RESOURCE MANAGEMENT AGENCY

county of ventura

Planning Division
Kimberly L. Rodriguez
Director

March 27, 2007

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

HOUSING POLICY
DEVELOPMENT, HCD

MAR 27 2007

SUBJECT: VENTURA COUNTY GENERAL PLAN 2007 ANNUAL REPORT

RECOMMENDED ACTION:

Receive and file the attached 2007 annual report on the status of the County General Plan.

FISCAL/MANDATES IMPACTS:

There is no fiscal impact associated with this report except for the report preparation costs that occur annually. State law requires the preparation and filing of an annual report on the status of the General Plan with the legislative body (your Board), the Governor's Office of Planning and Research, and the State Department of Housing and Community Development.

DISCUSSION:

The attached 2007 Annual Report provides a review of the General Plan Amendments that were approved in 2006, and an overview of General Plan Amendments that are currently in process. In addition, as required by State law, a discussion regarding Ventura County's progress in fulfilling its share of the regional housing needs and local efforts to remove government constraints to the maintenance, improvement, and development of housing is included. Lastly, a discussion of new State laws and recent court decisions that may affect the General Plan and its implementation is also included.

This report has been reviewed by the offices of the County Executive Officer, Auditor-Controller, and County Counsel. If you have any questions regarding this matter, please contact Bruce Smith at (805) 654-2497.

Kim Rodriguez

Kimberly Rodriguez
Planning Director

Attachment: 2007 Annual Report

cc: Governor's Office of Planning and Research
California Department of Housing and Community Development
Ventura County Planning Commission (5)

2007 ANNUAL REPORT
VENTURA COUNTY GENERAL PLAN

California Government Code Section 65400(b) requires an annual report on the status of the General Plan and progress in its implementation, including the progress in meeting its share of regional housing needs, be provided to the Board of Supervisors, the Office of Planning and Research and the Department of Housing and Community Development (HCD) on or before April 1st of each year.[1]

This report is organized as follows:

A. A review of the General Plan Amendments that occurred since the last Annual Report;

B. A review of privately initiated and County-proposed General Plan Amendments and related Zoning Ordinance amendments that are currently in process or waiting to be processed;

C. A review of Ventura County's progress in meeting the housing objectives of the General Plan;

D. A review of local efforts concerning improvement and development of housing;

E. A review of new State laws and court decisions that may affect the General Plan and its implementation; and

F. A review of the County General Plan for degree of consistency with State General Plan Guidelines.

A. Recently Completed General Plan Amendments

Since January 1, 2006, one General Plan Amendment (GPA) was approved by the Ventura County Board of Supervisors (Board), which is described below:.

- **GPA 06-1, Solromar Community-South Coast Area (Privately initiated)**

  On October 10, 2006, the Board approved a GPA request to re-designate a portion of a 6.46± parcel from "Rural" (2-acre minimum) and "Commercial" to "Residential Low " (1-2 dwelling units per acre), to allow subdivision into four additional single-family residential lots.

B. Pending General Plan and related Zoning Ordinance Amendments

The following summarizes the GPA's and related Zoning Ordinance amendments that are currently in process:

Privately Initiated Requests:

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[1] In August of 2005, SB 235 (Torlakson) was passed and subsequently signed into law, changing the reporting deadline of the Annual Progress Report from October 1st to April 1st of each year.

- **John Rieder (Piru)**

  This July 2001 screening-approved GPA request is for a five acre site to change the site's Area Plan designation from "Agriculture" to "Residential" at 12 dwellings per acre. The Board of Supervisors has directed that a portion of the total dwelling units on the site is to be considered for lower-income households. The EIR has been approved by ERRC, but the applicant is considering redesigning his project to adhere to the recommended mitigation measures of the EIR (Estimated hearing date: Summer 2007 / Case Planner: Dennis Hawkins)

- **Tim Cohen and Don Jensen (Piru) – formerly filed by Dana Levy**

  This February 2003 screening-approved GPA is to re-designate a 16.5 acre parcel from "Agricultural" to "Urban" and "R-15" (Residential - 10-15 dwelling units per acre), to allow subdivision into 67 single-family residential lots five duplexes and five triplexes (92 dwelling units total). The Board of Supervisors has directed that a portion of the total dwelling units on the site is to be considered for lower-income households. The applicant has filed the GPA, Zone Change applications and an EIR has been approved by ERRC. The tract map application was recently redesigned and refiled, but the tract map is currently incomplete. (Estimated hearing date: Summer 2007/Case Planner: Dennis Hawkins).

- **James Finch (Piru)**

  This July 2004 screening-approved GPA is to re-designate a 32.81± acre area from Agricultural to Urban, to allow for the construction of up to 185 dwelling units in a mix of single-family, duplex and multi-family development. The Board of Supervisors has directed that a portion of the total dwelling units on the site is to be considered for lower-income households. The applicant has filed the GPA, Zone Change applications and an EIR has been approved by ERRC. The tract map application was recently filed, but the tract map is currently incomplete. (Estimated hearing date: Summer 2007 / Case Planner: Dennis Hawkins)

- **Martin Gramckow (Ojai Valley Area)**

  This February 2005 screening-approved GPA is to re-designate a 11.01 acre portion of the lot's total 28.07 acres. The applicant requests that the parcel's Ojai Valley Area Plan designation for the 11.01 acres be changed from Open Space 40-acre minimum (OS-40) to Open Space 10-acre minimum (OS-10) and that the zoning be changed from OS-40ac to OS-10ac. The General Plan designation of Open Space will not be amended. The remaining 17.06 acres would retain OS-40ac zoning and the Ojai Valley Area Plan designation of OS-40. (Estimated hearing date: Spring 2007 / Case Planner: Tricia Maier)

