



CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION

To: **County Clerk**
County of Ventura
800 South Victoria Ave., L#1260
Ventura, CA 93009

From: **County of Ventura**
RMA, Planning Division
800 South Victoria Ave., L#1740
Ventura, CA 93009

Office of Planning and Research
1440 Tenth Street, Room 121
Sacramento, CA 95814
(Only if State discretionary approval is required)

A. **Project Title:**

County-Initiated Amendments to Articles 1, 2, 5, 7, 8, 9, 11, 16, and 19 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), and Articles 1, 2, 4, 5, and 11 of the Ventura County Coastal Zoning Ordinance (CZO) to Implement Programs HE-M (Density Bonus Ordinance Updates) and HE-N (Zoning Code Amendments for Special Needs Housing) of the 2021-2029 Housing Element.

Ordinance Number(s): 4640, and 4641

Board Resolution Number: 24-163

Case No.: PL23-0135

Applicant's Name: County of Ventura, Resource Management Agency, Planning Division

Applicant's Address: 800 South Victoria Avenue, L#1740, Ventura, CA 93009

Location: Coastal and non-coastal unincorporated areas of Ventura County.

Description of Amendments: The County of Ventura amended various articles of the NCZO and CZO to implement the County's Housing Element Programs HE-M (Density Bonus Ordinance) and HE-N (Special Needs Housing). The density bonus amendments update the County's procedures for awarding density bonuses and other affordable housing incentives to comply with state law. The special needs housing amendments address regulations governing: (i) emergency shelters; (ii) low barrier navigation centers (LBNCs); (iii) residential care facilities (RCFs); (iv) transitional and supportive housing; and (v) reasonable accommodations.

B. Lead Agency Contact

Public Agency Approving Project: County of Ventura, Board of Supervisors
Contact Person: Ruchita Kadakia, Case Planner
Telephone No.: 805-654-2414
E-mail Address: Ruchita.Kadakia@ventura.org

C. Exempt Status:

Exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3), 15168 and 15265, and Public Resources Code section 21080.9.

D. Justification for Exemption:

Amendments to the NCZO are exempt from CEQA review pursuant to section 15061(b)(3) of the CEQA Guidelines, because it can be seen with certainty there is no possibility the project may have a significant effect on the environment; and pursuant to CEQA Guidelines section 15168 as they directly implement Programs HE-M and HE-N of the County's Housing Element, which was adopted by the Board of Supervisors along with its environmental analysis in 2021.

Amendments to the CZO are exempt from CEQA pursuant to Public Resources Code section 21080.9 and CEQA Guidelines section 15265, as amendments to the County's Local Coastal Program (LCP) are subject to a review for compliance with the California Coastal Act, and subsequent certification by the California Coastal Commission (CCC). The CCC's regulatory program for LCPs has been certified by the Natural Resources Agency as the functional equivalent of CEQA review. Therefore, the proposed CZO amendments are exempt provided the Coastal Commission ultimately finds them consistent with the Coastal Act.

Project Approval: December 17, 2024

Prepared by: Ruchita Kadakia, Case Planner

Reviewed by:



Ruchita Kadakia, Housing and State Mandates Manager
Ventura County Planning Division



State of California - Department of Fish and Wildlife
2024 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

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RECEIPT NUMBER:
 01 — 12/19/24 —
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY County of Ventura	LEAD AGENCY EMAIL Ruchita.Kadakia@ventura.org	DATE 12/19/24
COUNTY/STATE AGENCY OF FILING Ventura	DOCUMENT NUMBER	

PROJECT TITLE
 County-Initiated Amendments to Articles 1, 2, 5, 7, 8, 9, 11, 16, and 19 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), and Articles 1, 2, 4, 5, and 11 of the Ventura County Coastal Zoning Ordinance (CZO) to Implement Programs HE-M (Density Bonus Ordinance Updates) and HE-N (Zoning Code Amendments for Special Needs Housing) of the 2021-2029 Housing Element.

County of Ventura	Ruchita.Kadakia@ventura.org	(805) 654-2414
PROJECT APPLICANT ADDRESS 800 S. Victoria Avenue	CITY Ventura	STATE CA
		ZIP CODE 93009

PROJECT APPLICANT (Check appropriate box)

Local Public Agency School District Other Special District State Agency Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$4,051.25	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	0.00
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

Cash Credit Check Other

TOTAL RECEIVED \$ 50.00

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE Ruchita Kadakia, Planning Manager
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Filed in County Clerk's Office
 Michelle Ascencion
 Ventura County Clerk-Recorder
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DATE: DEC 20 2024
 MICHELLE ASCENCION
 Ventura County Clerk-Recorder
 By: Deputy

MICHELLE ASCENCION
 Ventura County Clerk and Recorder
 By: _____ Deputy



ORDINANCE NO. 4640

AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING ARTICLES 1, 2, 4, 5, AND 11 OF THE VENTURA COUNTY ORDINANCE CODE, COASTAL ZONING ORDINANCE (VENTURA COUNTY ORDINANCE CODE, DIVISION 8, CHAPTER 1.1) PERTAINING TO DENSITY BONUSES, SPECIAL NEEDS HOUSING, AND REASONABLE ACCOMMODATIONS

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

**ARTICLE 1:
AUTHORITY, PURPOSE, AND APPLICATION OF
CHAPTER**

Article 1, Section 8171-16 – Rounding of Quantities of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8171-16 – Rounding of Quantities

Whenever application of this Chapter results in required parking spaces or other standards being expressed in fractions of whole numbers, such fractions are to be rounded to the next higher whole number when the fraction is .5 or more, and to the next lower whole number when the fraction is less than .5, except that a) calculation for the number of permitted animals shall be in accordance with Article 5; b) quantities expressing areas of land are to be rounded only in the case of square footage, and are not to be rounded in the case of acreage; and c) calculations under Section 8175-6 shall be rounded in accordance with Government Code section 65915 et seq.

Section 2

**ARTICLE 2:
DEFINITIONS**

Article 2, Section 8172-1 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to add the following definitions in the appropriate alphabetical order:

Supportive Housing - Shall have the same definition as set forth in Government Code section 65582(n), as may be amended, which states: "Supportive Housing' means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community."

Transitional Housing - Shall have the same definition as set forth in Government Code section 65582(q), as may be amended, which states: "Transitional Housing' means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance."

Article 2, Section 8172-1 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to revise the following existing definitions to read as follows:

Family - An individual, or two or more persons living together as a single housekeeping unit in a *dwelling unit*, unless otherwise specified by state law.

Residential Care Facility - A residential facility providing nonmedical or incidental medical services on a 24- hour basis or on a less than 24-hour basis to people who are mentally ill, handicapped, physically disabled, elderly, dependent or neglected children, wards of the Juvenile Court, or other persons in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are "intermediate care facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code.

