



Planning Director Staff Report

Hearing on July 12, 2012 Planning Division

County of Ventura • Resource Management Agency • Planning Division
 800 South Victoria Avenue • Ventura, CA 93009
 Ph 805-654-2488 • Fax 805-654-2509 • www.ventura.org/rma/planning

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification (Case No. LU09-0081) of Conditional Use Permit (CUP) No. 5089 for the continued operation of an agricultural service and storage yard pursuant to §8105-4 of the *Ventura County Non-coastal Zoning Ordinance*.
2. **Applicant:** Curtis Guntner of Central Coast Properties, 401 Mobil Ave. #11, Camarillo, CA 93010
3. **Property Owner:** Jim Alger Trust, P.O. Box 6212, Oxnard, CA 93036
4. **Applicant's Representative:** John Fenske, Arketype Architects Inc., 275 San Clemente Street, Ventura, CA 93001
5. **Decision-Making Authority:** Pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (NCZO) (§8105-4 and §8111-1.2 et seq.), the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Location and Parcel Number:** The project site is located at 3756 Vineyard Avenue, near the intersection of Carnegie Place and E. Vineyard Avenue, in the community of El Rio, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the project site is 144-0-010-185 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Agricultural (Exhibit 2)
 - b. El Rio Del Norte Area Plan Land Use Map Designation: Agricultural 40 acres minimum lot size (Exhibit 2)
 - c. Zoning Designation: AE-40 ac/MRP (Agricultural Exclusive, 40 acre minimum lot size/ Mineral Resource Protection Overlay) (Exhibit 2)
8. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-40 ac/MRP (Open Space, 40 acre minimum lot size/ Mineral Resource Protection Overlay) & M2 10,000 square feet (Light Industrial 10,000 square feet	Agriculture

Location in Relation to the Project Site	Zoning	Land Uses/Development
	minimum lot size)	
East	OS-40 ac/MRP	Agriculture
South	CPD (Commercial Planned Development) & R-1 6,000 SF (Residential 6,000 Square foot lots)	Commercial operations & residential neighborhood
West	M2 10,000 square feet	Industrial operations and the City of Oxnard

9. **History:** The subject parcel is developed with eight existing residences that were constructed prior to the adoption of the NCZO. Accessory structures currently on the parcel include storage sheds, two barns and a Quonset hut used for agricultural storage.

CUP No. 5089 was granted by the Planning Division on November 9, 1999 to authorize the operation of three agricultural service and storage yards on approximately 4.82 acres of the 56 acre parcel. Two pre-existing buildings and three pre-existing sheds were validated with the granting of CUP No. 5089.

10. **Project Description:** The applicant requests a Minor Modification (LU09-0081) of Conditional Use Permit No. 5089 to continue the operation of three existing agricultural service and storage yards for an additional ten-year period. The project site would continue to operate three storage yards at separate locations on the project site as follows:

Storage Yard	Location	Structures Associated with the Storage Yard
Yard B	Northwest portion of parcel; adjacent to Vineyard Ave.	No structures
Yard C	Northeastern portion of parcel	Existing structure known as the "Milk Barn" and portable toilets
Yard D	Southwest portion of parcel; adjacent to Vineyard Ave.	Portable toilets

The existing septic systems would be abandoned and bathroom facilities will be removed from Storage Yard "C" and Storage Yard "D". Portable toilets will be used in these two storage yard areas. Continued access to the site is provided by private driveways via Vineyard Avenue. No new structures or improvements are proposed. Water will continue to be provided by the Rio Plaza Municipal Water Company. The storage yards are only used during daylight hours as needed.

The property will continue to be enclosed by a block wall along the northern and eastern property line and an approximately six foot high chain link fence at the southern property line. Storage yards "D" and "C" are enclosed by six foot high chain link fences. Storage yard "B" is surrounded by landscape screening.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code §21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, §15000 et seq.), the subject application is a "project" that is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be Categorically Exempt from the requirement for the preparation of environmental impact documents. The proposed project is exempt from CEQA pursuant to the State CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, §15301). Section 15301 of the Guidelines exempts from CEQA review the continuation of existing land uses. This section also allows for the minor alteration of an existing private structure. The proposed project involves the continued operation of an existing agricultural service and storage yard with minor alterations to the existing structures. The minor alterations include only the abandonment of existing onsite septic systems and removal of bathroom facilities from Storage Yard "C" and Storage Yard "D".

Based on the above discussion, the proposed project is Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (2011, page 4) states:

...in the unincorporated area of Ventura County, zoning and any permits issued thereunder, any subdivision of land, any public works project, any public (County, Special District, or Local Government) land acquisition or disposition, and any specific plan, must be consistent with the Ventura County General Plan Goals, Policies and Programs, and where applicable, the adopted Area Plan.

Furthermore, the *Ventura County Non-Coastal Zoning Ordinance* (§8111-1.2.1.1.a) states that in order to be approved, a CUP must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs* El Rio/ Del Norte Area Plan.

- 1. Ventura County General Plan Goals, Policies and Programs Resources Policy 1.1.2-1:** *All General Plan amendments, zone changes and discretionary development shall be evaluated for their individual and cumulative impacts on resources in compliance with the California Environmental Quality Act.*

As discussed in Section B (above), the project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA.

Based on the discussion above, the proposed project is consistent with Policy 1.1.2-1.

- 2. Ventura County General Plan Goals, Policies and Programs Resources Policy 1.1.2-2:** *Except as otherwise covered by a more restrictive policy within the Resources Chapter, significant adverse impacts on resources identified in environmental assessments and reports shall be mitigated to less than significant levels or, where no feasible mitigation measures are available, a statement of overriding considerations shall be adopted.*

As discussed in Section B (above), the proposed project will not have a potentially significant impact on the environment.

Based on the discussion above, the proposed project is consistent with Policy 1.1.2-2.

- 3. Ventura County General Plan Goals, Policies and Programs Water Quality Policy 1.3.2-2:** *Discretionary development shall comply with all applicable County and State water regulations.*

Ventura County General Plan Goals, Policies and Programs Water Quality Resources Policy 1.3.2-4: *Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*

EI Rio/ Del Norte Area Plan Water Resources Policy 1.2.2-3: *Discretionary development shall comply with all applicable NPDES (National Pollution Discharge Elimination System) standards to protect surface water quality.*

The project site is currently served by the Rio Plaza Water Company, and thus would operate in compliance with County and state water regulations. Therefore, water usage on site would not create a substantial impact to water quantity and quality.

Portable toilets will be brought in for use by the employees. All wastewater will be properly removed, treated and disposed of regularly.

This project is not located within of the County unincorporated urban areas, and is not subject to the Part 4.E "Planning and Land Development" of the Ventura Countywide Municipal Stormwater NPDES Permit Order No. R4-2010-0108 (Memorandum from Ewelina Mutkowska of the Watershed Protection District Water & Environmental Resources Division, dated March 22, 2012). Therefore, the proposed project complies with all applicable NPDES standards.

Based on the above discussion, the proposed project will be consistent with Policy 1.3.2-2 and Policy 1.3.2-4.