- **Colton Lee Communities (Santa Susana Knolls)**

  This July 2004 screening-approved GPA is to re-designate a 23.67± area from Existing Community - Rural Exclusive, RE-5 ac, RE-1 ac, and RE-20,000 sq ft to Existing Community - Residential Planned Development, RPD-11 du/ac, to allow the construction of a 150-250 unit apartment complex (25% of which would be for lower-income households). The Board approved the post-screening processing

of a GPA for 8 du/ac, or the average density of the RE zoned portion of the Santa Susana Existing Community, whichever is less. The applicant's post-screening applications are currently incomplete. (Estimated hearing date: none scheduled / Case Planner: Dan Klemann)

- **Cabrillo Racquet Club (Saticoy)**

  This July 2001 screening-approved GPA request is for an eight acre site to re-designate the site's Saticoy Country Club Existing Community map from "Commercial" to "Residential" at 20,000 square feet per dwelling unit. Post-screening applications have been filed by the applicant, but are currently incomplete. (Estimated hearing date: none scheduled / Case Planner: Ron Allen)

- **Dennis Nickerson (Channel Island Harbor Area)**

  This July 2003 screening-approved GPA is to re-designate two approximately 10,000 square foot parcels from "Commercial" to "Residential High" (6.1 to 36 dwelling units per acre), to allow construction of 10 to 16 apartments (25% of which would be for lower-income households). The applicant has not yet filed the required post-screening applications. (Estimated hearing date: none scheduled / Case Planner: not assigned)

- **Karolina and Jeff Pengilley (Camarillo Heights)**

  This February 2006 screening-approved GPA would amend the General Plan land use designation for a 3.21-acre site from RE-20,000 (Rural Exclusive, 20,000 sq. ft. minimum lot size) to RE-13,000 (Rural Exclusive, 13,000 sq. ft. minimum lot size) to create seven residential lots. The applicants have not yet filed all of the required post-screening applications. (Estimated hearing date: none scheduled/Case Planner: Dan Klemann)

- **Trigg Schaeffer (Silver Strand Coastal Area)**

  This February 2006 screening-approved GPA would amend the Local Coastal Area Plan from the "Commercial" land use designation to the "High Residential" (6.1-36 du/acre) designation on a 5,227 square foot parcel, for the purpose of constructing two single-family homes. The Board screened this item through with a condition that the applicant submits market study that evaluates the viability of future commercial uses in the Silver Strand/Hollywood-by-the-Sea commercial district. The applicant has not yet filed all of the required post-screening applications. (Estimated hearing date: none scheduled/Case Planner: not assigned)

County-Initiated Proposals:

- **Farmland Buffer Ordinance (Countywide)**

  On January 11, 2005, the Board, at the request of Supervisor Parks, directed the Planning Division, when staff resources become available, to analyze a proposed County ordinance amendment and prepare and process an amendment to the County Non-Coastal Zoning Ordinances to establish agricultural buffering setbacks. (Estimated hearing date: Spring 2007 / Project Planner: Tricia Maier)

- **Piru Area Plan Update (Piru Community)**

  This project is an update to the Piru Area Plan to re-designate approximately 62-acres north of Hwy 126, south of the citrus packing plant, east of Warring Wash, and west of the United Water District spreading grounds from "Agricultural" to as-yet-to-be determined residential and commercial land use designations. This update is in conjunction with the privately initiated GPAs for Reider, Cohen/Jensen, and Finch noted above. (Estimated hearing date: Summer 2007 / Project Planner: Dennis Hawkins)

- **Oak Woodland Management Plan (Countywide)**

  On November 9, 2004, the Board directed the Planning Division to prepare an Oak Woodland Management Plan for unincorporated Ventura County. A draft is currently being completed. (Estimated hearing date: Spring 2007 / Project Planner: Shelley Sussman)

- **Housing Element Update – State Mandated (Countywide)**

  State law requires cities and counties to periodically update the housing element of the local jurisdiction's general plan. The deadline for the next update for jurisdictions within the SCAG region is June 30, 2008. SCAG is in the process of updating the Regional Housing Needs Assessment (RHNA), but is not expected to complete the update until the middle of 2007. (Estimated hearing date: Spring 2008 / Project Planners: Tricia Maier and Shelley Sussman)

- **Jobs/Housing Linkage Fee (Countywide)**

  On January 25, 2005, the Board directed staff to prepare a work program for Board consideration to amend General Plan policy 3.4.2-8 and the County Initial Study Assessment Guidelines to eliminate project-by-project assessment of the indirect housing impacts generated by new commercial/industrial uses and substitute a programmatic approach (i.e., jobs/housing linkage fee). (Estimated hearing date: not scheduled / Project Planner: Tricia Maier)

- **Update of the Density Bonus Provisions of the Zoning Ordinance – State Mandated (Countywide)**

  On January 25, 2005, the Board postponed consideration of a program to update the Density Bonus provisions of the County Zoning Ordinance to be consistent with recent changes to State law, and directed staff to report back to the Board at such time as the State legislature considers cleanup legislation. SB 435 was passed and became effective on January 1, 2006 (see Legislation/Court Decisions below). There was no further cleanup legislation in the 2006 legislative session. (Estimated hearing date: not scheduled / Project Planner: Tricia Maier)

- **Natural Resource Conservation Overlay Zone for Open Space (Countywide)**

  On July 27, 2004, at the request of Supervisor Parks, the Board directed the Planning Division, when staff resources become available, to initiate a Natural Resource Conservation Overlay Zone as part of the County General Plan and Coastal and Non-Coastal Zoning Ordinances in order to designate National and State Parks in Ventura County for natural resource protection and passive

parkland uses. Timing of this project is dependent upon other project priorities and staff availability, and further direction from the Board. (Estimated hearing date: not scheduled / Project Planner: not yet assigned)

