



Planning Director Staff Report – Hearing on June 29, 2015

County of Ventura • Resource Management Agency • Planning Division

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LAKE SHERWOOD PLANNED DEVELOPMENT PERMITS PL14-0158, PL14-0159, and PL14-0160

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of three Planned Development (PD) Permits (Case Nos. PL14-0158, PL14-0159, and PL14-0160), each for the construction of one single-family dwelling within the Scenic Resources Protection (SRP) Overlay zone.
2. **Applicant:** Mr. Mike McMullen, Sherwood Development Company, 2300 Norfield Court, Thousand Oaks, California 91361.
3. **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 PD Permits.

4. Project Site Size, Location, and Parcel Number:

PL 14-0158: The 12.02-acre project site is located at 2639 Queens Garden Drive, Thousand Oaks, CA 91361, west of the intersection of Queens Garden Drive and Calbourne Lane, in the community of Lake Sherwood, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 695-0-420-065 (Exhibit 2).

PL 14-0159: The 11.01-acre project site is located at 2613 Queens Garden Drive, Thousand Oaks, CA 91361, west of the intersection of Queens Garden Drive and Calbourne Lane, in the community of Lake Sherwood, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 695-0-420-075 (Exhibit 2).

PL 14-0160: The 10.04-acre project site is located at 2575 Queens Garden Drive, Thousand Oaks, CA 91361, west of the intersection of Queens Garden Drive and Calbourne Lane, in the community of Lake Sherwood, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 695-0-420-085 (Exhibit 2).

5. Project Site Land Use and Zoning Designations:

- a. Countywide General Plan Land Use Map Designation: Open Space (Exhibit 2)

- b. Lake Sherwood Area Plan Land Use Map Designation: OS-10-20 ac (Open Space 10-20 acre minimum lot size) (Exhibit 2)
- c. Zoning Designation: OS-10ac/SRP (Open Space, 10 acre minimum lot size, Scenic Resources Protection Overlay Zone) (Exhibit 2)

6. Adjacent Zoning and Land Uses/Development (Exhibit 2):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS 10-ac/SRP	Open space hillsides and the Lake Sherwood Inlet in Carlisle Canyon are located to the north.
East	OS 160-ac/SRP (Open Space, 160 acre minimum lot size, Scenic Resource Protection Overlay Zone) and RE-20,000 sq. ft. (Rural Exclusive, 20,000 square feet minimum lot size)	Open space in the Lake Sherwood Inlet in Carlisle Canyon is located to the east; and additional residential lots within Tract 4192 are located further to the east, across the Inlet.
South	OS 10-ac/SRP and OS 160-ac/SRP	Open space lots, including hillsides and water front areas, and the Lake Sherwood Inlet in Carlisle Canyon are located to the south.
West	OS 10-ac/SRP and RE-1 ac (Rural Exclusive, 1 acre minimum lot size)	Open space hillsides are located to the west, as well as single-family dwellings.

- 7. History:** The proposed project includes development of three lots in the Lake Sherwood area that were the subject (in part) of Vesting Tentative Tract Map 4192 (TT-4192) and Conditional Use Permit (CUP) 4631.

TT-4192 authorized the subdivision of a 356.5 acre lot into 90 lots for the development of single-family dwellings, and five parcels for open space, landscaping, a de-silting basin, and booster pump station site. The Board of Supervisors approved CUP 4631 concurrently with TT-4192; CUP 4631 permitted 840,000 cubic yards of grading within areas that are subject to the regulations of the SRP Overlay Zone, in order to create roads and pads for the residential development on the lots that TT-4192 created. Following the approval of TT-4192 and CUP 4631, the Planning Director and Board of Supervisors approved the following modifications to these entitlements:

- On March 2, 1993, the Board of Supervisors approved Modification No. 1 to TT-4192 and required that "Parcel A" be dedicated in fee to the Conejo Open Space Observation Agency (COSCA) or the Lake Sherwood Community Services District (LSCSD).

- On January 11, 1995, the Planning Director approved Modification No. 2 to TT-4192 that allowed the phasing of TT-4192 to be expanded from two phases to six phases for recordation and construction purposes.
- On July 28, 1998, the Board of Supervisors approved Modification No. 3 to reflect administrative changes to the LSCSD, and required that the LSCSD transfer ownership of easements and parcels to the Sherwood Valley Homeowner's Association (HOA).
- On August 8, 2000, the Board of Supervisors: (1) approved a General Plan Amendment; (2) approved Modification No. 4 to TT-4192 and CUP 4631; and (3) adopted a MND for the General Plan Amendment and Modification No. 4 to TT-4192 and CUP 4631. These actions authorized the reconfiguration of lots located in Phases 3-6 of TT-4192, created lots 102 and 103 for an 18 hole Par 3 Golf Course, and created "Parcel A" that is located within the southern reach of the Carlisle inlet for Lake Sherwood.

In 1997, the Planning Commission granted Residential Planned Development (RPD) 1690 for the future construction of 35 single-family dwellings located between Stafford Road and Carlisle Road, to the south of Queens Garden Drive. In 2000, the Planning Commission approved Modification No. 1 to RPD 1690 to expand the permit boundary to include 52 single-family dwellings. On July 12, 2005, the Board of Supervisors approved Modification No. 2 to RPD 1690 to allow the construction of 16, "custom" single-family dwellings. RPD 1690 did not apply to the properties that are the subject of PD Permit Case Nos. PL14-0158, PL14-0159, and PL14-0160.

8. Project Description:

PL 14-0158: The applicant is requesting approval of a PD Permit for the construction of a 4,960 square feet (sq. ft.) single-family, single-story dwelling with 670 sq. ft. of covered porches, and an attached 941 sq. ft. four-car garage. The proposed structure will be approximately 25 feet and 11 inches in height with a minimum 15 feet side yard setback around the structure, and will be located along the bank of the Lake Sherwood Inlet. The property is located in the SRP Overlay Zone and is visible from Lake Sherwood (Exhibit 2).

The proposed project site is part of the sixth phase of TT-4192. Development of the site will be limited to a 20,138 sq. ft. (0.46 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4 to TT-4192. In addition, 11.44 acres of the subject property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA and will remain undeveloped. The remaining 0.12 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional grading or vegetation removal is proposed beyond

what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 20-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. LSCSD will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.

PL 14-0159: The applicant is requesting approval of a PD Permit for the construction of a 4,962 sq. ft. single-family, two-story dwelling with 604 sq. ft. of covered porches, 568 sq. ft. balcony/deck on second floor, an attached 685 sq. ft. two-car garage, and a detached 550 sq. ft. two-car garage. The proposed structure will be approximately 31 feet and 10 $\frac{3}{4}$ inches in height with a minimum 15 feet side yard setback around the structure, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay Zone and is visible from Lake Sherwood (Exhibit 2).

The proposed project site is part of the sixth phase of TT-4192. Development of the site will be limited to a 18,224 sq. ft. (0.42 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4 to TT-4192. In addition, 10.45 acres of the property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA and will remain undeveloped. The remaining 0.14 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional grading or vegetation removal is proposed beyond what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. LSCSD will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.

PL 14-0160: The applicant is requesting approval of a PD Permit for the construction of a 4,707 sq. ft. single-family, single-story dwelling with 712 sq. ft. of covered porches and loggia, and an attached 900 sq. ft. four-car garage. The proposed structure will be approximately 21 feet and 3.5 inches in height, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay Zone and is visible from Lake Sherwood (Exhibit 2).

The proposed project site is part of the sixth phase of TT-4192. Development of the site will be limited to a 15,900 sq. ft. (0.37 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4. In addition, 9.56 acres of the property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA and will remain undeveloped. The remaining 0.12 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional

grading or vegetation removal is proposed beyond what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. LSCSD will provide water and the Trifuno Sanitation District will provide sewage disposal services for the residential use of the subject property.

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 applications constitute three "projects" that are subject to environmental review.

On May 19, 1992, the Board of Supervisors adopted a Mitigated Negative Declaration (MND) for TT-4192 that evaluated the environmental impacts of a 356.5 acre subdivision into 90 lots for the development of single-family dwellings, and 5 parcels for open space, landscaping, a de-silting basin, and booster pump station site. This MND is attached as Exhibit 4.

On August 8, 2000, the Board of Supervisors adopted a MND for Modification No. 4 to TT-4192 that evaluated the environmental impacts of the re-subdivision of Phase 6 of TT-4192, which encompasses 335 acres, including 110 acres which will be set aside as deed restricted open space. This re-subdivision includes the proposed project sites that are the subject of the PD Permit applications. This MND is attached as Exhibit 4.

The CEQA Guidelines [§ 15164(b)] state that the lead agency shall prepare an addendum to an adopted MND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (§ 15162) calling for the preparation of a subsequent MND have occurred. Exhibit 4 includes a: description of the changes or additions that are necessary to the MND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of a subsequent Environmental Impact Report (EIR) or MND.

Therefore, based on the information provided above and in light of the whole record, there is no substantial evidence to warrant the preparation of a subsequent EIR or MND, and the addendum to the MND (Exhibit 4) reflects the County's independent judgment and analysis.

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 NCZO (§ 8111-1.2.1.1.a) states that in order to be approved, a PD Permit must be consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed projects with the applicable policies of the General Plan Goals, Policies and Programs and Lake Sherwood/Hidden Valley Area Plan.

Policies from the Goals, Policies and Programs (GPP) and Lake Sherwood/Hidden Valley Area Plan (LSHVAP)

- 1. GPP 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.*

GPP 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.*

LSHVAP Land Use Policy 1.1.2-1: *The total number of dwelling units in the Lake Sherwood Community, excluding Planning Units 8 and 9, shall not exceed 630...*

LSHVAP Land Use Policy 1.1.2-4: *Discretionary development shall be conditioned to incorporate good design standards including, open areas, landscaping, circulation, off-street parking, energy efficiency, architectural compatibility with the surroundings, etc. □*

LSHVAP Land Use Policy 1.1.2-5: *Residential development shall be designed to provide a harmonious relationship between adjoining uses and the natural environment.*

As discussed in Section B (above) and the MND Addendum prepared for the proposed project (Exhibit 4), County staff evaluated the proposed project's individual impacts and contribution to cumulative impacts on resources in compliance with CEQA. The proposed project will not have significant impacts on environmental resources.

The proposed projects are consistent with TT-4192 and CUP 4631, which approved a 356.5-acre subdivision that provided 90 lots for the development of single-family dwellings, and 5 parcels for open space, landscaping and a de-silting basin, and a booster pump station site. As a part of TT-4192, the proposed projects are within

Lake Sherwood Planning Unit 3, and will not exceed the allotted number of approved units. The proposed projects do not involve any new development within the areas that are subject to the existing open space easements that the Sherwood Development Company granted to the Sherwood HOA. The easements consist of 11.44 acres for Lot 48, 10.45 acres for Lot 49, and 9.56 acres for Lot 50 of land, in which residential development is limited.

Relevant conditions of TT-4192 and CUP 4631 include Condition 17, which required a fencing, landscaping, and planting plan in addition to specifications for a maintenance program, as part of new residential development. As part of the Lake Sherwood subdivision approval, all future construction in the proposed subdivision are subject to architectural guidelines administered by the Lake Sherwood HOA. The Lake Sherwood HOA has the authority to review any building plans and designs, as specified in the recorded Covenants, Conditions and Restrictions (CC&R's) for the Lake Sherwood project. TT-4192 and CUP 4631 Condition 8 stipulated (in pertinent part) that "...architectural design of all construction shall use colors, forms and materials that blend with the environment and/or character of the community."

Based on the discussion above, the proposed projects are consistent with General Plan Policies 1.1.2-1, 1.1.2-2 and *Lake Sherwood/Hidden Valley Area Plan Policies* 1.1.2-1, 1.1.2-4, and 1.1.2-5.

2. **GPP Water Resources Policy 1.3.2-2:** *Discretionary development shall comply with all applicable County and State water regulations.* □

GPP Water 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.⁷ development shall incorporate water conservation measures as prescribed by the County's Guide to Landscape Plans, including use of low water usage landscape plants and irrigation systems and/or low water usage plumbing fixtures and other measures designed to reduce water usage.*

GPP Flood Hazards and Drainage Policy 3.2.2-2: *All discretionary development shall include measures to control water runoff.*

GPP Water Supply Policy 4.2.2-1: *All discretionary development shall include provisions for water conservation techniques and the use of drought resistant native plants wherever possible.*

GPP Water Supply Policy 4.2.2-4: *Discretionary development shall be required to be served by a publicly operated water supplier. All facilities shall meet or exceed County Waterworks Standards.*

GPP Water Supply 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...*

GPP Water Supply Policy 4.3.2-3: *Discretionary development shall be conditioned to incorporate water conservation techniques and the use of drought resistant native plants pursuant to the County's Guide to Landscape Plans.*

The projects are consistent with past approvals for TT-4192 and CUP 4631 that, with conditions, were deemed in compliance with County and State water regulations. Furthermore, the applicant obtained a "Water Will Serve Letter" from LSCSD (a publicly operated water supplier), dated March 25, 2015, which stated that LSCSD will provide domestic water service to the subject properties upon demand. As discussed in Section B (above) and in the Addendum prepared for the proposed project, the proposed project will have no significant impacts on environmental resources.

The proposed project will be subject to the requirements of the Ventura County Building Code which requires that there be no increase in runoff volume or flow rates from the property after grading, as compared to pre-developed conditions. The proposed project will be conditioned to ensure compliance of waste discharge and to provide plans demonstrating that post-project runoff is maintained at or below existing runoff quantities and flow rates. Furthermore, pursuant to the recommendations of Public Works Agency staff, the proposed projects will be subject to conditions requiring the applicant to implement the erosion control measures that are required pursuant to Flood Hazards and Drainage Policy 3.2.2-2 (Exhibit 5, Conditions Nos. 27, 28, 29, 30, and 31). The conditions will include the implementation of BMPs during construction in order to protect surface water quality and to control storm water runoff, erosion, and sedimentation.

A minimum of 50% of the plants used in landscaping of each project site shall be native and drought tolerant. The Permittee shall ensure, pursuant to the California Invasive Plant Council (IPC), that no invasive plants will be used for landscaping purposes on the project sites. The PD Permits will be subject to a condition of approval to require the applicant to prepare a landscape plan and install landscaping that includes the use of drought tolerant resistant native plant species to the maximum extent possible, pursuant to the *Ventura County Landscape Design Criteria* (October 1992) (Exhibit 5, Conditions No. 16).

Based on the discussion above, with the adoption of the recommended conditions of approval, the proposed projects will be consistent with the General Plan water-related Policies listed above.

3. **GPP 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.*

GPP Biological Resources Policy 1.5.2-3: *Discretionary development that is proposed to be located within 300 feet of a marsh, intermittent lake, intermittent stream, or perennial stream, shall be evaluated by a County approved biologist for potential impacts on wetland habitats.*

GPP Biological Resources Policy 1.5.2-4: *Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body.*

LSHVAP Biological Resources Policy 2.1.2-3: *Brush removal shall be limited to 2 acres or less per lot, adjacent to proposed buildings, unless greater clearance is required by the Fire Protection Ordinance.*

LSHVAP Biological Resources Policy 2.1.2-4: *Fuel modification zones as required by the Fire Prevention District shall be planted with fire-retardant native plants and irrigated until vegetation is well established.*

Envicom Corporation prepared a rare Plant Survey Report for TT-4192 and TT-4408, dated June 19, 1990, that identified several populations of Lyon's Pentacheata, a State-listed rare and endangered plant species. In conjunction with the 1992 MND, a mitigation monitoring program was developed for TT-4192 and CUP 4631 that required the Subdivider for TT-4192 and TT-4408 to avoid, and record deed restrictions that prohibited development within, the areas with Lyon's Pentacheata.

Additionally, on February 5, 2004, the Planning Division approved an Oak Tree Relocation Plan. The Final EIR for the *Lake Sherwood/Hidden Valley Area Plan* and additional technical reports prepared for TT-4192 set forth the impacts and mitigation measures related to habitat, sensitive species, and wetlands, due to development of the lots that TT-4192 created.

The proposed projects are consistent with past approvals for the site (TT-4192 and CUP 4631). The governing CUP approved 840,000 cubic yards of grading in the SRP Overlay Zone to create roads and pads. The proposed single-family dwellings will be located on lots that the Subdivider of TT-4192 graded under the prior approvals, and are devoid of vegetation. No additional grading or vegetation removal beyond what occurred as part of the grading for TT-4192 is anticipated to occur as a result of the proposed projects.

The proposed single-family dwellings will be located within 100 feet of the Lake Sherwood Inlet in Carlisle Canyon. The MND for TT-4192 evaluated the impacts to wetland habitat that would result from the development of the proposed single-family dwellings. The Subdivider was required to provide retention basins and

obtain a Streambed Alteration Permit to mitigate the impacts to significant wetland habitats, prior to the start of grading to create the building pads for the proposed single-family dwellings. Furthermore, as indicated in the Addenda to the MND (Exhibit 4), the proposed projects will not result in any new, significant impacts on environmental resources beyond what was revealed in the MND.

LSHVAP Policy 2.1.2-3 is incorporated by reference as a mitigation measure in the MND for TT-4192 and CUP 4631 (MND page 4). The proposed project site is fully graded and is currently devoid of vegetation. Any additional brush removal for each lot, not already approved as part of TT-4192 and CUP 4631, including fuel modification clearance will be less than 2 acres. The VCFPD reviewed and approved the fuel modification plans for TT-4192.

Based on the discussion above, the proposed projects are consistent with Biological Resources Policies 1.5.2-1, 1.5.2-3, and 1.5.2-4 and *Lake Sherwood/Hidden Valley Area Plan* Policies 2.1.2-3 and 2.1.2-4.

- 4. LSHVAP Biological Resources Policy 2.1.2-5:** *Discretionary development that is proposed to be located within 300 feet of a marsh, small wash, intermittent lake, intermittent stream, spring, or perennial stream as identified on the latest USGS 7 1/2 minute quad map shall be evaluated by a qualified biologist, approved by the County, for potential impacts on "wetland" habitats. Discretionary development that would have a significant impact on significant "wetland" habitats shall be prohibited, unless mitigation measures are adopted that would reduce the impact to a less than significant level, or for lands designated "Urban" or "Existing Community", a statement of overriding considerations is adopted by the decision-making body.*

LSHVAP Biological Resources Policy 2.1.2-6: *Landscape plans shall use non-invasive, fire-resistant native species, to the maximum extent feasible.*

The proposed single-family dwellings will be located within 100 feet of the Lake Sherwood Inlet in Carlisle Canyon. The proximity of the proposed residences on Lots 48, 49, and 50 to the Lake Sherwood Inlet and the potential for impacts on significant wetland habitats were analyzed in the prior MND for TT-4192 and the MND for Mod. 4 to TT-4192 (Exhibit 4). Envicom Corporation prepared a "Technical Report: Waters, Wetlands, and Riparian Habitat of TT-4192 and TT-4409", dated January 17, 2000, that suggests that significant impacts previously identified would still result with the implementation of Mod. 4 to TT-4192.

In addition, the Final Environmental Impact Report (EIR) for the Lake Sherwood/Hidden Valley Area Plan found that habitat impacts would be less than significant with implementation of mitigation measures to create and/or enhance riparian habitat. The EIR also discussed that the roads, houses, and recreational activities would disturb and replace the original, natural land.

The approval of TT-4192 and CUP4631 identified the lots for development, and Mod 4 to TT-4192 reconfigured the lots and building pads for the third through sixth phase of TT-4192. The proposed project site is part of the sixth phase of TT-4192.

Mitigation measures required to offset the impacts to significant wetland habitats were complied with prior to the start of grading for Tract 4192-6. As stated in the Addenda to the MND (Exhibit 4), the proposed projects will not have significant impacts on environmental resources.

Additionally, the Board of Supervisors previously evaluated the environmental effects of the vegetation removal and grading to create the roads that serve the project sites, as well as the building pads on the subject properties, as part of the MND for CUP 4631. The Board of Supervisors also evaluated the environmental effects of vegetation removal during grading and construction activities as part of the MND for Modification 4 to TT-4192. No additional grading or vegetation removal beyond what was set forth in the MNDs will occur as a result of the proposed projects.

Relevant conditions of TT-4192 and CUP 4631 include Condition 17, which required a fencing, landscaping, and planting plan in addition to specifications for a maintenance program, as part of new residential development. The proposed projects will be subject to conditions of approval to require that the landscaping of the project sites must include drought tolerant resistant native plant species to the maximum extent possible and that the applicant submit a landscape plan (Exhibit 5, Condition No. 16). Landscape plans for the proposed project will be reviewed and approved by the County of Ventura Planning Division prior to implementation to assure adequate fire-resistant vegetation and clearance areas are provided, consistent with TT-4192 and CUP 4631 conditions. The projects will be conditioned to require that the projects be subject to the use of drought tolerant resistant native plant species to the maximum extent possible.

Therefore, the proposed projects will not involve new significant environmental impacts to wetland habitat that were not identified in the MNDs.

Based on the discussion above, the proposed project is consistent with *Lake Sherwood/Hidden Valley Area Plan* Policies 2.1.2-5 and 2.1.2-6.

5. LSHVAP Biological Resources Policy 2.1.2-12: *All night lighting within proposed development shall be shielded and directed to the ground.*

Pursuant to the Lighting Photometric Calculation Floor Plans, dated September 23, 2014 (Exhibit 3), the single-family dwellings will result in minimal night lighting. The lighting that does exist will be directed downwards.

Based on this discussion, the proposed projects are consistent with *Lake Sherwood/Hidden Valley Area Plan* Policies 2.1.2-12.

- 6. LSHVAP Biological Resources Policy 2.1.2-18:** *All homesites within Planning Units 2, 3, and 4 shall be located within 200 feet of proposed main access roads, unless homesites can be established which would protect biological resources, allow for adequate tactical fire access and prescriptive burning, and protect visual resources.*

Lot 48 is located approximately 26 feet away from Queens Garden Drive, the main access road for the property. Lot 49 is located approximately 30 feet away from Queens Garden Drive and Lot 50 is located approximately 24 feet away from Queens Garden Drive.

Based on this discussion, the proposed projects are consistent with *Lake Sherwood/Hidden Valley Area Plan Policy 2.1.2-18*.

- 7. LSHVAP Biological Resources Policy 2.1.2-19:** *Residential estate lots within P. U. 2, 3 and 4 shall not be fenced except for the outside perimeter of the Lake Sherwood Community, and within 200 feet of the main residence, corral and swimming pool on each lot. Outside perimeter fencing used should not extend to the ground, but have an opening of not less than 6 inches between the ground and bottom of the fence. Top of fence should not exceed 8 feet in height above the ground.*

Lot 48 contains minimal fencing, and the fencing that is included is located approximately 12 feet away from the main residence. Lots 49 and 50 contain fencing on the western and eastern sides of each property. Fencing is approximately 30 feet away from the main residence on Lot 49 and 10.5 feet away from the main residence on Lot 50. Additionally, temporary silt fencing will be placed along the bank of the Lake Sherwood Inlet and the property lines for Lots 48, 49, and 50 during construction. The projects will be conditioned to ensure that the top of fence should not exceed 8 feet in height above the ground (Exhibit 5, Condition No. 22).

Based on this discussion, the proposed projects are consistent with *Lake Sherwood/Hidden Valley Area Plan Policy 2.1.2-19*.

- 8. GPP Scenic Resources Policy 1.7.2-2:** *Scenic Resource Areas, which are depicted on the Resource Protection Map (Figure 1), shall be subject to the Scenic Resource Protection (SRP) Overlay Zone provisions and standards set forth in the Non-Coastal Zoning Ordinance, which include the following:...*

(3) All discretionary development shall be sited and designed to:

- a. Prevent significant degradation of the scenic view or vista;*
- b. Minimize alteration of the natural topography, physical features and vegetation;*
- c. Utilize native plants indigenous to the area for re-vegetation, whenever possible;*

- d. Avoid silhouetting of structures on ridge tops that are within public view.*
- e. Use colors and materials that are designed to blend in with the natural surroundings.*
- f. Minimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas...*

GPP Scenic Resources Policy 1.7.2-4: *The Planning Division shall continue to implement the landscaping requirements of the Zoning Ordinance and the "Guide to Landscape Plans" to enhance the appearance of discretionary development.*

LSHVAP Scenic Resources Policy 2.5.2-9: *Architectural design of buildings and structures shall use colors, forms and materials that blend with the environment and/or the character of the community.*

The proposed project sites are located in the SRP Overlay Zone because they are located immediately adjacent to, and are visible from, Lake Sherwood, a designated scenic lake. The single-family dwellings will be located approximately 40 feet away from Lake Sherwood. The proximity of the proposed residences on Lots 48, 49, and 50 to the Lake Sherwood Inlet and the potential for impacts on significant wetland habitats were analyzed in the prior MND for TT-4192 and the MND for Mod. 4 to TT-4192 (Exhibit 4), and the buildable pads were recorded as part of TT-4192 and Mod. 4 to TT-4192.

The approval of TT-4192 and CUP4631 identified the lots for development, and Mod 4 to TT-4192 reconfigured the lots and building pads for the third through sixth phase of TT-4192.

Mitigation measures required to offset the impacts to significant wetland habitats were complied with prior to the start of grading for Tract 4192-6. As stated in the Addenda to the MND (Exhibit 4), the proposed projects will not have significant impacts on environmental resources.

The SRP Overlay standards of the Ventura County NCZO (§ 8109-4.1 et seq.) that apply to the proposed projects are essentially the same as the standards set forth in sub-section (3) of Scenic Resources Policy 1.7.2-2 (and are stated in this staff report, above).

The proposed development will not be visible from a public road, and will not be located along a ridge line. The PD Permits will be subject to a condition of approval (Exhibit 5, Condition No. 18) to require the proposed structures to be built using earth tone material colors and palettes that blend in with the surrounding environment.

As discussed in this staff report (above), landscaping of each project site shall contain a minimum of 50% native and drought tolerant plants. Furthermore, the PD Permits will be subject to a condition of approval (Exhibit 5, Condition No. 16) to

require the Applicant to prepare landscape plans for each project site, pursuant to the requirements of the Ventura County Landscape Design Guidelines.

As stated in this staff report (above), the proposed single-family dwellings will be located on previously graded pads that were approved as part of TT-4192, CUP 4631, and Modification No. 4 to TT-4192. The applicant is not proposing any additional grading or vegetation removal beyond what occurred to create the building pads.

As part of the TT-4192 approval, all future construction in the proposed subdivision are subject to architectural guidelines administered by the Lake Sherwood HOA. The Lake Sherwood HOA has the authority to review any building plans and designs, as specified in the recorded Covenants, Conditions and Restrictions (CC&R's) for the Lake Sherwood project. TT-4192 and CUP 4631 Condition 8 stipulated (in pertinent part) that "...architectural design of all construction shall use colors, forms and materials that blend with the environment and/or character of the community."

The proposed projects are in compliance with § 8109-4.1.5.a(5) of the Ventura County NCZO, which states that the projects must use a natural color scheme. Additionally, the projects will be subject to conditions of approval to require that the landscaping of the project sites must include drought tolerant resistant native plant species to the maximum extent possible (Exhibit 5, Condition No. 16).

Finally, the PD Permits will be subject to a condition of approval (Exhibit 5, Condition No. 17) that will prohibit the use of lighting that causes glare, illuminates adjacent properties, or is directed skyward.

Based on the discussion above, the proposed projects are consistent with General Plan Policies 1.7.2-2 and 1.7.2-4 and *Lake Sherwood/Hidden Valley Area Plan* Policy 2.5.2-9.

- 9. 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 County-wide paleontological and cultural resource database.*

LSHVAP Cultural Resources Policy 2.2.2-1: *All archaeological studies and surveys shall be performed in consultation with local Native American representatives.*

The County evaluated the proposed projects' individual impacts and contribution to cumulative impacts on paleontological, archaeological and cultural resources in compliance with CEQA, as discussed in the MND for Tract Map 4192 and CUP 4631, which included grading of the proposed projects' building pads, and the MND Addenda (Exhibit 4).