- 4. Ventura County General Plan Goals, Policies and Programs Mineral Resources Policy 1.4.2-8:** *Discretionary development within a Mineral Resource Area (see Resource Protection Map) shall be subject to the provisions of the Mineral Resource*

Protection (MRP) Overlay Zone, and is prohibited if the use will significantly hamper or preclude access to or the extraction of mineral resources.

The proposed project site is located within the Mineral Resource Protection Overlay zone. The project site is also located in the Mineral Resource Zone 2 ("MRZ 2") designated by the State Mining and Geology Board. The MRZ-2 designation is applied to lands underlain by mineral deposits determined to be of Statewide significance. The proposed project involves the continuation of existing uses. Thus, it would not create any new constraints on access to, or development of, these mineral deposits.

Based on the above discussion, the proposed project will be consistent with Policy 1.4.2-8.

- 5. Ventura County General Plan Goals, Policies and Programs Biological Resources Policy 1.5.2-1:** *Discretionary development which could potentially impact biological resources shall be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.*

The project site does not contain habitat for endangered, rare, threatened or locally important species. The Santa Clara River and a mapped Regional Wildlife Corridor are located approximately 4,175 feet west of the project site. Due to the location and proposed project use (agricultural service and storage yards) the project will not impact the Santa Clara River and the Regional Wildlife Corridor. In any case, the proposed project involves the continuation of an existing permitted use. Thus, no new impacts on biological resources are anticipated.

Based on the above discussion, the proposed project will be consistent with Policy 1.5.2-1.

- 6. Ventura County General Plan Goals, Policies and Programs Farmland Resources Policy 1.6.2-1:** *Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.*

Ventura County General Plan Goals, Policies and Programs Farmland Resources Policy 1.6.2-6: *Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.*

The project site is located on land identified as prime farmland. The proposed project will not significantly impact prime farmland as no new structures or uses are proposed. In addition, the existing agricultural service and storage yards occupy only about ½ acre of land. The remaining portion of the lot is currently in agricultural

production. Therefore, the project would not create a direct or indirect loss of Prime soil.

Based on the above discussion, the proposed project will be consistent with Policy 1.6.2-1 and Policy 1.6.2-6.

7. Ventura County General Plan Goals, Policies and Programs Scenic Resource Policy 1.7.2-1: *Discretionary development which would degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available and the decision making body determines there are overriding considerations*

The project does not involve the development of new structures. The property will continue to be enclosed by a block wall along the northern and eastern property line and an approximately six foot high chain link fence at the southern property line. Storage yards "D" and "C" are enclosed by six foot high chain link fences. Storage yard "B" is surrounded by landscape screening. The project will be required through standard project conditions to maintain the landscape screening as approved under CUP Case No. 5089 (Exhibit 4, Condition No. 18). Given the location of the yards and screening requirements, the proposed project will be consistent with the above Scenic Resource Policy of the Ventura County General Plan.

8. Ventura County General Plan Goals, Policies and Programs Paleontological and Cultural Resources Policy 1.8.2-1: *Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The proposed project is on land that has been previously graded as part of past agricultural operations. It is unlikely that any undisturbed cultural resources will be discovered as part of any future site development. In any case, no new development is currently proposed. Based on the discussion above, the proposed project will be consistent with Policy 1.8.2-1.

9. Ventura County General Plan Goals, Policies and Programs Energy Resources Policy 1.9.2-1: *Discretionary development shall be evaluated for impact to energy resources and utilization of energy conservation techniques.*

The proposed project involves the continued operation of three agricultural service and storage yards and installation of portable toilets in yards "C" and "D". The proposed portable toilets would not require water to operate. Thus, no new demand for water or electricity is anticipated.

Based on the above discussion, the proposed project will be consistent with Policy 1.9.2-1.

10. Ventura County General Plan Goals, Policies and Programs Fire Hazards Policy 2.13.2-1: *All discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

Based on the information provided by the applicant, the project will be subject to a condition of approval (Exhibit 4, Condition No. 40) that will require that the Applicant verify that the water purveyor can provide the required volume and duration of fire flow at the project pursuant to the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction.

The Ventura County Fire Protection District ("VCFPD"), has determined that the current driveway (E. Vineyard Avenue) is adequate for VCFPD equipment access. To ensure that the driveway is maintained for VCFPD equipment access, the project would be subject to a condition of approval (Exhibit 4, Condition No. 34) that would require that the Applicant maintain all on-site access road(s) and driveway(s) not already included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design of the access road(s) and driveway(s).

Therefore, with the implementation of the above noted conditions of approval, the project would be consistent with Policy 2.13.2-1.

11. Ventura County General Plan Goals, Policies and Programs Hazardous Material and Waste Policy 2.15.2-2: *Site plans for discretionary development that will generate hazardous wastes or utilize hazardous materials shall include details on hazardous waste reduction, recycling and storage.*

The Ventura County Environmental Health Division comments that the proposed project is not considered an activity that generates hazardous waste. However, the project will be subject to a condition of approval that will require the Applicant demolish the plumbing and abandon the septic systems for the buildings in Storage Yard "C" and Storage Yard "D" (Exhibit 4, Condition No. 22). Portable toilets will be brought in for use by the storage yard employees. All wastewater will be properly removed, treated and disposed of regularly. Therefore, implementation of this condition will prevent public health hazards by the improper disposal of liquid waste.

Based on the above discussion, the proposed project will be consistent with Policy 2.15.2-2.

12. Ventura County General Plan Goals, Policies and Programs Noise Policy 2.16.2-1: *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-*

site receptors, and shall recommend noise control measures for mitigating adverse impacts.

Ventura County General Plan Goals, Policies and Programs Noise Policy

2.16.2-1(4): *Noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*

- a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.*
- b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.*
- c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

Section 2.16.2(4) is not applicable to increased traffic noise along any of the roads identified within the 2020 Regional Roadway Network (Figure 4.2.3) Public Facilities Appendix of the Ventura County General Plan (see 2.16.2-1(1)). In addition, State and Federal highways, all railroad line operations, aircraft in flight, and public utility facilities are noise generators having Federal and State regulations that preempt local regulations.

The project has the potential to generate noise and, therefore, is subject to evaluation as a "noise generator."

The agriculture service and storage yards are expected to produce some noise during operational hours. However, the noise emitted from the storage yards is not expected to significantly impact the areas surrounding the yards. The storage yards are only used on an as needed basis by the contractors and during daylight hours. Although the nearest sensitive receptor to the storage yards consist of a single family dwellings adjacent to Storage Yard "D", noise would not exceed the noise levels of the commercial uses west and south of the project site and the high volume of traffic on Vineyard Avenue. In any case, no new noise would be generated as a change in operation is not proposed.

Based on the above discussion, the proposed project will be consistent with Policy 2.16.2(1) and Policy 2.16.2(4).

13. Ventura County General Plan Goals, Policies and Programs Public Facilities and Services Policy 4.1.2-2: *Development shall only be permitted in those locations where adequate public services are available (functional), under physical construction or will be available in the near future.*

Adequate public facilities and services are available to serve the proposed project. No construction or permanent development is proposed as part of this project. In addition, the proposed project does not require the extension of public facilities or services to the project site to serve the proposed use.