- **Rezoning and Zoning Ordinance Amendments for Consistency with the General Plan – State Mandated (Countywide)**

  State law requires that Zoning Ordinances be consistent with the general plan. Since the County's rezoning program in the mid-1980s, it has been discovered that several hundred parcels of land do not have zoning that is consistent with the County General Plan (e.g., Rocketdyne, North Half). In addition, there have been some significant changes to the General Plan over the last decade that has resulted in seeming inconsistencies in the zoning ordinances. For example, the minimum parcel size for rural-designated land was increased from one acre to two acres; however, the RA (Rural Agricultural) and CR (Coastal Rural) zones still specify a one-acre minimum. Similarly, the RE (Rural Exclusive) zone has a 10,000 square foot minimum and the CRE (Coastal Rural Exclusive) zone has a 20,000 square foot minimum. (Estimated hearing date: not scheduled / Project Planner: not yet assigned)

- **Update to the Resources Chapter of the General Plan (Countywide)**

  The SEIR for the focused update of the County General Plan in 2005 illuminated the need to update many of the sections within the Resources Chapter and Appendix, some of which have not been updated since the early 1980's. Specifically, the Water Resources, Biological Resources, Farmland Resources and Scenic Resources sections are in need of updating. Although the Planning Division has received Federal and State grants to inventory and improve environmental review regarding biological resources, update of the Resources Chapter/Appendix has not been programmed for update. (Estimated hearing date: not scheduled / Project Planner: not yet assigned)

- **Area Plan Updates (Coastal, North Ventura Avenue, Saticoy, Thousand Oaks, Ahmanson Ranch, Ojai Valley, El Rio/Del Norte, Oak Park, Piru, Lake Sherwood/Hidden Valley)**

  The County has adopted 10 Area Plans that specifically regulate land uses and discretionary development in specific geographical communities/areas within the unincorporated area of the County. Attachment 3 lists each of the Area Plans and the date of adoption or last major amendment. The Piru Area Plan is the only Area Plan that is being updated at the present time. Timing of updates to the other Area Plans is dependent upon other project priorities and staff availability.

- **Greenbelt Agreements**

  The Board of Supervisors has directed that the existing Greenbelt Agreements be incorporated into ordinance format. In addition, Program 3.1.3 of the *Goals, Policies and Programs* of the General Plan states that the following additional greenbelt agreements should be considered by the County and appropriate cities for the following areas:

  - Las Posas Valley

- Hidden Valley
- Upper Ojai
- Between Moorpark and Simi Valley north of Hwy 118.

Budget reductions in FY2004 effectively eliminated the planner position responsible for overseeing the greenbelt agreement program. Thus, the timing of this project is dependent upon other project priorities and staff availability.

C. Ventura County Housing Objectives Progress Report

Housing Objectives

The 2001 amendment to the Population and Housing Section of the County General Plan set forth the County's (unincorporated areas) housing objectives for a seven and one-half year planning period from January 1, 1998, to June 30, 2005. During that period the County completed 95% of the dwellings needed for the Upper income category, 123% of the dwellings needed for the Moderate income category, 201% of the dwellings needed for the Low income category, and 77% of the dwellings needed for the Very Low income category. Overall, the County completed 1,882 dwelling units or 112% of the total dwelling units needed.

On January 18th, 2007, the Southern California Association of Governments (SCAG), released draft Regional Housing Needs Assessment (RHNA) numbers for all jurisdictions within the region for the period from January 1, 2006 to July 1, 2014. The draft RHNA numbers for the unincorporated area of Ventura County are shown in the following table.

Table 1

Draft 2006 – 2014 RHNA for Unincorporated Ventura County

Income Category	SCAG's Regional Housing Need Assessment 1/06 - 6/14	Approximate Annual Housing Need	% of Need by Income Category
Upper	558 units	66 units	40%
Moderate	291 units	34 units	21%
Low	250 units	29 units	18%
Very Low	305 units	36 units	22%
Totals	1,404 units	165 units	100%

Source: SCAG – January, 2007

Ventura County's Progress in Meeting Housing Needs

The following table illustrates the housing units that have been completed within the unincorporated area by dwelling unit type between June 30, 2005 and December 31, 2006:

Table 2

Housing Completions by Dwelling Unit Type (7/05-12/06)

Dwelling Unit Type	7/05-12/05	1/06-12/06	Total	Percent of Total%
Single Family Dwellings	69	169	238	41%
Mobile Homes	17	29	46	8%
Second DU's	10	36	46	8%
Apartments	0	130	130	23%
Townhomes	0	114	114	20%
Totals	96	478	574	100%

Of the 574 dwelling units completed since July of 2005, 43 percent were located within the California State University Channel Island campus, 12 percent were located within the Ojai Valley area, 5 percent were located within the Lake Sherwood area, and 3 percent were located within the Camarillo Heights area. The remaining 37 percent was scattered throughout the unincorporated area of the County.

In order to categorize housing allocation by affordability, assessed property value, number of bedrooms, and square footage of the property and dwelling unit must be collected from the County Assessors Office "Closed Role". The Ventura County Assessors Office releases their annual Closed Role report on July 1st of each year; however the information contained in those reports is only for the previous calendar year. Therefore, the information necessary to determine the affordability category of the dwelling units completed in 2006 will not be available until July 1 of 2007. Therefore, it is not possible to comply with the State's April 1st deadline to report the affordability category of dwelling units completed in the previous calendar year.

Although information is not yet available to categorize the dwelling units completed in 2006 by income, staff has been able to categorize the dwelling units completed between 7/1/05 and 12/31/05 by income. This information is depicted in the following table and compared to the annual housing need by income category depicted in Table 1 above. The assumptions and methodology for how the units were categorized is described in the Housing Affordability Assumption/Methodology Attachment.