Section 3

**ARTICLE 4:
PERMITTED USES**

Article 4, Section 8174-5 Permitted Uses by Zone, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses:

Sec. 8174-5 – Permitted Uses by Zone

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE										
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM
CARE FACILITIES											
Day											
• Care of Six or Fewer Persons	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP	PDP		
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC	ZC		
• Care of Seven or More Persons			CUP	CUP	CUP	CUP					
If exempt per Sec. 8174-6.2, 8174-6.3.2, or 8174-6.3.5			ZC	ZC	ZC	ZC					
<i>Residential Care</i> of Six or Fewer Persons	Pursuant to Sec. 8175-5.23										

LAND USE CATEGORY	PERMIT REQUIREMENTS BY ZONE										
	COS	CA	CR	CRE	CR1	CR2	RB	RBH	CRPD	CC	CM
TRANSITIONAL AND SUPPORTIVE HOUSING											
<i>Transitional Housing</i>	Pursuant to Sec. 8175-5.22										
<i>Supportive Housing</i>	Pursuant to Sec. 8175-5.22										

E = Exempt*	PDP = PD Permit, Principally-Permitted**	Not Allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
ZC = Zoning Clearance*	PW = Public Works Permit					
PD = Planned Development Permit	CUP = Conditional Use Permit					

*Not Appealable to the Coastal Commission

**Principally-permitted uses are only appealable to the Coastal Commission in accordance with the criteria in Public Resources Code Sec. 30603(a) 1-3 and 5.

Section 4

ARTICLE 5:

DEVELOPMENT STANDARDS/CONDITIONS – USES

Article 5, Development Standards/Conditions – Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8175-5.22 – Transitional and Supportive Housing**, which shall read in its entirety as follows:

Sec. 8175-5.22 – Transitional and Supportive Housing

Sec. 8175-5.22.1 - Purpose and Application

The purpose of this Section 8175-5.22 is to comply with Government Code sections 65583(c)(3) and 65650 et seq. regarding *transitional housing* and *supportive housing*, as such terms may be amended. If this Section 8175-5.22 conflicts with any other provision of this Chapter, this Section 8175-5.22 shall prevail. If this Section 8175-5.22 conflicts with state law, the latter shall govern.

Sec. 8175-5.22.2 – Allowed Zones

Transitional housing and *supportive housing* are allowed in all zones that allow residential *dwellings*. This includes *lots* zoned: COS, CA, CR, CRE, CR1, CR2, RB, RBH, and CRPD.

Sec. 8175-5.22.3 – Type of Permit and Applicable Development Standards for Transitional and Supportive Housing

- a. In accordance with Government Code section 65583(c)(3), *transitional housing* and *supportive housing* are considered a residential *use* of property and are subject only to those standards that apply to other residential *dwellings* of the same

type (e.g., other *single-family*, *two-family*, or *multifamily dwellings*) in the same zone.

For example, *supportive housing* proposed in a new *multifamily dwelling* in the CRPD Zone would require the same type of permit and meet the same development standards as other *multifamily dwellings* in the CRPD Zone, unless such housing qualifies for approval as a *use by right* pursuant to Section 8175-5.22.3.1 below.

- b. *Supportive housing* that complies with the requirements of Section 8175-5.22.3.1 below shall qualify for approval as a *use by right* in accordance with Government Code section 65651(a), and shall meet the standards of that section.

Sec. 8175-5.22.3.1 - Supportive Housing as a Use by Right with Approval of a Zoning Clearance

a. Standards and Requirements:

- (1) *Supportive housing* that complies with the requirements of this Section 8175-5.22.3.1 is considered a *use by right* in all zones where multifamily and mixed uses are permitted, including nonresidential zones permitting multifamily uses. This includes *lots* zoned CR2, RB, RBH, and CRPD.

As required by Government Code section 65650, for purposes of this Section 8175-5.22.3.1, *supportive housing* includes nonresidential uses and administrative office space as provided in Section 8175-5.22.3.1(a)(2)(vi) below, as well as *transitional housing* for youth and young adults.

- (2) To qualify as a *use by right* pursuant to this Section 8175-5.22.3.1, all of the following must be satisfied:
 - i. The *development* consists of 50 units or fewer.
 - ii. Units within the *development* are subject to a recorded affordability restriction for 55 years. A deed restriction ensuring the continued affordability of the units consistent with this Section 8175-5.22.3.1 shall be recorded with the County Recorder in a form approved by the County at the property owner's expense prior to the issuance of a Zoning Clearance for construction of the development.
 - iii. One hundred percent of the units, excluding managers' units, within the *development* are restricted to lower income households and are or will be receiving public funding to ensure affordability of the housing to lower income households. The *rents* in the *development* shall be set at an amount consistent with the *rent* limits stipulated by the public program providing financing for the *development*. For purposes of this subsection, "lower income households" has the same meaning as defined in Section 50079.5 of the Health and Safety Code, as may be amended.

- iv. At least 25 percent of the units in the *development* or 12 units, whichever is greater, are restricted to residents in *supportive housing* who meet criteria of the target population. If the *development* consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the *development* shall be restricted to residents in *supportive housing*. For purposes of this subsection, "target population" has the meaning set forth in Government Code section 65650(d) and Health and Safety Code section 50675.14, as may be amended, which include persons, including persons with disabilities, and families who are "homeless," as that term is defined by section 11302 of Title 42 of the United States Code, or who are "homeless youth," as that term is defined by Government Code section 12957(e)(2).
- v. The applicant provides the County with the information required by Government Code section 65652, outlined in Section 8175-5.22.3.1(b)(2) below.
- vi. Nonresidential floor area shall be used for on-site supportive services and administrative office space in the amounts specified below.

For purposes of this subsection, "supportive services" has the meaning set forth in Government Code sections 65650 and 65582, as may be amended, and includes, but is not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy. "Administrative office space" has the meaning set forth in Government Code section 65650(a), as may be amended, and means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing on-site supportive services at a *supportive housing* development authorized by this Section 8175-5.22.3.1 and includes other nonprofit operations beyond the scope of the corresponding *supportive housing* development. "Administrative office space" includes parking necessary to serve the office space.

- A. For a *development* with 20 or fewer total units, at least 90 square feet shall be provided for on-site supportive services.
- B. For a *development* with more than 20 units, at least 3 percent of the total floor area shall be provided for on-site supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community kitchens.
- C. Administrative office space shall not exceed 25 percent of the total floor area.

vii. The developer replaces any *dwelling units* on the site of the *supportive housing development* in the manner provided in Government Code section 65915(c)(3).

viii. Units within the *development*, excluding managers' units, include at least one bathroom and a kitchen or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.

(3) In accordance with Government Code section 65651(b)(1), a *supportive housing development* subject to this Section 8175-5.22.3.1 must comply with all objective development standards and policies that apply to other *multifamily development* within the same zone.

(4) If the *supportive housing development* is located within ½-mile of a public transit stop, no parking is required for the units occupied by supportive housing residents as set forth in Government Code section 65654.

b. Application Requirements for Supportive Housing as a Use By Right:

(1) An application for *supportive housing* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *supportive housing* pursuant to this Section 8175-5.22.3.1.