Based on the above discussion, the proposed project will be consistent with Policy 4.1.2-2.

- 14. Ventura County General Plan Goals, Policies and Programs Water Supply Public Facilities and Services Policy 4.3.2-1:** *Development that requires potable water shall be provided a permanent potable water supply of adequate quantity and quality that complies with applicable County and State water regulations. Water systems operated by or receiving water from Casitas Municipal Water District, the Calleguas Municipal Water District or the United Water Conservation District will be considered permanent supplies unless an Urban Water Management Plan (prepared pursuant to Part 2.6 of Division 6 of the Water Code) or a water supply and demand assessment (prepared pursuant to Part 2.10 of Division 6 of the Water Code) demonstrates that there is insufficient water supply to serve cumulative development within the district's service area. When the proposed water supply is to be drawn exclusively from wells in areas where groundwater supplies have been determined by the Environmental Health Division or the Public Works Agency to be questionable or inadequate, the developer shall be required to demonstrate the availability of a permanent potable water supply for the life of the project.*

An existing onsite water well and the Rio Plaza Water Company will continue to provide potable water to the project site. Water information submitted with the application indicates that the water quality is in compliance with applicable state primary drinking water standards.

Based on the above discussion, the proposed project will be consistent with policy 4.3.2-1.

- 15. Ventura County General Plan Goals, Policies and Programs Fire Protection Public Facilities and Services Policy 4.8.2-1:** *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

As noted in item no. C.9 above, the Applicant will be required to verify that the water purveyor can provide the required volume and duration of fire flow at the project pursuant to the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction.

The Ventura County Fire Protection District ("VCFPD"), has determined the current driveway (E. Vineyard Avenue) is adequate for VCFPD equipment access. As noted in item no. C.9 above, the Applicant will be required to maintain all on-site access road(s) and driveway(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s).

Additionally, the project will be subject to VCFPD conditions regarding minimum driveway width (Exhibit 4, Condition No. 33) and required installation of fire sprinklers (Exhibit 4, Condition No. 30).

Based on the above discussion, the proposed project will be consistent with Policy 4.8.2-1.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the NCZO.

Pursuant to the Ventura County NCZO (§8105-4), the proposed use is allowed in the AE 40 ac zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed project includes the use of buildings and structures that are subject to the development standards of the Ventura County NCZO (§8106-1.1). Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	40 acres	Yes
Maximum Percentage of Building Coverage	5%	Yes
Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Maximum Building Height	15 feet	Yes

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County NCZO (§8111-1.2.1.1 et seq.). The proposed findings and supporting evidence are as follows:

- 1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [§8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

- 2. The proposed development is compatible with the character of surrounding, legally established development [§8111-1.2.1.1.b].**

The proposed project is a request to continue operation of three existing agricultural service and storage yards. Thus, this continued use will involve no change in the character of the neighborhood. In any case, the effect of the subject facilities on the character of the surrounding agricultural, commercial and residential uses will be minimal due to the design and location of the three existing storage yards on the parcel. The storage yards are located [distance]

from the nearest offsite residence. Furthermore, the storage yards would blend into the surrounding landscape with:

- the existing landscape screening at the entrance to the project site;
- a block wall along the northern and eastern property line; and,
- chain link fencing surrounding storage yard "B", storage yard "D" and the southern property line.

The proposed use is also designed and maintained in compliance with the use, building height, setback, access and parking regulations of the AE 40 ac zone. Therefore, due to the location and design of the proposed project, it will not be out of character with the surrounding lots and uses.

Based on the above discussion, this finding can be made.

3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [§8111-1.2.1.1.c].

The proposed project site is located on approximately 56.23 acres. Commercial buildings, open space and residential uses surround the project site.

The proposed project is surrounded by landscaping at the entrance to the project site. Block walls are located at the northern and eastern property lines. A chain link fence is located at the Southern property line. The block wall provides a buffer to the agricultural uses east, west and north of the project site. The landscaping at the entrance of the project site provides a buffer to the commercial and agricultural operations west and south of the project site. Therefore, the proposed project would not contribute to an increase in the existing noise level or create an additional nuisance on Vineyard Avenue. Thus, the project will not impair the utility of the neighboring property or uses. The proposed project will not adversely impact the neighboring properties. Additionally, the project will be conditioned to include a contact person (Exhibit 4, Condition Nos. 15 & 16) for the timely resolution of complaints involving the use of the commercial uses.

Based on the above discussion, this finding can be made.

4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [§8111-1.2.1.1.d].

Refer to the discussion under Finding 3 above. No substantial effect related to noise, hazardous materials, visual resources or land use incompatibility has been identified for the proposed project. In addition, the site will be required to be maintained in a neat and orderly manner.

Based on the above discussion, this finding can be made.

5. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [§8111-1.2.1.1.e].

Refer to the discussion under Findings 2 and 3 above. The proposed project will not interfere with the surrounding commercial, open space and residential uses. The proposed commercial uses will be compatible with the existing and planned land uses in the general area, with the implementation of the recommended conditions of approval (Exhibit 4).

Based on the above discussion, this finding can be made.

6. The proposed development will occur on a legal lot [§8111-1.2.1.1f].

Judith B. Goldwater and Valerie M. Kiunke, Successor Co-Trustees of the Alger Survivor's Trust - - "A" Trust, James R. L. Kuinke, Touraine L. Kiunke, Leanna T Kiunke (UTMA), Judith Blane Alger Goldwater, Martha Blane Goldwater Gist, Hannah Nicole Gist (UTMA), Jessica Taylor Gist (UTMA), Dorothy Stine, Jeffrey Kim Stine, Bradley Janes Stine, Lisa Kelly Stine Racine, Leslie Fay Stine Corney, and Don L. Kiunke and Valerie M. Kiunke, Trustees of the Kiunke Family Trust dated July 15, 1997

Therefore, this finding can be made.

7. That the establishment or maintenance of this use will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area [§8111-1.2.1.2.a].

The project site is located on land identified as prime farmland. The proposed project will not significantly impact prime farmland as no new structures or uses are proposed. In addition, the existing agricultural service and storage yards occupy only about ½ acre of land. The remaining portion of the 56-acre lot will remain in agricultural production.

Based on the above discussion, this finding can be made.

8. That structures will be sited to minimize conflicts with agriculture, and that other uses will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area, where applicable [§8111-1.2.1.2.b].

The project site is located on land identified as prime farmland. The proposed project will not significantly impact prime farmland as no new structures or uses are proposed. In addition, the existing agricultural service and storage yards occupy only about ½ acre of land. The remaining portion of the 56-acre lot will remain in agricultural production. Thus, implementation of the proposed project will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area.

Based on the above discussion, this finding can be made.

9. That the use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible [§8111-1.2.1.2.c].

The project site is located on land identified as prime farmland. The proposed project will not significantly impact prime farmland as no new structures or uses are proposed. In addition, the existing agricultural service and storage yards occupy only about ½ acre of land. The remaining portion of the lot will remain in agricultural production.

Based on the above discussion, this finding can be made.