Table 3

Dwelling Unit Completions vs. of Housing Need by Income Category

Income Category	Dwelling Units 7/1/05 to 12/31/05	Annualized Completions	Draft SCAG RHNA Annual Housing Need	% of Need Being Met on Annual Basis
Upper DUs	52	104	66	158%
Moderate DUs	18	36	34	106%
Low DUs	17	34	29	117%
Very Low DUs	9	18	36	50%
Annual Total DU Completions	96	192	165	116%

D. Local Assistance Efforts For Maintenance, Improvement And Development Of Housing

Every year, the County prepares a plan that identifies the unmet needs for affordable and supportive housing, community development programs, social service programs and economic development opportunities for low-income residents. The Consolidated Plan which covers the period 2005-2008, addresses the unincorporated area of the county and the cities of Fillmore, Moorpark, Port Hueneme, Ojai and Santa Paula. In addition, the Consolidated Plan must be approved by the Department of Housing and Urban Development in order for the County to receive a variety of Federal grants including the Community Development Block Grant (CDBG), the Emergency Shelter Grant (ESG) and the HOME Investment Partnership Act (HOME) grant. The *Ventura County 2006-07 Annual Plan,* which outlines the programs to be implemented in the second year of the Consolidated Plan, was presented to the Board on May 9, 2006.

Housing Assistance Programs:

The County is involved in housing assistance programs for various needy groups. The following programs, projects and activities illustrate the County's effort to meet identified housing needs for the forthcoming fiscal year:

- Fillmore, Central Station, increase the availability of affordable owner housing (8 units);
- Housing Preservation, Mobilehome Program (11 units);
- Corporation for Better Housing - Santa Paula, increase the availability of affordable rental housing (41 units);
- Harvard Court, increase the availability of affordable rental housing (34 units);
- Palm Gardens Apartments, rehabilitate the Palms complex for affordable rental housing (15 units);

- CEDC – Homebuyer Program, increase home-ownership options for first-time, low and moderate-income homebuyers (5 units);
- Winter Warming Shelter, assist previously homeless persons with housing and/or services (300 persons);
- RAIN Operations, assist previously homeless persons with housing and/or services (165 persons);
- RAIN Security Deposit Program, assist previously homeless persons with housing and/or services (5 persons);
- Turning Point – Our Place Shelter, assist previously homeless persons with housing and/or services (300 persons);
- HCA, Behavioral Health, assist previously homeless persons with housing and/or services (100 persons);
- Project Understanding – Food Pantry, assist previously homeless persons with housing and/or services (3,000 persons);
- Project Understanding – Rent Assistance, assist previously homeless persons with housing and/or services (200 households); and
- HSA, Homeless Services Program, assist previously homeless persons with housing and/or services (1,370 persons).

Resource Management Agency Activities and Programs:

The County Resource Management Agency has been actively encouraging additional affordable housing in the unincorporated portion of the County through the use of processing assistance and Zoning Ordinance Amendments. These activities, current Zoning Ordinance topics and programs include:

- *Affordable/Elderly Housing Developments*: Article 16 of the County's Zoning Ordinance provides density bonuses and other incentives to encourage housing for lower income and elderly households. On January 25, 2005, the Board postponed consideration of a program to update the Density Bonus provisions of the County Zoning Ordinance to be consistent with recent changes to State law, and directed staff to report back to the Board at such time as the State legislature considers cleanup legislation. SB 435 was subsequently passed and became effective on January 1, 2006 (see Legislation/Court Decisions below). At this time it is unclear whether there will be any further legislation this year. This project could be tied to the update of the housing element of the General Plan (see section "B" above).
- *Mobilehome Park Closures*: The County of Ventura has adopted Article 17 of the County Zoning Ordinance to regulate mobilehome park closures. The County recognized that mobilehome parks offer affordable ownership housing to the citizens of Ventura County particularly to residents over the age of 62; many of whom are on fixed, limited incomes. Mobilehome parks are a relatively low intensity land use, and in growing urban areas, older parks are coming under economic pressure to redevelop to more profitable uses. In these urban areas

throughout the County, vacant mobilehome park spaces are usually rare. Park residents evicted because of change of use of the park may be unable to find space in other parks, or cannot afford the move even if a space were available. For these reasons, it was deemed necessary to protect the owners of mobilehomes from unreasonable evictions and undue financial hardship from a mobilehome park closure, while at the same time recognizing the rights of the park owners to pursue changes in land use. Persons who own mobilehomes in parks being closed are eligible for relocation assistance and/or compensation for their homes.

- *County Mobilehome Park Rent Review Board*: Currently, in the unincorporated County, there is a mobilehome rent regulation program whereby the County Mobilehome Park Rent Review Board reviews, and votes on, requests for rental increases by mobilehome park owners. Requests for rent increases above "allowable" must be justified by the owners.

  The Planning Division has administered this program on an ongoing basis in order to assure the continued affordability of the existing affordable housing stock, specifically mobilehomes. A separate annual report is prepared to assess the effectiveness of this program.

- *Condominium Conversions*: Article 19 of the County's Zoning Ordinance concerns condominium conversions, and now provides incentives for rental projects converted to moderate- and lower-income home ownership.

- *Farmworker Housing*: In May 2003, the County Zoning Ordinance was streamlined to allow farm worker housing that met certain criteria, to be ministerally approved over the counter. On an annual basis, the landowner (or permittee) is required to submit a standard Farmworker Dwelling Declaration to verify that the persons residing in the farmworker dwellings are principally employed for farm work. In addition, the Zoning Ordinance was amended to allow Farmworker Housing Complexes in the AE and OS zones by Planned Development Permit rather than a Conditional Use Permit.

