the California coastline as possible and is conceptualized to provide an inland route for the California Coastal Trail.

The County maintained correspondence with both the Santa Monica Mountains Conservancy and the National Park Service throughout the planning process to ensure that the feasibility of establishing a trail route was correctly determined. National Park Service staff later commented that through analysis of the subject site, existing trails, and alternative trail locations, that it did not appear feasible to locate a public trail on the subject parcel.

As required by LUP Access and Recreation Policy (Santa Monica Mountains National Recreation Area) No. 8, the County shall require an offer-of-dedication or a deed restriction of a trail right-of-way as a condition of approval for new development on property crossed by mapped trail routes or trails established through custom (public use). In this case, there are no mapped trails crossing the site. No evidence was identified by the County that the public has established any trail across the subject site through use. As such, the proposed modification of the zoning designation from CRE-5 ac to CRE-2 ac and the associated increase in the density of allowable private residential uses would not adversely impact public access or recreation opportunities on the site or in the surrounding area.

The Commission therefore finds that the proposed LCP amendment, as submitted, would ensure that a change in the zoning designation of the subject parcel from CRE-5 ac to CRE-2 ac would minimize adverse impacts to public access and recreation, consistent with the relevant Coastal Act and LUP policies. As submitted, the Commission finds that the LIP amendment is consistent with, and adequate to carry out, the public access and recreation policies of the LUP.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Pursuant to Section 21080.9 of the California Public Resources Code, within the California Environmental Quality Act (“CEQA”), local governments are exempt from the requirement to prepare an Environmental Impact Report (“EIR”) in connection with their activities and approvals necessary for the preparation and adoption of a local coastal program (“LCP”). Instead, the CEQA responsibilities are assigned to the Coastal Commission. The Secretary of Resources, in turn, has determined that the Commission’s program of reviewing and certifying LCPs is functionally equivalent to the EIR process. It thus qualifies for certification under Section 21080.5 of CEQA, and it has been so certified, relieving the Commission of the responsibility to prepare an EIR.

However, the Commission does have to satisfy certain CEQA-related requirements in conjunction with its approval of an LCP amendment. Specifically, in addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a

finding that there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact that the activity may have on the environment. See 14 C.C.R. §§ 13542(a), 13540(f), and 13555(b). These provisions of the Commission's regulations and Section 21080.5(d)(2)(A) of CEQA require that the Commission not approve or adopt a LCP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

The proposed amendment is to the County of Ventura's certified Local Implementation Plan. The Commission originally certified the County of Ventura's Local Coastal Plan in 1981. As discussed in detail above, the proposed LIP amendment is consistent with the policies of the Certified Land Use Plan. There are no alternatives or mitigation measures available that would substantially lessen any significant adverse impact. Therefore, the Commission finds that the LCP amendment is consistent with Section 21080.5(d)(2)(A) of the Public Resources Code.

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF VENTURA COUNTY
OF TRANSMITTAL TO THE CALIFORNIA COASTAL COMMISSION OF
AMENDMENT TO THE LOCAL COASTAL PROGRAM (THE COASTAL
ZONING ORDINANCE FOR ZONING MAPS AND CHANGES IN ZONING
CLASSIFICATIONS)**

WHEREAS, a legally noticed public hearing on this matter was held by the Board of Supervisors of Ventura County (hereafter referred to as the Board) at Ventura, California, on January 24, 2012; and

WHEREAS, the Board has considered all written and oral testimony on this matter, including County staff reports, exhibits, and Planning Commission recommendations; and

WHEREAS, the Board has found the adoption of Ordinance No. 4443 for an Amendment to the County Coastal Zoning Ordinance does not have a significant effect on the environment and has approved and adopted a Final Negative Declaration for this Ordinance Amendment project; and

WHEREAS, this transmittal resolution from the Board of Supervisors of Ventura County is prepared pursuant to and in furtherance of Public Resources Code section 30514 and title 14, California Code of Regulations, section 13551.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Ventura County hereby adopts and transmits to the California Coastal Commission this Local Coastal Program (LCP) Amendment consisting of Ordinance No. 4443 as set forth in Exhibit A (as described in the Board transmittal letter dated March 3, 2012); and

FURTHER BE IT RESOLVED that the LCP Amendment will further the goals and policies of the County General Plan; and

FURTHER BE IT RESOLVED that the Board hereby intends that the LCP Amendment will be carried out in a manner fully in compliance with the California Coastal Act (Division 20 of the Public Resources Code) and certified LCP for the County of Ventura; and

FURTHER BE IT RESOLVED that the Board finds that if any section, subsection, clause, phrase, map, table, matrix, appendix, or any other portion of the Amendment to the Coastal Zoning Ordinance is, for any reason, denied by decision of the California Coastal Commission or its Executive Director, such decision shall not affect the validity of the remaining portion or portions of the Coastal Zoning Ordinance Amendment;

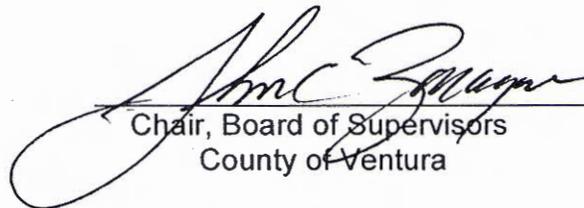
Exhibit 1
VNT-MAJ-1-12
Board of Supervisors Resolution