There are no buildings or structures located on, or within the vicinity of, the project sites that may qualify as historical resources, and the project sites are not designated historical landmarks.

The *Lake Sherwood/Hidden Valley Area Plan* and the conditions for CUP 4375 required extensive archaeological research and testing. Additionally, an archaeology report, conducted on August 10, 1989, described archaeological resources on TT-4192. The building pads have already been graded, and no new grading is proposed as part of these projects. Therefore, it is unlikely that ground disturbance activities during construction will encounter subsurface archaeological resources on-site. Nevertheless, in the unlikely event that archaeological resources are uncovered during construction, a standard condition (Exhibit 5, Condition No. 20) will be imposed on each of the proposed projects requiring a qualified consultant to assess the find and make a recommendation on the proper disposition of the resources, for the Planning Director's review and approval.

Planning Division staff reviewed the Paleontological Map Series of the Resource Management Agency Geographical Information System (RMA GIS) which indicated the subject properties are located in an area of unknown paleontological importance. In addition, the subject properties are adjacent to an area of no paleontological importance. The previous grading activities did not reveal the presence of subsurface paleontological resources located on-site.

Therefore, it is unlikely that ground disturbance activities during construction will encounter subsurface paleontological or archaeological resources on-site. Nevertheless, in the unlikely event that paleontological or archaeological resources are uncovered during construction, the PD Permits will be subject to conditions of approval (Exhibit 5, Conditions No. 19 and 20) to require the Applicant to retain a qualified paleontological and/or archaeological consultant (as applicable) to assess the find and make a recommendation on the proper disposition of the resources, for the Planning Director's review and approval. Such an assessment will be incorporated into a County-wide paleontological and cultural resource data base.

Based on the discussion above, the proposed projects are consistent with General Plan Policy 1.8.2-1 and the *Lake Sherwood/Hidden Valley Area Plan* Policy 2.2.2-1.

10. GPP 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 projects will be subject to the 2013 Building Energy Efficiency Standards (Title 24), and required to incorporate energy conservation techniques into the single family dwellings' designs. Additionally, Condition 12 of TT-4192 requires that all residential building structures impose standards as provided under

Chapter 2.53 of Part 2 and Chapters 4-10 of Part 4, of Title 24 of the California Administrative Code.

Based on the discussion above, the proposed projects are consistent with General Plan Policy 1.9.2-1.

- 11. GPP Hazards Policy 2.1.2-1:** *Applicants for land use and development permits shall provide all necessary information relative to identified hazards that may affect or be affected by their proposed project. Applicants shall also specify how they intend to mitigate identified hazards.* □

GPP Hazards Policy 2.1.2-2: *All geologic and soil engineering reports submitted with land use and development permit applications, including recommendations for measures to eliminate or mitigate possible hazards, shall be signed by qualified personnel registered and certified by the State in the appropriate discipline, such as Professional Engineers and/or Certified Engineering Geologists.* □

GPP Hazards Policy 2.2.2-2: *No habitable structures shall be located across or on any active fault zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act. Furthermore, no habitable structures shall be located within 50 feet of the mapped trace of an active fault unless an appropriate geologic investigation and report demonstrates that the site is not subject to a fault rupture hazard.*

LSHVAP Hazards and Constraints Policy 3.1.2-4: *Structures adjacent to Sherwood Lake shall be placed above the 965 feet elevation contour.*

As discussed in the MND prepared for TT-4192 and CUP 4631, as well as Modification 4 to TT-4192 (Exhibit 4), the County evaluated the proposed projects' individual impacts and contribution to cumulative impacts to and from geologic hazards, flood hazards, and fire hazards in compliance with CEQA.

CUP 4631 approved 840,000 cubic yards of grading to create roads and pads, including Lots 48, 49, and 50, which is where the proposed homes will be located. The proposed projects do not include any additional grading or vegetation removal beyond what previously occurred to date.

The Public Works Agency (PWA) – Development and Inspection Services Division analyzed the proposed project's impacts related to geologic hazards. There are no known active or potentially active faults extending through the project sites based on State of California Earthquake Fault Zones in accordance with the Alquist-Priolo Earthquake Fault Zoning Act, and Ventura County General Plan Hazards Appendix–Figure 2.2.3b. According to the RMA-GIS, the proposed single-family dwellings will not be located within 50 feet of an active fault.

The County of Ventura Building Code adopted from the California Building Code, dated 2013, Chapter 16, Section 1613 requires the structures to be designed to withstand ground shaking. The projects' "Geotechnical Design Considerations

Report" (Geolabs-Westlake Village, September 25, 2014) states that continuous or pad footings should be founded a minimum of 12 inches into engineered fill, approximately four inches of sand should be placed across the slab subgrade, and structural foundation designs should consider differential static total settlement. The Geolabs-Westlake Village report indicates the near surface soils have a very low expansion range.

Watershed Protection District (WPD) staff analyzed the proposed project and found that the subject properties are mapped in an Approximate/Unnumbered Zone A 1% annual chance (100-year) floodplain as evidenced on the FEMA digital Flood Insurance Rate Map No. 06111C0990E effective January 20, 2010. The Permittee successfully obtained a Conditional Letter of Map Revision based on Fill (CLOMR-F) dated January 5, 2005, which removes the proposed structures on Lots 48, 49, and 50 from the 100-year floodplain.

The proposed project site plan for Lot 48 identifies the building pad as located at a 965.10 ft. elevation contour. Lot 49 is located at a 965.50 ft. elevation contour. Lot 50 is located at a 966.50 ft. elevation contour.

The proposed projects will be subject to the requirements of the Ventura County Building Code which requires that there be no increase in runoff from the property after grading. Runoff will be conducted to a non-erosive drainage course. The projects include a pervious surface driveway and 12-inch deep gravel beds that will allow runoff infiltration to further reduce offsite runoff. The proposed projects are not located adjacent to a WPD jurisdictional redline channel, and will not result in drainage or discharge directly into a WPD jurisdictional or non-jurisdictional channel. The proposed projects will be subject to conditions of approval to require the Permittee to provide drainage plans demonstrating that post-project runoff is maintained at or below existing runoff quantities (Exhibit No. 5, Condition No. 24 and 27). Furthermore, the PWA will require the applicant/owner to implement Enhanced Best Management Practices (BMPs) for Construction of High-Risk Sites. Enhanced BMPs are designed to control erosion and sediment at the source.

If approved, development of the proposed projects will be subject to the requirements of the project geology and soils reports, grading permits and County Building and Safety inspections. As a condition of approval (Exhibit 5, Condition No. 23), the Permittee will be required to complete the approved grading plans showing existing and proposed elevations to the PWA - Development and Inspection Services Division.

Based on the discussion above, the proposed projects are consistent with General Plan Policies 2.1.2-1, 2.1.2-2, and 2.2.2-2, and *Lake Sherwood/Hidden Valley Area Plan* Policy 3.1.2-4.

12. Fire Hazards Policy 2.13.2-1: *All applicants for discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

Fire Hazards Policy 2.13.2-2: *All discretionary permits in fire hazard areas shall be conditioned to include fire-resistant vegetation, cleared firebreaks, or a long-term comprehensive fuel management program as a condition of approval. Fire hazard reduction measures shall be incorporated into the design of any project in a fire hazard area.*

LSHVAP Policy 3.4.2-1: *Discretionary development permits shall be conditioned to provide adequate water and access for firefighting purposes as determined by the Fire Protection District.*

LSHVAP Policy 3.4.2-2: *All residences located in High Fire Hazard Areas shall be constructed with non-combustible roof and siding materials.*

LSHVAP Policy 3.4.2-3: *Discretionary development in High Fire Hazard Areas shall be required to develop landscape plans utilizing fire retardant plant material, cleared areas or other acceptable means of reducing fire hazards consistent with other policies.*

LSHVAP Policy 3.4.2-4: *Discretionary development shall provide adequate, direct access for the accommodation of emergency vehicles.*

LSHVAP Policy 3.4.2-5: *Discretionary development shall be required to cooperate with the Fire Protection District in designing and implementing a fuel modification program in the immediate area of residential structures.*

LSHVAP Fire Hazards Policy 3.4.2-6: *All homesites within Planning Units 2, 3, and 4 shall be located within 200 feet of proposed main access roads, unless homesites can be established which would protect biological resources, allow for adequate tactical fire access and prescriptive burning, and protect visual resources.*

As stated in this staff report (above), LSCSD currently serves TT-4192 with potable water, and the LSCSD provided "Water Will Serve letters", dated March 25, 2015, for the proposed projects. Additionally, the MND for TT-4192 and CUP 4631 evaluated water supply and access for fire protection and evacuation and determined development of the TT-4192 would result in less than significant impacts. Additionally, the Ventura County Fire Protection District (VCFPD) approved Fuel Modification Plans for TT-4192.

Lot 48 is located approximately 26 feet away from Queens Garden Drive, the main access road for the property. Lot 49 is located approximately 30 feet away from

Queens Garden Drive and Lot 50 is located approximately 24 feet away from Queens Garden Drive.

The Permittee will be required to construct all structures to meet hazardous fire area building code requirements (Exhibit 5, Condition No. 39). All new construction will be required to comply with all applicable VCFPD requirements, including hazard abatement, fire department clearance, and inspection authority.

The proposed projects will be subject to a VCFPD-imposed condition (Exhibit 5, Condition No. 40) that requires all grass or brush within 100 feet of the habitable structure(s) to be removed. The Permittee shall be required to have an automatic fire sprinkler system installed in all structures as required by the VCFPD (Exhibit 5, Condition No. 38). VCFPD has also conditioned the projects to require fire hydrants as well as hydrant location markers (Exhibit 5, Condition Nos. 36 and 37).

The proposed project sites are located within an acceptable response distance to the nearest fire station to the proposed project sites. Ventura County Fire Station 33 is the closest fire station to the proposed project sites, and is located to the northwest on Lake Sherwood, approximately two miles from the project sites. No new fire stations or personnel will be required for the proposed project.

Based on the discussion above, the proposed projects are consistent with General Plan Policies 2.13.2-1 and 2.13.2-2 and *Lake Sherwood/Hidden Valley Area Plan* Policies 3.4.2-1, 3.4.2-2, 3.4.2-3, 3.4.2-4, 3.4.2-5, and 3.4.2-6.

13. GPP 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.*

GPP Noise Policy 2.16.2-1(1): *Noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that:*

- a. *Indoor noise levels in habitable rooms do not exceed CNEL 45.*
- b. *Outdoor noise levels do not exceed CNEL 60 or $L_{eq}1H$ of 65 dB(A) during any hour.*

GPP Noise Policy 2.16.2-1(2): *Noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that:*

- a. *Guidelines (1)a. and (1)b. above are adhered to.*
- b. *Outdoor noise levels do not exceed L_{10} of 60 dB(A).*

GPP Noise Policy 2.16.2-1(3): *Noise sensitive uses proposed to be located near airports:*

- a. *Shall be prohibited if they are in a CNEL 65 or greater, noise contour.*
- b. *Shall be permitted in the CNEL 60 to CNEL 65 noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 or less.*

GPP 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. *$L_{eq}1H$ 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. *$L_{eq}1H$ 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. *$L_{eq}1H$ 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.

GPP Noise Policy 2.16.2-1(5) *Construction noise shall be evaluated and, if necessary, mitigated in accordance with the County Construction Noise Threshold Criteria and Control Plan.*

LSHVAP Noise Policy 3.3.2-3: *Outdoor construction and grading operations shall take place only during the hours of 7:00 a.m. to 6:00 p.m. Monday through Saturday.*

LSHVAP Noise Policy 3.3.2-4: *Mufflers shall be used on all heavy construction equipment.*

The MND for TT-4192 and CUP 4631 evaluated the proposed projects' individual noise impacts and contribution to cumulative noise impacts in compliance with CEQA.

The proposed single-family dwellings are considered to be noise sensitive uses. However, the project sites are not located within a mapped noise contour surrounding a highway, truck route, or heavy industrial area, which indicates the existence of unacceptable noise levels for noise-sensitive uses. More specifically, the proposed single-family dwellings will not be located within the Portrero Road 60

dB(A) CNEL noise contour. Furthermore, the proposed project sites are not located within two miles of an industrially designated area or railroad, and a consultant-prepared acoustical analysis was not required for the proposed projects. As such, the proposed projects are consistent with the General Plan noise policies.

Planning Division staff conducted a site visit and utilized RMA GIS aerial imagery in order to identify noise sensitive receptors (e.g., dwellings) that might be located within the vicinity of the subject properties. The nearest existing single-family dwellings are located south of the project sites along Queens Garden Drive, as well as west of the project sites along Upper Lake Road. The typical sensitive construction noise time periods for dwellings are during the evening (7:00 p.m. – 10:00 p.m.) and nighttime (10:00 p.m. – 7:00 a.m.). Dwellings are not identified by the Construction Noise Criteria as sensitive to noise impacts during the daytime. Therefore, the proposed projects will be subject to a condition of approval to limit noise-generating construction activities to the daytime (Exhibit 5, Condition No. 21).

Based on the discussion above, the proposed projects will be consistent with General Plan Policies 2.16.2-1, 2.16.2-1(1), 2.16.2-1(2), 2.16.2-1(3), 2.16.2-1(4), and 2.16.2-1(5), and *Lake Sherwood/Hidden Valley Area Plan Policies* 3.3.2-3 and 3.3.2-4.

14. GPP 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.*

As stated in this staff report (above), water will be provided by LSCSD and sewage disposal will be provided by Triunfo Sanitation District. Existing utility lines will not have to be increased or relocated as a result of these projects. Calbourne Lane and Queens Garden Drive provide access to the subject properties. Additionally, the projects do not require the extension of growth-inducing services. The projects' contribution to cumulative impacts to the County Road Network was evaluated with the approval of TT-4192 and deemed less than significant.

Based on the discussion above, the proposed projects will be consistent with this policy.

15. GPP Public Utilities Policy 4.5.2-3: *Discretionary development shall be conditioned to place utility service lines underground wherever feasible.*

LSHVAP Public Utilities Policy 4.7.2: *The undergrounding of all electric, cable, phone and gas lines shall be required for all discretionary development.*

Existing utility lines will not have to be increased or relocated as a result of these projects. Should installation be required, the installation of private onsite electrical, gas, phone, and internet lines will be placed underground in trenches within the construction footprint area.

Based on the discussion above, the proposed projects will be consistent with General Plan Policy 4.5.2-3 and *Lake Sherwood/Hidden Valley Area Plan* Policy 4.7.2.

D. ZONING ORDINANCE COMPLIANCE

The proposed projects are subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County NCZO (§ 8105-4), the proposed use is allowed in the OS-10ac/SRP zone district with the granting of a PD Permit for each of the three lots. Upon the granting of the PD Permits, the proposed projects will comply with this requirement.

The proposed projects include the construction and 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 projects comply with the development standards.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10 acres minimum	Yes.
Maximum Percentage of Building Coverage	5%	Yes.
Front Setback	20 ft.	Yes.
Side Setback	10 ft.	Yes.
Rear Setback	15 ft.	Yes.
Maximum Building Height	25 ft. (Height may be increased above 25 ft., to a maximum 35 ft., if each side yard is at least 15 ft.)	Yes.

As stated in this staff report (above), the proposed project sites are located within a SRP Overlay Zone and, therefore, are subject to the standards of the Ventura County NCZO (§ 8109-4.1). Table 2 lists the applicable SRP Overlay Zone standards and a description of whether the proposed projects comply with those standards.

Table 2 – Scenic Resource Protection Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
Sec. 8109-4.15.a.(1) Discretionary development shall be sited and designed to prevent significant degradation of a scenic view or vista.	Yes. See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above. The dwellings will not exceed the maximum building height (up to 35 feet), and no additional grading or vegetation removal is proposed beyond what was approved as part of TT-4192. The proposed projects will be visible from Lake Sherwood.
Sec. 8109-4.15.a.(2) Discretionary development shall be sited	Yes. See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above. The

Table 2 – Scenic Resource Protection Overlay Zone Standards Consistency Analysis

Overlay Zone Standard	Complies?
and designed to minimize alteration of the natural topography, physical features and vegetation.	development of each project will be limited to the graded pads that were approved as part of TT-4192 and CUP 4631. No additional grading or vegetation removal is proposed beyond what was approved as part of TT-4192.
Sec. 8109-4.15.a.(3) Discretionary development shall be sited and designed to utilize native plants indigenous to the area for re-vegetation of graded slopes, where appropriate considering the surrounding vegetative conditions.	Yes. The proposed projects will be conditioned to require use of drought tolerant native vegetation for landscaping to the maximum extent feasible (Exhibit 5, Condition No. 16). See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above, that addresses this requirement.
Sec. 8109-4.15.a.(4) Discretionary development shall be sited and designed to avoid silhouetting of structures on ridge tops that are within public view.	Yes. See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above. Specifically, Policy 2.1.2-12 in the Biological Resources Policies subsection provides analysis on lighting. The projects are not located on a ridge top; however, they are located adjacent to Lake Sherwood and will be visible from the Lake.
Sec. 8109-4.15.a.(5) Discretionary development shall be sited and designed to use materials and colors that blend in with the natural surroundings and avoid materials and colors that are highly reflective or that contrast with the surrounding vegetation and terrain, such as large un-shaded windows, light colored roofs, galvanized metal, and white or brightly colored exteriors.	Yes. See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above. Specifically, Policy 2.5.2-9 in the Area Plan Scenic Resources Policies subsection provides analysis on the projects' compliance with this requirement.
Sec. 8109-4.15.a.(6) Discretionary development shall be sited and designed to minimize lighting that causes glare, illuminates adjacent properties, or is directed skyward in rural areas.	Yes. See the General Plan and Area Plan consistency analysis (Section C of this Staff Report), above. Specifically, Policy 2.1.2-12 in the Biological Resources Policies subsection provides analysis on lighting.

E. PD FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings to grant a PD Permit, pursuant to § 8111-1.2.1.1 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

- 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].

As discussed in Section A of this Staff Report (above), development that surrounds the subject property consists of graded pads with single-family residential development anticipated as well as existing single-family residential development on privately-owned properties located in Open Space- and Rural Exclusive-designated land. The proposed project sites are zoned OS-10 ac/SRP. Lake Sherwood lies to the north and east of the project sites and open space hillside exists to the west and east of the proposed project sites.

The proposed project sites are located on building pads that are less than 0.50 acres and the remaining acreage in each lot is in an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA. The land in an open space easement will remain undeveloped.

The design of the proposed single-family dwellings include materials that consist of natural stone and earth tone colors. The Spanish, French Contemporary, and California Ranch style of the single-family dwellings will be consistent with the existing dwellings in the neighboring areas that include a mix of these architectural styles. Furthermore, the proposed projects will be subject to conditions of approval to ensure that they comply with the development standards and SRP Overlay Zone standards that apply to the proposed projects, as well as the policies of the *Lake Sherwood/Hidden Valley Area Plan* (Exhibit 5).

Based on the discussion above, 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].

As stated in the General Plan and *Lake Sherwood/Hidden Valley Area Plan* consistency analysis (Section C of this staff report), above, due to the project sites' locations in a high fire hazard area, the proposed projects will be subject to VCFPD-recommended conditions of approval to ensure that all proposed dwellings contain sprinklers, the applicant implements and maintains adequate brush clearance around structures, and adequate emergency access is provided on-site.

Additionally, the proposed projects will be subject to a condition of approval to require the applicant to limit noise-generating construction to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday and State holidays. This requirement will avoid the creation of any nuisances caused by construction noise.

Finally, the proposed project will be subject to drainage and grading requirements, which will ensure that the volume and rate of runoff from the project site will not increase beyond existing rates.
Based on the discussion above, 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].

As stated above in the General Plan and *Lake Sherwood/Hidden Valley Area Plan* consistency analysis (Section C of this staff report), the proposed projects will be subject to all applicable local and State regulations. The proposed projects will also be subject to conditions of approval to ensure that the proposed projects do not create any significant adverse effects related to noise, lighting, and fire hazards. The proposed projects will not conflict with surrounding land uses.
Based on the discussion above, 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].

As stated in this staff report (above), the proposed projects require the approval of a PD Permit—not a Conditional Use Permit. Therefore, the standards of this finding do not apply to the proposed project.
Based on the discussion above, this finding can be made.

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

The proposed projects include Lots 48, 49, and 50 of TT-4192 that is recorded in Miscellaneous Records Book 153 Page 43.

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

7. Development within any overlay zone having specific development standards must comply with such standards [§ 8111-1.2.1.4 and Article 9].

The proposed project sites are located in a SRP Overlay Zone due to their location immediately adjacent to the Lake Sherwood Inlet and visibility from Lake Sherwood, a designated scenic lake.

As stated in the Scenic Resources Protection Overlay Zone Standards consistency analysis (Table 2), the proposed projects will be consistent with § 8109-4.15 of the Ventura County NCZO. The projects are also consistent with the General Plan Scenic Resource Policies, as stated in Section C of this staff report, above.

Based on the discussion above, 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) and 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 comments have been received from the public.

H. RECOMMENDED ACTIONS

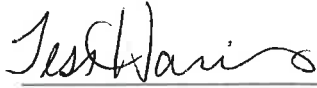
Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Director has reviewed and considered this staff report and all exhibits thereto, including the proposed Addendum to the MND (Exhibit 4), and has considered all comments received during the public comment process;
2. **FIND** that none of the conditions described in §15162 of the CEQA Guidelines calling for the preparation of a subsequent EIR or MND have occurred;
3. **ADOPT** the Addendum to the MND (Exhibit 4);
4. **MAKE** the required findings to grant the PD Permits pursuant to § 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;
5. **GRANT** PD Permit Case Nos. PL14-0158, PL14-0159, and PL14-0160, subject to the conditions of approval (Exhibit 5); and
6. **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 PD Permits have 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 Tess Harris at (805) 654-2453 or tess.harris@ventura.org.

Prepared by:



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Reviewed by:



Dan Klemann, Manager
Residential Permits Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 - Aerial Location, General Plan and Zoning Designations, and Land Use Maps
- Exhibit 3 - Site Plans
- Exhibit 4 - Environmental Document - MND Addenda for PL14-0158, PL14-0159, and PL14-0160, TT-4192/CUP 4631 MND, and MND for Mod. 4 to TT-4192/CUP 4631
- Exhibit 5 - Conditions of Approval



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 06-10-2015

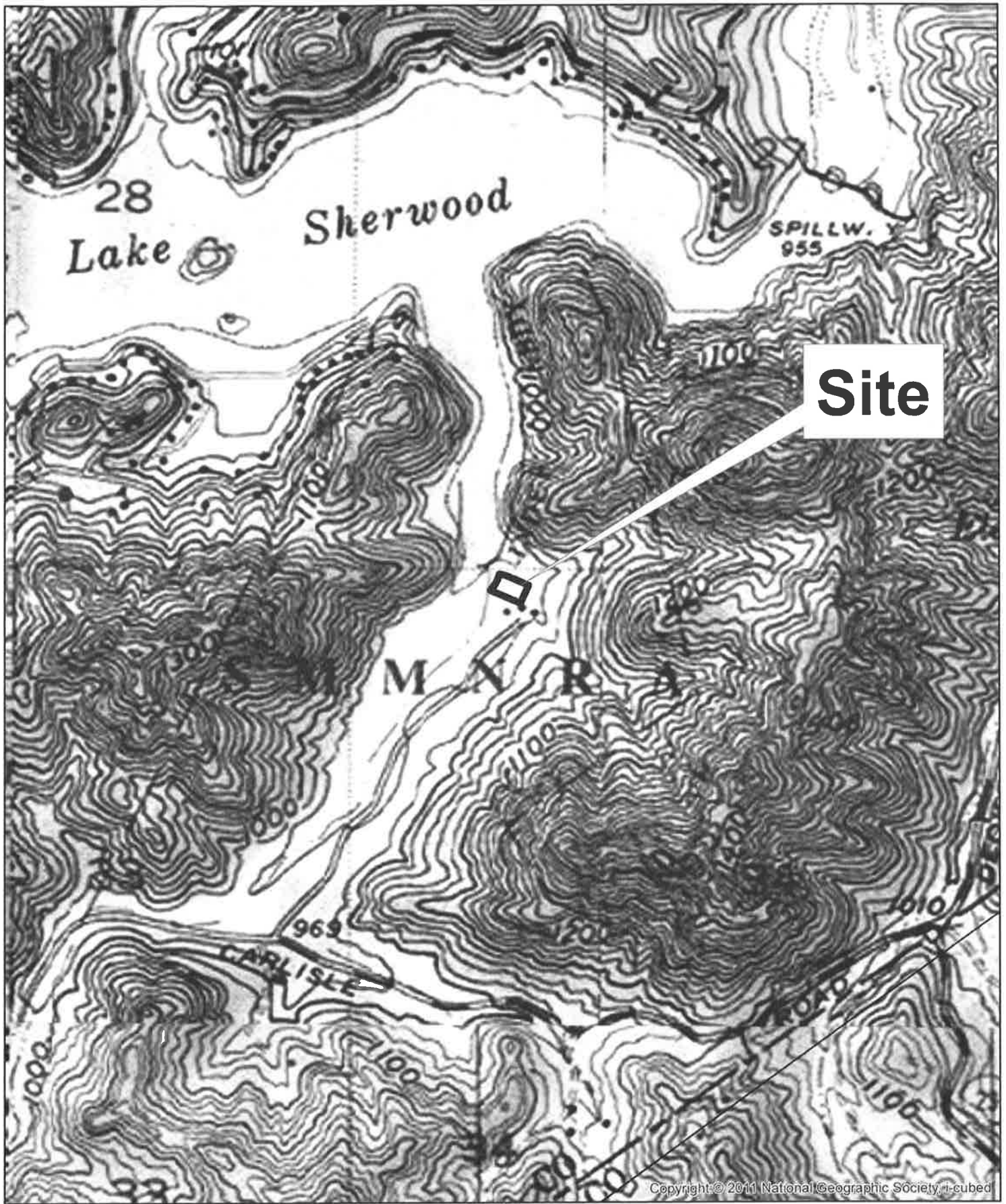


County of Ventura
Planning Director Hearing
PL14-0158, PL14-0159, PL14-0160
Location Map

0 10,500 21,000 Feet

Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of the map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

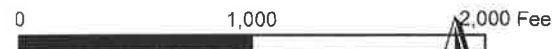




County of Ventura
Resource Management Agency
GIS Development & Mapping Services
Map created on 06-10-2015
Source: Thousand Oaks U.S.G.S.
7.5 Minutes Quadrangle
Contour Interval = 20 ft



Topo Map
PL14-0158, PL14-0159, PL14-0160



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.





Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-09-2015
This aerial imagery is under the
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Source: Pictometry, Jan, 2015

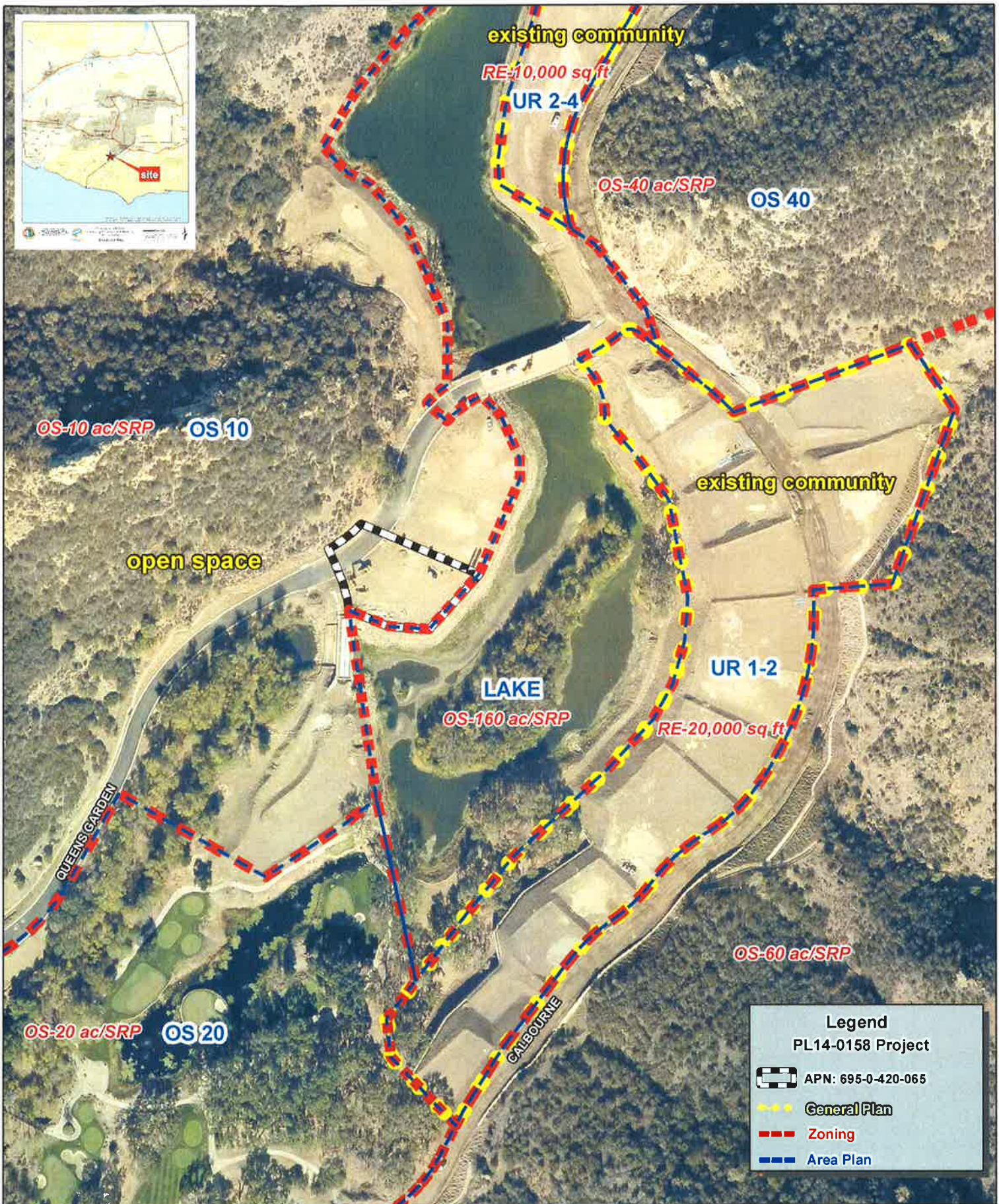


County of Ventura
Planning Director Hearing
PL14-0158
Aerial Photography

0 37.5 75 Feet

Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services. GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.





Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 06-09-2015
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, Jan, 2015



County of Ventura
 Planning Director Hearing
 PL14-0158
General Plan & Zoning Map



RH



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-10-2015
This aerial imagery is under the
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Source: Pictometry, Jan, 2015

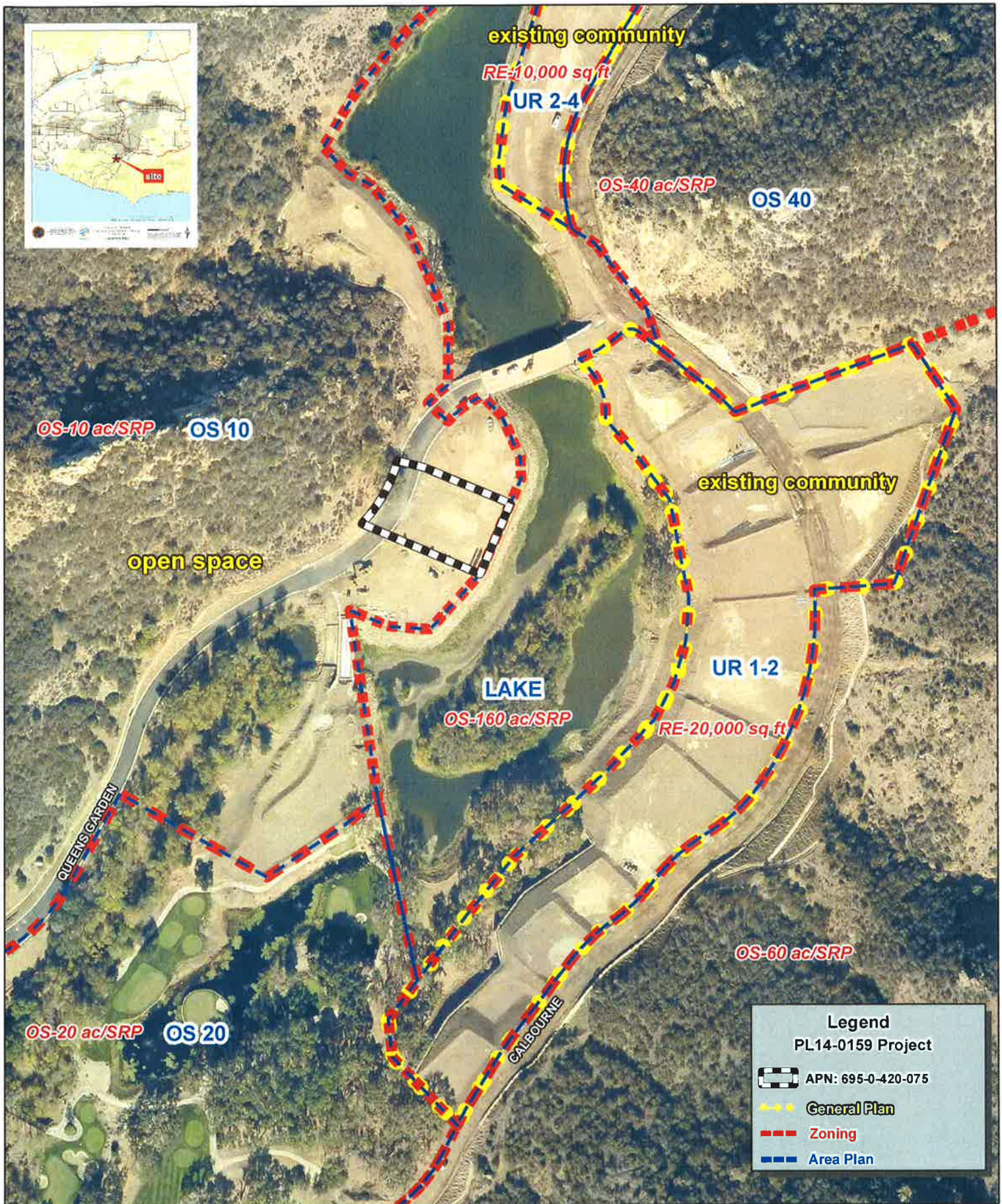


County of Ventura
Planning Director Hearing
PL14-0159
Aerial Photography

0 37.5 75 Feet

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Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-10-2015
This aerial imagery is under the
copyrights of Pictometry
Source: Pictometry, Jun, 2015



County of Ventura
Planning Director Hearing
PL14-0159
General Plan & Zoning Map

0 95 190 Feet

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RM



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-10-2015
This aerial imagery is under the
copyrights of Pictometry
Source: Pictometry, Jan, 2015

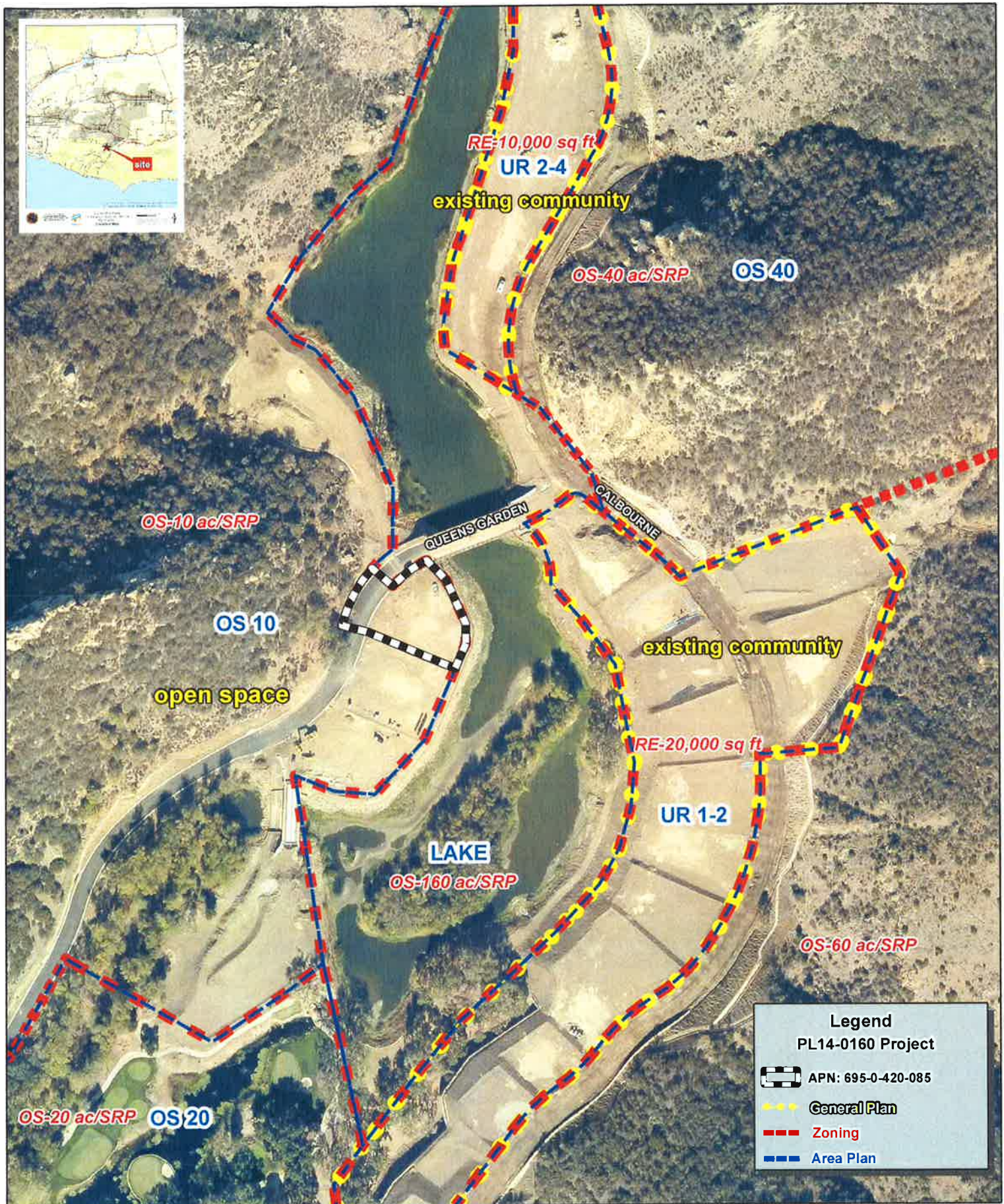


County of Ventura
Planning Director Hearing
PL14-0160
Aerial Photography

0 37.5 75 Feet

Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services. GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.





Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-10-2015
This aerial imagery is under the
copyrights of Pictometry
Source: Pictometry, Jan, 2015



County of Ventura
Planning Director Hearing
PL14-0160
General Plan & Zoning Map

Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RH



1000 PASEO CAMARILLO
SUITE 239
CAMARILLO, CA 93010
805 484 4277
design architect:
arnold c. savann, ala
10900 wishire blvd., suite 620
castle & cooke, inc.
los angeles, ca 90024

ENGINEER

HIDG
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT
CAMARILLO, CA 93012
805-233-7778


OWNER
SHERWOOD
DEVELOPMENT CO.
320 WEST STAFFORD RD
THOUSAND OAKS, CA
91361
(805) 496-1833

LOT 48
2639 QUEENS GARDEN DRIVE
THOUSAND OAKS, CA 91361
(805) 496-1833
APN - 695-0-390-045 TRACT 4192-6 LOT 48

SITE PLAN

SHEET TITLE
DRAWING SCALE
DATE
JANUARY 7, 2015
REVISIONS

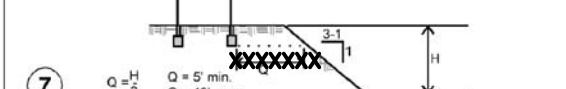
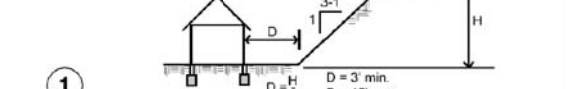
SHEET NO.
1 of 2



Building and Safety Division - Public Information
County of Ventura - Resource Management Agency - http://www.ventura.org/rma/build_safe
Main Office - 805 S. Victoria Ave., Ventura, CA 93009 - 805-654-2771
East County Office - 3855-F Alamo St., 2nd Fl. # 2019A, Simi Valley, CA 93065 - 805-582-8064

SLOPE SETBACKS
Based on 2007 California Building Code Section 1805.3

FOUNDATIONS ON OR ADJACENT TO SLOPES:
The placement of buildings and structures on or adjacent to slopes steeper than 3 horizontal to 1 vertical shall be in accordance with the following illustrations. The provisions are intended to provide protection for the building from slope drainage, erosion and mudflow, loose slope debris, shallow slope failures, and foundation movement.




ASSESSOR'S PARCEL No.
695-0-420-065


LAND USE
EXISTING LAND USE: OPEN SPACE
EXISTING ZONING: OC 10 AC/SRP


ENGINEER
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT,
CAMARILLO, CA 93012
(805) 233-7778
CONTACT: IBRAHIM HZAYEN

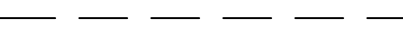
OWNER/APPLICANT
SHERWOOD DEVELOPMENT COMPANY, INC.
2300 NORFIELD COURT,
THOUSAND OAKS, CA 91301
CONTACT: TOM COWBER


LEGEND



PROPERTY LINE



EXISTING CONTOUR

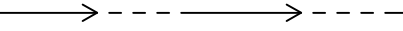

PROPOSED CONTOUR

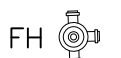

EXISTING PAVEMENT

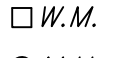

PROPOSED ELEVATION

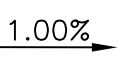

CUT OR FILL SLOPE (AS INDICATED)



DAYLIGHT LINE



FLOWLINE

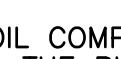

FIRE HYDRANT


WATER METER


SEWER MANHOLE


SLOPE GRADIENT


PILASTER PER LANDSCAPE PLANS


FENCE PER LANDSCAPE PLANS

CONSTRUCTION NOTES:

- SOIL COMPACTION REPORT SHALL BE PROVIDED TO THE BUILDING INSPECTOR AT THE JOB SITE PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.
 - SOILS ENGINEER SHALL INSPECT FOUNDATION PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.
- NOTE:** NO GRADING REQUIRED. EARTH MOVING QUANTITY LESS THAN 50 C.Y., HEIGHT OF FILL LESS THAN 3 FT. HEIGHT OF CUT SLOPE LESS THAN 5 FT. AND SLOPE LESS STEEPER THAN 1-1/2 HORIZ. TO 1 VERTICAL. PROVIDE EXTRA DEPTH FOOTINGS TO ENSURE MINIMUM FOOTING EMBEDMENT WILL BE MAINTAINED WHERE EXTERIOR GRADE WILL BE LOWERED AS PART OF FINE GRADING.

NOTE: *WATER ELEVATION IS BASED ON SHERWOOD DAM CREST ELEVATION.

EASEMENTS

- PROPOSED SOUTHERN CALIFORNIA EDISON EASEMENT PER SEPARATE DOCUMENT.
- PROPOSED ACCESS AND UTILITY EASEMENT FOR THE BENEFIT OF LOT 46, 47, 48 PER TRACT MAP 4192-6, 153 MR 43-50.
- EXISTING SOUTHERN CALIFORNIA EDISON COMPANY UTILITY EASEMENT PER 650 O.R. 280.
- EXISTING SOUTHERN CALIFORNIA GAS COMPANY PUBLIC UTILITIES EASEMENT PER DOC. 91-126694 O.R.
- REVISED WATER EASEMENT TO THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT PER TRACT MAP 4192-6, 153 MR 43-50.
- PROPOSED EASEMENT TO BE GRANTED TO THE SHERWOOD HOMEOWNERS ASSOCIATION FOR MAINTENANCE PURPOSES AND ASSOCIATION AREA BY SEPARATE DOCUMENT.
- EXISTING PUBLIC SERVICES EASEMENT TO THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT PER TRACT MAP 4192-6, 153 MR 43-50.

This Site Plan is Acceptable in Regard to Soils and Geologic Conditions and Conforms to the Recommendations of the Supportive Reports.

R.C.E. NO.		EXP. DATE		DATE			



Hzyen Design Group, Inc
360 Twilight Court
Camarillo, CA 93012
Phone (805) 233-7778

IBRAHIM HZAYEN R.C.E. NO. 71356 EXP. DATE: 12/31/15

OWNER: SHERWOOD DEVELOPMENT COMPANY
2300 NORFIELD CT.
THOUSAND OAKS, CA 91361

LOT AREA = 523,649.20 SF/12.02 AC
NET LOT AREA (MINUS OPEN SPACE AND EASEMENTS)=NET PAD AREA=20,138 SF/0.46 ACRE
BUILDING COVERAGE AREA = 6,591 SF = 1.3%

DESIGNED	H.D.G.	DRAWN	H.D.G.	CHECKED	I.H.H.
PROJ. ENGINEER		RECOMMENDED			
REG. NO.		DATE		APPROVED	

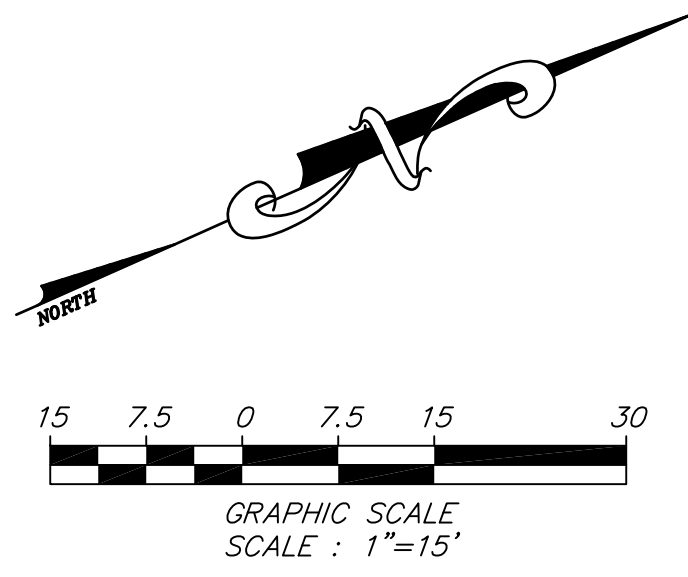
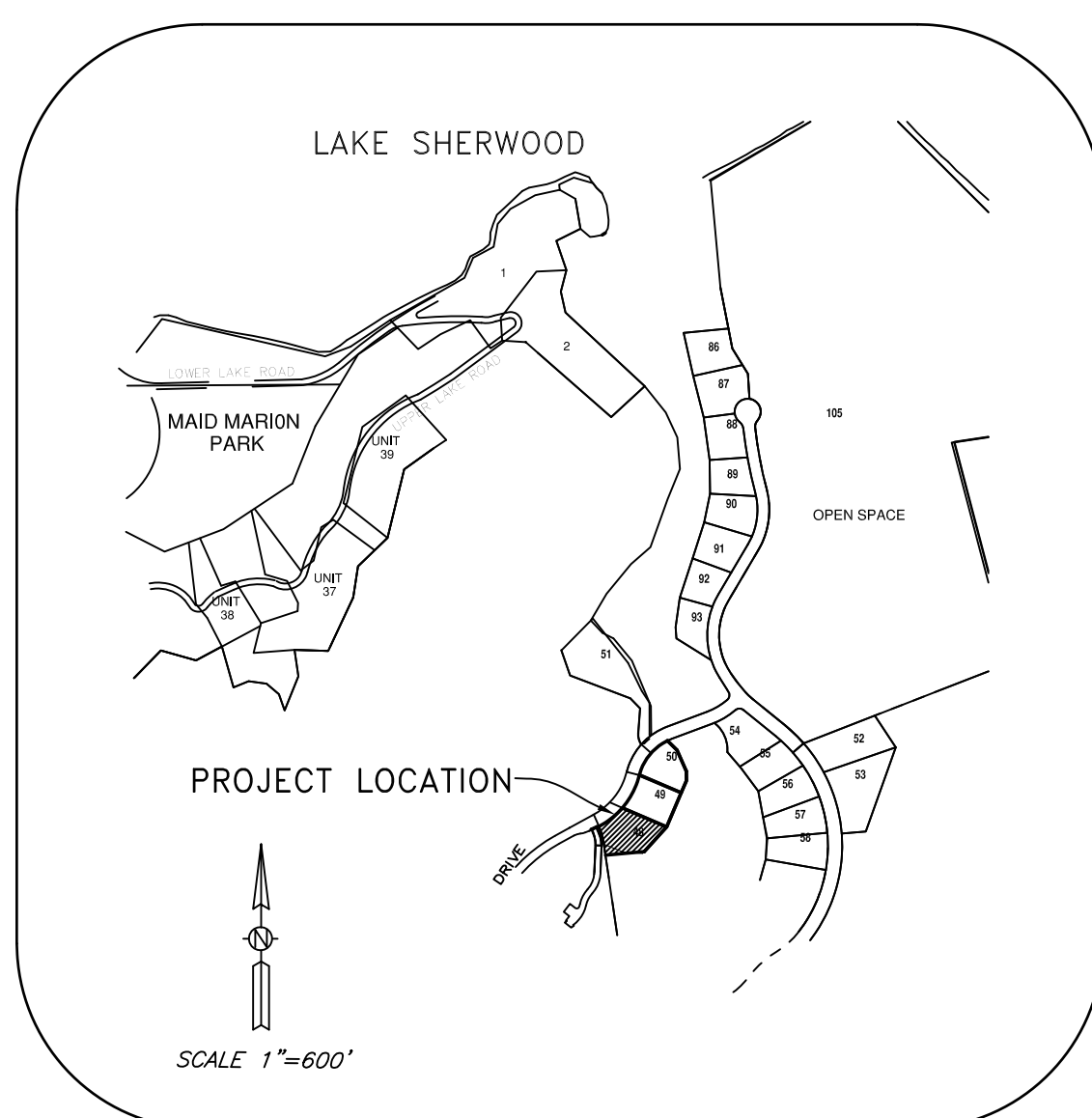
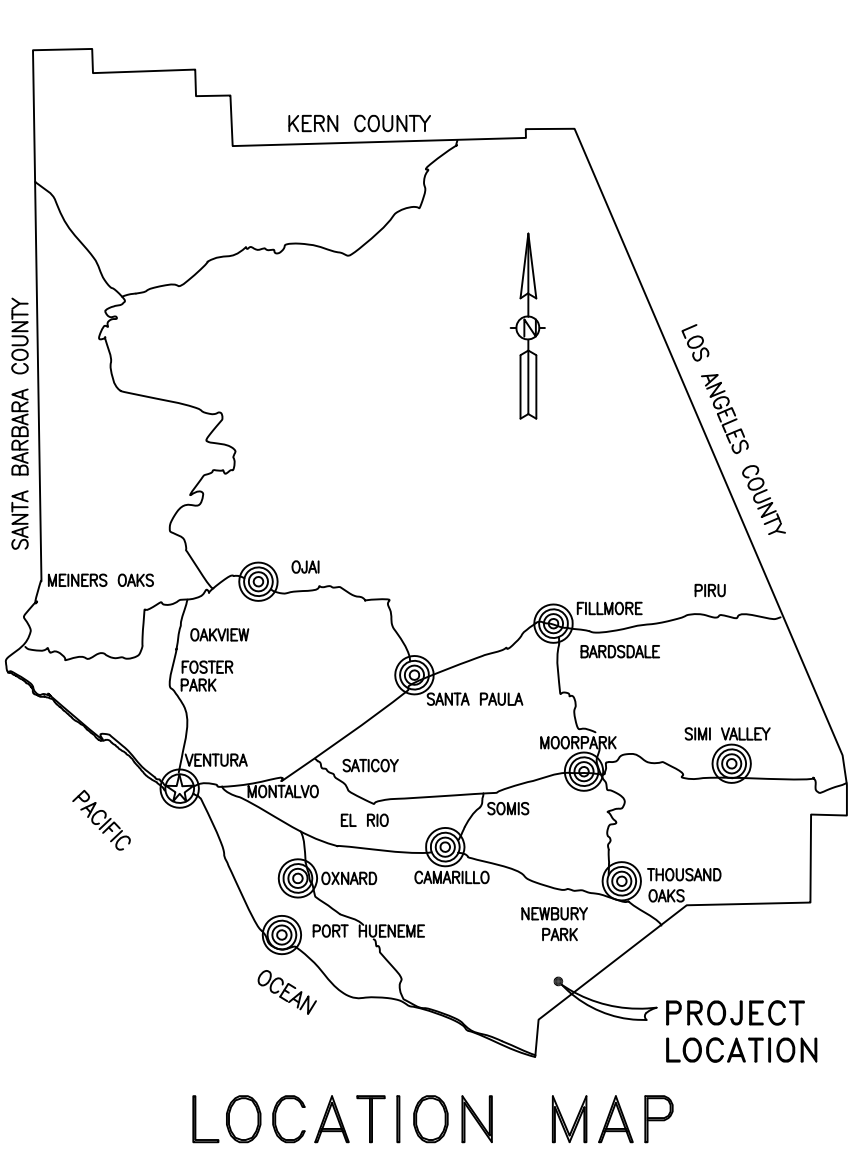
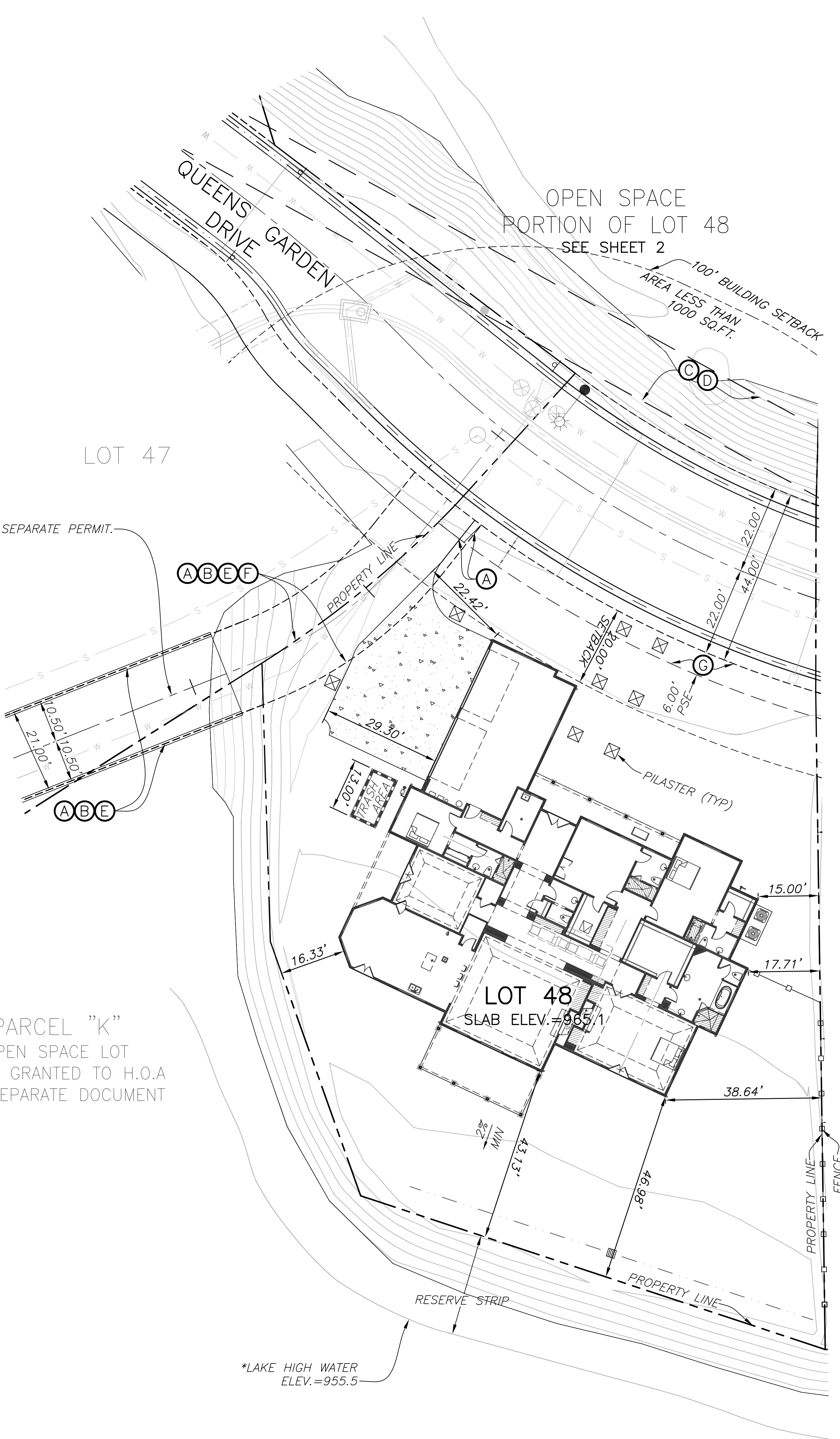
COUNTY OF VENTURA
PUBLIC WORKS AGENCY

SPEC. NO.	
PROJ. NO.	