(2) In accordance with Government Code section 65652, the application shall include a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents in the project, as required by this Section 8175-5.22.3.1 and Government Code section 65651, and describing those services, which shall include all of the following:

i. The name of the proposed entity or entities that will provide supportive services;

ii. The proposed funding source or sources for the provided on-site services; and

iii. Proposed staff resources and staffing requirements to manage the on-site supportive services.

Article 5, Development Standards/Conditions – Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8175-5.23 – Residential Care Facilities Serving Six or Fewer**, which shall read in its entirety as follows:

Sec. 8175-5.23 – Residential Care Facilities Serving Six or Fewer Persons

Sec. 8175-5.23.1 - Purpose

The purpose of this Section 8175-5.23 is to regulate *residential care facilities* serving six or fewer persons in accordance with state law (See Health and Safety Code, §§ 1566.3, 1568.0831, and 11834.23.).

Sec. 8175-5.23.2 – Allowable Zones

Residential Care Facilities serving six or fewer persons are allowed in all zones that allow *residential dwellings*. This includes *lots* zoned COS, CA, CR, CRE, CR1, CR2, RB, RBH, and CRPD.

Sec. 8175-5.23.3 – Standards and Requirements

- a. When required by state or federal law, a *residential care facility* serving six or fewer persons is considered a residential *use* by a family under this Chapter, and is subject to the following:
 - (1) A *residential care facility* serving six or fewer persons shall comply with the *setback*, building lot coverage, *height* limit, sign-placement and other development standards applicable to a family *dwelling* of the same type and in the same zone.
 - (2) No additional development standards other than those identified in subsection (a)(1) above shall apply to a *residential care facility* serving six or fewer persons.
 - (3) Use of a family dwelling for purposes of a *residential care facility* serving six or fewer persons shall not constitute a change of occupancy for purposes of local building codes or Part 1.5 (commencing with section 17910) of Division 13 of the Health and Safety Code, as may be amended. However, nothing in this Section 8175-5.23.3 is intended to supersede Health and Safety Code sections 13143 or 13143.6, to the extent such sections are applicable to *residential care facilities* serving six or fewer persons.
- b. Subject to subsection (c) below, for purposes of this section, “family dwelling” has the same meaning as provided in Health and Safety Code section 1566.3(g), as it may be amended, which states: “‘family dwelling’ includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.”
- c. Notwithstanding subsection (b) above, the term “family dwelling” as used in this section shall mean a *single-family dwelling* if the *residential care facility* is any of the following: an alcoholism or drug abuse recovery or treatment facility subject to Health and Safety Code section 11834.23, or an intermediate care facility/developmentally disabled habilitative, intermediate care facility/developmentally disabled—nursing, or a congregate living health facility subject to Health and Safety Code section 1267.8.

Article 5, Development Standards/Conditions – Uses of the Ventura County Ordinance Code is hereby amended by adding a new **Section 8175-6 – Density Bonus and Affordable Housing Incentives** to read in its entirety as follows:

Sec. 8175-6 – Density Bonus and Affordable Housing Incentives

Sec. 8175-6.1 – Purpose and Application

Government Code section 65915 et seq., known as California Density Bonus Law, requires local jurisdictions to grant a density bonus, incentives or concessions, and waivers or reductions in development standards to qualifying projects that commit a certain percentage of *dwelling units* to affordable housing. The purpose of this Section 8175-6 is to promote affordable *dwelling units* and allow density bonuses and other affordable housing incentives available under state law in a manner that is consistent with the requirements of the LCP.

Sec. 8175-6.2 – Density Bonus and Affordable Housing Incentives

- a. Government Code section 65915(m) provides that California Density Bonus Law does not supersede or in any way alter or lessen the effect or application of the Coastal Act.
- b. Subject to subsection (c) below, the density bonuses, incentives or concessions, and waivers or reductions in development standards required by state law, including, but not limited to, Government Code section 65915 et seq., shall be available to qualifying projects on the terms and conditions specified in state law.
- c. Any requested density bonus, incentive(s) or concession(s), waiver(s) or reduction in development standards, or modified parking standards in the *coastal zone* shall require the approval of a *coastal development permit* by the County *decision-making authority* for the project pursuant to Section 8174-5 without a public hearing, and shall be consistent with the County's certified LCP policies for the protection of *coastal resources*. In no case shall the coastal resources protection development regulations of Sections 8178-2 (ESHA), 8178-3 (Archaeological and Paleontological Resources), 8178-4 (Hazards), or 8178-5 (Agricultural Lands) be waived, reduced, or modified, unless otherwise required by state law.
- d. For qualifying projects that consist of low- and moderate-income housing, as defined in Government Code section 65589.5(h)(3), LCP provisions that reduce residential densities below the density sought by an applicant shall not be applied if the density is within the range of density established by the underlying zone plus the additional density permitted by Government Code section 65915 et seq., unless a finding is made, based on substantial evidence, that the density sought by the applicant cannot feasibly be accommodated on the site in a manner that is in conformity with Chapter 3 (commencing with section 30200) of the Coastal Act or the other provisions of the LCP applicable to the project.

Section 5

**ARTICLE 11:
ENTITLEMENTS – PROCESS AND PROCEDURES**

Article 11, Section 8181-14 – Reasonable Accommodation of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8181-14 - Reasonable Accommodation

Sec. 8181-14.1 – Purpose

- a. Pursuant to the Federal Fair Housing Act, and the California Fair Employment and Housing Act (the Acts), it is the policy of the County to provide individuals with disabilities reasonable accommodations in land use and zoning rules, policies, practices and procedures that may be necessary to afford disabled persons an equal opportunity to use and enjoy a *dwelling* or housing opportunity. Requests for reasonable accommodation shall be processed in accordance with this section.
- b. Reasonable accommodations may include, but are not limited to, setback area encroachments for ramps, handrails, or other such accessibility improvements; hardscape additions, such as widened driveways, parking area or walkways that would not otherwise comply with required landscaping or open space area provisions; and *building* addition(s) necessary to afford the applicant an equal opportunity to *use* and enjoy a *dwelling* or housing opportunity.

Sec. 8181-14.2 – Reasonable Accommodation Requests

- a. An applicant may initiate a Reasonable Accommodation Request either orally or in writing. Although not required by the Acts, the Planning Division has created a Reasonable Accommodation Request application to streamline the process. While the County recommends that applicants utilize this application, the County will not require applicants to use a particular form or medium to initiate a Reasonable Accommodation Request.
- b. If the project for which the request is being made requires a *discretionary decision* the County recommends that the applicant file the Reasonable Accommodation Request application concurrently with the application for discretionary approval. In this case, the review period for the Reasonable Accommodation Request shall be the same as the application review period for the *discretionary decision*.
- c. Although the applicant may be represented by an agent, the applicant must qualify as a protected individual under the Acts. The Acts require the reasonable accommodation process to be iterative and interactive. To ensure that the process is accessible to the applicant, Planning Division staff will

assist applicants with submitting Reasonable Accommodation Requests or processing any appeals associated with such requests.