The Board hereby declares that it would have adopted the Coastal Zoning Ordinance Amendment and each section, subsection, sentence, clause, phrase, map, table, matrix, appendix or any portion thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, maps, tables, matrices, appendices or other portions were denied; and

FURTHER BE IT RESOLVED that this County Coastal Zoning Ordinance Amendment shall become effective and operative upon the County Planning Director's receipt of written notice from the California Coastal Commission Executive Director or designated staff that the California Coastal Commission has approved certification of this Amendment to the County Coastal Zoning Ordinance and upon public notice of such approval as may be required by applicable law; and

FINALLY BE IT RESOLVED, ORDERED, AND DETERMINED that this Board designates the Clerk of the Board, 800 South Victoria Avenue, Ventura, California, as the custodian and location of the documents which constitute the record of proceedings upon which its decision is based.

Upon motion of Supervisor Parks, seconded by Supervisor Foy, duly carried, the foregoing Resolution was passed and adopted this 24th day of January, 2012.


Chair, Board of Supervisors
County of Ventura

ATTEST:
MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

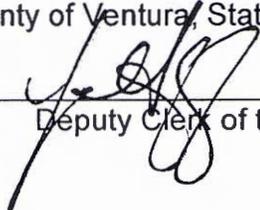
By: 
Deputy Clerk of the Board



Exhibit 1
VNT-MAJ-1-12
Board of Supervisors Resolution

ORDINANCE NO. 4443

AMENDMENT TO THE VENTURA COUNTY COASTAL ZONING ORDINANCE
RELATING TO ZONING MAPS AND CHANGES IN
ZONING CLASSIFICATIONS OF PROPERTY

The Board of Supervisors of the County of Ventura, State of California, ordains as follows:

Land identified as Assessor's Parcel Number 700-0-260-140 is hereby rezoned from the CRE-5 ac/M (Coastal Rural Exclusive 5 acre minimum parcel size, Santa Monica Mountains Overlay) zone to CRE-2 ac/M zone (Coastal Rural Exclusive 2 acre minimum parcel size, Santa Monica Mountains Overlay). In addition, the Planning Director is hereby directed to amend Article 9 – Zoning Maps of the Ventura County Coastal Zoning Ordinance (Sec. 8179 et seq.) and add Sec. 8179-1.503 to the Ventura County Ordinance Code as shown on Exhibit 3 (Permits Plus Case No. ZN10-0002) to reflect this change in zone, to be kept on file with the Planning Division and the Clerk of the Board of Supervisors.

This ordinance shall become effective and operative upon the County Planning Director's receipt of written notice from the California Coastal Commission Executive Director or designated staff that the California Coastal Commission has approved certification of this Amendment to the County Coastal Zoning Ordinance and upon public notice of such approval as may be required by applicable law

PASSED AND ADOPTED this 24th day of January, 2012, by the following vote:

AYES: Supervisors Bennett, Parks, Long, Foy and Zaragoza.

NOES: None

ABSENT: None


Chair, Board of Supervisors

ATTEST:
MICHAEL POWERS
Clerk of the Board of Supervisors
County of Ventura, State of California

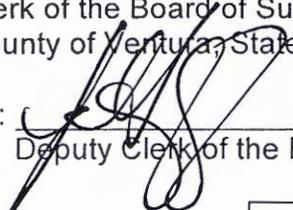
By: 
Deputy Clerk of the Board



Exhibit 1
VNT-MAJ-1-12
Board of Supervisors Resolution



Exhibit 2
 VNT-MAJ-1-12
 Vicinity Map

COS-10 ac-sdf/M

CRE-2 ac/M

CC-20,000 sq ft

CRE-20,000 sq ft

CR-1 ac

CRPD-24 du/ac

PACIFIC COAST HWY

COS-10 ac-sdf

CC-20,000 sq ft

TONGA ST

CRPD-10 du/ac

CRPD-3 du/ac

**Assessor's Parcel No. 700-0-260-140
Coastal Rural Exclusive
2 acre Minimum Parcel Size
Santa Monica Mtns Overlay**



Ventura County
Resource Management Agency
Information Systems Department
Map created on 02/02/2012



Exhibit 3
VNT-MAJ-1-12
Proposed LIP Zone
Change

0 100 200 400 Feet

Disclaimer: this map was created by the Ventura County Resource Management Agency, Mapping Services - GIS, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.





700-0-260-140

General Plan

Zoning

Area Plan

Open Space

COS-10 ac-sdf/M

Open Space

CRE-20,000 sq ft

Residential Low
1-2 DU/AC

Rural

CRE-5 ac/M

Residential Rural
1 DU/2AC

ELLICE ST

CRPD-24 du/ac

Existing Community

CR-1ac

Residential Low
1-2 DU/AC

Residential High
6.1-36 DU/AC

Open Space

COS-10 ac-sdf

PACIFIC COAST HWY - STATE ROUTE 1

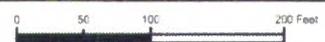
Recreation



Ventura County
Resource Management Agency
Information Systems Department
Map created on 08/14/2011
This aerial imagery is under the
copyrights of Pictometry
Source: Pictometry January 2011



Exhibit 4
VNT-MAJ-1-12
Aerial Photograph with
Current LIP Zoning



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Exhibit 5
VNT-MAJ-1-12
Aerial Photograph