  In 2005, the Board of Supervisors amended the General Plan to exempt Farmworker Housing Complexes from the building coverage standards and traffic policies of the General Plan, but declined to allow the approval of creation of new sub-standard sized lots for Farmworker Housing Complexes.

  County staff is currently seeking Federal, State and private grant monies to develop farmworker housing countywide.

  From June 5, 2003, (operative date of the ordinance amendment) to December 31, 2006, Zone Clearances have been issued for 40 farmworker/animal caretaker dwelling units.

- *Second Dwelling Units*: Second dwelling units provide an important source of lower income rental housing. In May 2003, the Board of Supervisors adopted revisions to the Non-Coastal Zoning Ordinance for second dwelling units. The allowable size for second dwelling units was increased in most unincorporated areas, discretionary approval was changed from a lengthy planned development

permit to ministerial "over-the-counter" approval in accordance with State law, and revisions were made to allow second dwelling units in more zoning districts. However, the use of second dwelling units in some areas of the County remains restricted to larger parcels due to groundwater quality and traffic reasons.

From June 19, 2003, (operative date of the ordinance amendment) to December 31, 2006, the Planning Division issued 294 Zone Clearances for second dwelling units (approximately 84 per year). Of these, 23% were issued in the Ojai Valley area. In contrast, for the years 1995 to 2000, the County issued Zone Clearances for a total of 52 second dwelling units (approximately 10 per year). It would appear that the amendments to the Zoning Ordinance for second dwelling units have resulted in a substantial increase in the number of Zone Clearances issued for second dwelling units.

Notwithstanding the above positive results, only 68 second dwelling units were actually completed from June 19, 2003, through December 31, 2006. The reasons for the low number of completed second dwelling units relative to Zone Clearances issued countywide are not precisely known at the present time and will require additional research as part of the update to the County's Housing Element. Possible reasons include: 1) applicants have yet to complete their construction plans and apply for building permits; 2) building permit issuance has been delayed because of plan check requirements (structural, utilities, etc); 3) construction has been delayed due to unavailability of contractors or materials; 4) applicants had to subsequently abandon their plan to construct a second dwelling unit for financial reasons. Nonetheless, it is specifically known that the Casitas Municipal Water District, has instituted restrictions on issuance of water connections for new development, which results in up to 25 dwelling units per year for the entire Ojai Valley including the City of Ojai. This is a major reason why second dwellings are not being constructed in the Ojai Valley.

- *Modification of County Zoning and Development Standards*: To promote housing opportunities by reducing development costs. Several zoning and development standards have been modified over the years:
  - The requirement for two garage parking spaces per dwelling unit has been amended to allow two covered spaces in lieu of a garage.
  - Second dwelling units now only require a single open parking space.
  - Mobile and manufactured homes are now allowed as a single-family residence in zones where single-family residences are allowed.
  - Affordable housing projects allow for reduced front yard setback from 20 feet to 15 feet.

- *Inclusionary Housing Policy*: In January 2005, County Planning Division staff presented inclusionary housing background information and policy options for unincorporated areas to the Board of Supervisors. The Board voted not to pursue a Countywide ordinance or policy at this time. However, the Board did direct that new residential development in Piru (see pending private and public General Plan Amendments above) would be held to the same inclusionary housing

standards as projects within the Piru Redevelopment Agency area (15% of units for moderate/lower-income households, with half of these units for very low-income households).

Although the County does not have a formal Inclusionary Housing Policy, new residential projects that require a General Plan Amendment have been consistently required to provide a percentage of the units affordable to moderate and lower income households. Since 2001, this form of inclusionary housing has been provided either voluntarily by the developer or been required as a condition of approval on all residential General Plan Amendments screenings. It's anticipated that this requirement will continue to be applied on a case-by-case basis to land entitlements that require legislative approval.

- *Jobs/Housing Linkage Fee:* County Planning Division staff has been directed to prepare a work program and analysis on a potential jobs/housing linkage fee for consideration by the Board of Supervisors. Background information and policy options for unincorporated areas will be presented. If adopted by the County, such a fee would function similar to a mitigation fee and require significant employment generating uses to contribute to the provision of affordable housing for lower income households. One potential option to be explored is the establishment of a County Housing Trust Fund to maintain and disperse affordable housing funds.

California State University, Channel Islands:

Over the past five years, the California State University, Channel Islands campus (CSUCI) has completed three phases of housing units totaling 600 dwelling units (apartments, townhomes and SFD's). Of those units, 193 or 54% were classified for low and very low income households.

E. Legislation/Court Decisions

The following is a summary of State legislation and advisory guidelines enacted in 2006, which may affect the County General Plan and its implementation:

- AB 2140, HANCOCK. GENERAL PLANS: SAFETY ELEMENT

  (1) The Planning and Zoning Law requires that a city, county, or city and county general plan contain specified elements, including a safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides, subsidence, liquefaction, and other seismic, geologic, and fire hazards.

  This bill authorizes a city, county, or a city and county to adopt with its safety element a federally specified local hazard mitigation plan that meets specified requirements, and requires the Office of Emergency Services to give preference to local jurisdictions that have not adopted a local hazard mitigation plan with

respect to specified federal programs for assistance in developing and adopting such a plan.

(2) The California Disaster Assistance Act limits the state share for any eligible project to no more than 75% of total state eligible costs, except that the state share shall be up to 100% of total state eligible costs connected with certain events.

This bill prohibits the state share for any eligible project from exceeding 75% of total state eligible costs unless the local agency is located within a city, county, or city and county that has adopted a local hazard mitigation plan in accordance with the federal Disaster Mitigation Act of 2000 as part of the safety element of its general plan.

- AB 2511, JONES. LAND USE: HOUSING

(1) The Planning and Zoning Law prohibits a city, county, city and county, and other local governmental agency from prohibiting or discriminating against a residential development or emergency shelter because of specified reasons, including that the development is intended for occupancy by persons or families of low, moderate, or middle income.

