

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

SOUTH CALIFORNIA ST., SUITE 200

VENTURA, CA 93001

(805) 585-1800

**RECORD PACKET COPY**

December 19, 2001

TO: Commissioners and Interested Persons

FROM: Peter Douglas, Executive Director

RE: COUNTY OF VENTURA LCP AMENDMENT No. VNT-MAJ-1-00 (Parts A & B) EXECUTIVE DIRECTOR'S DETERMINATION THAT THE COUNTY'S ACKNOWLEDGEMENT IS LEGALLY ADEQUATE. (For Commission review at its meeting of January 8-11, 2002.)

On June 13, 2001, the Commission approved LCP Amendment MAJ-1-00 (Part A) submitted by the County of Ventura with modifications. On August 10, 2001, the Commission approved LCP Amendment MAJ-1-00 (Part B) submitted by the County of Ventura with modifications. These LCP amendments included changes to Ventura County's Coastal Area Plan and Coastal Zoning Ordinance. The modifications to the LCP amendment, as approved by the Commission, bring the LCP amendment into compliance with the Coastal Act requirements.

On November 20, 2001, the County of Ventura approved the Ventura Coastal Program amendments, including the Commission's modifications to the Coastal Area Plan and Coastal Zoning Ordinance. The County acknowledged receipt of the Coastal Commission resolution of certification, agreed to accept the Commission's action, and agreed to issue Coastal Development Permits in conformance with the Commission's resolution. The Board adopted Resolution 222 and adopted Ordinance 4249 to accomplish these steps. The county of Ventura transmitted this acknowledgement and supporting materials to the Commission on December 12, 2001.

Pursuant to Sections 13551(b) and 13544 of the Commission's Administrative Regulations, the Executive Director must determine if the action of the County of Ventura is legally sufficient and report that determination to the Commission. The certification shall be come effective unless a majority of the Commissioners object to the determination.

I have reviewed the County's acknowledgement adopted November 20, 2001 regarding LCP Amendment MAJ-1-00 (Parts A & B) and find that it fulfills the conditions of the Commission's action to certify Amendment MAJ-1-00 (Parts A &

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B), and that the County's action and notification procedures for appealable development legally satisfy the Commission's certification resolutions adopted June 13, 2001, and August 10, 2001. I therefore recommend that the Commission concur in this determination.

Attachments:

- ◆ Attachment A – Resolution 222, as adopted by the County of Ventura on November 20, 2001
- ◆ Attachment B - Ordinance 4249, as adopted by the County of Ventura on November 20, 2001

RESOLUTION 222

A RESOLUTION OF THE BOARD OF SUPERVISORS OF VENTURA COUNTY ADOPTING REVISIONS TO GENERAL PLAN AMENDMENT NO. GPA 00-3, COMPONENT B, AN AMENDMENT TO THE COASTAL AREA PLAN AND A REVISED AMENDMENT TO THE COASTAL ZONING ORDINANCE FOR OIL AND ENERGY RELATED FACILITIES

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 November 20, 2001; and

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

NOW, THEREFORE, BE IT RESOLVED, ORDERED, AND DETERMINED AS FOLLOWS:

1. That this Board finds that the subject General Plan Amendment, Coastal Area Plan Amendment, and Coastal Zoning Ordinance Amendment are Categorically Exempt from CEQA pursuant to Section 15308 (Actions by Regulatory Agencies for Protection of the Environment); and
2. This Board acknowledges receipt of the California Coastal Commission's Resolution of Certification with suggested changes.
3. That this Board hereby finds it to be in the public interest and in the interest of public health, safety and welfare and good planning and zoning practices, and in conformity with the policies of the California Coastal Act, and, hereby, adopts General Plan Amendment No. GPA 00-3, Component B, the Coastal Area Plan Amendment, and the Coastal Zoning Ordinance Amendment as described in the following Exhibits to the Board transmittal letter of November 20, 2001, as indicated below:

GPA 00-3 – Exhibit "15" (Component "B"), COASTAL AREA PLAN
AMENDMENT

COASTAL ZONING ORDINANCE AMENDMENT – Exhibit "18"

These amendments include the California Coastal Commission's suggested modifications; and

EXHIBIT NO. A
APPLICATION NO.
VNT-MAJ-1-00
RESOLUTION 222

4. That GPA 00-3, Component "B" and the Coastal Zoning Ordinance Amendment shall be re-submitted the California Coastal Commission with a recommendation that the Coastal Commission certify and/or otherwise approve them; and
5. That GPA 00-3, component "B" and the Coastal Zoning Ordinance Amendments will further the objectives and policies of the County's Coastal Area Plan and that the Board intends that the subject amendments will be carried out in a manner fully in compliance with Division 20 of the Public Resources Code; and
6. That if any section, subsection, clause, phrase, appendix, or any other portion of the General Plan Amendments to the Coastal Area Plan or amendment to the Coastal Zoning Ordinance is for any reason denied by decision of the California Coastal Commission, such decision shall not affect the validity of the remaining portions of the General Plan Amendment and/or Coastal Zoning Ordinance Amendment. The Board hereby declares that it would have adopted the General Plan Amendment and the Coastal Zoning Ordinance Amendment and each section, subsection, sentence, clause, phrase, map, table, matrix, appendix or any portions thereof irrespective of the fact that any one or more sections, subsections, clauses, phrases, maps, tables, matrices, appendices or other portions were denied; and
7. That General Plan Amendment 00-3, Component "B" and the Coastal Zoning Ordinance Amendments shall automatically become operative thirty (30) days **after the Planning Director of Ventura County has been duly notified in writing by the California Coastal Commission** that the California Coastal Commission has approved certification of the Amendment; and

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

EXHIBIT NO. A
APPLICATION NO.
VNT-MAJ-1-00
RESOLUTION 222

Upon motion of Supervisor Long, seconded by Supervisor Mike Is, duly carried, the foregoing Resolution was passed and adopted this 20th day of November, 2001.

Frank Schell

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



By:

Roberta Rodriguez
Deputy Clerk

EXHIBIT NO. A

APPLICATION NO.

VNT-MAJ-1-00

RESOLUTION 222

BOARD OF SUPERVISORS, COUNTY OF VENTURA, STATE OF CALIFORNIA

November 20, 2001 at 1:30 p.m.

ORD. #4249/222/ 222 GPA 00-3

ORDINANCE AMENDING DIVISION 8, CHAPTER 1.1,
ARTICLES 2, 4, 5 & 11 OF THE VENTURA COUNTY
ORDINANCE CODE, COASTAL ZONING ORDINANCE

An Ordinance of the Ventura County Board of Supervisors Amending Division 8, Chapter 1.1, Articles 2, 4, 5 & 11 of the Ventura County Ordinance Code, Coastal Zoning Ordinance to Add Sections and Definitions to Establish Procedures for Emergencies, to Modernize Standards Relating to Oil and Energy Facilities, and to Change the Symbols Utilized in the Use Matrix, is presented to the Board at this time, and upon motion of Supervisor Long, 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. 4249.

Board members vote as follows:

Ayes: Supervisors Bennett, Long, Mikels and Schillo.

Noes: None.

Absent: Supervisor Flynn.

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. 4249.

It is further ordered that said ordinance shall become operative thirty (30) days after Both: 1) its adoption by the Board of Supervisors, and 2) the receipt of the official written Notification by the Ventura County Planning Director from the California Coastal Commission of the approval of, or certification of, the Ordinance by the California Coastal Commission, 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 Star, a newspaper of general circulation printed and published in the County of Ventura, State of California.

COPIES TO:

Planning (2)
RMA
Auditor
Coastal Commission
Files (3)
Item 22A
11/20/01

EXHIBIT NO. B
APPLICATION NO.
VNT-MAJ-1-00
ORDINANCE 4249