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (§65091), Ventura County NCZO (§8111-3.1). The Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the Ventura County Star. As of the date of this document, no public comments have been received.

On June 21, 2012, the El Rio Del Norte Municipal Advisory Committee (MAC) considered the proposed project and recommended approval of the project as proposed.

The project site is located within the City of Oxnard's Area of Interest. Therefore, on June 30, 2009 the Planning Division notified the City of Oxnard of the proposed project and requested the City of Oxnard to submit any comments that the City might have on the proposed project. No comments or concerns regarding the proposed project were received.

G. RECOMMENDED ACTIONS

Based upon the preceding analysis and information provided, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is Categorical Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.
3. **MAKE** the required findings for the granting of a Minor Modification of CUP No. 5089 (Case No. LU09-0081) pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;

4. **GRANT** Minor Modification of CUP No. 5089 (Case No. LU09-0081), subject to the conditions of approval (Exhibit 4).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

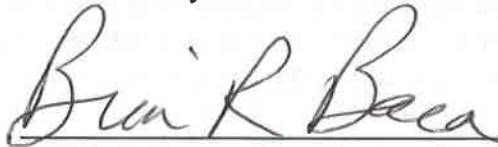
If you have any questions concerning the information presented above, please contact Kristina Roodsari at (805) 654- 2467 or kristina.roodsari@ventura.org,

Prepared by:



Kristina Roodsari, Case Planner
Commercial & Industrial Permits Section

Reviewed by:



Brian R. Baca, Manager
Commercial & Industrial Permits Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 - Aerial Location, General Plan and Zoning Designations, and Land Use Maps
- Exhibit 3 - Plans
- Exhibit 4 - Conditions of Approval



**City of
Oxnard**

**Existing Community -
Urban Reserve**

**Industrial
M2-10,000 sq ft**

**Open Space (10 Acre Minimum)
Open Space 40 AC Min.
OS-40 ac/MRP**

**Agricultural (40 Acre Minimum)
Agriculture 40 AC Min.
AE-40 ac/MRP**

**Commercial
CPD**

**Existing Community - Urban Reserve
Urban Residential 4-6 DU/AC**

R1-6,000 sq ft

	144-0-010-185
	GENERAL PLAN
	AREA PLAN
	ZONING

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0 360 720 Feet

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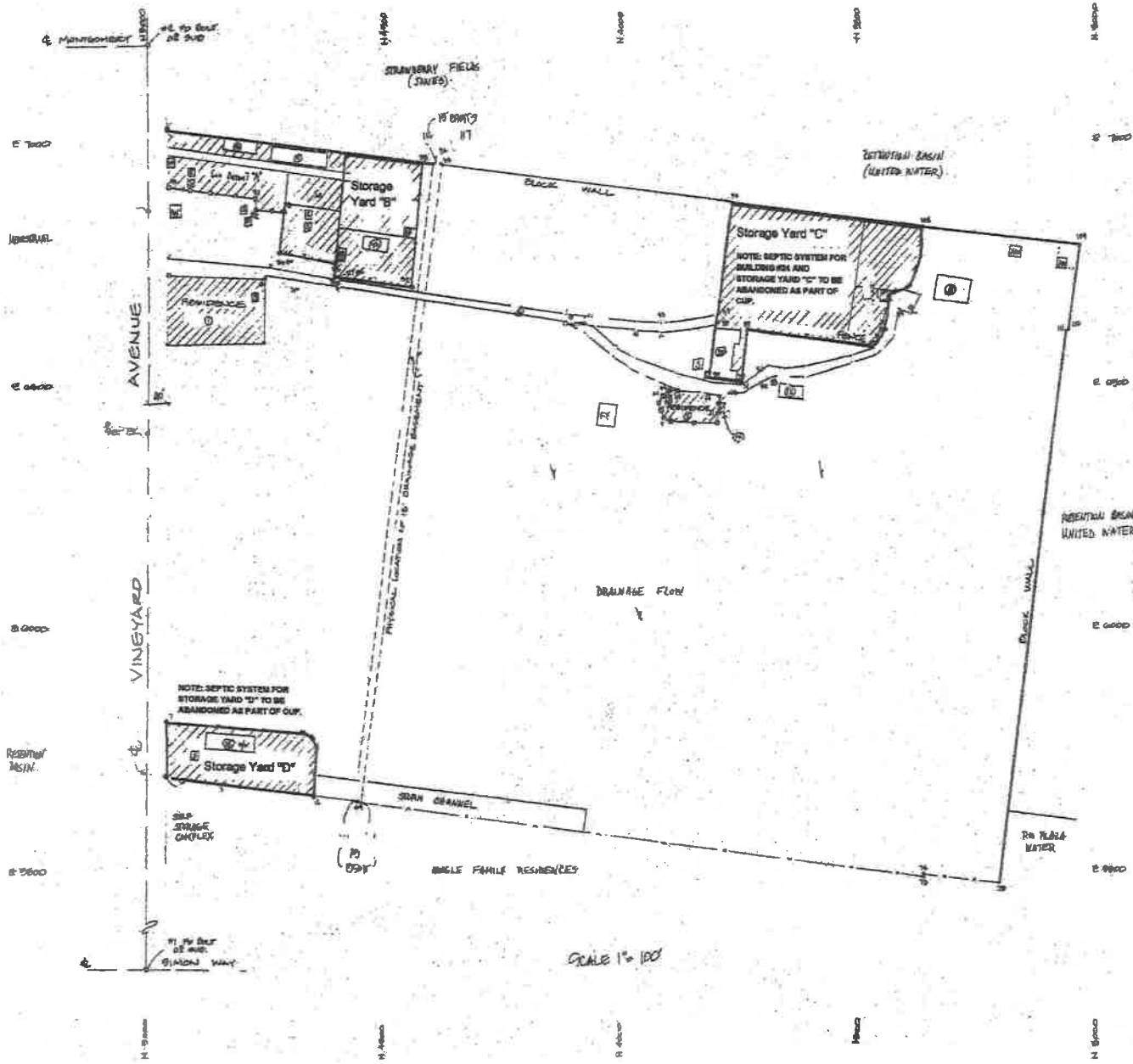


Ventura County
Resource Management Agency
Information Systems
Date Printed: 05/25/2012

Planning Director Hearing
Minor Modification No. LU09-0081
Exhibit 2 - Aerial Location, General
Plan and Zoning Designations, and
Land Use Maps

OWNER:
 ALGER FAMILY ADMINISTRATIVE A-TRUST, ET AL
 P.O. BOX 2872
 CAMARILLO, 93011

SITE ADDRESS:
 3756 VINEYARD AVENUE
 EL RIO



Storage Yard Data

Storage Yard "A"	32,008 SF
Storage Yard "B"	101,428 SF
Storage Yard "C"	25,168 SF
Storage Yard "D"	

Total Storage/Sept Area 168,604 SF (6.6% of total site area)
 Total Site Area 2,463,376.2 SF