SITE PLAN
TRACT NO. 4192-6
LAKE SHERWOOD
GRADING PERMIT NO. 9816

PLOT DATE: 6/15/2015

SHEET	1
OF	2
DRAWING NO.	



design architect:
arnold c. savrann, ala
10900 wilshire blvd., suite 620
castle & cooke, inc.
los angeles, ca 90024



OWNER
SHERWOOD
DEVELOPMENT COMPANY
320 WEST STAFFORD RD
THOUSAND OAKS, CA
91361
(805) 496-1833

LOT 48
2639 QUEENS GARDEN DRIVE
THOUSAND OAKS, CA 91361
(805) 496-1833
APN - 635-0-420-005 TRACT 4192-6 LOT 48

SITE PLAN

SHEET TITLE

DRAWING SCALE

DATE
JANUARY 7, 2015

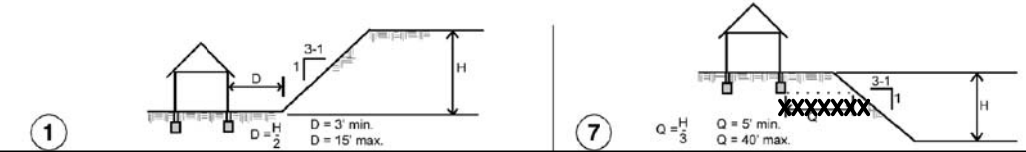
REVISIONS

SHEET NO.

2 OF 2

County of Ventura • Resource Management Agency • http://www.ventura.org/rma/build_safe
Main Office • 800 S. Victoria Ave, Ventura, CA. 93009 • 805-654-2771
East County Office • 3855-F Alamo St., 2nd Fl. # 2019A, Simi Valley, CA 93065 • 805-582-8064

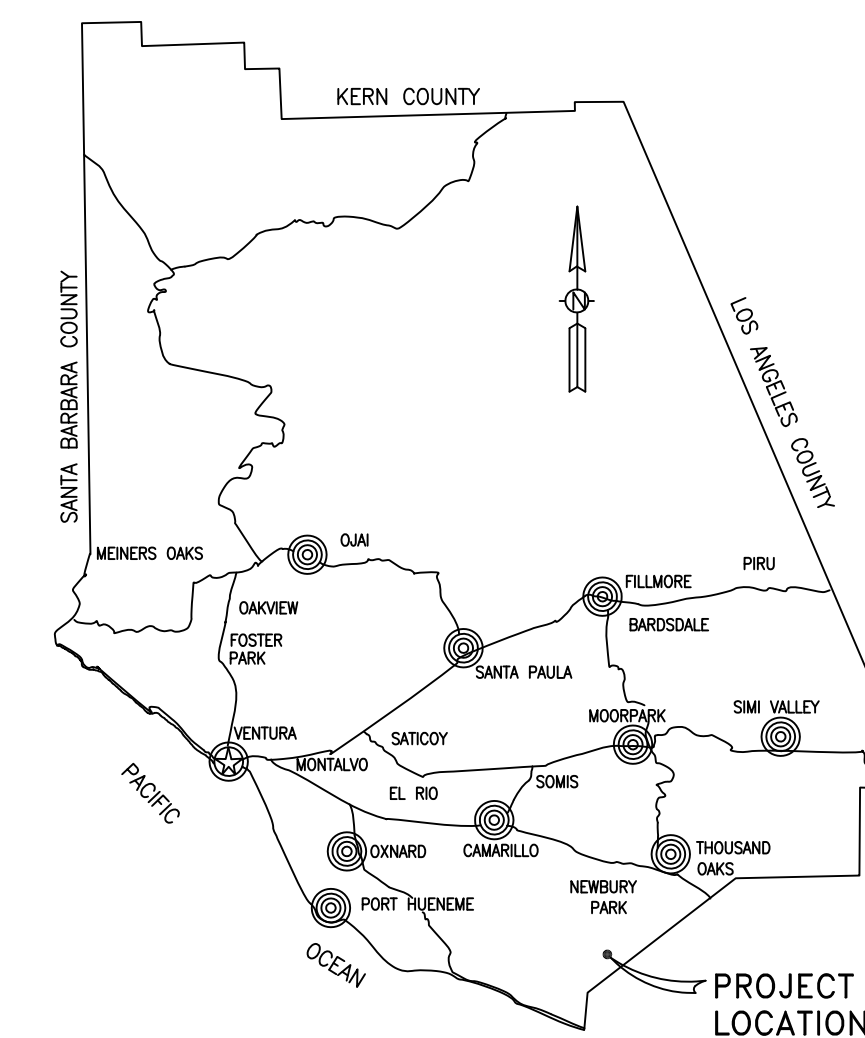
FOUNDATIONS ON OR ADJACENT TO SLOPES:
The placement of buildings and structures on or adjacent to slopes steeper than 3 horizontal to 1 vertical shall be in accordance with the following illustrations. The provisions are intended to provide protection for the building from slope drainage, erosion and mudflow, loose slope debris, shallow slope failures, and foundation movement.



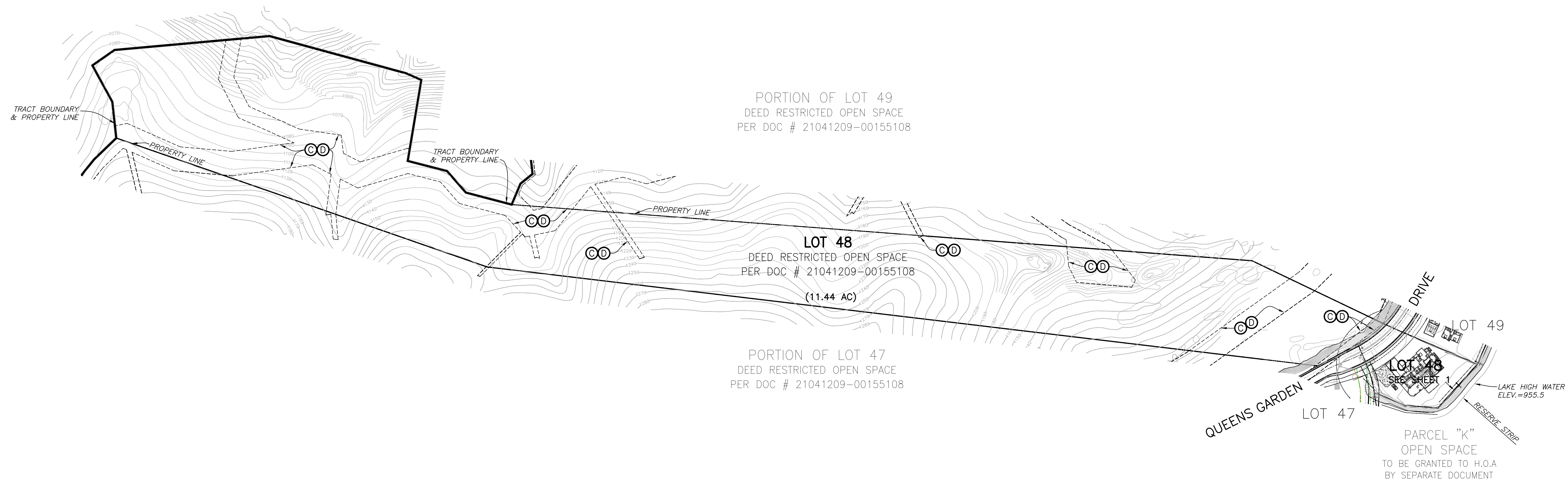
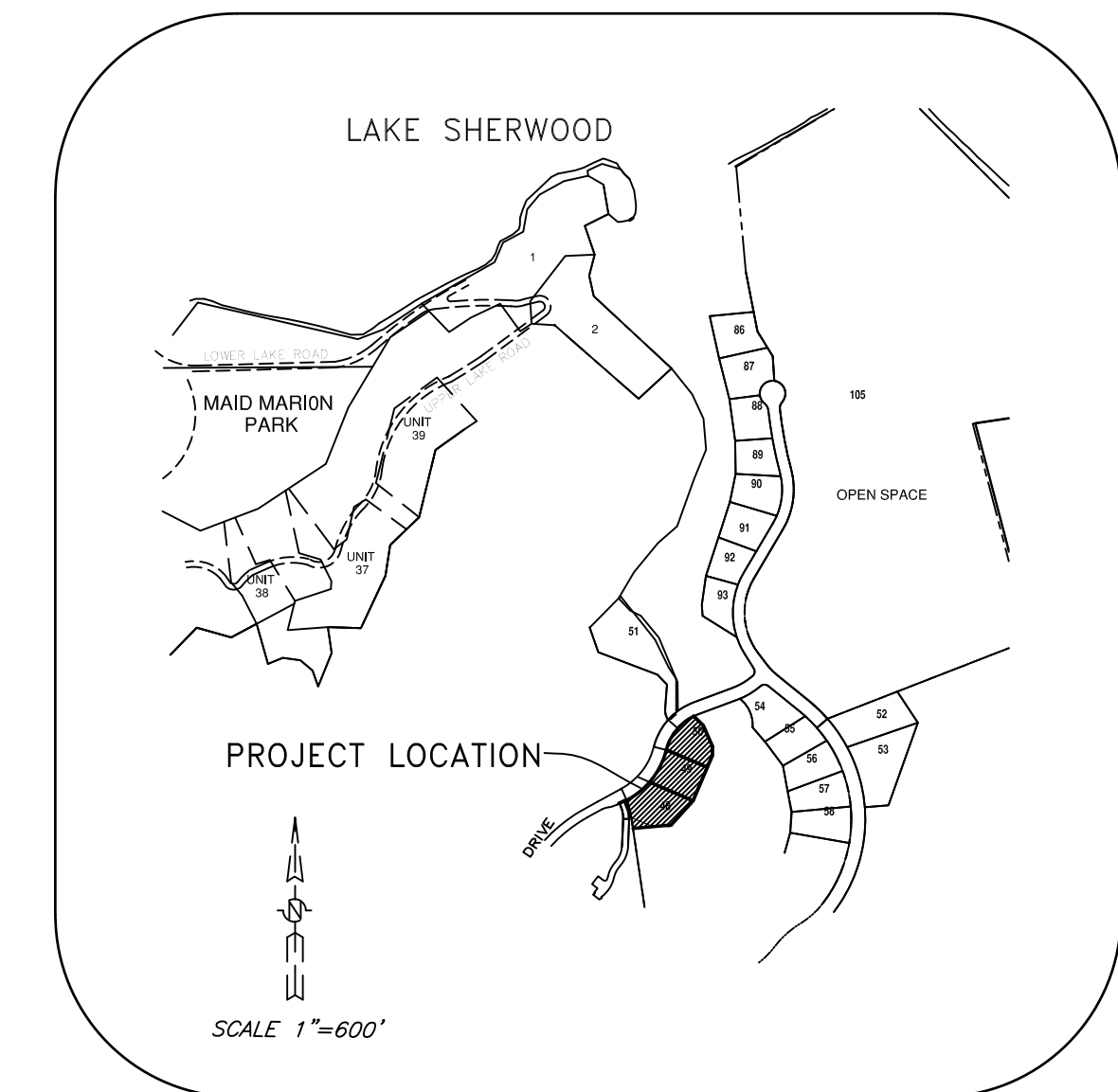
	TRACT BOUNDARY
	PROPERTY LINE
	EXISTING CONTOUR
	PROPOSED CONTOUR
	FLOW LINE
	DAYLIGHT LINE
	CUT OR FILL SLOPE (AS INDICATED)
	PROPOSED ELEVATIONS
	WATER VALVE
	WATER BLOW OFF VALVE
	MANHOLE
	AREA DRAIN
	TOP OF GRATE
	FIRE HYDRANT
	WATER METER
	SLOPE GRADIENT

(C) EXISTING SOUTHERN CALIFORNIA EDISON COMPANY UTILITY EASEMENT PER 650 O.R. 280.

(D) EXISTING SOUTHERN CALIFORNIA GAS COMPANY PUBLIC UTILITIES EASEMENT PER DOC. 91-126694 O.R.



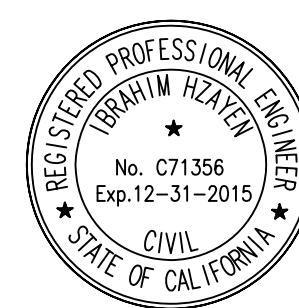
LOCATION MAP



GRAPHIC SCALE
SCALE : 1"=100'

This Site Plan is Acceptable in Regard to Soils and Geologic Conditions and Conforms to the Recommendations of the Supportive Reports.

R.C.E. NO.		EXP. DATE		DATE	
D					
C					
B					
A					
△	REVISION	DESCRIPTION	R.C.E.	DATE	APP. DATE



HIDG
IBRAHIM

Hzayen Design Group, Inc
360 Twilight Court
Camarillo, CA 93012
Phone (805) 233-7778

IBRAHIM HZAYEN R.C.E. NO. 71356 EXP. DATE: 12/31/15 DATE:

DESIGNED _____ H.D.G.	DRAWN _____ H.D.G.	CHECKED _____ I.J.H.
PROJ. ENGINEER _____ _____ REG. NO. _____ DATE _____		RECOMMENDED _____ _____ APPROVED _____

OWNER: SHERWOOD DEVELOPMENT COMPANY
2300 NORFIELD CT.
THOUSAND OAKS, CA 91361

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

SPEC. NO. _____

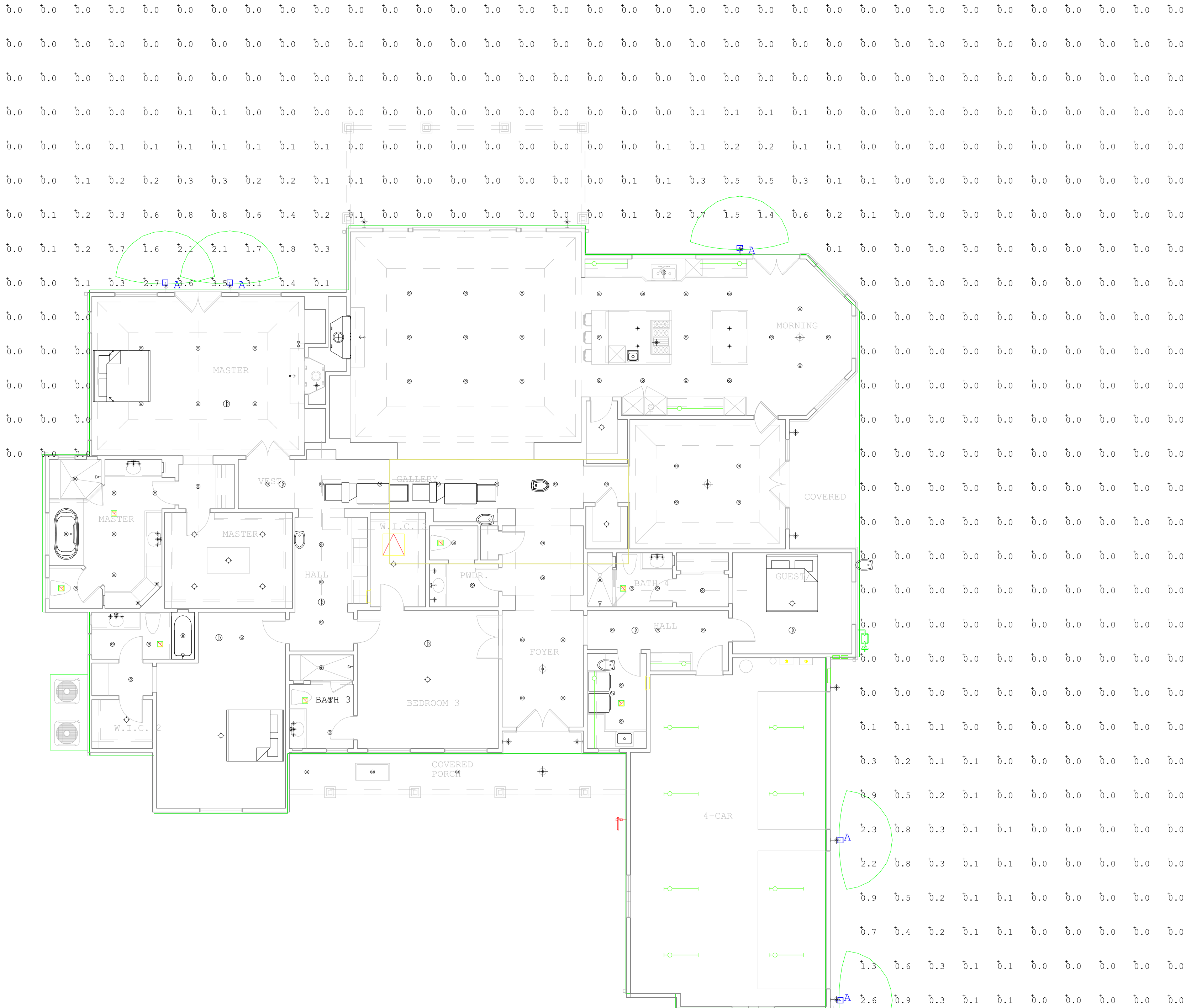
PROJ. NO. _____

APN - 695-0-420-065
2639 QUEENS GARDEN DRIVE
LOT NO. 48

SITE PLAN
TRACT NO. 4192-6
LAKE SHERWOOD
GRADING PERMIT NO. 9816

PLOT DATE: 6/15/2015

SHEET 2
OF 2

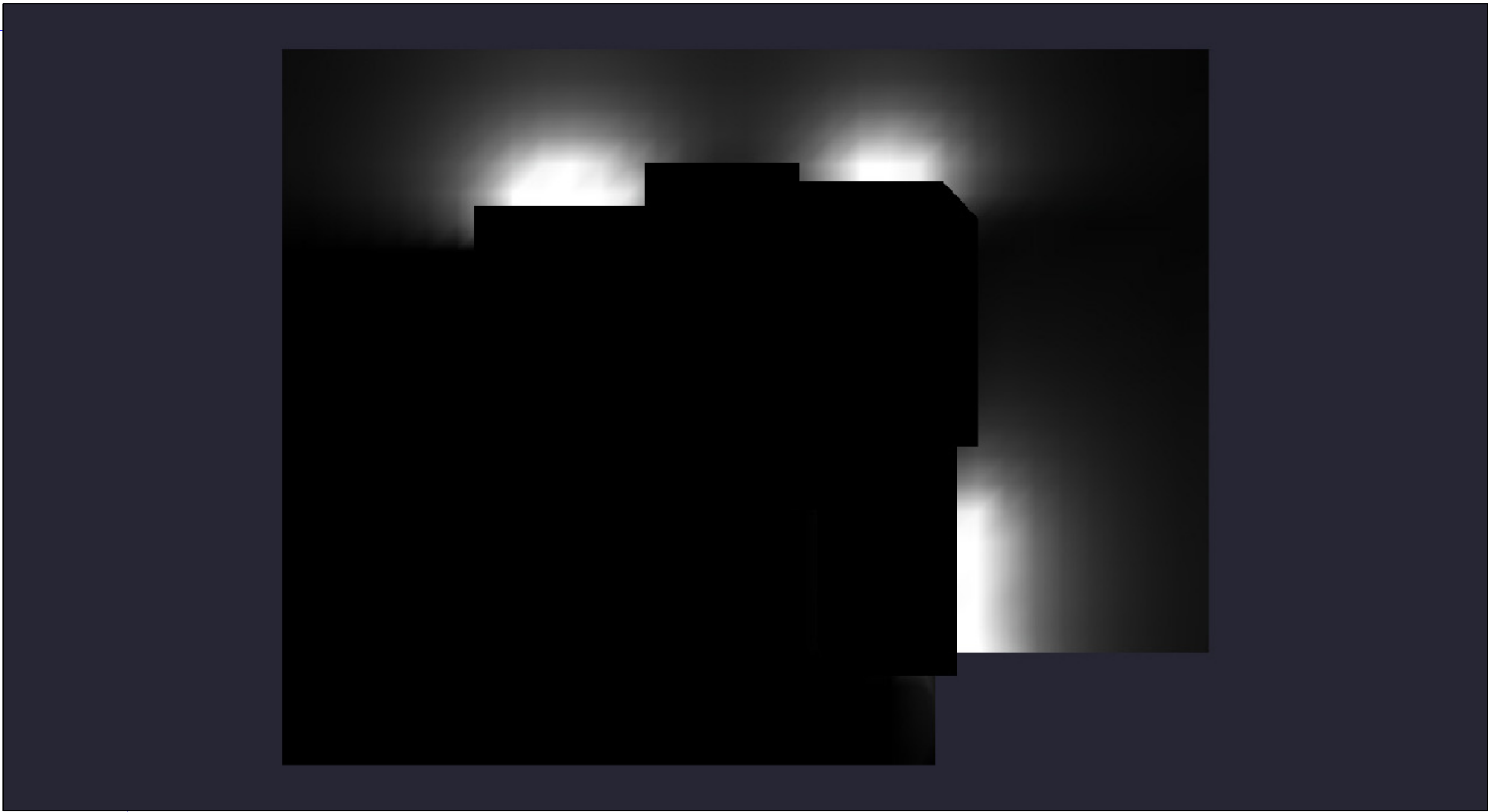


Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	5	A	SINGLE	900	0.850	AFX - BSW113BKPLT

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
EXTERIOR CALC	Illuminance	Fc	0.11	3.6	0.0	N.A.	N.A.

Luminaire Location Summary	
Label	Z
A	6.6
A	6.6
A	6.6
A	6.6
A	6.6
Total Quantity: 5	

DISCLAIMER:
THIS CALCULATION IS BASED ON THE BEST INFORMATION PROVIDED TO CLS BY THE ARCHITECT, ENGINEER, LIGHTING DESIGNER OR INTERIOR DESIGNER. THESE FINDINGS SHOULD BE VERIFIED BY A CERTIFIED ELECTRICAL ENGINEER AS TO THEIR ACCURACY. DESIGN CHANGES IN ARCHITECTURE WITH FLOORS, WALLS AND CEILINGS AND REFLECTANCES OF ALL INTERIOR SURFACES INCLUDING PARTITION WALLS MAY ADVERSELY EFFECT THE OVERALL LIGHT LEVELS. CLS IS IN NO WAY RESPONSIBLE AS TO THE VERACITY OF THESE CALCULATIONS, AND THEY SHOULD ONLY BE USED AS A DESIGN REFERENCE TOOL.



TOP VIEW RENDERING

arc
DESIGN GROUP
ARTISTIC
RESIDENTIAL
CREATIONS
1000 PASEO CAMARILLO
SUITE 239
CAMARILLO, CA 93010
805 484 4277

ENGINEER
HIDG
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT
CAMARILLO, CA 93012
805-233-7778

OWNER
SHERWOOD
DEVELOPMENT CO.
320 WEST STAFFORD RD
THOUSAND OAKS, CA
91361
(805) 496-1833

LOT 49
2613 QUEENS GARDEN DRIVE
THOUSAND OAKS, CA 91361
(805) 496-1833
APN - 695-0-420-075 TRACT 4192-4 LOT 84

SITE PLAN

SHEET TITLE

DRAWING SCALE

DATE
JANUARY 7, 2015

REVISIONS

SHEET NO.
1 of 2

Building and Safety Division - Public Information
County of Ventura - Resource Management Agency - http://www.ventura.org/rma/build_safe
Main Office - 480 S. Victoria Ave., Ventura, CA 93009 • (805) 634-2771
East County Office - 3855-F Alamo St., 2nd Fl. # 2019H, Simi Valley, CA 93065 • (805) 582-8064

SLOPE SETBACKS
Based on 2007 California Building Code Section 1805.3

FOUNDATIONS ON OR ADJACENT TO SLOPES:
The placement of buildings and structures on or adjacent to slopes steeper than 3 horizontal to 1 vertical shall be in accordance with the following illustrations. The provisions are intended to provide protection for the building from slope drainage, erosion and mudflow, loose slope debris, shallow slope failures, and foundation movement.

1 7

ASSESSOR'S PARCEL No.
695-0-420-075

LAND USE
EXISTING LAND USE: OPEN SPACE
EXISTING ZONING: OC 10 AC/SRP

ENGINEER
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT,
CAMARILLO, CA 93012
(805) 233-7778
CONTACT: IBRAHIM HZAYEN

OWNER/APPLICANT
SHERWOOD DEVELOPMENT COMPANY, INC.
2300 NORFIELD COURT,
THOUSAND OAKS, CA 91301
CONTACT: TOM COMBER

LEGEND

PROPERTY LINE

EXISTING CONTOUR (650)

PROPOSED CONTOUR 650

EXISTING PAVEMENT

PROPOSED ELEVATION 100.00 T.C., 99.50 F.S.

CUT OR FILL SLOPE (AS INDICATED)

DAYLIGHT LINE

FLOWLINE

FENCE PER LANDSCAPE PLANS

FIRE HYDRANT

W.M. WATER METER

M.H. SEWER MANHOLE

1.00% SLOPE GRADIENT

PLASTER PER LANDSCAPE PLANS

CONSTRUCTION NOTES:

- SOIL COMPACTION REPORT SHALL BE PROVIDED TO THE BUILDING INSPECTOR AT THE JOB SITE PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.
 - SOILS ENGINEER SHALL INSPECT FOUNDATION PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.
- NOTE:** NO GRADING REQUIRED. EARTH MOVING QUANTITY LESS THAN 50 C.Y., HEIGHT OF FILL LESS THAN 3 FT. HEIGHT OF CUT SLOPE LESS THAN 5 FT. AND SLOPE LESS STEEPER THAN 1-1/2 HORIZ. TO 1 VERTICAL. PROVIDE EXTRA DEPTH FOOTINGS TO ENSURE MINIMUM FOOTING EMBEDMENT WILL BE MAINTAINED WHERE EXTERIOR GRADE WILL BE LOWERED AS PART OF FINE GRADING.
- NOTE:** *WATER ELEVATION IS BASED ON SHERWOOD DAM CREST ELEVATION.
- EASEMENTS**
- PSE EXISTING PUBLIC SERVICES EASEMENT TO THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT PER TRACT MAP 4192-6, 153 MR 43-50.
- (A) EXISTING SOUTHERN CALIFORNIA EDISON COMPANY UTILITY EASEMENT PER 650 O.R. 280.
- (B) EXISTING SOUTHERN CALIFORNIA GAS COMPANY PUBLIC UTILITIES EASEMENT PER DOC. 91-126694 O.R.
- (C) PROPOSED SOUTHERN CALIFORNIA EDISON EASEMENT PER SEPARATE DOCUMENT.
- (D) EXISTING PUBLIC SERVICES EASEMENT TO THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT PER TRACT MAP 4192-6, 153 MR 43-50.