Sec. 8181-14.3 – Reasonable Accommodation Determination

Upon receipt of a Reasonable Accommodation Request, the *Planning Director* or designee shall review the request and make a determination whether to approve or deny it, in whole or in part. All references to the *Planning Director* in Section 8181-14 shall include their designee. If additional information is needed to make a determination, the *Planning Director* shall request the necessary information from the applicant, in writing. The applicant shall provide the information prior to the *Planning Director* acting upon and/or making a determination on the Reasonable Accommodation Request.

Sec. 8181-14.4 – Standards for Determining Reasonable Accommodation Requests

The *Planning Director* shall consider the following criteria in making a determination on a Reasonable Accommodation Request:

- a. The applicant seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. When housing is the subject of the Reasonable Accommodation Request, the housing will be used by a qualified individual protected under the Acts.
- c. As applicable, the requested accommodation is necessary to make a *dwelling* or housing opportunity available to a qualified individual protected under the Acts.
- d. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- e. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including zoning ordinances, and will be consistent with the standards and policies of the LCP.
- f. The requested accommodation will not result in a direct and significant threat to the health or safety of other persons or substantial physical damage to the property of others.

Sec. 8181-14.5 – Conditions of Approval

The *Planning Director* may impose conditions on the approval of a Reasonable Accommodation Request, which may include, but are not limited to, any or all of the following:

- a. Periodic inspection of the affected premises by the County's Code Compliance Division to verify compliance with this section and any applicable conditions of approval;

- b. Removal of the improvements by the applicant when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the *dwelling unit(s)* or housing opportunity, if removal would not constitute an unreasonable financial burden:
- c. Expiration of the approval when the accommodation is no longer necessary to afford the applicant an equal opportunity to use and enjoy the *dwelling unit* or housing opportunity; and/or
- d. A requirement that the applicant advise the Planning Division if the applicant no longer qualifies as an individual with a disability under the Acts or if the accommodation granted is no longer reasonable or necessary to afford the applicant an equal opportunity to use and enjoy a *dwelling unit(s)* or housing opportunity.

Sec. 8181-14.6 – Written Determination on the Request for Reasonable Accommodation

- a. Except as provided in Section 8181-14.2, not more than 45 days after receiving a completed Reasonable Accommodation Request, the *Planning Director* or other approving authority, shall issue a written determination and shall set forth in detail the basis for the determination, the findings on the criteria set forth in Section 8181-14.4, and the conditions of approval. The determination shall be sent to the applicant by certified mail and shall give notice of the applicant’s right to appeal as set forth in Section 8181-14.7.
- b. Upon the request of the *Planning Director* to the applicant to provide additional information pursuant to Section 8181-14.3, the 45-day determination period shall be stopped. Once the applicant provides the Planning Director the information requested, a new 45-day period shall begin.

Sec. 8181-14.7 – Appeals

Within ten calendar days of the date of the Planning Director’s written determination, the applicant may file an appeal of the determination pursuant to Section 8181-9 of this Chapter. Appeals of decisions on Reasonable Accommodation Requests will be heard by the Planning Commission.

Sec. 8181-14.8 – Limitations on Approvals of Reasonable Accommodation Requests

Any grant of accommodation shall be personal to the applicant and shall not run with the land.

Section 6

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The County Board of Supervisors hereby declares that it would have passed and adopted this

ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 7

This ordinance shall become effective and operative upon certification by the California Coastal Commission.

PASSED AND ADOPTED this 17 day of December, 2024, by the following vote:

AYES: Supervisors LaVere, Parvin, Lopez and Long

NOES: Supervisors none

ABSENT: Supervisors Gorell

Kelly Long
CHAIR, BOARD OF SUPERVISORS

ATTEST:
DR. SEVET JOHNSON
Clerk of the Board of Supervisors
County of Ventura, State of California



By Lori Key
Deputy Clerk of the Board

ORDINANCE NO. 4641

AN ORDINANCE OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING ARTICLES 1, 2, 5, 7, 8, 9, 11, 16, AND 19 OF THE VENTURA COUNTY ORDINANCE CODE, NON-COASTAL ZONING ORDINANCE (VENTURA COUNTY ORDINANCE CODE DIVISION 8, CHAPTER 1) PERTAINING TO DENSITY BONUSES, SPECIAL NEEDS HOUSING, AND REASONABLE ACCOMMODATIONS

The Board of Supervisors of the County of Ventura ("County") ordains as follows:

Section 1

**ARTICLE 1:
AUTHORITY, PURPOSE, AND APPLICATION OF
CHAPTER**

Article 1, Section 8101-4.8 – Rounding of Quantities, of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8101-4.8 – Rounding of Quantities

Whenever application of this Chapter results in required parking spaces or other standards being expressed in fractions of whole numbers, such fractions are to be rounded to the next higher whole number when the fraction is 0.5 or more, and to the next lower whole number when the fraction is less than 0.5, except that: (a) calculation for the number of permitted *animals* shall be in accordance with Article 7, Section 8107-2; (b) quantities expressing areas of land are to be rounded only in the case of square footage, and are not to be rounded in the case of acreage except to the nearest one-hundredth acre (e.g., 7.065 acres would be rounded to 7.07 acres); and, (c) calculations under Article 16 shall be rounded in accordance with Government Code section 65915 et seq.

Section 2

ARTICLE 2: DEFINITIONS

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to add the following definition in the appropriate alphabetical order:

Low Barrier Navigation Center (LBNC): Shall have the same definition as set forth in Government Code section 65660(a), as may be amended, which states: “Low Barrier Navigation Center’ means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. A Low Barrier Navigation Center may be non-congregate and relocatable. ‘Low Barrier’ means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.”

Article 2, Section 8102-0 – Application of Definitions, of the Ventura County Ordinance Code is hereby amended to revise the following existing definitions to read as follows:

Emergency Shelter: Shall have the same definition as set forth in Government Code section 65582(g) and Health and Safety Code section 50801, as may be amended: “Emergency shelter’ means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less within any 12-month period by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.”

Family: An individual, or two or more persons living together as a single housekeeping unit in a *dwelling unit*, unless otherwise specified by state law.

Residential Care Facility: A residential facility providing nonmedical or incidental medical services on a 24-hour basis or on a less-than-24 hour basis to people who are mentally ill, mentally handicapped, physically disabled, or elderly, or are dependent or neglected children, wards of the Juvenile Court, or other persons in need of personal services, supervision, or assistance essential for sustaining the activities of everyday living or for protection of the individual. Included within this definition are “*intermediate care*

facilities/developmentally disabled-nursing" and "intermediate care facilities/developmentally disabled-habilitative" with six or fewer beds, and congregate living health facilities, pursuant to the Health and Safety Code.

Supportive Housing: Shall have the same definition as set forth in Government Code section 65582(n), as may be amended, which states: "Supportive Housing' means housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community."

Transitional Housing: Shall have the same definition as set forth in Government Code section 65582(q), as may be amended, which states: "Transitional Housing' means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance."