Site Legend

Structures

Residences

not included in Conditional Use Permit

- 2756 Vineyard - existing legal nonconforming structure used for permits
- 2758 Vineyard - existing legal nonconforming structure used for permits
- 2770 Vineyard - existing legal nonconforming structure used for permits
- 2772 Vineyard - existing legal nonconforming structure used for permits
- 2774 Vineyard - existing legal nonconforming structure used for permits
- 2776 Vineyard - existing legal nonconforming structure used for permits
- 2778 Vineyard - existing legal nonconforming structure used for permits
- 2881 Vineyard - existing legal nonconforming structure used for permits not used

Storage

not included in Conditional Use Permit

- Storage sheds for small residences (2772-2881 Vineyard)
- Garage for small residences (2758-2880 Vineyard)
- Garage lot (used for agricultural storage)
- Dry bins (used for agricultural storage)
- Dump for 2772 Vineyard
- not used

Included in Conditional Use Permit

- Self's Fence shed
- Fremont's Produce shed (scheduled to be demolished 8/99)
- Fremont's Produce shed (scheduled to be demolished 8/99)
- M&B Barn - Other areas to be removed as part of CUP
- Red Building
- Red (demolished 2/99)
- Shed (demolished 2/99)
- not used

Other

- utility easements
- water easements
- septic tank (quantity: 10)
- DW (quantity: 1)
- AW (quantity: 2) (quantity: 1) abandoned
- fire hydrant

Planning Director Hearing
 Minor Modification No. LU09-0081
 Exhibit 3 - Plans

DRAFT

EXHIBIT 4- CONDITIONS OF APPROVAL FOR MINOR MODIFICATION CASE NO. LU09-0081 (MODIFICATION TO CONDITIONAL USE PERMIT CASE NO. 5089)

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

I. Planning Division (PL) Conditions

1. Project Description

This CUP is based on and limited to compliance with the project description found in this condition below, all County land use hearing exhibits in support of the project marked exhibits 2 through 5, dated [fill in date], and conditions of approval set forth below. Together, these documents describe the Project. Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the original approval. Project deviations may require Planning Director approval for changes to the permit or further CEQA environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) constitutes a violation of the conditions of this permit.

The project description is as follows:

The applicant requests a Minor Modification (LU09-0081) of Conditional Use Permit No. 5089 to continue the operation of three existing agricultural service and storage yards for an additional ten-year period. The project site would continue to operate three storage yards at separate locations on the project site as follows:

Storage Yard	Location	Structures Associated with the Storage Yard
Yard B	Northwest portion of parcel; adjacent to Vineyard Ave.	No structures
Yard C	Northeastern portion of parcel	Existing structure known as the "Milk Barn" and portable toilets
Yard D	Southwest portion of parcel; adjacent to Vineyard Ave.	Portable toilets

The existing septic systems would be abandoned and bathroom facilities will be removed from Storage Yard "C" and Storage Yard "D". Portable toilets will be used in

these two storage yard areas. Continued access to the site is provided by private driveways via Vineyard Avenue. No new structures or improvements are proposed. Water will continue to be provided by the Rio Plaza Municipal Water Company. The storage yards are only used during daylight hours as needed.

The property will continue to be enclosed by a block wall along the northern and eastern property line and an approximately six foot high chain link fence at the southern property line. Storage yards "D" and "C" are enclosed by six foot high chain link fences. Storage yard "B" is surrounded by landscape screening.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and all approved County land use hearing exhibits in support of the project and conditions of approval below.

2. Site Maintenance

Purpose: To ensure that the CUP area is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside the CUP area.

Requirement: The Permittee shall maintain the project site in compliance with the described uses outlined in Condition No. 1 (Permitted Land Uses). Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1 (Permitted Land Uses), or which are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP.

Parking: All vehicles, equipment parking and storage shall be onsite. No vehicles or equipment shall be within the public right of way.

Documentation: Pursuant to Condition No. 1 (Permitted Land Uses), the CUP and any amendments thereto.

Timing: Prior to occupancy and for the life of the permit.

Monitoring and Reporting: The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

3. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions or Project Description, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the

proposed activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time.

4. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (2011, Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state and local laws and regulations.

5. Time Limits

- a. Use inauguration:
 - i. The approval decision for this CUP becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses provided in Condition No. 1 (Project Description).
 - ii. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the granting or approval of this CUP, pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (2011, §8111-4.7). The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can

demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.

- iii. Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Life or Operations Period:

- i. The authorization granted by this CUP to conduct the proposed use will expire on [date, 10 years].
- ii. Failure of the County to provide additional notification to the Permittee of the expiration date shall not constitute grounds for continuance of this authorization after the CUP expiration date. Operations may be extended beyond this date based upon the timely (i.e. prior to [date]) submittal of a permit modification application filed pursuant to Section 8111-6 of the *Ventura County Non-Coastal Zoning Ordinance*, as may be amended or replaced, and the subsequent granting of a modified permit by the County decision-makers.

6. Consolidation of All Approved Exhibits and Permits

Purpose: To ensure compliance with and notification of requirements of other federal, state or local government regulatory agencies.

Requirement: The Permittee shall provide the Planning Division with documentation to verify that the Permittee has obtained or satisfied all applicable federal, state and local entitlements and conditions.

Documentation: The Permittee shall provide this documentation to the County Planning Division in the form that is acceptable to the agency issuing the entitlement or clearance for the project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective project file. In the event that the permit is modified or changes are made by any other respective agency, the Permittee shall submit any revised documentation within 30 days of the modification.

7. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of permit requirements and conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities, of the pertinent conditions of this CUP.

Documentation: The Permittee shall maintain a current set of CUP conditions and exhibits at the project site or, in the case of projects where this impractical (e.g., telecommunication sites), use "present to the Planning Division copies of the conditions, upon the Planning Division's request."

Timing: Prior to issuance of a Zoning Clearance for use inauguration and until expiration of the CUP.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

8. Recorded Notice of Land Use Entitlement

Purpose: In order to comply with §8111-8.3 of the *Ventura County Non-Coastal Zoning Ordinance* a notice shall be recorded on the deed of the subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions and regulations.

Requirement: The Property Owner of record shall sign, have notarized, and record with the Office of the County Recorder, a Notice of Land Use Entitlement form furnished by the Planning Division, for tax assessor's parcel that is subject to this CUP.

Documentation: Recorded Notice of Land Use Entitlement.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Permittee shall return a copy of the recorded Notice of Land Use Entitlement to the Planning Division for the project file.

9. Condition Compliance, Enforcement, and Other Responsibilities

- a. Cost Responsibilities: The Permittee shall bear the full costs of all staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs as described below. Specifically, the Permittee shall bear the full costs of the following:

- (1) condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition

compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,

(2) monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance (2011, §8114-3)*. The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§8114-3.4)*.

- b. Maintenance of Revolving Condition Compliance Account CC06-0225: Condition Compliance Account CC06-0186 was established pursuant to CUP 5089, Condition No. 16 and shall be maintained until this CUP expires (Condition 5, above). Condition Compliance Account CC06-0186 shall serve as a revolving condition compliance and enforcement account to be used by Ventura County agencies to cover costs incurred by Ventura County for Condition Compliance review, monitoring and enforcement costs (Condition 9.a, above), and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended (Condition 9.iii, below.)