This Site Plan is Acceptable in Regard to Soils and Geologic Conditions and Conforms to the Recommendations of the Supportive Reports.

R.C.E. NO.		EXP. DATE		DATE			
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PREPARED BY:
HIDG
IBRAHIM HZAYEN R.C.E. NO. 71356 EXP. DATE: 12/31/15

Hzyen Design Group, Inc
360 Twilight Court
Camarillo, CA 93012
Phone (805) 233-7778

OWNER: SHERWOOD DEVELOPMENT COMPANY
2300 NORFIELD CT.
THOUSAND OAKS, CA 91361

LOT AREA = 479,799.04 SF/11.01 AC
NET LOT AREA (MINUS OPEN SPACE AND EASEMENTS)=NET PAD AREA=8,224 SF/0.42 ACRE
BUILDING COVERAGE AREA = 4,725 SF = 1.0%

DESIGNED H.D.G. DRAWN H.D.G. CHECKED I.H.H.

PROJ. ENGINEER RECOMMENDED

REG. NO. DATE APPROVED

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

SPEC. NO.

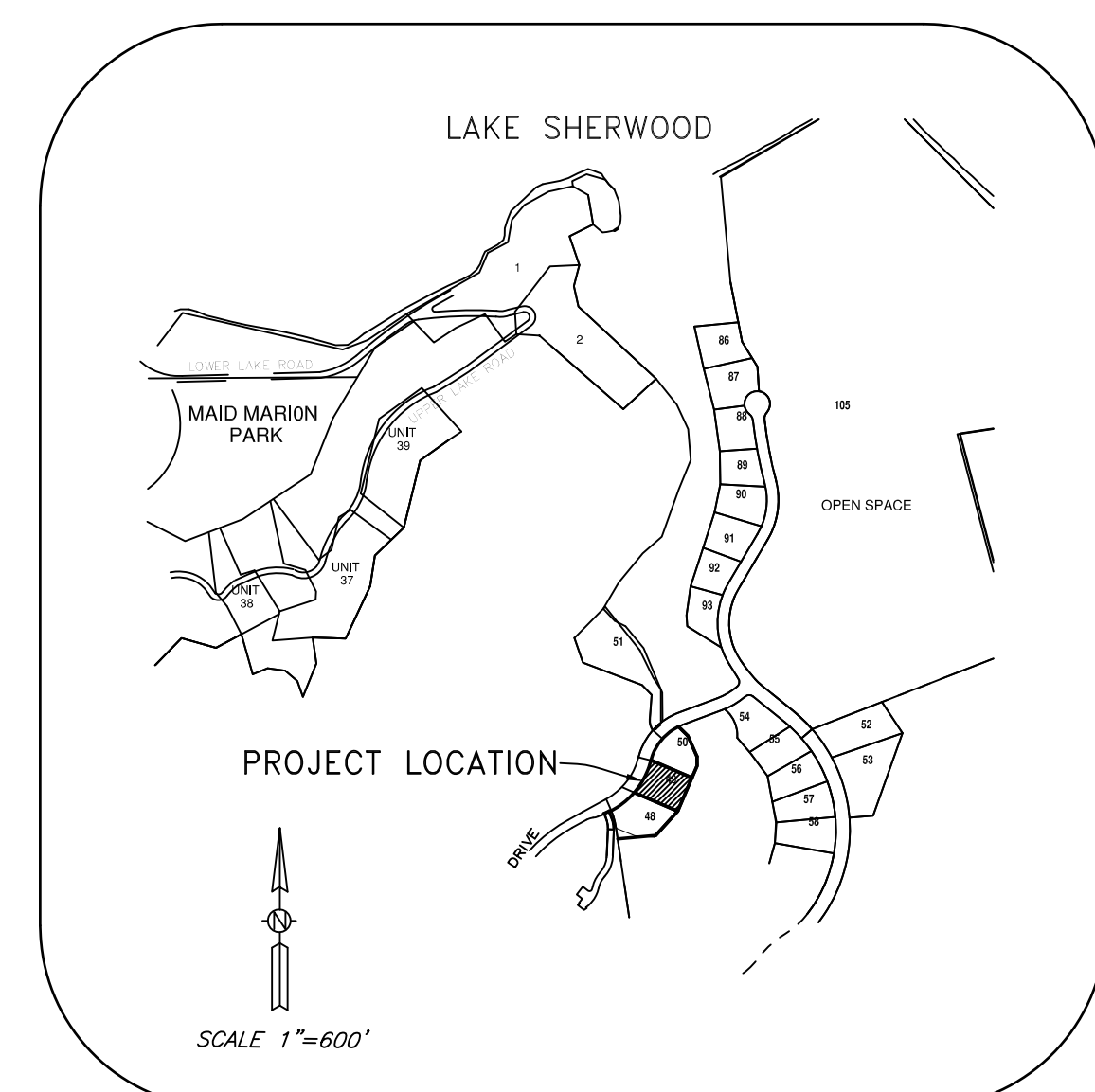
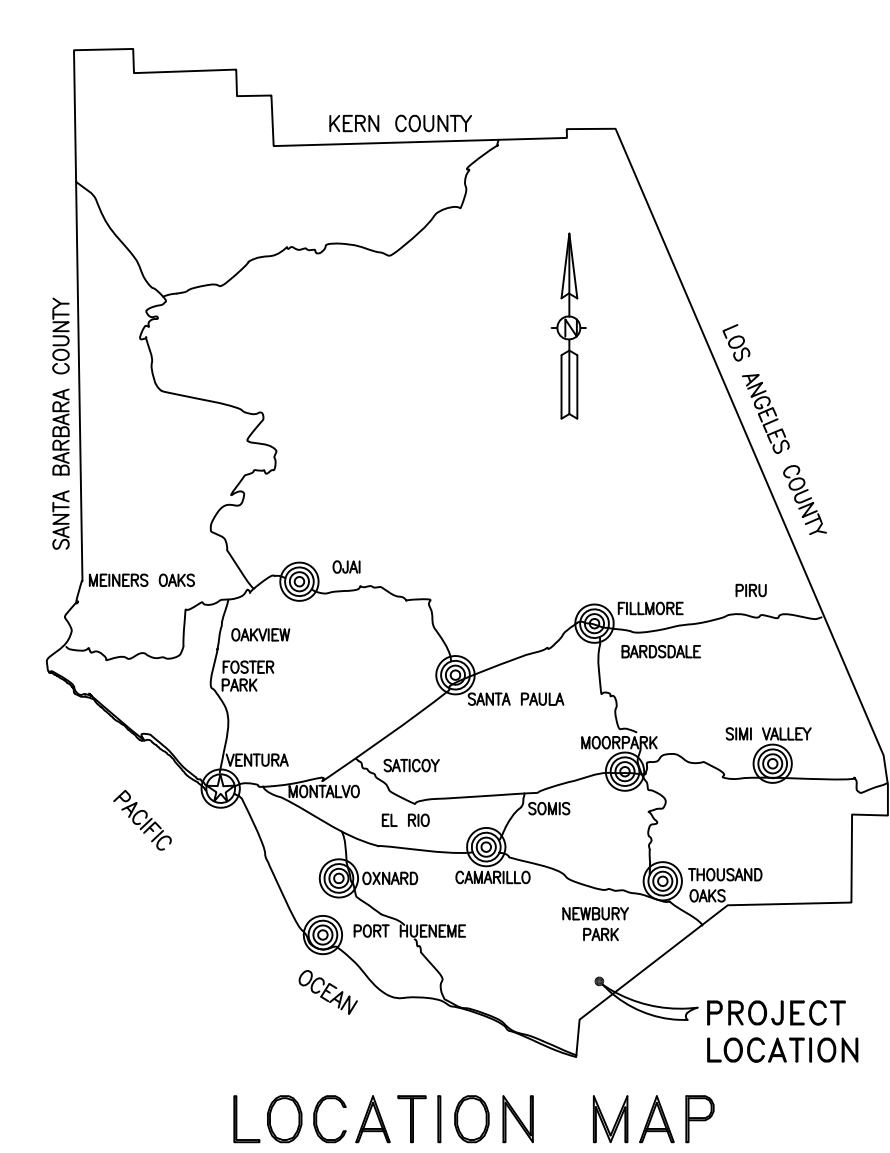
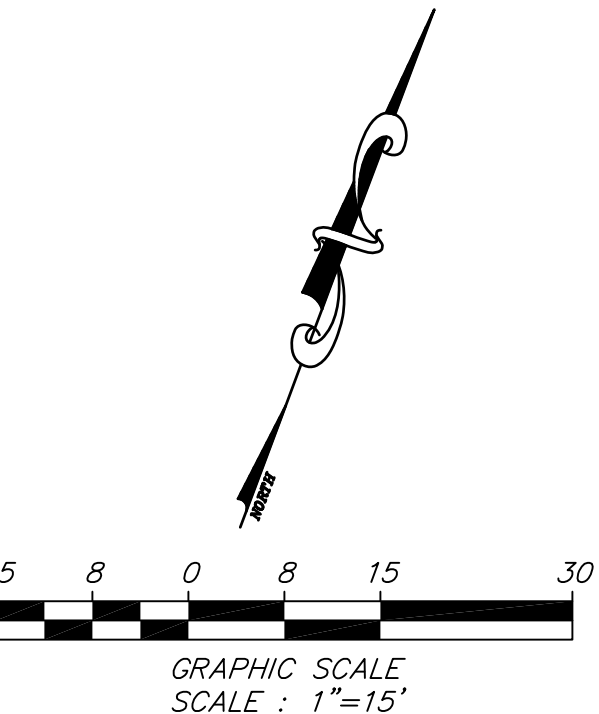
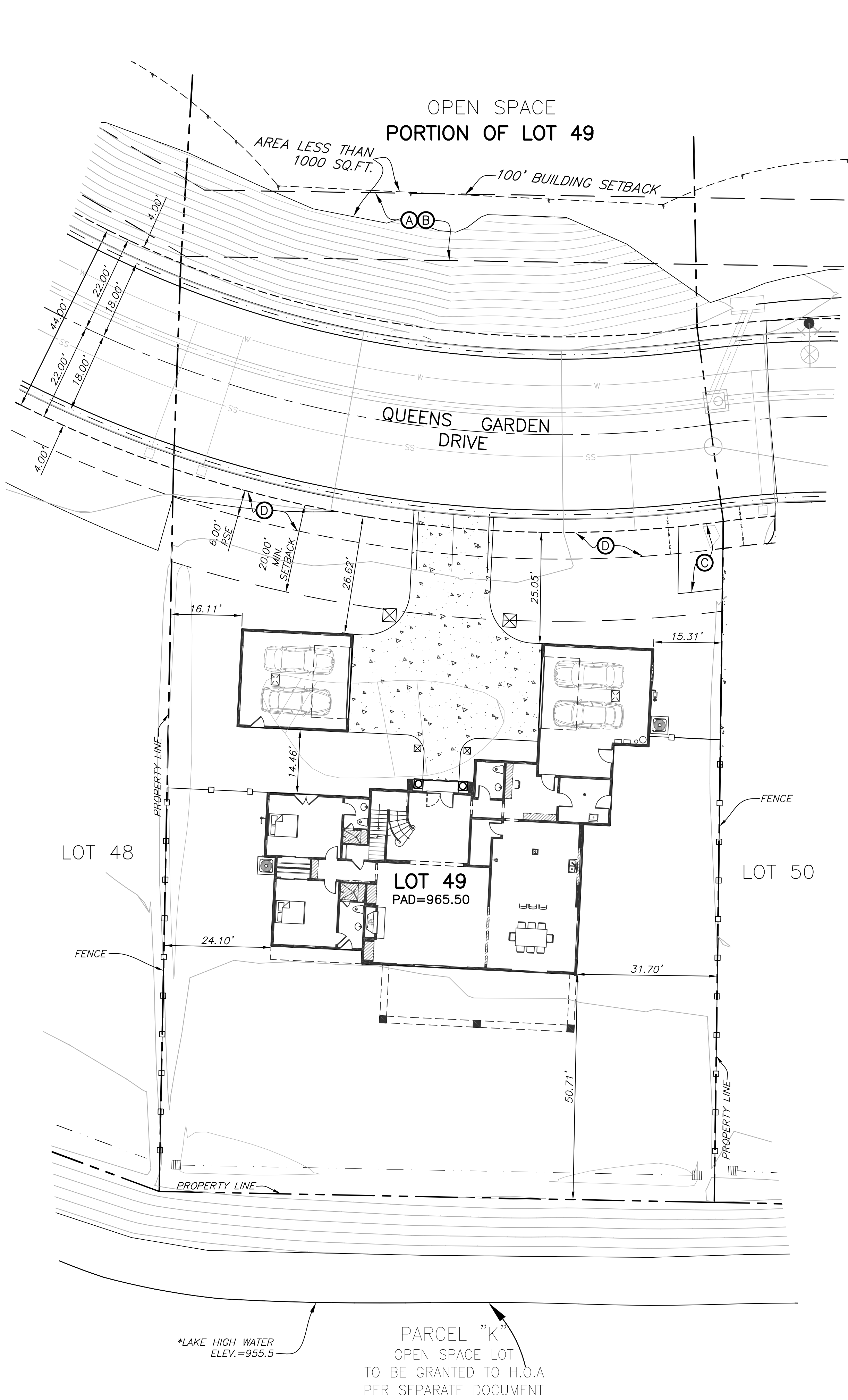
PROJ. NO.

APN - 695-0-420-075
2613 QUEENS GARDEN DRIVE
LOT NO. 49

SITE PLAN
TRACT NO. 4192-6
LAKE SHERWOOD
GRADING PERMIT NO. 9816

PLOT DATE: 6/15/2015

SHEET 1 OF 2





arc
DESIGN
GROUP

1000 PASEO CAMARILLO
SUITE 239
CAMARILLO, CA 93010
805 484 4277

design architect:
arnold c. savann, ala
10900 wishire blvd., suite 620
castle & cooke, inc.
los angeles, ca 90024

ENGINEER
HIDG

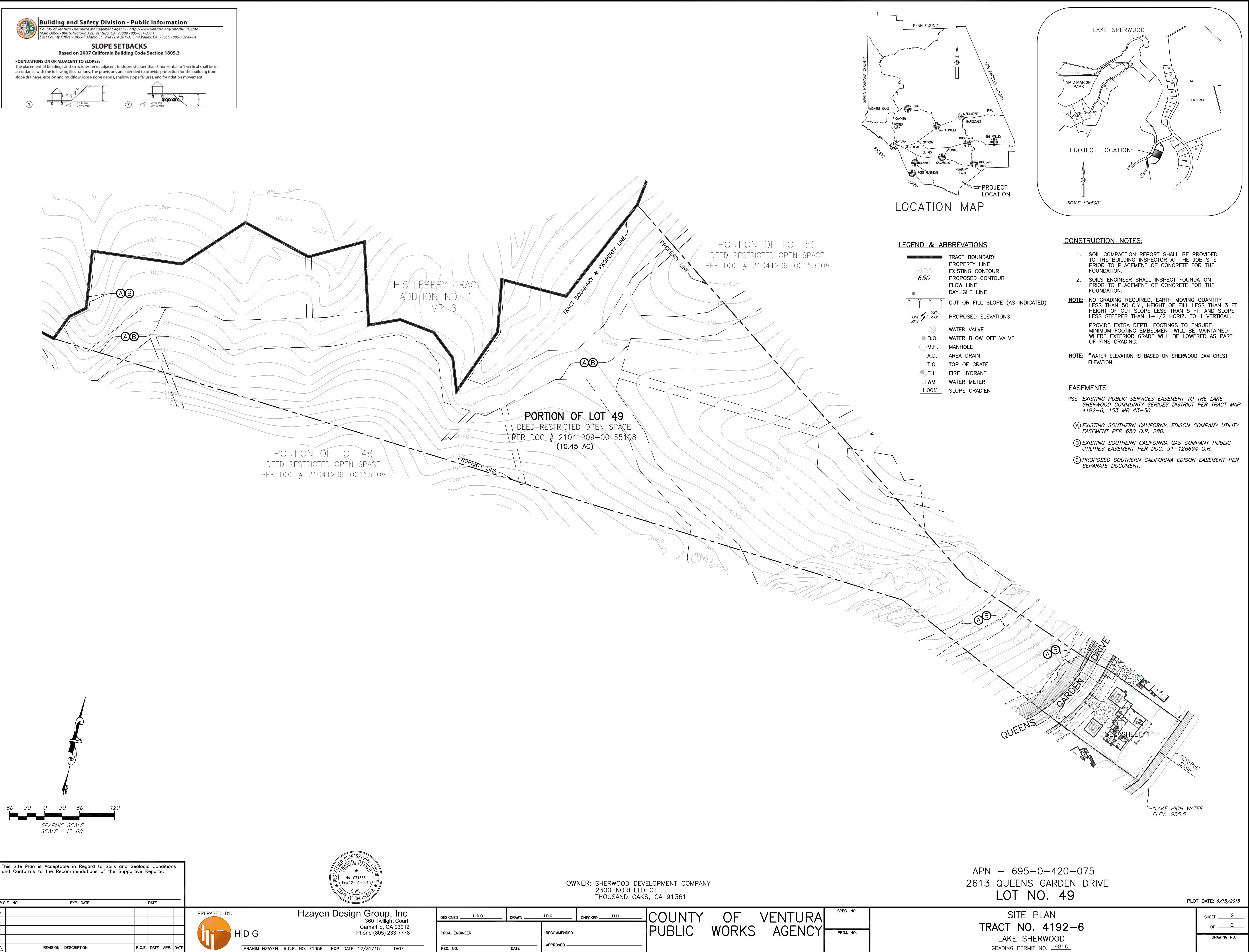
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT
CAMARILLO, CA 93012
805-233-7778

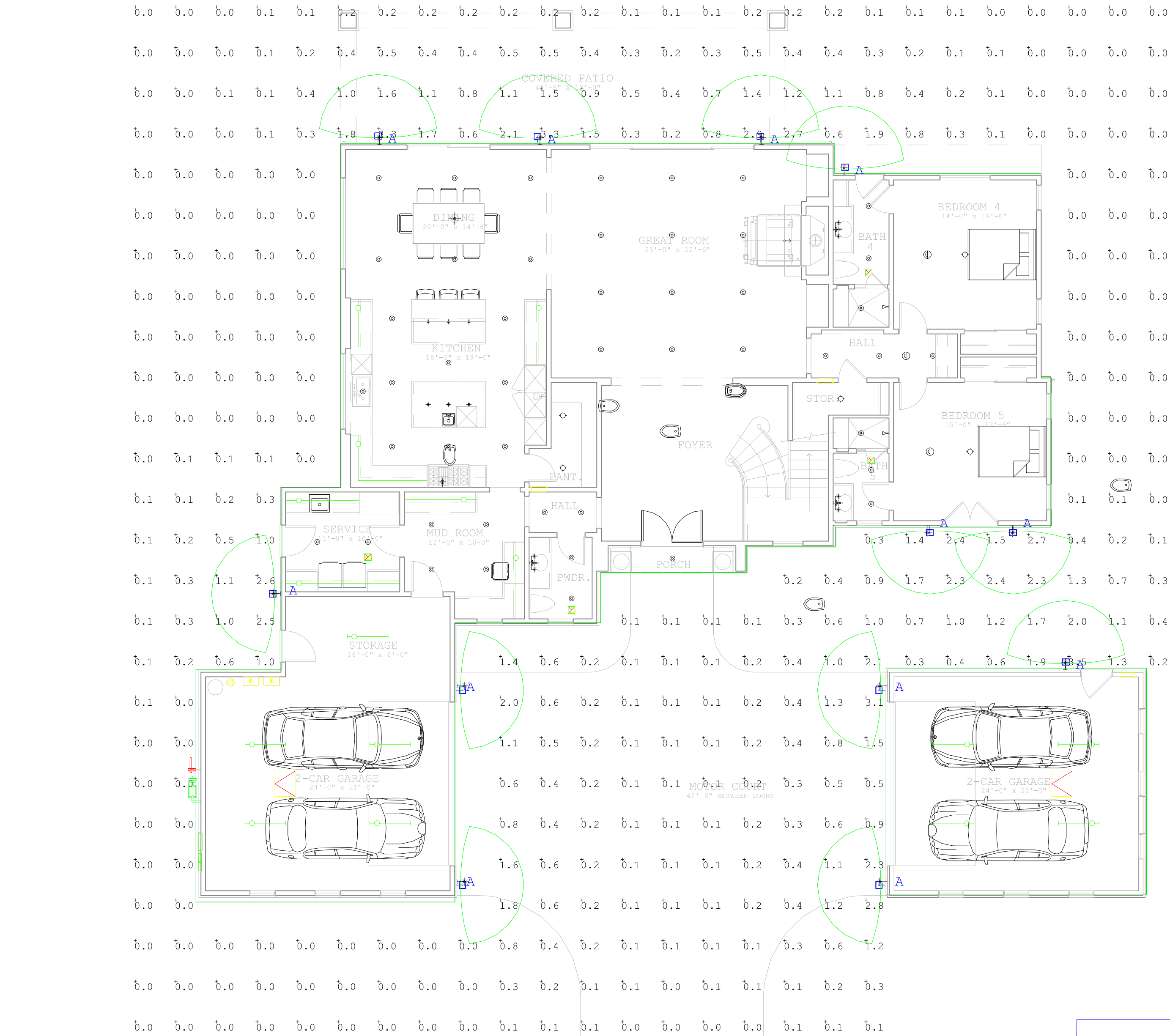
OWNER
SHERWOOD
DEVELOPMENT COMPANY
320 WEST STAFFORD RD
THOUSAND OAKS, CA
91361
(805) 496-1833

LOT 49

2613 QUEENS GARDEN DRIVE
THOUSAND OAKS, CA 91361
(805) 496-1833
APN - 695-0-420-075 TRACT 4192-4 LOT 84

PROJECT	SHEET TITLE	
	SITE PLAN	
DRAWING SCALE	DATE	
	JANUARY 7, 2015	
REVISIONS	REVISIONS	
SHEET NO.	SHEET NO.	
	2 of 2	



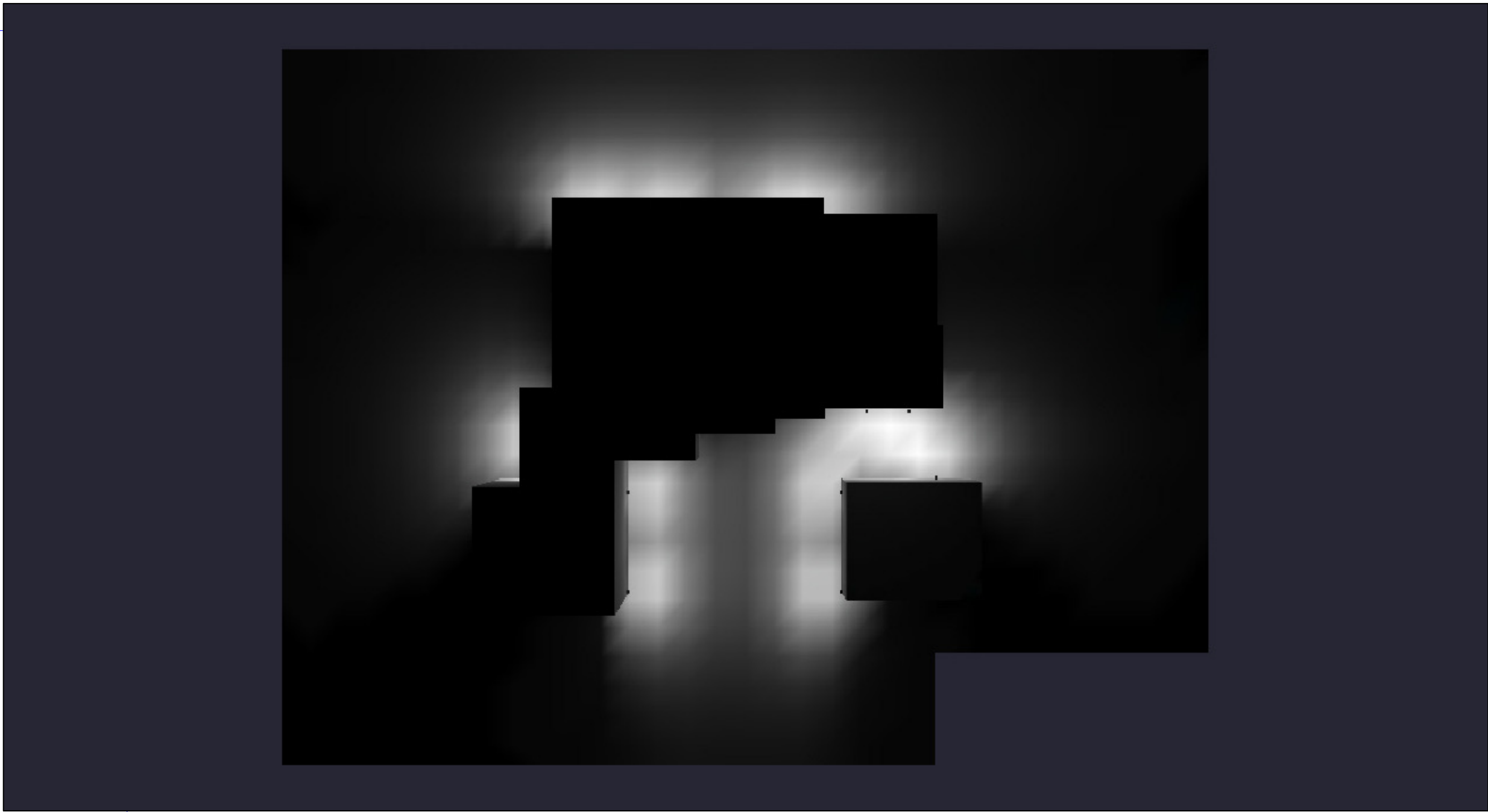


Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	12	A	SINGLE	900	0.850	AFX - BSW113BKPLT

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
EXTERIOR CALC	Illuminance	Fc	0.40	3.5	0.0	N.A.	N.A.

Luminaire Location Summary	
Label	Z
A	6.6
A	6.6
A	6.6
A	6.6
A	6.6
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A	6.6
A	6.6
A	6.6
A	6.6
A	6.6
A	6.6
Total Quantity: 12	

DISCLAIMER:
THIS CALCULATION IS BASED ON THE BEST INFORMATION PROVIDED TO CLS BY THE ARCHITECT, ENGINEER, LIGHTING DESIGNER OR INTERIOR DESIGNER. THESE FINDINGS SHOULD BE VERIFIED BY A CERTIFIED ELECTRICAL ENGINEER AS TO THEIR ACCURACY. DESIGN CHANGES IN ARCHITECTURE WITH FLOORS, WALLS AND CEILINGS AND REFLECTANCES OF ALL INTERIOR SURFACES INCLUDING PARTITION WALLS MAY ADVERSELY EFFECT THE OVERALL LIGHT LEVELS. CLS IS IN NO WAY RESPONSIBLE AS TO THE VERACITY OF THESE CALCULATIONS, AND THEY SHOULD ONLY BE USED AS A DESIGN REFERENCE TOOL.



TOP VIEW RENDERING

Building and Safety Division - Public Information
County of Ventura - Resource Management Agency - http://www.ventura.org/rma/build_safe
Main Office - 402 S. Victoria Ave., Ventura, CA 93009 - 805-684-2771
East County Office - 3855-F Alamo St., 2nd Fl., # 2019A, Simi Valley, CA 93065 - 805-682-8064

SLOPE SETBACKS
Based on 2007 California Building Code Section 1805.3

FOUNDATIONS ON OR ADJACENT TO SLOPES:
The placement of buildings and structures on or adjacent to slopes steeper than 3 horizontal to 1 vertical shall be in accordance with the following illustrations. The provisions are intended to provide protection for the building from slope drainage, erosion and mudflow, loose slope debris, shallow slope failures, and foundation movement.