Section 3

**ARTICLE 5:
USES AND STRUCTURES BY ZONE**

Article 5, Section 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purposes Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses:

Sec. 8105-4 – Permitted Uses in Open Space, Agricultural, Residential and Special Purposes Zones

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
CARE FACILITIES (SEE ALSO H. & S. C. AND W. & I. C.)												
<i>Day Care Centers (19)</i>				CUP	CUP		CUP	CUP	CUP			
<i>Family Day Care Home (28, 42)</i>		E	E	E	E	E	E	E	E	E		
<i>Intermediate Care Of 7 Or More Persons (2, 42)</i>				CUP	CUP		CUP	CUP	CUP	CUP		
<i>Residential Care of 6 or Fewer Persons*</i>	Pursuant to Sec. 8107-53											
<i>Residential Care Of 7 Or More Persons (7)</i>				CUP	CUP		CUP	CUP	CUP			

	OS-REC	OS	AE	RA	RE	RO	R1	R2	RPD	RHD	TP	TRU
TRANSITIONAL AND SUPPORTIVE HOUSING*												
<i>Transitional Housing</i>	Pursuant to Sec. 8107-52											
<i>Supportive Housing</i>	Pursuant to Sec. 8107-52											


*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

Article 5, Section 8105-5 – Permitted Uses in Commercial and Industrial Zones, of the Ventura County Ordinance Code is hereby amended to read as follows with respect to the below-stated land uses:

Sec. 8105-5 - Permitted Uses in Commercial and Industrial Zones

	CO	C1	CPD	M1	M2	M3
CARE FACILITIES: (SEE ALSO H. & S.C. AND W. & I. C.) (6)						
<i>Day Care Center (2, 15, 27)</i>	CUP	CUP	CUP	CUP		
Residential Care of 6 or Fewer Persons*	Pursuant to Sec. 8107-53					
Intermediate and Residential, Care of 7 or More Persons (6)	CUP		CUP			
<i>Emergency Shelter* (42)</i>			ZC			
<i>Low Barrier Navigation Center*</i>	ZC		ZC			
TRANSITIONAL AND SUPPORTIVE HOUSING*						
<i>Transitional Housing</i>	Pursuant to Sec. 8107-52					
<i>Supportive Housing</i>	Pursuant to Sec. 8107-52					

*There are specific regulations for this use or structure; see Article 7 and Article 9. Italicized numbers refer to amendment history at end of use matrices.

E = Exempt	ZCW = Zoning Clearance with signed waivers		Exempt	Approved by <i>Planning Director</i> or Designee	Approved by <i>Planning Commission</i>	Approved by <i>Board of Supervisors</i>
ZC = Zoning Clearance unless specifically exempted	PD = Planned <i>Development</i> Permit					

Section 4

**ARTICLE 7:
STANDARDS FOR SPECIFIC USES**

Article 7, Section 8107-44 – Emergency Shelters of the Ventura County Ordinance Code is hereby amended to read as follows:

Sec. 8107-44 – Emergency Shelters

Sec. 8107-44.1 – Purpose and Application

The purpose of this Section 8107-44 is to regulate and establish development standards for *emergency shelters* in compliance with Government Code section 65583 (a)(4). If this Section 8107-44 conflicts with any other provision of this Chapter, this Section 8107-44 shall prevail. If this Section 8107-44 conflicts with state law, the latter shall govern.

Sec. 8107-44.2 – Type of Permit Approval and Application Requirements

- a. An application for an *emergency shelter* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *emergency shelter*.
- b. An application for an *emergency shelter* shall include the total number of occupants, details of employee shifts, along with total number of employees, including those in the largest shift, and security personnel.
- c. The *Planning Director* or designee, in reviewing an application for an *emergency shelter*, may require the *applicant* to demonstrate that the requirements provided in this Section 8107-44 have been met.

Sec. 8107-44.3 – Emergency Shelter Development and Operational Standards

An *emergency shelter* must comply with all of the following standards:

- a. Sited within the CPD Zone;
- b. May not be established, constructed or operated in a location that is within 300 feet of the same *use*.
- c. Maximum Capacity:
 - (1) No more than 60 persons may be served nightly at the facility; and
 - (2) The maximum number of beds may not exceed one bed for every 50 square feet of *gross floor area* used for sleeping purposes.
- d. On-Site Personnel Requirements: Must provide both of the following:
 - (1) At least one on-site property manager at all times for each twenty occupants; and
 - (2) At least one attendant at all times for each twenty occupants.

- e. Parking Requirements: Subject to Government Code section 65583(a)(4)(B)(ii), on-site parking shall be a minimum of one space per employee in the largest shift.
- f. Intake and Waiting Areas:
 - (1) Shall have an interior client intake area of a minimum of 250 square feet.
 - (2) An exterior waiting area, if provided, shall be located onsite and outside of the following: designated pedestrian areas, designated *parking areas* and the public right-of-way.
- g. Outdoor Lighting:
 - (1) *Outdoor lighting* may be provided in active pedestrian areas, including sidewalks, pathways, and *driveways*.
 - (2) All *outdoor lighting* shall be *fully-shielded*, directed downward, and not directly illuminate onto adjacent properties. This requirement for shielding applies to all *light fixtures*, except *security lighting*, which may be on motion sensor with *timers*.
 - (3) Lighting provided for *parking areas* shall be consistent with Section 8108-5.12 of this Chapter.
- h. Security Personnel Required: At least one security guard shall be provided during all hours of operation.
- i. Maximum Length of Stay: Occupancy for an individual may not exceed six months within any 12-month period.
- j. Contact Information:
 - (1) Prior to the issuance of the Zoning Clearance, the *applicant* shall provide the contact information for the on-site property manager(s) to the Planning Division.
 - (2) If any contact information for the on-site property manager(s) should change, or the responsibility is assigned to another person, the property owner shall provide the Planning Division with the new information in writing within ten calendar days of the change.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-51 – Low Barrier Navigation Centers**, which shall read in its entirety as follows:

Sec. 8107-51 – Low Barrier Navigation Centers

Sec. 8107-51.1 – Purpose and Application

The purpose of this section is to comply with Government Code section 65660 et seq. regarding *low barrier navigation centers* (hereafter referred to as “*LBNCs*,” and each singularly an “*LBNC*”). If this Section 8107-51 conflicts with any other provision of this

Chapter, this Section 8107-51 prevails. If this Section 8107-51 conflicts with state law, the latter shall govern.

Sec. 8107-51.2 – Allowed Zones

As required by Government Code section 65662, *LBNCs* that comply with this Section 8107-51 are permitted by right in areas zoned for mixed-use and nonresidential zones permitting multifamily *uses*. This includes *lots* zoned R/MU, CO, and CPD.

Sec. 8107-51.3 – Type of Permit Approval and Application Requirements

- a. An application for an *LBNC* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *LBNC*.
- b. An application for an *LBNC* shall include the total number of occupants, details of employee shifts, along with total number of employees, including those in the largest shift, and security personnel.
- c. The *Planning Director* or designee, in reviewing an application for a *LBNC*, may require the *applicant* to demonstrate that the requirements provided in Section 8107-51.4 have been met.

