



Ventura County Coalition of Labor, Agriculture and Business

P.O. Box 4237, Ventura, CA 93007

Email: execdirector@colabvc.org

www.colabvc.org

July 23, 2012

Ventura County Board of Supervisors
Attn: Clerk of the Board of Supervisors
Hall of Administration, 4th Floor
800 S. Victoria Avenue, L#1920
Ventura, CA 93009

**RE: Comments to the Board of Supervisors
Proposed Text Amendments to the Coastal Zoning Ordinance (CZO)
ZN12-0002, Phase 1**

VC COLAB appreciates the opportunity to comment on the 2012 proposed revisions to the Coastal Zoning Ordinance. We understand that this project is tentatively scheduled to be heard by the Board of Supervisor's on July 31st, 2012. VC COLAB recommends that this item be postponed for at least 30 days to allow us to work with the Planning Division staff to dialogue about our concerns with respect to the farming industry, other businesses and the applicant population.

We began reviewing the proposed Coastal Zoning Ordinance revision after being notified on June 15th via a webmaster mass email announcement of a Planning Commission Hearing scheduled for June 21st, 2012. A link in the announcement revealed revisions to the Coastal Zoning ordinance that were available for review on the Planning Division website including a staff report and associated documents. According to the staff report, the amendments "address grammatical, typographical, and punctuation errors, update regulations for clarity and consistency with current standards, and make several minor policy changes to the CZO" and in their words: "Approximately 10 percent of the proposed changes are minor policy changes to the ordinance". After review we do not agree that the policy changes are "minor" and believe that this is a major revision which was not given a proper public outreach process.

In preparation for the Planning Commission Hearing VC COLAB reviewed the documents on the website and wrote a letter (attached) to Katie Matchett on June 20th expressing our concerns with the documentation provided which in our view was incomplete and impossible to evaluate. Quoting from our letter: "First, there is no updated Table of Contents. Second, neither Exhibit 2 nor 3 has the full text of the new CZO document and neither includes important definitions and sections that while unchanged, are necessary to be reviewed with the changes to determine the impact to policies and applicants. Third, the Categorical Exclusion Orders: E-83-1 and amendment E-83-1A voted on by the Coastal Commission were not included in the staff report ZN12-0002." In fact these short but important controlling Coastal Commission documents were not available anywhere online. In conclusion we stated "VC COLAB would like the opportunity to review this ordinance thoroughly with a version that is more "user friendly". We do not believe this version is ready to be acted on by the Planning Commission."

The full revised document, which was not available to the Planning Commission or the public prior to the hearing, is 181 pages long with abundant red strikeouts and additions <http://www.ventura.org/rma/planning/pdf/programs/local-coastal/Draft-Amendments-full-CZO.pdf>. In reviewing the subsequent full version of the revised ordinance, we found many implications to the farming and ranching community including a revised definition for “prime agriculture”, new rules for caretaker and farmworker dwellings and what appears to be a change to a Planned Development Permit requirement for cattle ranching (Animal Husbandry). We do not believe these revisions were discussed with the AG Policy Advisory Committee (APAC). In addition the entire section of “minor developments” has been stricken. There are new rules for water and geologic test wells. There are also new rules for kitchens, wet bars, kennels and Bed and Breakfast facilities.

In our letter we stated that public outreach was inadequate and while we had some initial recommendations for changes, we did not feel that 5 days was sufficient time for careful review of this sweeping Planning Division proposal. To their credit, the Planning Division revised their document quickly with many of our initial recommendations and presented Exhibit 5 - Errata to the Planning Commission at the Hearing on June 21, 2012. However, VC COLAB was not notified about the Errata prior to the hearing.

After the hearing we found in the Errata that the Planning Division had removed the ability for an applicant to appeal disputes over permit processing charges to the Planning Commission or the Board of Supervisors. This means that the agency that benefits from the processing charges is in complete control of whether “their” charges are reasonable. The Errata language gives the final determination to the Planning Director with no process for appeal. This is unacceptable and was not able to be challenged at the Planning Commission hearing.

At this point we are under the understanding that this project ZN12-0002 - Phase 1, is tentatively scheduled to be heard by the Board of Supervisor’s on July 31st, 2012. VC COLAB recommends that this item be postponed for at least 30 days to allow us to work with the Planning Division staff to dialogue about our concerns with respect to the farming industry, other businesses and the applicant population. We believe that haste in approving premature ordinance changes is the main reason for the increase in unnecessary bureaucracy that is hamstringing businesses and causing the loss of jobs in Ventura County and California. The Coastal portion of Ventura County is rich in opportunities for tourism, agriculture and environmental enhancement, all of which need a set of reasonable regulations to be within the realm of possibilities.

Thank you again for the opportunity to comment.

Sincerely,



Lynn Gray Jensen
Executive Director

Attachment: Letter from VC COLAB to the Ventura County Planning Commission dated 6-20-12