This bill includes within this prohibition the intended occupancy by persons or families of very low income. The bill also prohibits a city, county, city and county, or other local government agency from disapproving a housing development project or conditioning the approval of a housing development project in a manner that renders the project infeasible if the basis for the disapproval or conditional approval includes the prohibited bases of discrimination specified in the Planning and Zoning Law.

(2) The Planning and Zoning Law requires cities and counties to provide an annual report to the Office of Planning and Research and the Department of Housing and Community Development that includes specified information regarding the status of the plan and progress in its implementation. This report is due by April 1 of each year. This bill requires a court to issue an order or judgment compelling compliance with this reporting requirement within 60 days if, upon a motion to that effect, the court finds that a city, county, or city and county failed to timely submit the housing element portion of that report that substantially complies with the applicable requirements. The bill would authorize the court to grant appropriate sanctions and require the court to retain jurisdiction to ensure that its order or judgment is carried out.

(3) Existing law provides for the adoption and administration of zoning laws, ordinances, rules, and regulations by counties and cities, as well as the implementation of general plans. Existing law declares the intent of the Legislature to provide only a minimum of limitation in order that counties and cities may exercise the maximum degree of control over local zoning matters. Existing law makes various findings and declarations regarding the lack of affordable housing and declares that it is the policy of the state that a local government not reject or makes infeasible affordable housing developments that

contribute to meeting the state housing need without a thorough analysis of the effects of the action.

This bill states the findings and declarations of the Legislature with respect to some of the laws that provide incentives to facilitate and expedite the construction of affordable housing.

(4) The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units on parcels zoned for single-family and multifamily residence, as prescribed. It also authorizes a local agency to issue a zoning variance, special use permit, or conditional use permit for a dwelling unit of a specified size to be constructed either attached to or detached from a primary residence on a parcel zoned for a single-family residence if the dwelling unit is intended for the sole occupancy of one adult or 2 adult persons aged 62 years or older.

This bill repeals this specific authority of a local agency, but would provide that units constructed pursuant to these variances or permits issued before January 1, 2007, are to be considered in compliance with relevant laws, ordinances, rules, and regulations.

(5) The Planning and Zoning Law prohibits a city, county, or city and county from reducing, requiring, or permitting the reduction of the residential density to a lower residential density that is below the density that was utilized by the Department of Housing and Community Development in determining compliance with housing element law unless the city, county, or city and county makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the housing element, and the remaining sites identified in the housing element are adequate to accommodate the jurisdiction's share of the regional housing need. The city, county, or city and county may reduce the residential density for a parcel if it identifies sufficient additional sites, as prescribed.

This bill defines a lower residential density below which the city, county, or city and county would be required to make the above described written findings.

(6) Existing law requires each city, county, or city and county to ensure that its inventory or programs of adequate sites identified in its housing element can accommodate its share of the regional housing need throughout the planning period and prohibits a city, county, or city and county from reducing, requiring, or permitting the reduction of the residential density for any parcel to a lower residential density that is lower than the density used by the Department of Housing and Community Development in determining compliance with housing element law unless the city, county, or city and county makes specified written findings supported by substantial evidence.

This bill instead requires each city, county, or city and county to ensure that its housing element inventory or its housing element program to make those sites available, can accommodate its share of the regional housing need throughout

the planning period. The bill would define "lower residential density" for these purposes.

(7) The Permit Streamlining Act within the Planning and Zoning Law requires the lead agency that has the principal responsibility for approving a development project, as defined, to approve or disapprove the project within a specified number of days from the date of certification of an environmental impact report, the date of the adoption of a negative declaration, or the determination by the lead agency that the project is exempt from the California Environmental Quality Act.

This bill defines "development project" with respect to a development project that is affordable to very low or low-income households and for which the project applicant has applied for or will apply for financial assistance from a public agency or federal agency as a use that consists of residential units only or a mixed-use development consisting of residential and less than 50% nonresidential neighborhood commercial use, as defined.

(8) Existing law authorizes the court to invite the parties involved in specified land use actions before the court to consider resolving their dispute by mediation. Actions filed on or after January 1, 2006, are not subject to this provision.

This bill repeals the provision that makes those actions not subject to the invitation to mediate the dispute.

- AB 2634, LIEBER. HOUSING ELEMENTS

The Planning and Zoning Law requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. One part of the housing element is an assessment of housing needs and an inventory of land suitable for residential development in meeting the jurisdiction's share of the regional housing need, including an analysis of population and employment trends and other demographic information.

This bill provides that the required analysis of population and employment trends and quantification of the locality's existing and projected housing needs for all income levels, as specified, shall include extremely low income households, as defined, thus imposing a state-mandated local program. This bill deleted obsolete provisions and provides that any amendment that alters the required content of a housing element shall apply to any housing element or housing element amendment the first draft of which is submitted to the department after April 1, 2007.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill provides no reimbursement because "a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act."

- SB 435, HOLLINGSWORTH. HOUSING: DENSITY BONUSES (2004-2005).

  The Planning and Zoning Law requires, when a developer of housing proposes a housing development within the jurisdiction of the local government, that the city, county, or city and county provide the developer with a density bonus and other incentives or concessions for the production of lower income housing units or the donation of land within the development if the developer meets certain requirements, including a requirement that the developer agrees to construct a specified percentage of the total units for specified income households or qualifying residents.

  This bill includes within those eligibility requirements the construction of a mobilehome park that limits residency based on age requirements for housing for older persons, and the construction of a community apartment project and a stock cooperative for persons and families of moderate income.

  The local administrative requirements imposed by the bill constitute a state-mandated local program. This bill provides no reimbursement to local governments because, according to the bill, local governments can pass the costs of amending local ordinances through development fees.

