



Condition Compliance Review

County of Ventura • Resource Management Agency • Planning Division
800 South Victoria Avenue, Ventura, CA 93009 • www.vcrma.org/en/condition-compliance-program

Ventura County Condition Compliance officers regularly inspect businesses and sites with an active discretionary permit (typically Conditional Use Permits and Planned Development Permits). The County's Zoning Ordinances require an inspection to be conducted every three years, unless the terms of the approved permit require more frequent site inspections.

During the site inspection, Condition Compliance officers generally review the following items:

- Compliance with Conditions of Approval that were approved with the project;
- Existing landscaping on the site and compliance with the approved landscape plan;
- Compliance with Site Plans approved with the project; and,
- Active uses on the site and whether they are permitted.

Condition Compliance officers check to see if the property is operating as it was permitted. This may include reviewing the structures on the site, the number of employees, the hours of operation, existing landscaping, the number of parking spaces, signage, or other permit-specific conditions. Both the property owner and the permittee (the person who applied for and received the permit) are responsible for ensuring that the property is operating as it was originally permitted.

What is a Condition Compliance Report?

A Condition Compliance Report (report) is prepared after the condition compliance review. The report evaluates the status of the property and identifies whether the permit conditions are being followed.

If everything on the property reflects what was approved, the report will state that the property is "in compliance" and the review will be closed.

If the Condition Compliance Officer finds that the property is not in compliance, it means that non-compliance issues were observed (e.g., missing landscaping, new structures, parking spaces removed, outdoor storage of inoperative vehicles, etc.). These issues may include a violation of the permit conditions or the Zoning Ordinance and will be outlined in the report.

What if my Condition Compliance Report says I am not in compliance?

A Condition Compliance Report stating that you are not in compliance will include the following:

- A list of the non-compliance issues/items and information on first steps to resolve them;
- The permit conditions or Zoning Ordinance regulations are being violated;
- Contact information for the Condition Compliance Officer; and,
- A deadline for resolution of the non-compliance items (often within 30 days of the date the report is sent).

The report will identify the Condition Compliance Officer assigned to the case. Permittees should notify their Condition Compliance Officer once they determine how they plan to resolve the non-compliance items.

How do I correct my non-compliant issues?

Often, the property can become compliant again by simply removing the non-compliant item(s). Alternatively, the non-compliant item/use may be allowed to continue once it is permitted by the Planning Division and/or Building & Safety Division. The permit required may be a [Zoning Clearance](#), which can be submitted online through [Accela Citizens Access](#) or directly at the Planning counter, or it may be a [permit modification](#), which requires a separate discretionary permit process.

To determine what type of permit is required contact Isabel Contreras at (805) 654-2453 or by email at isabel.contreras@ventura.org. Planning staff will schedule a meeting with the Planning Discretionary Intake Coordinator to discuss the permit(s) needed to resolve the noncompliance issues.

What happens if I do not resolve my non-compliant issues?

If the non-compliant items are not resolved by the deadline, County staff will enforce the Zoning Ordinance and work through the enforcement process described below. This includes billing the property owner or permittee for all time spent on enforcement. The hourly rate for staff time is set by the Board of Supervisors and can add up quickly.

What is the enforcement process?

Generally, the enforcement process follows this path until the violation is abated:

- (1) A Condition Compliance Report is sent that lists the noncompliant items.
- (2) Notice of Violation Issued.
- (3) Notice of Noncompliance Recorded.
- (4) Notice of Impending Civil Administrative Penalties.
- (5) Notice of Imposition of Civil Administrative Penalties.

There is often a thirty-day period between each enforcement step, but this can be accelerated if the property owner or permittee is not complying.

A **Notice of Violation** will be sent after staff confirms the violation. It is often the next step after the Condition Compliance Report. When a violation is obvious, the Notice of Violation may be issued immediately. The Notice will demand that the non-compliant items be corrected within thirty days. All staff time spent drafting the Notice of Violation and any staff time spent on the violation will be directly billed to the property owner or permittee. Additionally, no County permits will be approved on the site for anything other than to correct the violation, until it is resolved.

A **Notice of Noncompliance** is sent thirty days after the Notice of Violation and is recorded against the property. This Notice will show up on the property title and may hinder transfer of ownership or refinancing of the property by a bank. Typically, all violations must be abated and all fees paid prior to selling or refinancing a property.

Where voluntary compliance is not feasible, a **Notice of Impending Civil Administrative Penalties** is sent to the property owner before the County begins collecting a daily penalty for the violation. This penalty can be up to \$1,000 for each violation per day. This Notice is then followed by the **Notice of Imposition of Civil Administrative Penalties**, which shows the start date for application of the daily penalty against the property owner.