1 7

ASSESSOR'S PARCEL No.
695-0-420-085

LAND USE
EXISTING LAND USE: OPEN SPACE
EXISTING ZONING: OC 10 AC/SRP

ENGINEER
HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT,
CAMARILLO, CA 93012
(805) 233-7778
CONTACT: IBRAHIM HZAYEN

OWNER/APPLICANT
SHERWOOD DEVELOPMENT COMPANY, INC.
2300 NORFIELD COURT,
THOUSAND OAKS, CA 91301
CONTACT: TOM COMBER

LEGEND & ABBREVIATIONS

--- PROPERTY LINE
--- FENCE
--- (650) EXISTING CONTOUR
--- 650 PROPOSED CONTOUR
--- FLOW LINE
--- DAYLIGHT LINE
--- CUT OR FILL SLOPE (AS INDICATED)
--- PROPOSED ELEVATIONS

--- WATER VALVE
--- B.O. WATER BLOW OFF VALVE
--- M.H. MANHOLE
--- A.D. AREA DRAIN
--- T.G. TOP OF GRATE
--- FH FIRE HYDRANT
--- WM WATER METER
--- 1.00% SLOPE GRADIENT
--- PILASTER

CONSTRUCTION NOTES:

1. SOIL COMPACTION REPORT SHALL BE PROVIDED TO THE BUILDING INSPECTOR AT THE JOB SITE PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.

2. SOILS ENGINEER SHALL INSPECT FOUNDATION PRIOR TO PLACEMENT OF CONCRETE FOR THE FOUNDATION.

NOTE: NO GRADING REQUIRED. EARTH MOVING QUANTITY LESS THAN 50 C.Y., HEIGHT OF FILL LESS THAN 3 FT. HEIGHT OF CUT SLOPE LESS THAN 5 FT. AND SLOPE LESS STEEPER THAN 1-1/2 HORIZ. TO 1 VERTICAL.

PROVIDE EXTRA DEPTH FOOTINGS TO ENSURE MINIMUM FOOTING EMBEDMENT WILL BE MAINTAINED WHERE EXTERIOR GRADE WILL BE LOWERED AS PART OF FINE GRADING.

NOTE: *WATER ELEVATION IS BASED ON SHERWOOD DAM CREST ELEVATION.

EASEMENTS

PSE EXISTING PUBLIC SERVICES EASEMENT TO THE LAKE SHERWOOD COMMUNITY SERVICES DISTRICT PER TRACT MAP 4192-6, 153 MR 43-50.

(A) EXISTING SOUTHERN CALIFORNIA EDISON COMPANY UTILITY EASEMENT PER 650 O.R. 280.

(B) EXISTING SOUTHERN CALIFORNIA GAS COMPANY PUBLIC UTILITIES EASEMENT PER DOC. 91-126694 O.R.

This Site Plan is Acceptable in Regard to Soils and Geologic Conditions and Conforms to the Recommendations of the Supportive Reports.			
R.C.E. NO.	EXP. DATE	DATE	
D			
C			
B			
A			
REVISION	DESCRIPTION	R.C.E.	DATE APP. DATE

PREPARED BY:
HIDG
IBRAHIM HZAYEN R.C.E. NO. 71356 EXP. DATE: 12/31/15 DATE

Hzyen Design Group, Inc
360 Twilight Court
Camarillo, CA 93012
Phone (805) 233-7778

OWNER: SHERWOOD DEVELOPMENT COMPANY
2300 NORFIELD CT.
THOUSAND OAKS, CA 91361

LOT AREA = 437,569.52 SF/10.05 AC
NET LOT AREA (MINUS OPEN SPACE AND EASEMENTS)=NET PAD AREA=5,900 SF/0.37 AC
BUILDING COVERAGE AREA = 6,319 SF = 1.44%

DESIGNED H.D.G.	DRAWN H.D.G.	CHECKED L.H.
PROJ. ENGINEER	RECOMMENDED	
REG. NO.	DATE	APPROVED

COUNTY OF VENTURA
PUBLIC WORKS AGENCY

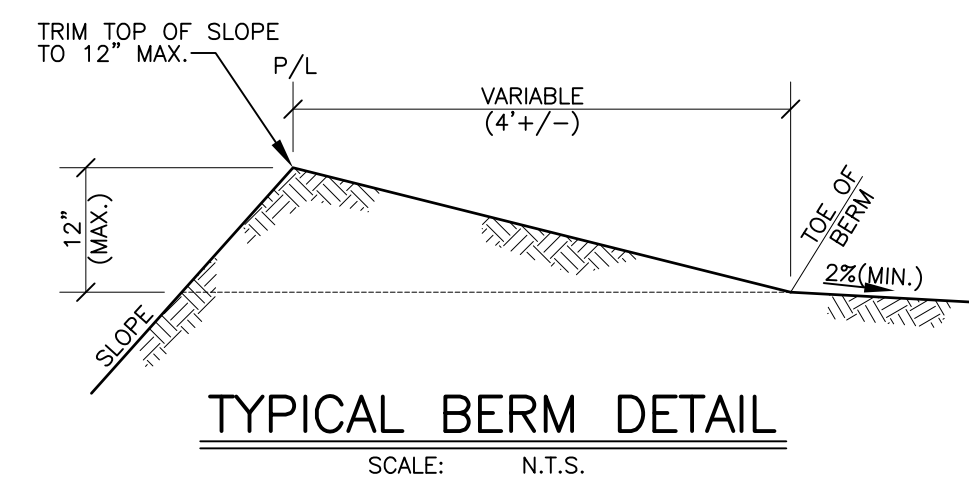
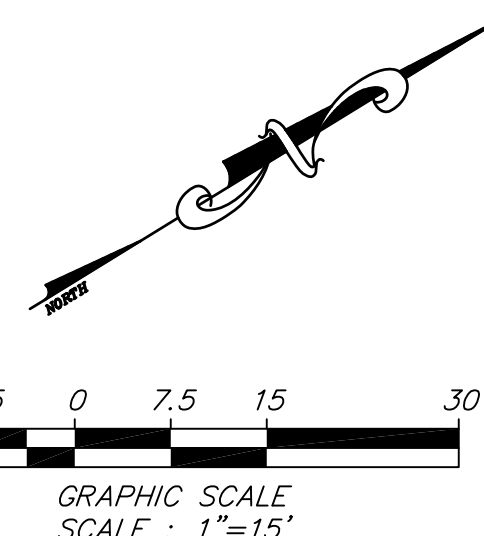
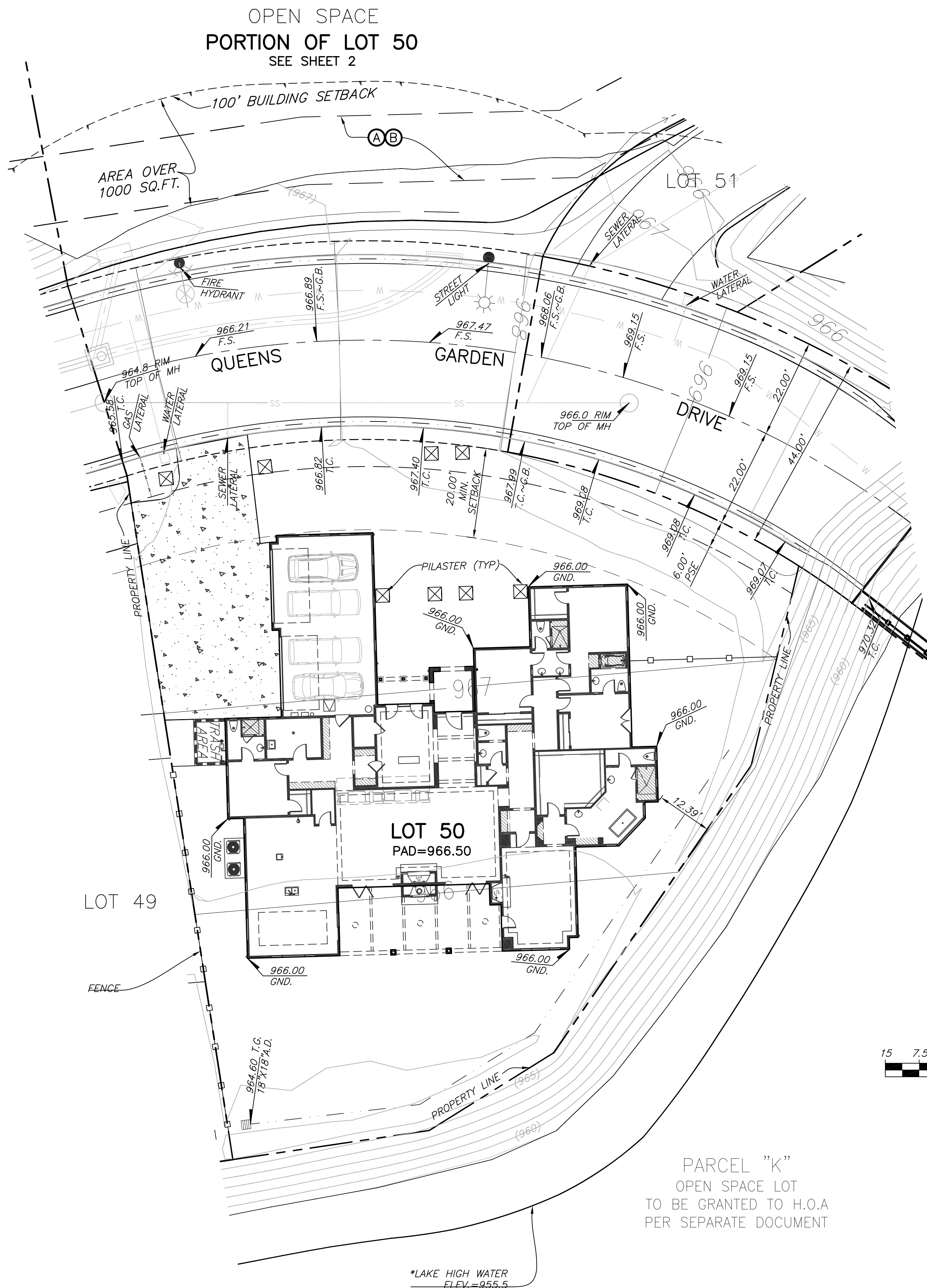
SPEC. NO.	
PROJ. NO.	

APN - 695-0-420-085
2575 QUEENS GARDEN DRIVE
LOT NO. 50

SITE PLAN
TRACT NO. 4192-6
LAKE SHERWOOD
GRADING PERMIT NO. 9816

PLOT DATE: 6/15/2015

SHEET	1
OF	2
DRAWING NO.	





1000 PASEO CAMARILLO
SUITE 239
CAMARILLO, CA 93010
805 484 4277
design architect:
arnold c. savann, ala
10900 wishire blvd., suite 620
castle & cooke, inc.
los angeles, ca 90024



HZAYEN DESIGN GROUP, INC.
360 TWILIGHT COURT
CAMARILLO, CA 93012
805-233-7778

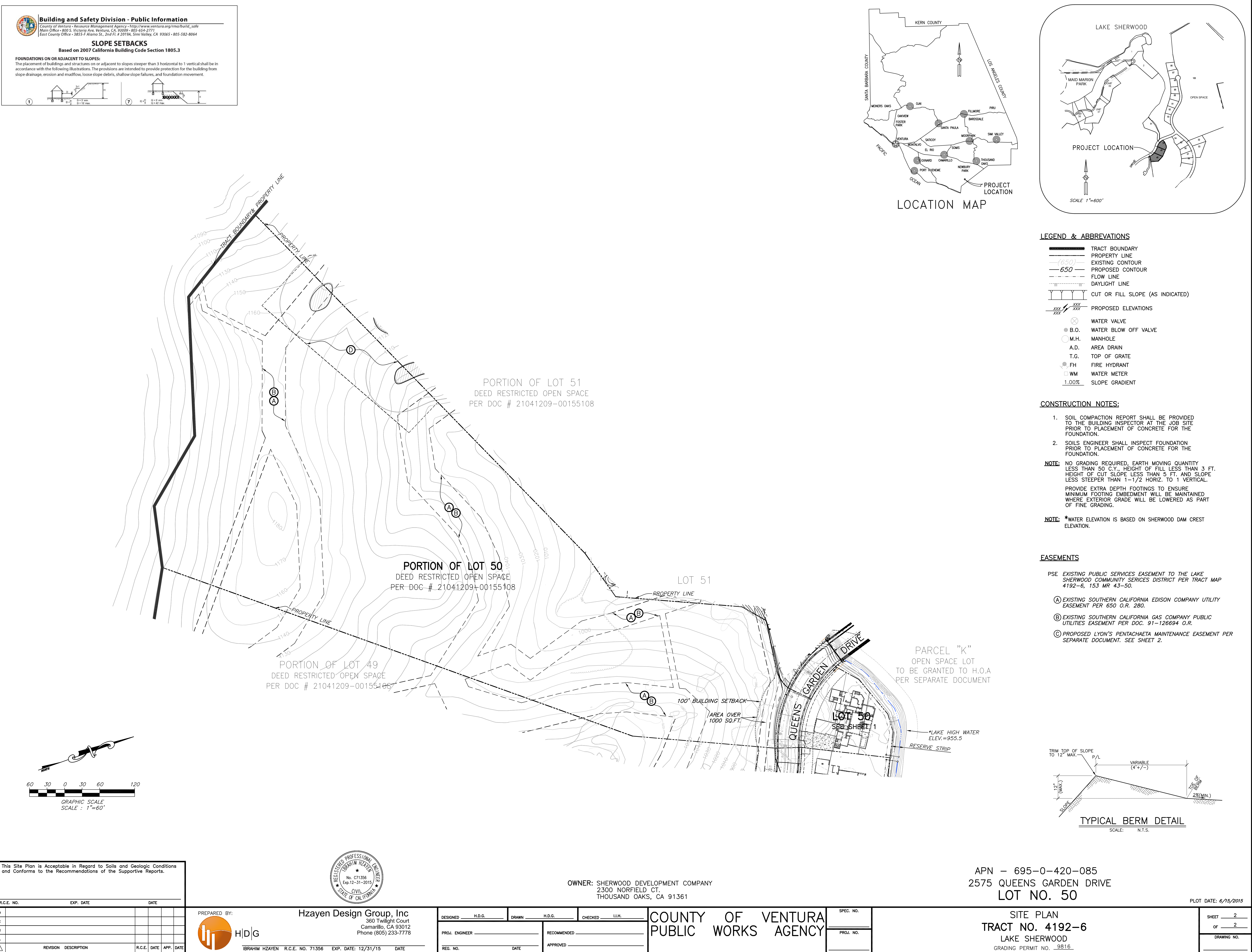
OWNER
SHERWOOD
DEVELOPMENT COMPANY
320 WEST STAFFORD RD
THOUSAND OAKS, CA
91361
(805) 496-1833

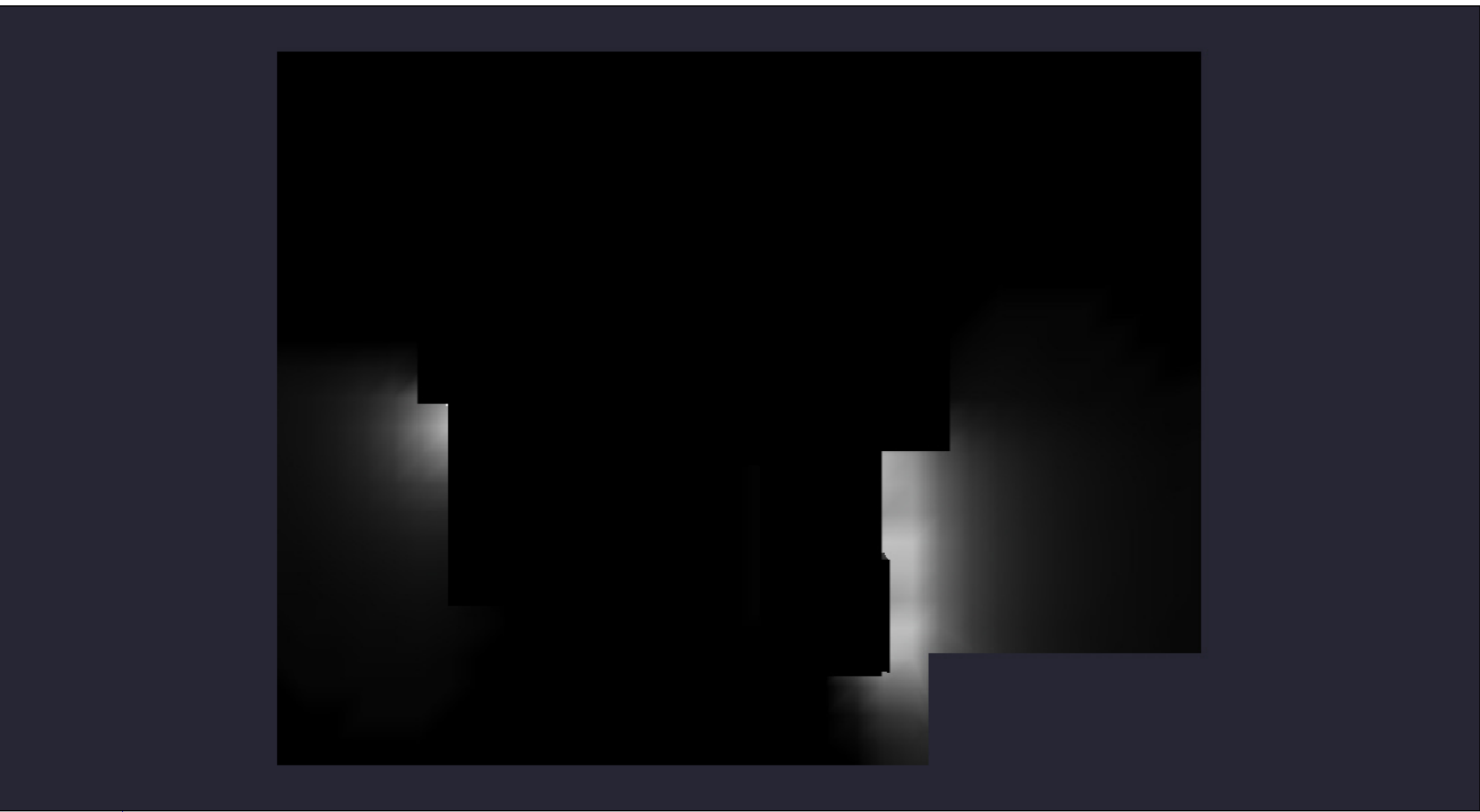
LOT 50
2575 QUEENS GARDEN DRIVE
THOUSAND OAKS, CA 91361
(805) 496-1833
APN - 695-0-420-085 TRACT 4192-6 LOT 50

PROJECT
SHEET TITLE
DRAWING SCALE
DATE
JANUARY 7, 2015
REVISIONS

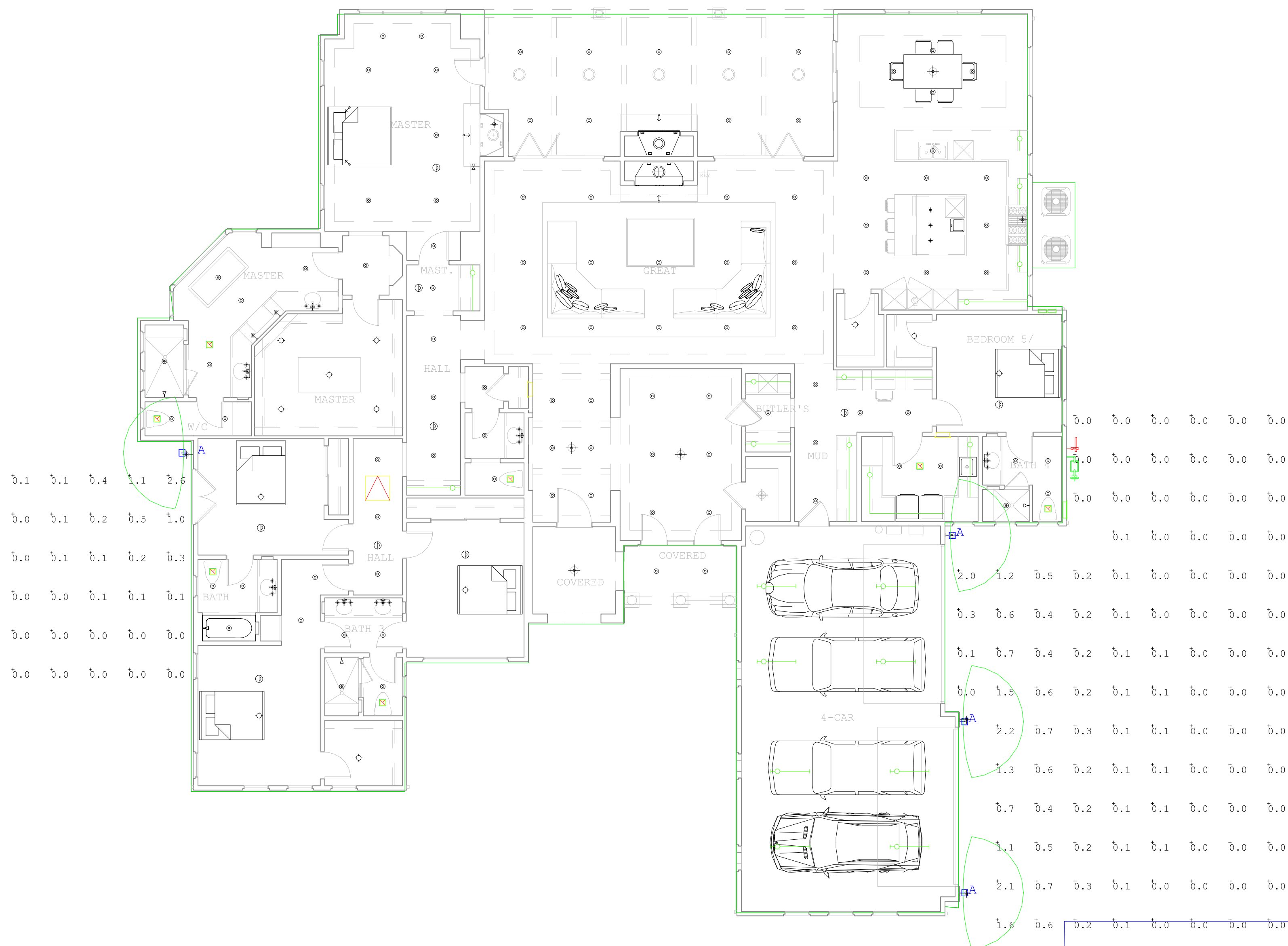
SITE PLAN

SHEET NO.
2 of 2





TOP VIEW RENDERING



Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
	4	A	SINGLE	900	0.850	AFX - BSW113BKPLT

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
EXTERIOR CALC	Illuminance	Fc	0.23	2.2	0.0	N.A.	N.A.
EXTERIOR CALC 1	Illuminance	Fc	0.24	2.6	0.0	N.A.	N.A.

Luminaire Location Summary	
Label	Z
A	6.6
A	6.6
A	6.6
A	6.6
Total Quantity: 4	

DISCLAIMER:
THIS CALCULATION IS BASED ON THE BEST INFORMATION PROVIDED TO CLS BY THE ARCHITECT, ENGINEER, LIGHTING DESIGNER OR INTERIOR DESIGNER. THESE FINDINGS SHOULD BE VERIFIED BY A CERTIFIED ELECTRICAL ENGINEER AS TO THEIR ACCURACY. DESIGN CHANGES IN ARCHITECTURE WITH FLOORS, WALLS AND CEILINGS AND REFLECTANCES OF ALL INTERIOR SURFACES INCLUDING PARTITION WALLS MAY ADVERSELY EFFECT THE OVERALL LIGHT LEVELS. CLS IS IN NO WAY RESPONSIBLE AS TO THE VERACITY OF THESE CALCULATIONS, AND THEY SHOULD ONLY BE USED AS A DESIGN REFERENCE TOOL.

county of ventura

MITIGATED NEGATIVE DECLARATION (MND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Planned Development Permit PL14-0158 for construction of a single-family dwelling in the Scenic Resource Protection (SRP) Overlay zone.
2. **Applicant:** Mr. Mike McMullen, 2300 Norfield Court, Thousand Oaks, CA 91361
3. **Location:** 2639 Queens Garden Dr., Thousand Oaks, CA 91361
4. **Assessor's Parcel Number:** 695-0-420-065
5. **Lot Size:** 12.02 acres
6. **General Plan Land Use Designation:** Open Space
7. **Area Plan Land Use Designation:** OS 10-20 ac (Open Space 10-20 acre minimum lot size)
8. **Zoning Designation:** OS-10 ac/SRP (Open Space 10 acre minimum lot size, Scenic Resource Protection Overlay Zone)
9. **Project Description:** The request is for a Planned Development Permit for the construction of a 4,960 square feet (sq. ft.) single-family, single-story dwelling with 670 sq. ft. of covered porches, and an attached 941 sq. ft. four-car garage located on a 12.02 acre property. The proposed structure will be approximately 25 feet and 11 inches in height with a minimum 15 feet side yard setback around the structure, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay zone and is visible from Lake Sherwood.

The proposed project site is part of the sixth phase of Tract Map 4192. Development of the site will be limited to a 20,138 sq. ft. (0.46 acre) graded pad that was approved as part of Tract Map 4192, Conditional Use Permit (CUP) 4631 and Modification 4 to Tract Map 4192. In addition, 11.44 acres of the property are in an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowner's Association and will remain undeveloped. The remaining 0.12 acres of the property are in access, maintenance, utility, water and public service easements. No additional grading or vegetation removal is proposed beyond what was analyzed in a Mitigated Negative Declaration (MND) that the Board of Supervisors adopted for Tract Map 4192 and CUP 4631 as well as the MND that the Board of Supervisors adopted for Modification 4 to Tract Map 4192. (See below for a more detailed discussion of the MND for Tract 4192 and CUP 4631 as well as the MND for Modification 4 to Tract Map 4192.)

A new, 20-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. The Lake Sherwood Community Services District will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.



B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On May 19, 1992, the Board of Supervisors adopted a MND for Tract Map 4192 and CUP 4631 that evaluated the environmental impacts of a 356.5 acre subdivision into 90 lots for the development of single-family dwellings, and 5 parcels for open space, landscaping, a de-silting basin, and booster pump station site. The Board of Supervisors considered CUP 4631 concurrently with Tract Map 4192; CUP 4631 permitted 840,000 cubic yards of grading within areas that are subject to the regulations of the SRP Overlay Zone, in order to create roads and pads for the residential development on the lots that Tract Map 4192 created.

On August 8, 2000, the Board of Supervisors adopted a MND for Modification 4 to Tract Map 4192 that evaluated the environmental impacts of the re-subdivision of Phase 6 of Tract Map 4192, which encompasses 335 acres, including 110 acres which will be set aside as deed restricted open space. This re-subdivision includes the proposed project, lot 48.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted MND if: (1) only minor technical changes or additions are necessary; and (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of an Environmental Impact Report (EIR) or subsequent negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines that require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].

No substantial changes are proposed to the project. The request is to develop a single-family dwelling unit on a lot that was created as part of Tract Map 4192 and Modification 4 to Tract Map 4192. As stated in this MND Addendum (above), the MND for Tract Map 4192 anticipated the development of single-family dwellings on 90 of the lots (including the subject lot) that Tract Map 4192 created; however, the MND did not analyze the environmental impacts associated with certain aspects of the development of the single-family dwellings on the lots, since specific plans for the single-family dwellings did not exist at the time the County adopted the MND.

Additionally, the MND for Modification 4 to Tract Map 4192 analyzed the re-subdivision of Phase 6 lots in Tract Map 4192; however, the MND did not analyze

the environmental impacts associated with certain aspects of the development of single-family dwellings on the lots.

As stated in this MND Addendum (above), the physical development of the project site will occur on a 0.46 acre building pad and will include a single-family dwelling and four-car garage. The proposed single-family dwelling will not exceed the 35' maximum building height and 5% maximum building coverage regulations of the OS-10 ac/SRP zone (Ventura County Non-Coastal Zoning Ordinance, § 8106-1.1). Since the dwelling height is over 25 feet, the project will have a 15 foot minimum side yard on each side of the property. Additionally, the development will avoid the open space easement area that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowner's Association pursuant to Condition 81.4 of TR 4192 and CUP 4631, Modification 3 to Tract Map 4192, and Modification 4 to Tract Map 4192. Finally, the proposed project will comply with the development standards of the SRP Overlay Zone (Ventura County Non-Coastal Zoning Ordinance, § 8109-4.1.5) that are designed to minimize the visual impacts associated with new development within the SRP Overlay Zone.