The following is a summary of court decisions in 2006 that may affect a County's General Plan:

- 108 Holdings, Ltd. v. City of Rohnert Park (2006) 136 Cal.App.4th 186

  City entered into a settlement agreement with a challenger to a development project whereby City agreed to process an amendment to its general plan interpreting it in a certain manner. The property owner/project proponent sued the City claiming the Settlement Agreement and Stipulated Judgment unlawfully bargained away the City's ability to exercise its police power in the future and improperly amended the City's General Plan. In upholding the settlement agreement, the court found on the first issue that the City has the power the settle land use litigation and it did not agree to refrain from legislating in the future on the matters that are the subject of the Stipulated Judgment. On the second issue, the court found that an agreement by a local agency to interpret its general plan in a certain way does not constitute a general plan amendment, but an amendment to the sphere of influence would. As to the later, the hearing procedures mandated by Government Code section 65350 et seq. must be (and were) followed.

F. Consistency with State General Plan Guidelines

Section 65400 of the Government Code requires jurisdictions to include the degree to which the approved General Plan complies with the State of California *General Plan Guidelines (Guidelines)*. Planning staff reviewed the State's *General Plan Guidelines* and determined that Ventura County's General Plan meets the mandatory requirements described therein.

The *Guidelines* provide a definitive interpretation of State statutes and case law as they relate to planning. In addition, the *Guidelines* outline the general framework for

preparation and revision of a General Plan, Attorney General Opinions, and the relationship of the General Plan to State CEQA requirements. Finally, the *Guidelines* describe elements that are mandatory for all General Plans (e.g., Housing Element, Land Use Element, Circulation Element, etc.). In general, however, the State's *Guidelines* are advisory rather than prescriptive, thus preserving opportunities for local jurisdictions to address contemporary planning topics in a locally appropriate manner.

Staff believes that the Ventura County General Plan is consistent with the requirements of the *Guidelines.* To illustrate this, Attachment 2 details the way in which the uniquely structured Ventura County General Plan integrates these mandatory elements into various chapters and appendices. Attachment 3 lists adoption dates of the most recent revisions to various chapters of the General Plan and associated Area Plans.

Attachment 1 – Housing Affordability Assumptions/Methodology

Attachment 2 – Ventura County General Plan Compliance with State of California General Plan Guidelines

Attachment 3 – Last Amendment Date of Ventura County General Plan and Area Plans

ATTACHMENT 1

HOUSING AFFORDABILITY ASSUMPTIONS/METHODOLOGY

(GENERAL PLAN 2007 ANNUAL REPORT)

In order to assess the County's progress in meeting housing needs, affordability characteristics of new units must be determined. Reporting affordability of new housing units is dependent on information regarding family income, number of bedrooms, and the sales price/construction cost or rental amount of newly constructed housing units. The following affordability characteristics apply to calendar year 2005:

Median Family Income

According to the Department of Housing and Urban Development, median family (four persons) income for Ventura County in FY 2005 was $77,400. Utilizing the County median income, the gross income for the four income categories can be calculated. The results are as follows:

Table A

Income Category	Annual Income	Monthly Income
Upper (120% of median)	Over $92,880	Over $7,740
Moderate (80% - 120%)	$61,920 to $92,880	$5,160 to $7,740
Low (50% - 80%)	$38,700 to $61,920	$3,225 to $5,160
Very Low (50% of median)	Up to $38,700	Up to $3,225

Maximum Affordable Housing Costs by Income Category

The following table indicates estimates of the ability of households to pay for housing based on 2005 income categories. The maximum affordable monthly housing payment assumes that up to 33%* of a household's gross income is devoted to rent or home loan payment. Maximum affordable unit cost is the maximum cost of a for-sale residential unit, assuming a 20%* down payment with 33%* maximum gross monthly income payment and a fixed 5.625 % APR** for a 30 year loan.

*Bank of America Affordability Guide Criteria: July, 1988

**2005 Ventura County Area Adjusted Average Annual Percentage Rate for Los Angeles, Riverside, Orange County Metropolitan Area per Federal Housing Finance Board

Table B

Income Category	Maximum Monthly Affordable Housing Payment	Maximum Affordable For-Sale Unit Cost
Upper (120% of median)	Over $2,580	Over $560,200
Moderate (80% - 120%)	$1,720 to $2,580	$373,450 to $560,200
Low (50% - 80%)	$1,075 to $1,720	$233,400 to $373,450
Very Low (50% of median)	Up to $1,075	Up to $233,400

The maximum housing affordability may vary depending upon household size. Household size can be correlated with the number of bedrooms a dwelling has. The following assumptions are made with regard to the number of bedrooms and household size:

Table C

Number Of Bedrooms	Household Size
Studio/Single Room Occupancy	1 person
1 bedroom	2 persons
2 bedrooms	3 persons
3 bedrooms	4 persons*
4 bedrooms	5 persons
5 bedrooms	6 persons
6 bedrooms	7 persons

*Median family size

Based upon these assumptions, housing affordability ranges can be more precisely determined by target household size. The following table illustrates the estimated household income (2005), based upon family size:

Table D

Income Category	Household Income Based Upon Number of Persons in Family (in 2005 Dollars)*							
	1	2	3	4	5	6	7	8
Upper (120% of median)	Over 65,000	Over 74,300	Over 83,600	Over 92,900	Over 100,300	Over 107,750	Over 115,150	Over 122,600
Moderate (80% - 120%)	43,350 to 65,000	49,550 to 74,300	55,700 to 83,600	61,900 to 92,900	66,850 to 100,310	71,850 to 107,750	76,800 to 115,150	81,750 to 122,600
Low (50% - 80%)	27,100 to 43,350	30,950 to 49,550	34,850 to 55,700	38,700 to 61,900	41,800 to 66,850	44,900 to 71,850	48,000 to 76,800	51,100 to 81,750
Very Low (50% of median)	Under 27,100	Under 30,950	Under 34,850	Under 38,700	Under 41,800	Under 44,900	Under 48,000	Under 51,100

Source: FY 2005 HUD Income Limits Briefing Material, Family Size Adjustments.
*To the nearest $50.00

Using the same methodology as above, the maximum rental payment and maximum housing unit cost can be calculated for each income category based upon the number of bedrooms in the housing unit.