If any of the information provided in the existing reimbursement agreement for Condition Compliance Account CC06-0186 is outdated and/or incorrect, prior to issuance of a Zoning Clearance for construction [Condition 9.i(1), above], the Permittee shall submit a new, signed reimbursement agreement with the updated and/or correct information. The reimbursement agreement obligates the Permittee to pay any Condition Compliance review, monitoring, and enforcement costs (Condition 9.iii, below). The reimbursement agreement also grants the Permittee the right to challenge any charges for Condition Compliance review, monitoring, and enforcement costs.

- c. Monitoring and Enforcement Costs: All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur.

- d. Billing Process: The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment.

10. Defense and Indemnity

As a condition of CUP issuance and use including adjustment, modification, or renewal thereof, the Permittee agrees to:

- a. Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either the County's decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such legal action. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such legal action the Permittee defended or controlled the defense thereof pursuant to Section 10(a) above. The County may, at its sole discretion, participate in the defense of any such legal action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

Neither the issuance of this CUP, nor compliance with the conditions thereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property.

Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this CUP.

11. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event the Planning Director determines that any condition contained herein is in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the *Code of Civil Procedures* (§1094.6), or other applicable law, this CUP shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If a court of law invalidates any condition, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Commission may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Commission shall make the determination of adequacy. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

12. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for this land use have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the costs of such work. Whenever feasible, the County will use the lowest bidder. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. If the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

13. Relationship of CUP Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the CUP area and any facilities thereon in compliance with all applicable requirements and enactments of Federal,

State, and County authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules or regulations, or orders of an authorized governmental agency. Neither the issuance of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

A business tax certificate shall be obtained for operation of the three agricultural service and storage yards.

14. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the CUP site.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide the Planning Division with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the respective project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

15. Resolution of Complaints

The following process shall be used to resolve complaints related to the project:

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour

- basis. Persons with concerns about the agricultural service and storage yard as it is occurring may directly contact the Contact Person;
- b. If a written complaint about this CUP is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
 - c. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to *§8114-3 of the Non-Coastal Zoning Ordinance* may be initiated.

16. Change of Owner and/or Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of ownership or change of Permittee affecting the CUP site.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Property Owner's and/or Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the project file and has the authority to periodically confirm the information consistent with the requirements of *§8114-3 of the Ventura County Non-Coastal Zoning Ordinance*.

17. Landscaping and Screening

Purpose: To comply with the County's landscaping requirements.

Requirement: The existing landscaping, which was approved in the landscape plan for Conditional Use Permit No. 5089 (approved November 4, 1999, Condition No. 5.b), shall be maintained throughout the life of the subject CUP permit. Specifically, the existing tree canopy planted along Vineyard Avenue shall remain and maintained throughout the life of the CUP.

Documentation: The Permittee shall submit to the County of Ventura Planning Division for review and approval color photo documentation of the existing landscaping. Any

changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

Timing: The Permittee shall submit the color photo documentation to the Planning Division for review and approval prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Planning Division maintains the landscape plans and color photo documentation in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of §8114-3 of the *Non-Coastal Zoning Ordinance*.

18. Sign Plan

Purpose: To ensure signage on the property complies with *Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance* and the El Rio Del Norte Area Plan.

Requirement: If signs are proposed to be installed in the future, the Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the installation of the sign(s). The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval.

Documentation: A stamped copy of the approved sign plan.

Timing: The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved sign plan in the project file. The Permittee shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to assure that the signage for the project continues to comply with the approved sign plan and *Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance*. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

19. Trash and Recycling Storage Area

Purpose: In order to comply with §8106-8.7 and §8108-5.13 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall ensure that trash and waste diversion (e.g., recyclables and yard waste) enclosures are constructed and maintained on the project site in accordance with the County of Ventura's adopted "*Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines*."

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall illustrate the enclosures on all development plans for review and approval by the Planning Division. The Permittee shall install the trash enclosures prior to occupancy.

Documentation: A copy of the approved site plan.

Monitoring and Reporting: The Planning Division maintains a copy of the approved site plan in the project file. The Planning Division has the authority to inspect the site to ensure that the enclosures are constructed as illustrated on the approved plans prior to occupancy. The Planning Division has the authority to periodically inspecting the site to ensure that the trash enclosures are maintained consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

20. Graffiti

Purpose: In order to comply with §8107-31.15 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall submit a graffiti control plan for approval by the Planning Director. The plan must address the prevention of graffiti by such means as landscaping materials, special surface finishes, misting/irrigation strategies, alarms, or other means deemed feasible by the Planning Director. The plan must also include strategies which detail how graffiti will be removed within 48 hours of its discovery.

Documentation: A graffiti control plan.

Timing: The Permittee shall submit the graffiti control plan to the Planning Division for review and approval prior to Zoning Clearance for use inauguration. The Permittee shall implement the graffiti control plan in accordance with the schedule approved by the Planning Division.

Monitoring and Reporting: The Planning Division maintains the approved graffiti control plan in the project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

II. Environmental Health Division (EHD) Conditions

21. Existing Onsite Wastewater Treatment System (septic system) for the buildings in Storage Yard C and Storage Yard D

Purpose: To assure protection of groundwater quality and prevent public health hazards by improper disposal of liquid waste.

Requirement: The Permittee shall demolish the plumbing and abandon the septic systems for the buildings in Storage Yard "C" and Storage Yard "D".

Documentation: The Permittee shall obtain the necessary building permits for demolition of the plumbing from the Ventura County Building and Safety Division. The Permittee shall submit a Permit to Construct an Onsite Wastewater Treatment System and obtain final approval from the Environmental Health Division (EHD) to abandon the septic systems.

Timing: Prior to the issuance of a Zone Clearance, the Permittee shall obtain written confirmation from EHD that the condition has been satisfied.

Monitoring and Reporting: EHD shall verify that building permits were obtained for the demolition of plumbing and review and approve the abandonment of the septic systems.

PUBLIC WORKS AGENCY (PWA) Conditions

III. Integrated Waste Management Division (IWMD) Conditions

Information resources available at:

Ordinance 4308	www.wasteless.org/ord4308
Ordinance 4421	www.wasteless.org/ord4421 .
Commercial Haulers list	www.wasteless.org/construction&demolitionrecyclingresources www.wasteless.org/commercialhaulers .
Soil, Wood and Greenwaste Recycle Locations	www.wasteless.org/greenwasterecyclingfacilities .
Space Allocation Guidelines	www.wasteless.org/spaceallocationguidelines .

22. Waste Diversion & Recycling Requirement

Purpose: Ordinance 4308 requires the Permittee to divert recyclable materials (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers, tires, etc.) generated by their project from local landfills through recycling, reuse, or salvage. Refer to the following links in the table above for information on this requirement: Ordinance 4308, Commercial Haulers list and Soil, Wood and Greenwaste Recycle Locations.

Requirement: The Permittee must work with a County-franchised solid waste hauler to determine the level of service required to divert recyclables generated by their project from local landfills.

Documentation: The Permittee must maintain copies of their bi-monthly solid waste billing statements for a minimum of one year. The address on the billing statement must match the address of the permitted business.