The Board of Supervisors previously evaluated the environmental effects of the vegetation removal and grading to create the roads that serve the project site, as well as the 0.46 acre building pad on the subject property, as part of the MND for CUP 4631. The Board of Supervisors also evaluated the environmental effects of vegetation removal during grading and construction activities as part of the MND for Modification 4 to Tract Map 4192. No additional grading or vegetation removal beyond what was set forth in the MNDs will occur as a result of the proposed project.

Therefore, the proposed project will not involve new significant environmental impacts that were not identified in the MNDs.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

No substantial changes to the project are proposed. As stated in Item No. 1 (above), the development will occur on the previously approved 0.46 acre building pad. CUP 4631 approved grading 840,000 cubic yards of earth for roads and pads throughout Tract Map 4192. No additional grading will occur.

The existing conditions that were used to analyze potential impacts to the environment have changed, but not to the extent that the proposed project would require revisions to the MND for Tract Map 4192 and CUP 4631 or the MND for Modification 4 to Tract Map 4192. More specifically, the following, recently

approved and pending projects exist within the Lake Sherwood community that were not analyzed in the MND for Tract Map 4192 or CUP 4631 or the MND for Modification 4 to Tract Map 4192:

Recently Approved

PL13-0184: PL13-0184 was approved for the construction of a 6,815 sq. ft. single-family dwelling with an attached 540 sq. ft. two-car garage which will result in the removal of one heritage-size oak tree (*Quercus agrifolia*), the removal of one non-heritage size oak tree, and the alteration of nine oak trees.

Pending Approval

PL13-0097: PL13-0097 consists of a lot line adjustment to merge two vacant parcels off of Giles Road in the Thistleberry Hill Tract within the Lake Sherwood community.

PL14-0013: PL14-0013 consists of a lot line adjustment between two legal lots to comply with setback requirements that apply to buildings on the properties, and match an existing fence line. The properties are located on East David Lane in Westlake Village.

PL14-0122: PL14-0122 is a Minor Modification to CUP 5076 for the keeping of wild animals that are both inherently dangerous and not inherently dangerous on a two acre property addressed as 437 West Carlisle Road within the area that is subject to the Lake Sherwood/Hidden Valley Area Plan.

PL14-0144: The request is for a permit adjustment to CUP LU11-0137 (related to the Lake Club Golf Course) in order to construct a 352 sq. ft. structure near Calbourne Lane on an existing golf course. The structure consists of a private men's restroom, private women's restroom, and garden storage area.

PL14-0159: Planned Development Permit PL14-0159 is for the construction of a 4,962 sq. ft. single-family, two-story dwelling with 604 sq. ft. of covered porches, 568 sq. ft. balcony/deck on second floor, an attached 685 sq. ft. two-car garage, and a detached 550 sq. ft. two-car garage located on an 11.01 acre property. The project development is limited to a 18,224 sq. ft. (0.42 acre) graded pad.

PL14-0160: Planned Development Permit PL14-0160 is for the construction of a 4,707 sq. ft. single-family, single-story dwelling with 712 sq. ft. of covered porches and loggia, and an attached 900 sq. ft. four-car garage located on a 10.05 acre property. The project development is limited to a 15,900 sq. ft. (0.37 acre) graded pad.

The Board of Supervisors evaluated the impacts from Tract Map 4192, CUP 4631, and Modification 4 to Tract Map 4192 along with past, present, and reasonably foreseeable projects, as part of the analysis of cumulative impacts in the MNDs.

The analysis in the MND for Tract 4192 and CUP 4631 focused particularly on the cumulative impacts to endangered, threatened, and rare species, and impacts from noise and vibration. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, or rare species, or noise and vibration impact. The analysis in the MND for Modification 4 to Tract Map 4192 focused particularly on the cumulative impacts to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities.

Furthermore, with the additional projects listed in this MND Addendum above, the proposed project will not make a cumulatively considerable contribution to a significant cumulative impact to the environment. Finally, the project site and surrounding area do not exhibit previously unknown resources that need to be analyzed as part of this project.

Therefore, no major revisions of the previous MNDs are required and there are no new significant environmental effects associated with this project.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors adopted the previous MNDs, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous MNDs [§ 15162(a)(3)(A)].

The project will not have any significant effects that were not discussed in the previous MND documents. The environmental conditions that currently exist on-site are either: (1) substantially the same as those that existed at the time at which the MNDs were prepared and adopted; or (2) developed in compliance with the project that was the subject of the MND for Tract Map 4192 and CUP 4631 and the project that was the subject of the MND for Modification 4 to Tract Map 4192. No new information that was unknown, and could not have been known when the MND was adopted, has become available. Though the following information is not of substantial importance, it is included in this addendum for disclosure purposes:

Greenhouse gases

The Ventura County Air Pollution Control District (VCAPCD) has not yet adopted any approach to setting a threshold of significance for land use development projects in the area of project greenhouse gas emissions. The project will generate less than significant impacts to regional and local air

quality and the project will be subject to a condition of approval to ensure that all project operations shall be conducted in compliance with all VCAPCD Rules and Regulations. Furthermore, the amount of greenhouse gases anticipated from the project will be a small fraction of the levels being considered by the VCAPCD for greenhouse gas significance thresholds and far below those adopted to date by any air district in the state.

Therefore, the project specific and cumulative impacts related to greenhouse gases are less than significant.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this addendum to the two adopted MNDs prior to making a decision on the project.

C. PUBLIC REVIEW:


Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the two MND documents does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND for Tract Map 4192 and CUP 4631 as well as the adopted MND for Modification 4 to Tract Map 4192.

Prepared by:



Tess Harris, Case Planner
Residential Permits Section
Ventura County Planning Division

Reviewed by:



for Daniel Klemann, Manager
Residential Permits Section
Ventura County Planning Division

Enclosed: Mitigated Negative Declaration for Tract Map 4192 and CUP 4631
Mitigated Negative Declaration for Modification 4 to Tract Map 4192

county of ventura

MITIGATED NEGATIVE DECLARATION (MND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Planned Development Permit PL14-0159 for construction of a single-family dwelling in the Scenic Resource Protection (SRP) Overlay zone.
2. **Applicant:** Mr. Mike McMullen, 2300 Norfield Court, Thousand Oaks, CA 91361
3. **Location:** 2613 Queens Garden Dr., Thousand Oaks, CA 91361
4. **Assessor's Parcel Number:** 695-0-420-075
5. **Lot Size:** 11.01 acres
6. **General Plan Land Use Designation:** Open Space
7. **Area Plan Land Use Designation:** OS-10-20 ac (Open Space 10-20 acre minimum lot size)
8. **Zoning Designation:** OS-10 ac/SRP (Open Space 10 acre minimum lot size, Scenic Resource Protection Overlay Zone)
9. **Project Description:** The request is for a Planned Development Permit for the construction of a 4,962 square feet (sq. ft.) single-family, two-story dwelling with 604 sq. ft. of covered porches, 568 sq. ft. balcony/deck on second floor, an attached 685 sq. ft. two-car garage, and a detached 550 sq. ft. two-car garage located on an 11.01 acre property. The proposed structure will be approximately 31 feet and 12 $\frac{3}{4}$ inches in height with a minimum 15 feet side yards setback around the structure, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay zone and is visible from Lake Sherwood.

The proposed project site is part of the sixth phase of Tract Map 4192. Development of the site will be limited to a 18,224 sq. ft. (0.42 acre) graded pad that was approved as part of Tract Map 4192, Conditional Use Permit (CUP) 4631, and Modification 4 to Tract Map 4192. In addition, 10.45 acres of the property are in an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowner's Association and will remain undeveloped. The remaining 0.14 acres of the property are in access, maintenance, utility, water and public service easements. No additional grading or vegetation removal is proposed beyond what was analyzed in a Mitigated Negative Declaration (MND) that the Board of Supervisors adopted for Tract Map 4192 and CUP 4631 as well as the MND that the Board of Supervisors adopted for Modification 4 to Tract Map 4192. (See below for a more detailed discussion of the MND for Tract 4192 and CUP 4631 as well as the MND for Modification 4 to Tract Map 4192.)

A new, 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. The Lake Sherwood Community Services



District will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On May 19, 1992 the Board of Supervisors adopted a MND for Tract Map 4192 and CUP 4631 that evaluated the environmental impacts of a 356.5 acre subdivision into 90 lots for the development of single-family dwellings, and 5 parcels for open space, landscaping, a de-silting basin, and booster pump station site. The Board of Supervisors considered CUP 4631 concurrently with Tract Map 4192; CUP 4631 permitted 840,000 cubic yards of grading within areas that are subject to the regulations of the SRP Overlay Zone, in order to create roads and pads for the residential development on the lots that Tract Map 4192 created.

On August 8, 2000, the Board of Supervisors adopted a MND for Modification 4 to Tract Map 4192 that evaluated the environmental impacts of the re-subdivision of Phase 6 of Tract Map 4192, which encompasses 335 acres, including 110 acres which will be set aside as deed restricted open space. This re-subdivision includes the proposed project, lot 49.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted MND if: (1) only minor technical changes or additions are necessary; and, (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of an Environmental Impact Report (EIR) or subsequent negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines that require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

- 1. Substantial changes are proposed in the project which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].**

No substantial changes are proposed to the project. The request is to develop a single-family dwelling unit on a lot that was created as part of Tract Map 4192 and Modification 4 to Tract Map 4192. As stated in this MND Addendum (above), the MND for Tract Map 4192 anticipated the development of single-family dwellings on 90 of the lots (including the subject lot) that Tract Map 4192 created; however, the MND did not analyze the environmental impacts associated with certain impacts of the development of single-family dwellings on the lots, since specific plans for the single-family dwellings did not exist at the time the County adopted the MND.

Additionally, the MND for Modification 4 to Tract Map 4192 analyzed the re-subdivision of Phase 6 lots in Tract Map 4192; however, the MND did not analyze the environmental impacts associated with certain aspects of the development of single-family dwellings on the lots.

As stated in the MND Addendum (above), the physical development of the project site will occur on a 0.42 acre building pad and will include a single-family, two-story dwelling, attached two-car garage and detached two-car garage. The proposed single-family dwelling will not exceed the 35' maximum building height and 5% maximum building coverage regulations of the OS-10ac/SRP zone (Ventura County Non-Coastal Zoning Ordinance, § 8106-1.1). Since the dwelling height is over 25 feet, the project will have a 15 foot minimum side yard on each side of the property. Additionally, the development will avoid the open space easement area that the Sherwood Development Company granted to the Sherwood Valley Homeowner's Association pursuant to Condition 81.4 of TR 4192 and CUP 4631, Modification 3 to Tract Map 4192, and Modification 4 to Tract Map 4192. Finally, the proposed project will comply with the development standards of the SRP Overlay Zone (Ventura County Non-Coastal Zoning Ordinance, § 8109-4.1.5) that are designed to minimize the visual impacts associated with new development within the SRP Overlay Zone.

The Board of Supervisors previously evaluated the environmental effects of the vegetation removal and grading to create the roads that serve the project site, as well as the 0.42 acre building pad on the subject property, as part of MND for CUP 4631. The Board of Supervisors also evaluated the environmental effects of vegetation removal during grading and construction activities as part of the MND for Modification 4 to Tract Map 4192. No additional grading or vegetation removal beyond what was set forth in the MND will occur as a result of the proposed project.

Therefore, the proposed project will not involve new significant environmental impacts that were not identified in the MNDs.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

No substantial changes to the project are proposed. As stated in Item No. 1 (above), the development will occur on the previously approved 0.42 acre building pad. CUP 4631 approved grading 840,000 cubic yards of earth for roads and pads throughout Tract Map 4192. No additional grading will occur.

The existing conditions that were used to analyze potential impacts to the environment have changed, but not to the extent that the proposed project would

require revisions to the MND for Tract Map 4192 and CUP 4631 or the MND for Modification 4 to Tract Map 4192. More specifically, the following, recently approved and pending projects exist within the Lake Sherwood community that were not analyzed in the MND for Tract Map 4192 or CUP 4631 or the MND for Modification 4 to Tract Map 4192:

Recently Approved

PL13-0184: PL13-0184 was approved for the construction of a 6,815 sq. ft. single family dwelling with an attached 540 sq. ft. two-car garage which will result in the removal of one heritage-size oak tree (*Quercus agrifolia*), the removal of one non-heritage size oak tree, and the alteration of nine oak trees.

Pending Approval

PL13-0097: PL13-0097 consists of a lot line adjustment to merge two vacant parcels off of Giles Road in the Thistleberry Hill Tract within the Lake Sherwood community.

PL14-0013: PL14-0013 consists of a lot line adjustment between two legal lots to comply with setback requirements that apply to buildings on the properties, and match an existing fence line. The properties are located on East David Lane in Westlake Village.

PL14-0122: PL14-0122 is a Minor Modification to CUP 5076 for the keeping of wild animals that are both inherently dangerous and not inherently dangerous on a two acre property addressed as 437 West Carlisle Road within the area that is subject to the Lake Sherwood/Hidden Valley Area Plan.

PL14-0144: The request is for a permit adjustment to CUP LU11-0137 (related to the Lake Club Golf Course) in order to construct a 352 sq. ft. structure near Calbourne Lane on an existing golf course. The structure consists of a private men's restroom, private women's restroom, and garden storage area.

PL14-0158: This request is for a Planned Development Permit PL14-0158 for the construction of a 4,960 sq. ft. single-family, single-story dwelling with 670 sq. ft. of covered porches, and an attached 941 sq. ft. four-car garage located on a 12.02 acre property. The project development is limited to a 20,138 sq. ft. (0.46 acre) graded pad.

PL14-0160: Planned Development Permit PL14-0160 is for the construction of a 4,707 sq. ft. single-family, single-story dwelling with 712 sq. ft. of covered porches and loggia, and an attached 900 sq. ft. four-car garage located on a 10.05 acre property. The project development is limited to a 15,900 sq. ft. (0.37 acre) graded pad.

The Board of Supervisors evaluated the impacts from Tract Map 4192, CUP 4631, and Modification 4 to Tract Map 4192 along with past, present, and reasonably foreseeable projects, as part of the analysis of cumulative impacts in the MNDs. The analysis in the MND for Tract 4192 and CUP 4631 focused particularly on the cumulative impacts to endangered, threatened, and rare species, and impacts from noise and vibration. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, or rare species, or noise and vibration impact. The analysis in the MND for Modification 4 to Tract Map 4192 focused particularly on the cumulative impacts to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities.

Furthermore, with the additional projects listed in this MND Addendum above, the proposed project will not make a cumulatively considerable contribution to a significant cumulative impact to the environment. Finally, the project site and surrounding area do not exhibit previously unknown resources that need to be analyzed as part of this project.

Therefore, no major revisions of the previous MNDs are required and there are no new significant environmental effects associated with this project.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors adopted the previous MNDs, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous MNDs [§ 15162(a)(3)(A)].

The project will not have any significant effects that were not discussed in the previous MND documents. The environmental conditions that currently exist on-site are either (1) substantially the same as those that existed at the time at which the MNDs were prepared and adopted; or (2) developed in compliance with the project that was the subject of the MND for Tract Map 4192 and CUP 4631 and the project that was the subject of the MND for Modification 4 to Tract Map 4192. No new information that was unknown, and could not have been known when the MND was adopted, has become available. Though the following information is not of substantial importance, it is included in this addendum for disclosure purposes:

Greenhouse gases

The Ventura County Air Pollution Control District (VCAPCD) has not yet adopted any approach to setting a threshold of significance for land use development projects in the area of project greenhouse gas emissions. The project will generate less than significant impacts to regional and local air quality and the project will be subject to a condition of approval to ensure that all project operations shall be conducted in compliance with all VCAPCD Rules and Regulations. Furthermore, the amount of greenhouse gases anticipated from the project will be a small fraction of the levels being considered by the VCAPCD for greenhouse gas significance thresholds and far below those adopted to date by any air district in the state.

Therefore, the project specific and cumulative impacts related to greenhouse gases are less than significant.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this addendum to the two adopted MNDs prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the two MND documents does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND for Tract Map 4192 and CUP 4631 as well as the adopted MND for Modification 4 to Tract Map 4192.

Prepared by:



Tess Harris, Case Planner
Residential Permits Section
Ventura County Planning Division

Reviewed by:



Daniel Klemann, Manager
Residential Permits Section
Ventura County Planning Division

Enclosed: Mitigated Negative Declaration for Tract Map 4192 and CUP 4631
Mitigated Negative Declaration for Modification 4 to Tract Map 4192

MITIGATED NEGATIVE DECLARATION (MND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Planned Development Permit PL14-0160 for construction of a single-family dwelling in the Scenic Resource Protection (SRP) Overlay zone.
2. **Applicant:** Mr. Mike McMullen, 2300 Norfield Court, Thousand Oaks, CA 91361
3. **Location:** 2575 Queens Garden Dr., Thousand Oaks, CA 91361
4. **Assessor's Parcel Number:** 695-0-420-085
5. **Lot Size:** 10.05 acres
6. **General Plan Land Use Designation:** Open Space
7. **Area Plan Land Use Designation:** OS-10-20 ac (Open Space 10-20 acre minimum lot size)
8. **Zoning Designation:** OS-10 ac/SRP (Open Space 10 acre minimum lot size, Scenic Resource Protection Overlay Zone)
9. **Project Description:** The request is for a Planned Development Permit for the construction of a 4,707 square feet (sq. ft.) single-family, single-story dwelling with 712 sq. ft. of covered porches and loggia, and an attached 900 sq. ft. four-car garage located on a 10.05 acre property. The proposed structure will be approximately 21 feet and 3.5 inches in height, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay zone and is visible from Lake Sherwood.

The proposed project site is part of the sixth phase of Tract Map 4192. Development of the site will be limited to a 15,900 sq. ft. (0.37 acre) graded pad that was approved as part of Tract Map 4192, Conditional Use Permit (CUP) 4631 and Modification 4 to Tract Map 4192. In addition, 9.56 acres of the property are in an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowner's Association and will remain undeveloped. The remaining 0.12 acres of the property are in access, maintenance, utility, water and public service easements. No additional grading or vegetation removal is proposed beyond what was analyzed in a Mitigated Negative Declaration (MND) that the Board of Supervisors adopted for Tract Map 4192 and CUP 4631 as well as the MND that the Board of Supervisors adopted for Modification 4 to Tract Map 4192. (See below for a more detailed discussion of the MND for Tract 4192 and CUP 4631 as well as the MND for Modification 4 to Tract Map 4192.)

A new 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. The Lake Sherwood Community Services



District will provide water and the Trifuno Sanitation District Water will provide sewage disposal services for the residential use of the subject property.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On May 19, 1992, the Board of Supervisors adopted a MND for Tract Map 4192 and CUP 4631 that evaluated the environmental impacts of a 356.5 acre subdivision into 90 lots for the development of single-family dwellings, and 5 parcels for open space, landscaping, a de-silting basin, and booster pump station site. The Board of Supervisors considered CUP 4631 concurrently with Tract Map 4192; CUP 4631 permitted 840,000 cubic yards of grading within areas that are subject to the regulations of the SRP Overlay Zone, in order to create roads and pads for the residential development on the lots that Tract Map 4192 created.

On August 8, 2000, the Board of Supervisors adopted a MND for Modification 4 to Tract Map 4192 that evaluated the environmental impacts of the re-subdivision of Phase 6 of Tract Map 4192, which encompasses 335 acres, including 110 acres which will be set aside as deed restricted open space. This re-subdivision includes the proposed project, lot 50.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted MND if: (1) only minor technical changes or additions are necessary; and (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of an Environmental Impact Report (EIR) or subsequent negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines that require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

- 1. Substantial changes are proposed in the project which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].**

No substantial changes are proposed to the project. The request is to develop a single-family dwelling unit on a lot that was created as part of Tract Map 4192 and Modification 4 to Tract Map 4192. As stated in this MND Addendum (above), the MND for Tract Map 4192 anticipated the development of single-family dwellings on 90 of the lots (including the subject lot) that phase six of Tract Map 4192 created; however, the MND did not analyze the environmental impacts associated with certain aspects of the development of the single-family dwellings on the lots, since

specific plans for the single-family dwellings did not exist at the time the County adopted the MND.

Additionally, the MND for Modification 4 to Tract Map 4192 analyzed the re-subdivision of Phase 6 lots in Tract Map 4192; however, the MND did not analyze the environmental impacts associated with certain aspects of the development of single-family dwellings on the lots.

As stated in this MND Addendum (above), the physical development of the project site will occur on a 0.37 acre building pad and will include a single-family dwelling and attached four-car garage. The proposed single-family dwelling will not exceed the 35' maximum building height and 5% maximum building coverage regulations of the OS-10 ac/SRP zone (Ventura County Non-Coastal Zoning Ordinance, § 8106-1.1). Additionally, the development will avoid the open space easement area that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowner's Association pursuant to Condition 81.4 of TR 4192 and CUP 4631, Modification 3 to Tract Map 4192, and Modification 4 of Tract Map 4192. Finally, the proposed project will comply with the development standards of the SRP Overlay Zone (Ventura County Non-Coastal Zoning Ordinance, § 8109-4.1.5) that are designed to minimize the visual impacts associated with new development within the SRP Overlay Zone.

The Board of Supervisors previously evaluated the environmental effects of the vegetation removal and grading to create the roads that serve the project site, as well as the 0.37 acre building pad on the subject property, as part of the MND for CUP 4631. The Board of Supervisors also evaluated the environmental effects of vegetation removal during grading and construction activities as part of the MND for Modification 4 to Tract Map 4192. No additional grading or vegetation removal beyond what was set forth in the MND will occur as a result of the proposed project.

Therefore, the proposed project will not involve new significant environmental impacts that were not identified in the MNDs.

- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MNDs due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].**

No substantial changes to the project are proposed. As stated in Item No. 1 (above), the development will occur on the previously approved 0.37 acre building pad. CUP 4631 approved grading 840,000 cubic yards of earth for roads and pads throughout Tract Map 4192. No additional grading will occur.

The existing conditions that were used to analyze potential impacts to the environment have changed, but not to the extent that the proposed project would require revisions to the MND for Tract Map 4192 and CUP 4631 or the MND for Modification 4 to Tract Map 4192. More specifically, the following recently approved and pending projects exist within the Lake Sherwood community that were not analyzed in the MND for Tract Map 4192, CUP 4631 or the MND for Modification 4 to Tract Map 4192:

Recently Approved

PL13-0184: PL13-0184 was approved for the construction of a 6,815 sq. ft. single-family dwelling with an attached 540 sq. ft. two-car garage which will result in the removal of one heritage-size oak tree (*Quercus agrifolia*), the removal of one non-heritage size oak tree, and the alteration of nine oak trees.

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PL13-0097: PL13-0097 consists of a lot line adjustment to merge two vacant parcels off of Giles Road in the Thistleberry Hill Tract within the Lake Sherwood community.

PL14-0013: PL14-0013 consists of a lot line adjustment between two legal lots to comply with setback requirements that apply to buildings on the properties, and match an existing fence line. The properties are located on East David Lane in Westlake Village.

PL14-0122: PL14-0122 is a Minor Modification to CUP 5076 for the keeping of wild animals that are both inherently dangerous and not inherently dangerous on a two acre property addressed as 437 West Carlisle Road within the area that is subject to the Lake Sherwood/Hidden Valley Area Plan.

PL14-0144: The request is for a permit adjustment to CUP LU11-0137 (related to the Lake Club Golf Course) in order to construct a 352 sq. ft. structure near Calbourne Lane on an existing golf course. The structure consists of a private men's restroom, private women's restroom, and garden storage area.

PL14-0158: Planned Development Permit PL14-0158 is for the construction of a 4,960 sq. ft. single-family, single-story dwelling with 670 sq. ft. of covered porches, and an attached 941 sq. ft. four-car garage located on a 12.02 acre property. The project development is limited to a 20,138 sq. ft. (0.46 acre) graded pad.

PL14-0159: Planned Development Permit PL14-0159 is for the construction of a 4,962 sq. ft. single-family, two-story dwelling with 604 sq. ft. of covered porches, 568 sq. ft. balcony/deck on second floor, an attached 685 sq. ft. two-car garage, and a detached 550 sq. ft. two-car garage located on an 11.01 acre property. The project development is limited to a 18,224 sq. ft. (0.42 acre) graded pad.

The Board of Supervisors evaluated the impacts from Tract Map 4192, CUP 4631, and Modification 4 to Tract Map 4192 along with past, present, and reasonably foreseeable projects, as part of the analysis of cumulative impacts in the MNDs. The analysis in the MND for Tract 4192 and CUP 4631 focused particularly on the cumulative impacts to endangered, threatened, and rare species, and impacts from noise and vibration. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, or rare species, or noise and vibration impact. The analysis in the MND for Modification 4 to Tract Map 4192 focused particularly on the cumulative impacts to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities. The analysis concluded that the project will not make a cumulatively considerable contribution to a significant impact to endangered, threatened, and rare species, wetland habitat, migration corridors, and locally important species/communities.

Furthermore, with the additional projects listed in this MND Addendum above, the proposed project will not make a cumulatively considerable contribution to a significant cumulative impact to the environment. Finally, the project site and surrounding area do not exhibit previously unknown resources that need to be analyzed as part of this project.

Therefore, no major revisions of the previous MNDs are required and there are no new significant environmental effects associated with this project.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors adopted the previous MNDs, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous MNDs [§ 15162(a)(3)(A)].

The project will not have any significant effects that were not discussed in the previous MND documents. The environmental conditions that currently exist on-site are either: (1) substantially the same as those that existed at the time at which the MNDs were prepared and adopted; or (2) developed in compliance with the project that was the subject of the MND for Tract Map 4192 and CUP 4631 and the project that was the subject of the MND for Modification 4 to Tract Map 4192. No new information that was unknown, and could not have been known when the MND was adopted, has become available. Though the following information is not of substantial importance, it is included in this addendum for disclosure purposes:

Greenhouse gases

The Ventura County Air Pollution Control District (VCAPCD) has not yet adopted any approach to setting a threshold of significance for land use development projects in the area of project greenhouse gas emissions. The project will generate less than significant impacts to regional and local air quality and the project will be subject to a condition of approval to ensure that all project operations shall be conducted in compliance with all VCAPCD Rules and Regulations. Furthermore, the amount of greenhouse gases anticipated from the project will be a small fraction of the levels being considered by the VCAPCD for greenhouse gas significance thresholds and far below those adopted to date by any air district in the state.

Therefore, the project specific and cumulative impacts related to greenhouse gases are less than significant.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this addendum to the two adopted MNDs prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the two MND documents does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND for Tract Map 4192 and CUP 4631 as well as the adopted MND for Modification 4 to Tract Map 4192.