Sec. 8107-51.4 - Development and Operational Standards for LBNCs

- a. Each *LBNC* shall comply with all of the development and operational standards provided in Section 8107-44.3 (b) through (j) of this Chapter that apply to *emergency shelters*.
- b. Operational Services: As required by Government Code section 65662, each *LBNC* must satisfy all of the following:
 - (1) The *LBNC* offers services to connect people to permanent housing through a services plan that identifies services staffing.
 - (2) The *LBNC* is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. For the purposes of this Section, a “coordinated entry system” means a centralized or coordinated assessment system developed pursuant to section 576.400(d) or section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.
 - (3) The *LBNC* complies with Chapter 6.5 (commencing with section 8255) of Division 8 of the Welfare and Institutions Code.
 - (4) The *LBNC* has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local homeless management information system as defined by section 578.3 of Title 24 of the Code of Federal Regulations.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-52 - Transitional and Supportive Housing**, which shall read in its entirety as follows:

Sec. 8107-52 – Transitional and Supportive Housing

Sec. 8107-52.1 - Purpose and Application

The purpose of this Section 8107-52 is to comply with Government Code sections 65583(c)(3) and 65650 et seq. regarding *transitional housing* and *supportive housing*, as such terms may be amended. If this Section 8107-52 conflicts with any other provision of this Chapter, this Section 8107-52 shall prevail. If this Section 8107-52 conflicts with state law, the latter shall govern.

Sec. 8107-52.2 – Allowed Zones

Transitional housing and *supportive housing* are allowed in all zones that allow residential *dwellings*. This includes *lots* zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CO, CPD, OS, AE, and TP.

Sec. 8107-52.3 – Type of Permit and Applicable Development Standards for Transitional and Supportive Housing

- a. In accordance with Government Code section 65583(c)(3), *transitional housing* and *supportive housing* are considered a residential use of property and are subject only to those standards that apply to other residential *dwellings* of the same type (e.g., other *single-family*, *two-family*, or *multifamily dwellings*) in the same zone.

For example, *supportive housing* proposed in a new *multifamily dwelling* in the RPD Zone would require the same type of permit and meet the same development standards as other *multifamily dwellings* in the RPD Zone, unless such housing qualifies for approval as a *use* by right pursuant to Section 8107-52.3.1 below.

- b. *Supportive housing* that complies with the requirements of Section 8107-52.3.1 below shall qualify for approval as a *use* by right in accordance with Government Code section 65651(a), and shall meet the standards of that section.

Sec. 8107-52.3.1 - Supportive Housing as a Use by Right with Approval of a Zoning Clearance

- a. Standards and Requirements:
 - (1) *Supportive housing* that complies with the requirements of this Section 8107-52.3.1 is considered a *use* by right in all zones where multifamily and mixed *uses* are permitted, including nonresidential zones permitting multifamily *uses*. This includes *lots* zoned R2, RPD, RHD, R/MU, RES, CO, and CPD.

As required by Government Code section 65650, for purposes of this Section 8107-52.3.1, *supportive housing* includes nonresidential uses and administrative office space as provided in Section 8107-52.3.1(a)(2)(vi) below, as well as *transitional housing* for youth and young adults.

(2) To qualify for approval as a *use* by right pursuant to this Section 8107-52.3.1, all of the following must be satisfied:

- i. The development consists of 50 units or fewer.
- ii. Units within the development are subject to a recorded affordability restriction for 55 years. A deed restriction ensuring the continued affordability of the units consistent with this Section 8107-52.3.1 shall be recorded with the County Recorder in a form approved by the County at the property owner's expense prior to the issuance of a Zoning Clearance for construction of the development.
- iii. One hundred percent of the units, excluding managers' units, within the development are restricted to lower income households and are, or will be, receiving public funding to ensure affordability of the units to lower income households. The rents in the development shall be set at an amount consistent with the *rent* limits stipulated by the public program providing financing for the development. For purposes of this subsection, "lower income households" has the same meaning as defined in section 50079.5 of the Health and Safety Code, as may be amended.
- iv. At least 25 percent of the units in the development or 12 units, whichever is greater, are restricted to residents in *supportive housing* who meet criteria of the target population. If the development consists of fewer than 12 units, then 100 percent of the units, excluding managers' units, in the development shall be restricted to residents in *supportive housing*. For purposes of this subsection, "target population" has the same meaning set forth in Government Code section 65650(d) and Health and Safety Code section 50675.14, as may be amended, which include persons, including persons with *disabilities*, and families who are "homeless," as that term is defined by section 11302 of Title 42 of the United States Code, or who are "homeless youth," as that term is defined by Government Code section 12957(e)(2).
- v. The *applicant* provides the County with the information required by Government Code section 65652, outlined in Section 8107-52.3.1(b)(2) below.
- vi. Nonresidential floor area shall be used for on-site supportive services and administrative office space in the amounts specified below.

For purposes of this subsection, "supportive services" has the same meaning set forth in Government Code sections 65650 and 65582,

as may be amended, and includes, but is not limited to, a combination of subsidized, permanent housing, intensive case management, medical and mental health care, substance abuse treatment, employment services, and benefits advocacy. "Administrative office space" has the meaning set forth in Government Code section 65650(a), as may be amended, and means an organizational headquarters or auxiliary office space utilized by a nonprofit organization for the purpose of providing on-site supportive services at a *supportive housing* development authorized by this Section 8107-52.3.1 and includes other nonprofit operations beyond the scope of the corresponding *supportive housing* development. "Administrative office space" includes parking necessary to serve the office space.

- A. For a development with 20 or fewer total units, at least 90 square feet shall be provided for on-site supportive services.
 - B. For a development with more than 20 units, at least 3 percent of the total floor area shall be provided for on-site supportive services that are limited to tenant use, including, but not limited to, community rooms, case management offices, computer rooms, and community *kitchens*.
 - C. Administrative office space shall not exceed 25 percent of the total floor area.
- vii. The developer replaces any *dwelling units* on the site of the *supportive housing* development in the manner provided in Government Code section 65915(c)(3).
 - viii. Units within the development, excluding managers' units, include at least one bathroom and a *kitchen* or other cooking facilities, including, at minimum, a stovetop, a sink, and a refrigerator.
- (3) In accordance with Government Code section 65651(b)(1), a *supportive housing* development subject to this Section 8107-52.3.1 must comply with all objective development standards and policies that apply to other multifamily development within the same zone.
 - (4) If the *supportive housing* development is located within ½-mile of a public transit stop, no parking is required for the units occupied by *supportive housing* residents as set forth in Government Code section 65654.
- b. Application Requirements for Supportive Housing as a Use By Right:
- (1) An application for *supportive housing* shall be reviewed and approved with a Zoning Clearance prior to establishment or construction of any *supportive housing* pursuant to this Section 8107-52.3.1.
 - (2) In accordance with Government Code section 65652, the application shall include a plan for providing supportive services, with documentation demonstrating that supportive services will be provided onsite to residents

in the project, as required by this Section 8107-52.3.1 and Government Code section 65651, and describing those services, which shall include all of the following:

- i. The name of the proposed entity or entities that will provide supportive services;
- ii. The proposed funding source or sources for the provided on-site services; and
- iii. Proposed staff resources and staffing requirements to manage the on-site supportive services.