Timing: Upon request, the Permittee must provide the IWMD with a copy of a current solid waste billing statement to verify compliance with this condition.

Monitoring and Reporting: Upon request, the Permittee shall allow IWMD staff to perform a free, on-site, waste audit to verify recyclable materials generated by their business are being diverted from the landfill.

23. Construction & Demolition Debris Recycling Plan (Form B)

Purpose: Ordinance 4421 requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, greenwaste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage. Refer to the Ordinance 4421 link above for more information on this requirement.

Requirement: The Permittee must submit a comprehensive recycling plan (*Form B – Recycling Plan*) to the IWMD for any proposed construction and/or demolition projects that require a building permit.

Documentation: The *Form B – Recycling Plan* must ensure a minimum of 60% of the recyclable C&D debris generated by the project will be diverted from the landfill by recycling, reuse, or salvage. A copy of *Form B* is available at: www.wasteless.org/recycling/greenbuildingCD. Refer to the list above for information regarding the Commercial Haulers list, Soil, Wood and Greenwaste Recycle Locations.

Timing: Upon Building & Safety's issuance of a building permit for the project, the Permittee must submit a *Form B – Recycling Plan* to the IWMD for approval.

Monitoring and Reporting: The Permittee is required to keep a copy of their approved *Form B – Recycling Plan* until the project's final zoning clearance is issued.

24. Construction & Demolition Debris Reporting Form (Form C)

Purpose: Ordinance 4421 requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, greenwaste, soil, concrete, paper, cardboard, plastic containers, etc.) from local landfills through recycling, reuse, or salvage. Refer to the Ordinance 4421 link in the table above.

Requirement: The Permittee must submit a *Form C – Reporting Form* to the IWMD for approval prior to Building & Safety's final permit approval. A copy of *Form C – Reporting Form* is available at: www.wasteless.org/recycling/greenbuildingCD.

Documentation: The Permittee must submit original recycling facility receipts and/or documentation of reuse with their *Form C – Reporting Form* to verify a minimum of 60% of the recyclable C&D debris generated by their project was diverted from the landfill.

Timing: A completed *Form C – Reporting Form*, with requires recycling facility receipts and/or documentation or reuse, must be submitted to the IWMD for approval at the conclusion of construction.

Monitoring and Reporting: The Permittee is required to keep a copy of their approved *Form C – Reporting Form* until the project's final zoning clearance is issued.

25. Collection and Loading Areas for Refuse and Recyclables

Purpose: Section 8106-8.7 of the County's Non-Coastal Zoning Ordinance, and Public Resources Code 42900-42901, require the Permittee to ensure adequate space is provided on the premises for refuse bins, recycling bins, and loading areas.

Requirement: The Permittee must adhere to the County's *Space Allocation Guidelines* which include the minimum space required for refuse and recycling bins, and guidelines for aesthetic, gated trash enclosures. Refer to the County's *Space Allocation Guidelines* link above for more information on this requirement.

Documentation: The Permittee's site plan must indicate the location of a trash enclosure of adequate size to meet the needs of the project.

Timing: Prior to issuance of the Zoning Clearance for use inauguration, the Permittee must submit a site plan to the IWMD for review and approval.

Monitoring & Reporting: Upon request, the Permittee shall allow IWMD staff to verify a trash enclosure has been constructed on the premises.

IV. Advanced Planning Floodplain Development Section Conditions

26. Floodplain Clearance (Development proposed outside of the 1% annual chance floodplain)

Purpose: To comply with the *Ventura County Flood Damage Mitigation Ordinance* and *Ventura County General Plan policy 2.10.2* to technically verify that impacts to the proposed development are less than significant from flooding conditions during the 1% annual chance storm event.

Requirement: The Permittee shall obtain a Floodplain Clearance from the County Floodplain Manager. The Clearance will be verified by the County Floodplain Manager that the proposed development is located outside the mapped boundaries of the 1% annual chance floodplain as determined from the latest available Digital Flood Insurance Rate Map (DFIRM) provided by the Federal Emergency Management Agency (FEMA).

Documentation: A Floodplain Clearance issued by the County Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to the approval of a building permit.

Monitoring and Reporting: A copy of the approved Floodplain Clearance shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

OTHER VENTURA COUNTY AGENCIES

V. Ventura County Fire Protection District (VCFPD) Conditions

27. Inspection Authority

Purpose: To ensure on-going compliance with all applicable codes, ordinances and project conditions.

Requirement: The Permittee, by accepting these project conditions of approval, shall acknowledge that the fire code official (Fire District) is authorized to enter at all reasonable times and examine any building, structure or premises subject to this project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of the approved entitlement conditions.

Timing: The Permittee shall allow on-going inspections by the fire code official (Fire District) for the life of the project.

Monitoring and Reporting: A copy of the approved entitlement conditions shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall ensure ongoing compliance with this condition through on-site inspections.

28. Fire Department Clearance

Purpose: To inform the Permittee of all fire department requirements applicable to the proposed project.

Requirement: The Permittee shall complete a VCFPD Form #126 "Requirements for Construction." for any new structures or additions to existing structures before issuance of building permits.

Documentation: The Permittee shall submit to the VCFPD a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

Timing: Prior to the issuance of building permits, the submitted VCFPD Form #126 Application must be approved by the Fire Prevention Bureau.

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final on-site inspection of the project to ensure compliance with all conditions and applicable codes / ordinances.

29. Fire Sprinklers

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with current California Codes and the Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall install an automatic fire sprinkler system in all structures. The fire sprinkler system shall be designed and installed by a California-licensed contractor.

Documentation: The Permittee shall submit the plans for the fire sprinkler system to the VCFPD for review and approval.

Timing: Prior to the installation and inspection of the fire sprinkler system, the fire sprinkler system plans must be approved by the Fire Prevention Bureau.

Monitoring and Reporting: A copy of the approved fire sprinkler plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire sprinkler system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire sprinkler system for the life of the development.

30. Address Number

Purpose: To ensure proper premise identification to expedite emergency response.

Requirement: The Permittee shall install ten (10) inch address numbers at the street entrance to the property and on the structure facing the driveway. Brass or gold address number are not permitted. Address numbers shall be of contrasting color to the background.

Documentation: A stamped copy of the approved addressing plan.

Timing: The Permittee shall submit an addressing plan to the Fire Prevention Bureau for approval before final occupancy.

Monitoring and Reporting: A copy of the approved addressing plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all structures are addressed according to the approved plans.

31. Fire Code Permits

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits.

Documentation: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

Timing: Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

32. Access Driveways Design, Contractor Storage Yards

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide drive aisles having a minimum clear width of 25 feet.

- a. Without buildings in the yards, installation shall comply with:
 - i. Main access road into the site shall be asphalt or concrete or approved all-weather surface
 - ii. Remainder of drive aisles to each storage yard shall meet residential standards or beyond and be engineered to support additional expected loads based upon use of the yards
 - iii. No requirements within each storage yard when access from all points within the yard are located within 250 feet of an approved surface drive aisle. Larger yards may need additional alternate surface access within the yard
 - iv. Hazardous operations and hazardous material storage may require full paved access
- b. With buildings in the yards, installation shall comply with:
 - i. Full paved access to within 150 feet of all portions of the exterior walls of each building.