Table E

Income Category	Maximum Monthly Housing Payment Based Upon Number of Bedrooms in Housing Unit (in 2005 Dollars)						
	Single Room Occupancy	1 BDR.	2 BDRS.	3 BDRS.	4 BDRS.	5 BDRS.	6 BDRS.
Upper	Over 1,806	Over 2,064	Over 2,322	Over 2,580	Over 2,786	Over 2,993	Over 3,199
Moderate	1,204 to 1,806	1,376 to 2,064	1,548 to 2,322	1,720 to 2,580	1,858 to 2,786	1,995 to 2,993	2,133 to 3,199
Low	753 to 1,204	860 to 1,376	968 to 1,548	1,075 to 1,720	1,161 to 1,858	1,247 to 1,995	1,333 to 2,133
Very Low	Up to 753	Up to 860	Up to 968	Up to 1,075	Up to 1,161	Up to 1,247	Up to 1,333

Table F

Income Category	Maximum Housing Unit Cost Based Upon Number of Bedrooms in Housing Unit (in 2005 Dollars)*						
	Single Room Occupancy	1 BDR.	2 BDRS.	3 BDRS.	4 BDRS.	5 BDRS.	6 BDRS.
Upper	Over 376,550	Over 430,350	Over 484,150	Over 537,950	Over 581,000	Over 624,000	Over 667,050
Moderate	251,050 to 376,550	286,900 to 430,350	322,750 to 484,150	358,650 to 537,950	387,300 to 581,000	416,000 to 624,000	444,700 to 667,050
Low	156,900 to 251,050	179,300 to 286,900	201,750 to 322,750	224,150 to 358,650	242,100 to 387,300	260,000 to 416,000	277,950 to 444,700
Very Low	Up to 156,900	Up to 179,300	Up to 201,750	Up to 224,150	Up to 242,100	Up to 260,000	Up to 277,950

*To the nearest $50.00

In order to complete the County's annual housing objectives progress report, staff collected appropriate data from the files of the County Assessor, the Building and Safety, and the Planning Division. In instances where complete or consistent information is not available, staff assigns affordability categories based on the size of the dwelling unit, parcel location and other known characteristics. For example, a dwelling unit between 1,500 and 2,000 square feet is assumed to have three bedrooms. Likewise, where Assessor's land valuation information is not available, the average value of surrounding parcels of like size is utilized.

Attachment 2

Ventura County General Plan Compliance with State of California General Plan Guidelines

State Requirements	Ventura County General Plan Chapters And Appendices			
	Resources	Hazards	Land Use	Public Facilities and Services
Land Use Element:				
Housing			X	
Business			X	
Industry			X	
Open Space	X	X	X	X
Agriculture	X		X	
Scenic Beauty	X			
Education				X
Public Buildings & Grounds				X
Solid & Liquid Wastes		X		X
Population Density/Building Intensity			X	
Flooding		X		X
Timberland Production	X		X	
Circulation Element:				
Major Thoroughfares				X
Transportation Routes				X
Terminals				X
Utilities				X
Housing Element			X	
Conservation Element:				
Water	X			X
Hydraulic Force		X		X
Forests	X			
Soils	X			
Rivers	X	X		X
Harbors				X
Fisheries	X			
Wildlife	X			
Minerals	X			
Open Space Element	X		X	
Noise Element		X		
Safety Element		X		X

Attachment 3

Last Amendment Date of Ventura County General Plan and Area Plans

Document Title	Date adopted or last amended
Countywide General Plan:	
Goals, Policies and Programs	12-06-05
Resources Appendix	09-19-00
Hazards Appendix	11-15-05
Land Use Appendix	11-15-05
Public Facilities and Services Appendix	11-15-05
Area Plans:	
Ahmanson Ranch Area Plan [1]	12-15-92
Coastal Area Plan [2]	11-20-01
El Rio/Del Norte Area Plan [3]	11-15-05
Lake Sherwood/Hidden Valley Area Plan [4]	11-15-05
North Ventura Avenue Area Plan [5]	12-11-90
Oak Park Area Plan [6]	11-15-05
Ojai Valley Area Plan [7]	11-15-05
Piru Area Plan [8]	11-15-05
Saticoy Area Plan [9]	12-10-96
Thousand Oaks Area Plan [10]	11-15-05

[1] Ahmanson Ranch Area Plan should be rescinded when Development Agreement expires (2017).
[2] Updating the Coastal Area Plan, and its companion Coastal Zoning Ordinance, is a major project, which will require State funding.
[3] There will be pressure to increase residential densities once sewers are constructed (2007).
[4] Over the past decade, Sherwood Development Company has initiated necessary amendments to the Area Plan.
[5] City of Ventura recently updated their General Plan; Ventura Avenue Area Plan is in need of updating.
[6] Oak Park is largely built-out and an update is not necessary.
[7] The Ojai Valley Area Plan is not in immediate need of updating.
[8] Piru Area Plan is currently being updated.
[9] City of Ventura is preparing a land use plan for the Wells Road/Saticoy Area; Saticoy Area Plan is in need of updating.
[10] City of Thousand Oaks has amended its General Plan and grading standards; Thousand Oaks Area Plan is in need of only minor amendments.