Article 7, Standards for Specific Uses, of the Ventura County Ordinance Code is hereby amended to add a new **Section 8107-53 – Residential Care Facilities Serving Six or Fewer**, which shall read in its entirety as follows:

Sec. 8107-53 – Residential Care Facilities Serving Six or Fewer Persons

Sec. 8107-53.1 – Purpose

The purpose of this Section 8107-53 is to regulate *residential care facilities* serving six or fewer persons in accordance with state law (See Health and Safety Code, §§ 1267.8, 1566.3, 1568.0831, and 11834.23.).

Sec. 8107-53.2 – Allowable Zones

Residential care facilities serving six or fewer persons are allowed in all zones that allow residential *dwelling*s. This includes *lots* zoned R1, R2, RES, RPD, R/MU, RHD, RA, RE, RO, CO, CPD, OS, AE, and TP.

Sec. 8107-53.3 – Standards and Requirements

- a. When required by state or federal law, a *residential care facility* serving six or fewer persons is considered a residential *use* of property by a *family* under this Chapter, and is subject to the following:
 - (1) A *residential care facility* serving six or fewer persons shall comply with the *setback*, *building lot coverage*, *height* limit, sign-placement and other development standards applicable to a family dwelling of the same type and in the same zone.
 - (2) No additional development standards other than those identified in subsection (a)(1) above shall apply to a *residential care facility* serving six or fewer persons.
 - (3) Use of a family dwelling for purposes of a *residential care facility* serving six or fewer persons shall not constitute a change of occupancy for purposes of local building codes or Part 1.5 (commencing with section 17910) of Division 13 of the Health and Safety Code, as may be amended. However, nothing in this Section 8107-53.3 is intended to supersede

Health and Safety Code sections 13143 or 13143.6, to the extent such sections are applicable to *residential care facilities* serving six or fewer persons.

- b. Subject to subsection (c) below, for purposes of this section, “family dwelling” has the same meaning as provided in Health and Safety Code section 1566.3(g), as it may be amended, which states: “‘family dwelling’ includes, but is not limited to, single-family dwellings, units in multifamily dwellings, including units in duplexes and units in apartment dwellings, mobilehomes, including mobilehomes located in mobilehome parks, units in cooperatives, units in condominiums, units in townhouses, and units in planned unit developments.”
- c. Notwithstanding subsection (b) above, the term “family dwelling” as used in this section shall mean a *single-family dwelling* if the *residential care facility* is any of the following: an alcoholism or drug abuse recovery or treatment facility subject to Health and Safety Code section 11834.23, or an *intermediate care facility/developmentally disabled habilitative, intermediate care facility/developmentally disabled—nursing*, or a congregate living health facility subject to Health and Safety Code section 1267.8.

Section 5

ARTICLE 8

PARKING AND LOADING REQUIREMENTS

Article 8, Section 8108-4.7 – Table of Parking Space Requirements by Land Use is hereby amended to read as follows with respect to the below-stated emergency shelter and low barrier navigation center land uses:

Sec. 8108-4.7 – Table of Parking Space Requirements by Land Use

The table below indicates the number of required off-street motor vehicle and bicycle parking spaces that shall be provided for various land *uses*. For non-residential land *uses*, the number of motor vehicle parking spaces set forth in the table, plus or minus 10 percent of the total, represents the minimum required and the maximum allowed number of spaces, unless varied pursuant to Section 8108-4.8 below. For residential land *uses* the number of motor vehicle parking spaces set forth in the table represents the minimum required number of spaces, unless varied pursuant to Section 8108-4.8 below.

The number of motor vehicle parking spaces required in this section is intended to address the needs of residents, employees and regular users of an establishment. The number is not intended to reflect the need for parking large delivery trucks, vans or buses; storage of vehicle inventory; or other specialty parking needs related to the operation of specific land *uses*.

The *Director* has the authority to determine the parking space requirements for any land use not specifically listed based on the requirements for the most comparable land use.

Land Use	Motor Vehicle Spaces Required	Bicycle Spaces Required
<i>Emergency Shelter or Low Barrier Navigation Center</i>	A minimum of one (1) space per employee in the largest shift, subject to Government Code section 65583(a)(4)(B)(ii).	

Section 6

**ARTICLE 9:
STANDARDS FOR SPECIFIC ZONES AND ZONE TYPES**

Article 9, Section 8109-1.3.3 – General Density Standards within Section 8109-1.3 – Standards for the Residential High Density (RHD) Zone of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Sec. 8109-1.3.3 – General Density Standards

Multi-family residential projects in the RHD Zone must comply with the following general density standards:

- a. Minimum multi-family residential project density shall be no less than that specified by the zone suffix.
- b. Maximum multi-family residential project density shall not exceed 110 percent of the density specified by the zone suffix, unless the *applicant* is granted a density bonus in accordance with Article 16.

Section 7

**ARTICLE 11:
ENTITLEMENTS – PROCESS AND PROCEDURES**

Article 11, Section 8111-9 - Reasonable Accommodation of the Ventura County Ordinance Code is hereby amended to read in its entirety as follows:

Section 8111-9 - Reasonable Accommodation

Sec. 8111-9.1 – Purpose

- a. Pursuant to the Federal Fair Housing Act, and the California Fair Employment and Housing Act (the Acts), it is the policy of the County to provide individuals with *disabilities* reasonable accommodations in land use and zoning rules, policies, practices and procedures that may be necessary to afford disabled

persons an equal opportunity to use and enjoy a *dwelling* or housing opportunity. Requests for reasonable accommodation shall be processed in accordance with this section.

- b. Reasonable accommodations may include, but are not limited to, *setback* area encroachments for ramps, handrails, or other such accessibility improvements; *hardscape* additions, such as widened *driveways*, *parking area* or walkways that would not otherwise comply with required landscaping or open space area provisions; and *building* addition(s) necessary to afford the *applicant* an equal opportunity to use and enjoy a *dwelling* or housing opportunity.

Sec. 8111-9.2 – Reasonable Accommodation Requests

- a. An *applicant* may initiate a “Reasonable Accommodation Request” either orally or in writing. Although not required by the Acts, the Planning Division has created a Reasonable Accommodation Request application to streamline the process. While the County recommends that *applicants* utilize this application, the County will not require *applicants* to use a particular form or medium to initiate a Reasonable Accommodation Request.
- b. If the project for which the request is being made requires a *discretionary decision*, the County recommends that the *applicant* file the Reasonable Accommodation Request application concurrently with the application for discretionary approval. In this case, the review period for the Reasonable Accommodation Request shall be the same as the application review period for the *discretionary decision*.
- c. Although the *applicant* may be represented by an agent, the *applicant* must qualify as a protected individual under the Acts. The Acts require the reasonable accommodation process to be iterative and interactive. To ensure that the process is accessible to the *applicant*, Planning Division staff will assist *applicants* with submitting Reasonable Accommodation Requests or processing any appeals associated with such requests.