Documentation: A stamped copy of the approved access plan.

Timing: The access plan shall be approved prior to issuance of building permits. All required access shall be installed before the start of construction/business operations.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the project.

33. Access Road / Driveway Maintenance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall maintain all on-site access road(s) and driveway(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s).

Documentation: A copy of the Covenants, Conditions and Restrictions or such other documentation as may be deemed acceptable by the Fire Prevention Bureau.

Timing: The Permittee shall provide evidence of provisions for maintenance must be submitted to the Fire Prevention Bureau prior to issuance of the CUP extension.

Monitoring and Reporting: The Fire District has the authority to inspect all on-site access road(s) and driveway(s) as it deems necessary. The Permittee shall be responsible for ongoing maintenance of the access road and driveways and shall conduct repairs as required by the Fire District.

34. Turnarounds

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide an approved turnaround area for fire apparatus where dead-end Fire Department access roads / driveways exceed 150 feet. Required turnaround areas shall be designed such:

- a. Does not exceed a 5% cross-slope in any direction.
- b. Located within 150 feet of the end of the access road / driveway
- c. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards.
- d. Kept free of obstructions at all times.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit access plans to the Fire Prevention Bureau for approval before issuance of building permits. The plans shall indicate all access road/driveway locations and proposed turnaround location and design. All required turnarounds shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection ensure that turnaround areas are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the turnaround areas for the life of the development.

35. Access Road Certification

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all access road(s)/driveway(s) certified by a registered Civil Engineer as having an all-weather surface in conformance with Public Works and / or Fire District Standards.

Documentation: A copy of the approved road certification.

Timing: The Permittee shall submit the certification to the Fire Prevention Bureau for approval before final occupancy.

Monitoring and Reporting: A copy of the certification shall be kept on file with the Fire Prevention Bureau.

36. Vertical Clearance

Purpose: To ensure that adequate fire department vertical clearance along access driveways and roads are provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a 13' 6" vertical clearance for fire apparatus access roads / driveway. Required vertical clearance shall be designed as follows:

- a. Trees and shrubs do not extend within the required access width.
- b. Trees are pruned back to a height not less than 13' 6" from the access road/driveway surface.
- c. The required vertical clearance extends from the entrance to the property all the way to all protected structures.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit access plans to the Fire Prevention Bureau for approval before issuance of building permits. The plans shall indicate all access road/driveway locations and proposed turnaround location and design. All required access elements shall be cleared to include a 13' 6" vertical clearance before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection ensure that the required vertical clearance is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the vertical clearance for the life of the development.

37. Fire Lanes

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall post all fire lanes in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. All fire lane markings / signs shall be located within

recorded access easements. The Permittee shall maintain all required fire lane markings / signs to be clearly visible.

Documentation: A stamped copy of the approved fire lane plan.

Timing: The Permittee shall submit two (2) copies of the site plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required fire lanes shall be installed before final occupancy.

Monitoring and Reporting: A copy of the approved fire lane plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all fire lanes are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire lanes for the life of the development.

38. Access Road Gates

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Standards.

Requirement: The Permittee shall design and install all gates along required fire access roads / driveways consistent with Fire Protection District Standards.

Documentation: A stamped copy of the approved gate plans.

Timing: The Permittee shall submit gate plans to the Fire Prevention Bureau for approval before the installation of any access gates. The submittal shall include a copy of zoning clearance issued by the Planning Department.

Monitoring and Reporting: A copy of the approved gate plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the gates for the life of the development.

39. Fire Flow

Purpose: To ensure that adequate water supply is available to the project for firefighting purposes.

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is approximately 1250 gallons per minute at 20 psi for a minimum 2 hour duration. A minimum flow of 1250 gallons per minute shall be provided from any one hydrant. Note: For Commercial, Industrial, Multi-family buildings, a minimum fire flow of 1,000 GPM shall be provided from each hydrant when multiple hydrants are flowing at the same time.

Documentation: A signed copy of the water purveyor's fire flow certification.

Timing: Prior to CUP Extension, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow. If there is no map recordation, the Permittee shall submit a signed copy of the water purveyor's certification to the Fire Prevention Bureau for approval before the issuance of building permits.

Monitoring and Reporting: A copy of the fire flow certification shall be kept on file with the Fire Prevention Bureau.

40. Water System Plans

Purpose: To ensure adequate water supply for firefighting to the project.

Requirement: The Permittee shall submit plans to the Fire Prevention Bureau for water systems, not located within a water purveyor's easement, that supply fire hydrants and/or fire sprinkler systems.

Documentation: A stamped copy of the approved water system plans.

Timing: The Permittee shall submit water system plans to the Fire Prevention Bureau for approval before the installation of the water system.

Monitoring and Reporting: A copy of the approved water system plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the water system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the water system for the life of the development.

41. Fire Hydrant(s)

Purpose: To provide fire hydrants capable of meeting the required fire flow and duration.

Requirement: The Permittee shall provide fire hydrant(s) per the current adopted edition of the Ventura County Fire Code, Appendix C. Design and installation shall conform to the minimum standard of the Ventura County Water Works Manual.

Documentation: A stamped copy of the approved fire hydrant location plan.

Timing: The Permittee shall submit a site plan to the Fire Prevention Bureau for fire hydrant placement and approval before the issuance of building permits. The plans shall indicate all existing fire hydrants located within 500 feet of the project site, the type of hydrant (i.e. wet or dry barrel) and the number and size of outlets. All required fire hydrants shall be installed per the approved plans and in-service before the start of construction.

Monitoring and Reporting: A copy of the approved fire hydrant plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site

inspections to ensure that the fire hydrants are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire hydrants for the life of the development.

42. Hydrant Location Markers

Purpose: To assist with rapid locating of fire hydrants during emergency responses.

Requirement: The Permittee shall install blue reflective fire hydrant location markers on the access road per Ventura County Fire Protection District Standards.

Documentation: A stamped copy of the approved fire hydrant location plan and Ventura County Fire Protection District Fire Hydrant Standards.

Timing: The Permittee shall install all required blue reflective fire hydrant location markers at the time access is installed. If the final asphalt cap is not in place at the time of occupancy, the markers shall be installed and shall be replaced when the final asphalt cap is completed.

Monitoring and Reporting: A copy of the approved fire hydrant plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the fire hydrants and markers are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire hydrants and markers for the life of the development.

43. Trash Dumpster Locations

Purpose: To ensure adequate exposure protection is provided for surround structures.

Requirement: The Permittee shall ensure that commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of building openings, building combustible walls, or combustible roof eave lines unless protected by approved automatic fire sprinklers.

Documentation: A stamped copy of the approved site plan indicating commercial trash dumpster and container locations.

Timing: The Permittee shall submit site plans indicating all commercial trash dumpster and container locations to the Fire Prevention Bureau for approval before the issuance of building permits.

Monitoring and Reporting: A copy of the approved site plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the commercial trash dumpster and containers are installed according to the approved site plan. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the approved locations for the life of the development.