Sec. 8111-9.3 – Reasonable Accommodation Determination

Upon receipt of a Reasonable Accommodation Request, the *Planning Director* or designee shall review the request and make a determination whether to approve or deny it, in whole or in part. All references to the *Planning Director* in this Section 8111-9 shall include their designee. If additional information is needed to make a determination, the *Planning Director* shall request the necessary information from the *applicant*, in writing. The *applicant* shall provide the information prior to the *Planning Director* acting upon and/or making a determination on the Reasonable Accommodation Request.

Sec. 8111-9.4 – Standards for Determining Reasonable Accommodation Requests

The *Planning Director* shall consider the following criteria in making a determination on a Reasonable Accommodation Request:

- a. The *applicant* seeking the accommodation(s) is a qualified individual protected under the Acts.
- b. When housing is the subject of the Reasonable Accommodation Request, the housing will be used by a qualified individual protected under the Acts.
- c. As applicable, the requested accommodation is necessary to make a *dwelling* or housing opportunity available to a qualified individual protected under the Acts.
- d. The requested accommodation(s) would not impose an undue financial or administrative burden on the County.
- e. The requested accommodation would not require a fundamental alteration in any County program, policy, practice, ordinance, and/or procedure, including zoning ordinances.
- f. The requested accommodation will not result in a direct and significant threat to the health or safety of other persons or substantial physical damage to the property of others.

Sec. 8111-9.5 – Conditions of Approval

The *Planning Director* may impose conditions on the approval of a Reasonable Accommodation Request, which may include, but are not limited to, any or all of the following:

- a. Periodic inspection of the affected premises by the County’s Code Compliance Division to verify compliance with this section and any applicable conditions of approval;
- b. Removal of the improvements by the *applicant* when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the *dwelling unit(s)* or housing opportunity, if removal would not constitute an unreasonable financial burden;
- c. Expiration of the approval when the accommodation is no longer necessary to afford the *applicant* an equal opportunity to use and enjoy the *dwelling unit* or housing opportunity; and/or
- d. A requirement that the *applicant* advise the Planning Division if the *applicant* no longer qualifies as an individual with a *disability* under the Acts or if the accommodation granted is no longer reasonable or necessary to afford the *applicant* an equal opportunity to use and enjoy a *dwelling unit(s)* or housing opportunity.

Sec. 8111-9.6 – Written Determination on the Request for Reasonable Accommodation

- a. Except as provided in Section 8111-9.2, not more than 45 days after receiving a completed Reasonable Accommodation Request, the *Planning Director* shall issue a written determination and shall set forth in detail the basis for the determination, the findings on the criteria set forth in Section 8111-9.4, and the

conditions of approval. The determination shall be sent to the *applicant* by certified mail and shall give notice of the *applicant's* right to appeal as set forth in Section 8111- 9.7.

- b. Upon the request of the *Planning Director* to the *applicant* to provide additional information pursuant to Section 8111-9.3, the 45-day determination period shall be stopped. Once the *applicant* provides the *Planning Director* the information requested, a new 45-day period shall begin.

Sec. 8111-9.7 – Appeals

Within ten calendar days of the date of the *Planning Director's* written determination, the *applicant* may file an appeal of the determination pursuant to Section 8111-7 of this Chapter. Appeals of decisions on Reasonable Accommodation Requests will be heard by the *Planning Commission*.

Sec. 8111-9.8 – Limitations on Approvals of Reasonable Accommodation Requests

Any grant of accommodation shall be personal to the *applicant* and shall not run with the land.

Section 8

ARTICLE 16: DENSITY BONUS AND AFFORDABLE HOUSING INCENTIVES PROGRAM

Article 16, Density Bonus and Affordable Housing Incentives Program, of the Ventura County Ordinance Code is hereby repealed and reenacted to read in its entirety as follows:

Sec. 8116-0 – Purpose and Application

Government Code section 65915 et seq., known as California Density Bonus Law, requires local jurisdictions to grant a density bonus, incentives or concessions, and waivers or reductions in development standards to qualifying projects that commit a certain percentage of *dwelling units* to affordable housing. The purpose of this Article 16 is to promote affordable *dwelling units* and allow density bonuses and other affordable housing incentives to qualifying projects in accordance with state law.

Sec. 8116-1 – Density Bonus and Affordable Housing Incentives

The density bonuses, incentives or concessions, and waivers or reductions in development standards required by state law, including, but not limited to, Government Code section 65915 et seq., shall be available to qualifying projects on the terms and conditions specified in state law.

Section 9

**ARTICLE 19:
SPECIFIC STANDARDS FOR AREA PLANS**

Article 19, Section 8119-1.2 – Permitted Uses within Section 8119-1 – Old Town Saticoy Development Code of the Ventura County Ordinance Code is hereby amended to add a row for *Low Barrier Navigation Center*, revise the row for *Residential Care Facility Serving Six or Fewer*, and add rows for *Transitional Housing* and *Supportive Housing* under subsection (A) Principal Uses. These rows shall be placed in the appropriate alphabetical order and read in their entirety as follows:

Section 8119-1.2 – Permitted Uses

PERMITTED USES IN OLD TOWN SATICOY, BY ZONE				
	TC	R/MU	RES	IND
CARE FACILITIES (SEE ALSO H. & S. C. AND W. & I. C.)				
Day Care Centers	CUP	PD	CUP	
Family Day Care Homes		E	E	
Intermediate Care of 7 or More Persons	CUP	CUP	CUP	
Low Barrier Navigation Center*		ZC		
Residential Care of Six or Fewer Persons*	Pursuant to Sec. 8107-53			
TRANSITIONAL AND SUPPORTIVE HOUSING *				
Transitional Housing	Pursuant to Sec. 8107-52			
Supportive Housing	Pursuant to Sec. 8107-52			

* There are specific regulations for this use; see Article 7.

E = Exempt	PD = Planned Development Permit ¹	Not allowed	Exempt	Approved by Planning Director or Designee	Approved by Planning Commission	Approved by Board of Supervisors
ZC = Zoning Clearance ¹	CUP = Conditional Use Permit ¹					
ZC-W = Zoning Clearance with signed waivers ¹						

Section 10

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The County Board of Supervisors hereby declares that it would have passed and adopted this ordinance, and each and all provisions hereof, irrespective of the fact that any one or more provisions may be deemed invalid or unconstitutional.

Section 11

This ordinance shall become effective and operative 30 days after adoption.

PASSED AND ADOPTED this 17 day of December, 2024, by the following vote:

AYES: Supervisors LaYere, Parvin, Lopez and Long

NOES: Supervisors none

ABSENT: Supervisors Gorell

Kelly Long
CHAIR, BOARD OF SUPERVISORS

ATTEST:

DR. SEVET JOHNSON

Clerk of the Board of Supervisors

County of Ventura, State of California

By Hori Key
Deputy Clerk of the Board