Prepared by:



Tess Harris, Case Planner
Residential Permits Section
Ventura County Planning Division

Reviewed by:



So - Daniel Klemann, Manager
Residential Permits Section
Ventura County Planning Division

Enclosed: Mitigated Negative Declaration for Tract Map 4192 and CUP 4631
Mitigated Negative Declaration for Modification 4 to Tract Map 4192

MITIGATED NEGATIVE DECLARATION

A. PROJECT DESCRIPTION:

1. Entitlement: TT-4192 and CUP-4631
2. Applicant: LSR Limited Partnership
3. Location (see attached map): Lake Sherwood Community
4. Assessor Parcel Nos.: 695-020-110, 695-040-060 & 070 (portion); 695-030-150; 695-120-180; 695-170-010; 695-180-010; 695-200-010; 695-210-020, 030, 040 & 050.
5. Parcel Sizes: 356.5 acres for TT-4192 and CUP-4631
6. General Plan Designation: The Lake Sherwood/Hidden Valley Area Plan specifies "Park and Recreation", "Lake", "Residential 1-2", "Residential 2-4", "Rural Residential 2", "Rural Residential 3", "Open Space 1" and "Open Space 2". The County General Plan designations are "Urban", "Rural", and "Open Space".
7. Existing Zoning: "R-P-D-1U/SRP", "R-E-5ac/SRP", "R-E-1ac/SRP", "R-E-4ac/SRP", "O-S-20ac/SRP", "O-S-10ac/SRP", "R-E-5ac/SRP", and "O-S-160ac/SRP".
8. Project Description: TT-4192 is a proposed subdivision of 356.5 acres (gross) into 90 single family residential lots and five (5) parcels for open space, landscape, desilting basin, and booster pump station site. This subdivision has a corresponding Conditional Use Permit required for grading of 840,000 cubic yards of earth in a Scenic Resource Protection (SRP) Overlay Zone to create roads and pads. TT-4192 and CUP-4631 will incorporate natural berms adjacent to Hereford Ridge to reduce the visual impact of Lots 5 through 13 to adjacent properties. In addition, houses will be set back 20 feet south of the berm, and shall be limited to one story and a maximum height of 26 feet at the roof peaks. The applicant will record deed restrictions to effect these limits on Lots 5-13. Parcel "A" is proposed as a desilting basin. Parcels "B" and "C" are part of Lake Sherwood. Parcels "D" and "E" are proposed as landscape parcels to buffer the project from Carlisle Road. Parcel "F" is proposed as a booster pump station site. The existing Zone II reservoir will not be visible from any existing or proposed development or roadway as it is underground. Also included is the restoration of Carlisle inlet pursuant to Section 2.5.2.13 of the Lake Sherwood/Hidden Valley Area Plan.
9. Responsible Agencies: None

B. STATEMENT OF ENVIRONMENTAL FINDINGS

California State law requires that an Initial Study (environmental evaluation) be conducted to determine if this project could have significant effects on the environment. Section 15183 of the California Environmental Quality Act Guidelines provides that where a project is consistent with a Community Plan and Zoning, and where the effects of specific development projects are consistent with that Plan and Zoning, and an Environmental Impact Report covering all the cumulative effects of the Community Plan was certified by the lead

agency, then no cumulative impacts of the project need be reviewed if all feasible mitigation measures from the EIR have been incorporated into the project.

The Environmental Impact Report for the Lake Sherwood/Hidden Valley Area Plan addressed the cumulative and general site-specific impacts associated with the proposed project, Tentative Tract No. 4192 and its respective Scenic Resource Protection Grading Conditional Use Permit, CUP-4631. An Initial Study was conducted by the Planning Division to evaluate the potential effect of this project on the environment. Based on the findings contained in the attached Initial Study it has been determined that this project would not have a significant effect on the environment with the mitigation measures in place. Therefore, a Mitigated Negative Declaration has been prepared pursuant to the provisions of CEQA.

C. POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS (see initial study section note for mitigation measures):

Endangered, Threatened or Rare Species (Section 6a.).

Noise and Vibration (Section 19).

D. PUBLIC REVIEW

1. Legal Notice Method: Direct mailing to property owners within 300 feet of proposed project boundary and a legal notice in a newspaper of general circulation.
2. Document Posting Period: December 24, 1991 to January 14, 1992
3. Environmental Report Review Committee Hearing Date: January 15, 1992
4. Place: Hall of Administration, Multi-Purpose Room, Room 334, Third Floor
5. Time: 1:30 p.m.

Prepared by:

Reviewed by:

H. C. Bauman
Case Planner

NB Francis
Nancy Butler Francis, Manager
Residential Lane Use Section

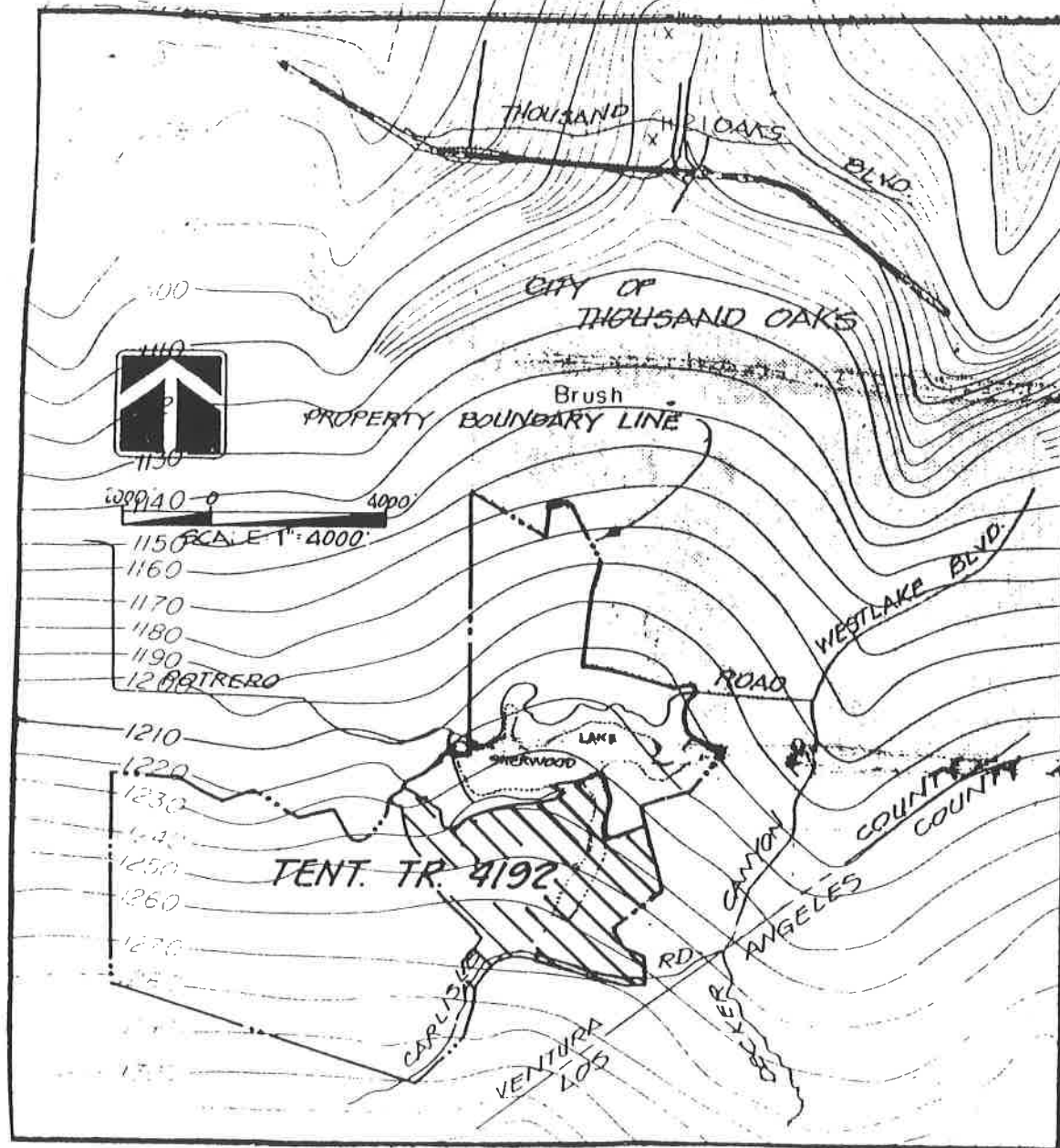
The Environmental Report Review Committee recommends that the decision-making body find that the above environmental document has been completed in compliance with the California Environmental Quality Act.

Bruce Smith
Chair
Environmental Report Review Committee

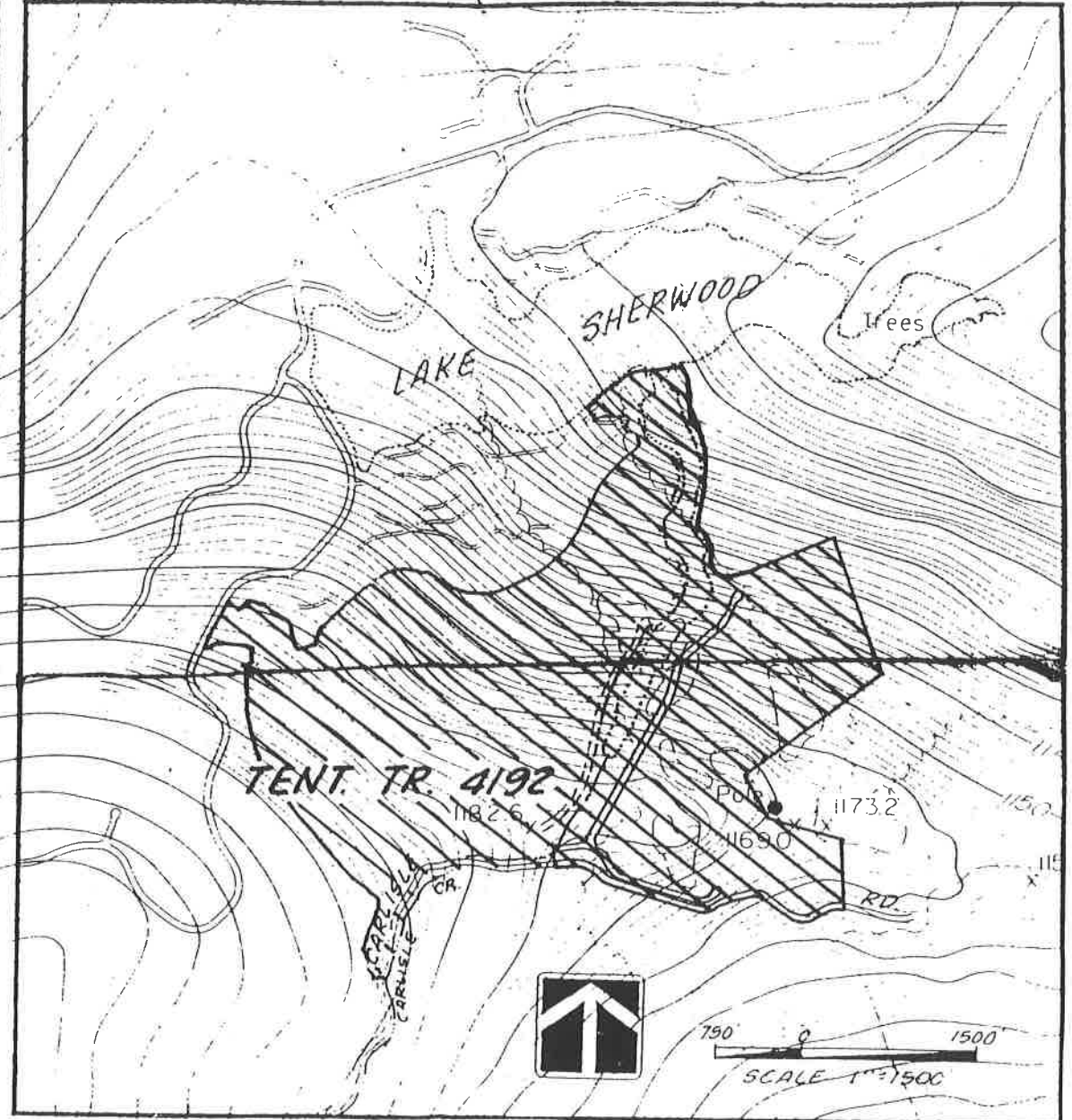
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Date

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VICINITY MAP



LOCATION MAP



200 2-27-75 235

TENTATIVE
TRACT No. 4192

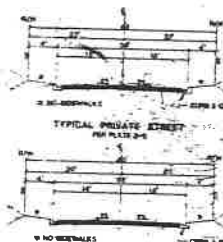
JANUARY 1965

OWNER/SUBDIVIDER	PREPARED BY
1300 LANTANA, BARTON, FLA.	ALFA, AND AND B
5011 1ST AVENUE, S.W.	PR. 1000, 1000, 1000
1000 1ST AVENUE, S.W.	1000, 1000, 1000
1000, 1000, 1000	1000, 1000, 1000
1000, 1000, 1000	1000, 1000, 1000

SHEET 1 OF 4



TYPICAL SECTIONS



FOUR FEET MINUS POINT ON COLLECTOR AND MINOR ROADS
TWO FEET ALLOWED IF SLOPE OUTSIDE THE RIGHT-OF-WAY IS LESS THAN 8%

SEE SHEET 1 OF 4



DATE	1-27-77
NAME	JOHN J. HARRIS JR.
ADDRESS	1000 N. 10TH ST. TULSA, OK 74103
TELEPHONE	521-1111
RELATIONSHIP	OWNER
REMARKS	1000 N. 10TH ST. TULSA, OK 74103 521-1111
DATE	1-27-77
NAME	JOHN J. HARRIS JR.
ADDRESS	1000 N. 10TH ST. TULSA, OK 74103
TELEPHONE	521-1111
RELATIONSHIP	OWNER
REMARKS	1000 N. 10TH ST. TULSA, OK 74103 521-1111

VESTING

TENTATIVE

TRACT No. 4295

...a portion of SECTION 1700 IN THE
...SECTION 1700 IN THE ...
...SECTION 1700 IN THE ...
...SECTION 1700 IN THE ...
...SECTION 1700 IN THE ...

Section B
INITIAL STUDY CHECKLIST
Project No. TT-4192 E CUP-4631

ISSUE	(Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	S	U	N	LS	S	U
GENERAL:	1. <u>General Plan Environmental Goals and Policies (Plng.)</u> :	X	—	—	—	—	—	—	—
LAND USE:	2. <u>Land Use (Plng.)</u>	—	—	—	—	—	—	—	—
	a. community character:	—	X	—	—	—	—	—	—
	b. housing:	X	—	—	—	—	—	—	—
	c. growth inducement:	—	X	—	—	—	—	—	—
RESOURCES:	3. <u>Air Quality (APCD)</u>	—	—	—	—	—	—	—	—
	a. regional:	—	X	—	—	—	—	—	—
	b. local:	—	X	—	—	—	—	—	—
	4. <u>Water Resources (PWA)</u>	—	—	—	—	—	—	—	—
	a. groundwater quantity:	X	—	—	—	—	—	—	—
	b. groundwater quality:	X	—	—	—	—	—	—	—
	c. surface water quantity:	X	—	—	—	—	—	—	—
	d. surface water quality:	X	—	—	—	—	—	—	—
	5. <u>Mineral Resources (Plng.)</u>	—	—	—	—	—	—	—	—
	a. aggregate:	—	X	—	—	—	—	—	—
	b. petroleum:	—	X	—	—	—	—	—	—
	6. <u>Biological Resources</u>	—	—	—	—	—	—	—	—
	a. endangered, threatened, or rare species:	—	—	X	—	—	—	—	—
	b. wetland habitat:	—	X	—	—	—	—	—	—
	c. coastal habitat:	X	—	—	—	—	—	—	—
	d. migration corridors:	—	X	—	—	—	—	—	—
	e. locally important species/communities:	—	X	—	—	—	—	—	—
	7. <u>Agricultural Resources (Ag. Dept.)</u>	—	—	—	—	—	—	—	—
	a. soils:	X	—	—	—	—	—	—	—
	b. water:	X	—	—	—	—	—	—	—
	c. air quality/micro-climate:	X	—	—	—	—	—	—	—
	d. pests/diseases:	X	—	—	—	—	—	—	—
	e. land use incompatibility:	X	—	—	—	—	—	—	—
	8. <u>Visual Resources</u>	—	—	—	—	—	—	—	—
	a. scenic highway (Plng.):	X	—	—	—	—	—	—	—
	b. scenic area/feature:	—	X	—	—	—	—	—	—
	9. <u>Paleontological Resources:</u>	X	—	—	—	—	—	—	—
	10. <u>Cultural Resources</u>	—	—	—	—	—	—	—	—
	a. archaeological:	—	X	—	—	—	—	—	—
	b. historical (GSA):	X	—	—	—	—	—	—	—
	c. ethnic, social or religious:	X	—	—	—	—	—	—	—
	11. <u>Energy Resources:</u>	—	X	—	—	—	—	—	—
	12. <u>Coastal Beaches & Sand Dunes:</u>	X	—	—	—	—	—	—	—
HAZARDS:	13. <u>Seismic Hazards (PWA)</u>	—	—	—	—	—	—	—	—
	a. fault rupture:	X	—	—	—	—	—	—	—
	b. ground shaking:	—	X	—	—	—	—	—	—
	c. tsunami:	X	—	—	—	—	—	—	—
	d. seiche:	X	—	—	—	—	—	—	—
	e. liquefaction:	X	—	—	—	—	—	—	—
	14. <u>Geologic Hazards (PWA)</u>	—	—	—	—	—	—	—	—
	a. subsidence:	X	—	—	—	—	—	—	—
	b. expansive soils:	X	—	—	—	—	—	—	—
	c. landslides/mudslides:	—	X	—	—	—	—	—	—
	15. <u>Hydraulic Hazards (PWA/FCD)</u>	—	—	—	—	—	—	—	—
	a. erosion/siltation:	—	X	—	—	—	—	—	—
	b. flooding:	—	X	—	—	—	—	—	—
	16. <u>Aviation Hazards (Airports):</u>	X	—	—	—	—	—	—	—
	17. <u>Fire Hazards (Fire):</u>	—	X	—	—	—	—	—	—
	18. <u>Hazardous Materials/Waste</u>	—	—	—	—	—	—	—	—
	a. above-ground hazardous mtl's. (Fire):	X	—	—	—	—	—	—	—
	b. below-ground hazardous mtl's. (EH):	X	—	—	—	—	—	—	—
	c. hazardous waste (EH):	X	—	—	—	—	—	—	—
	19. <u>Noise and Vibration:</u>	—	—	X	—	—	—	—	—
	20. <u>Glare:</u>	—	X	—	—	—	—	—	—

PUBLIC
FACILITIES/
SERVICES:

21. <u>Transportation/Circulation</u>								
a. public roads and highways								
(1) level of service (PWA):		X						
(2) safety/design (PWA):		X						
(3) tactical access (Fire):	X							
b. private roads and driveways (Fire)								
(1) safety/design:		X						
(2) tactical access:		X						
c. pedestrian/bicycle								
(1) public facilities (PWA):		X						
(2) private facilities:	X							
d. parking (Plng.):		X						
e. bus transit:		X						
f. railroads:	X							
g. airports (Airports):	X							
h. harbors (GSA):	X							
i. pipelines:	X							
22. <u>Water Supply</u>								
a. quality (EH):		X						
b. quantity (PWA/EH):		X						
c. fire flow (Fire):		X						
23. <u>Waste Treatment/Disposal</u>								
a. Individual Sewage Disposal System (EH):	X							
b. sewage collection/treatment facilities:		X						
c. solid waste facilities (SWMD):		X						
24. <u>Utilities</u>								
a. electric:		X						
b. gas:		X						
c. communication:		X						
25. <u>Flood Control/Drainage</u>								
a. FCD facility (FCD):		X						
b. other facilities (PWA):		X						
26. <u>Law Enforcement/Emergency Svs. (Sheriff)</u>								
a. personnel/equipment:		X						
b. facilities:		X						
27. <u>Fire Protection (Fire)</u>								
a. distance/response time:		X						
b. personnel/equipment/facilities:		X						
28. <u>Education</u>								
a. schools:		X						
b. libraries (Lib. Agency):		X						
29. <u>Recreation (GSA)</u>								
a. local parks/facilities:		X						
b. regional parks/facilities:		X						
c. regional trails/corridors:		X						

*Explanation: Degree of Effect

N = No Effect

LS = Less Than Significant Effect

S = Significant Effect; MND or EIR Required.

U = Unknown; EIR Required.

Agencies

APCD - Air Pollution Control District

PWA - Public Works Agency

Plng. - Planning Division

GSA - General Services Agency

Ag. Dpt. - Agricultural Department

FCD - Flood Control District

Airports - Department of Airports

Fire - Fire Protection District

Sheriff - Sheriff's Department

EH - Environmental Health Division

SWMD - Solid Waste Management Dept.

Lib. Agency - Library Services Agency

Yes/Maybe

No

D. MANDATORY FINDINGS OF SIGNIFICANCE


Based on the information contained within Sections B and C:

1. Does the project have the potential to significantly degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? — X
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future). — X
3. Does the project have impacts which are individually limited, but cumulatively considerable? (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant). — X
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? — X

E. DETERMINATION OF ENVIRONMENTAL DOCUMENT

On the basis of this initial evaluation:

- [] I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in Section C of the Initial Study will be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- [] I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.*


Signature of Person Responsible
for Administering the Project

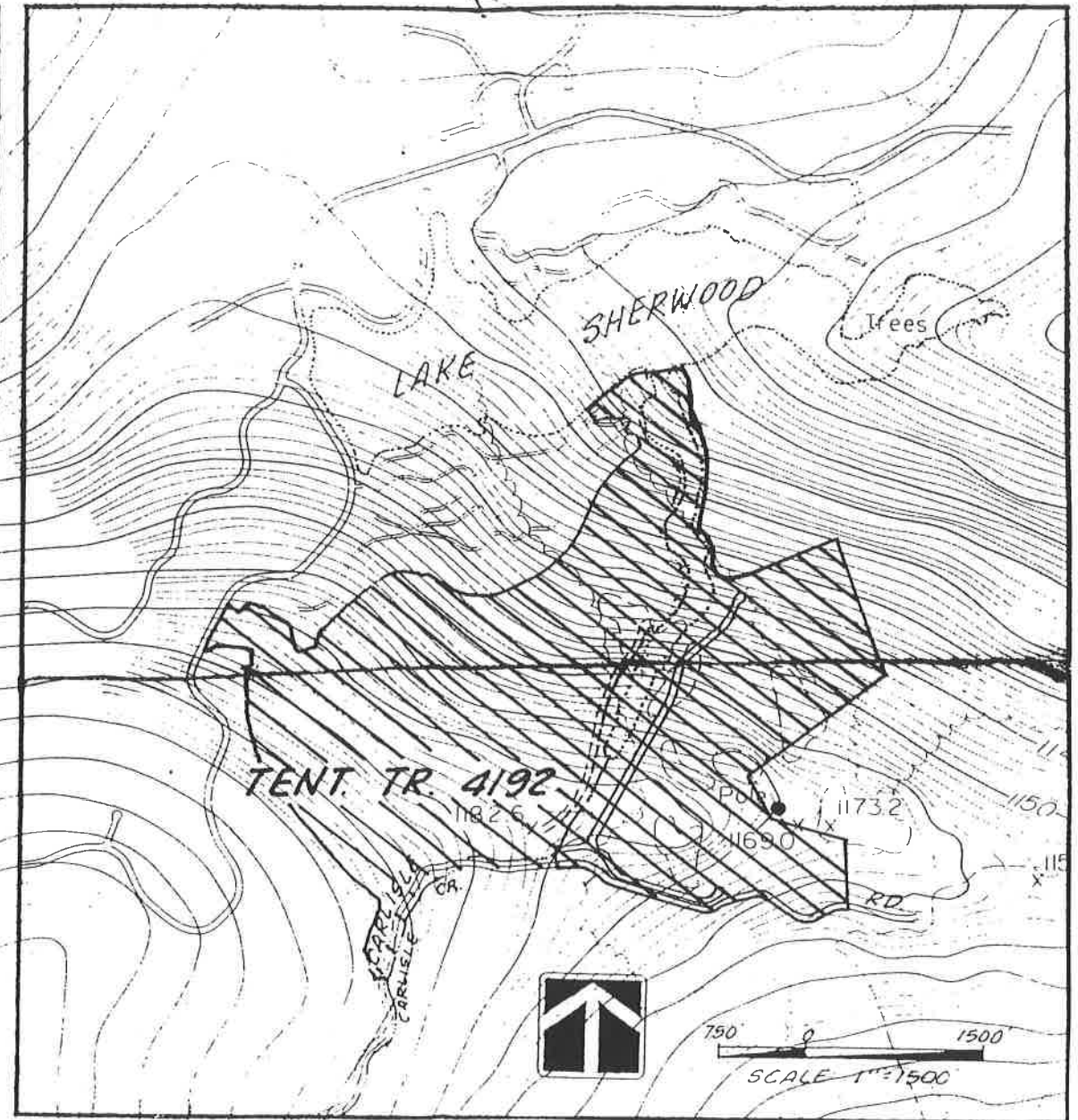
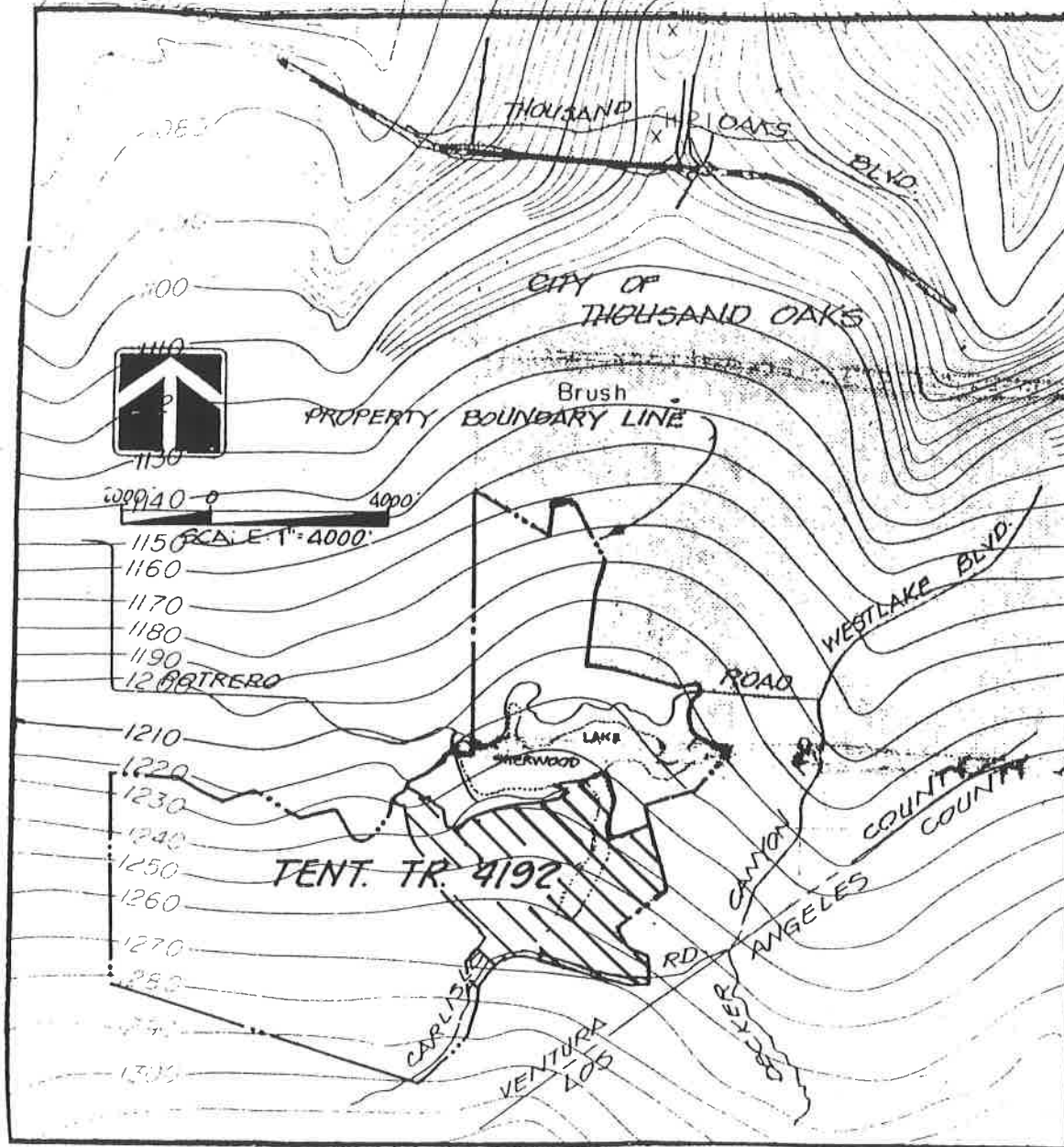
December 18, 1991
Date

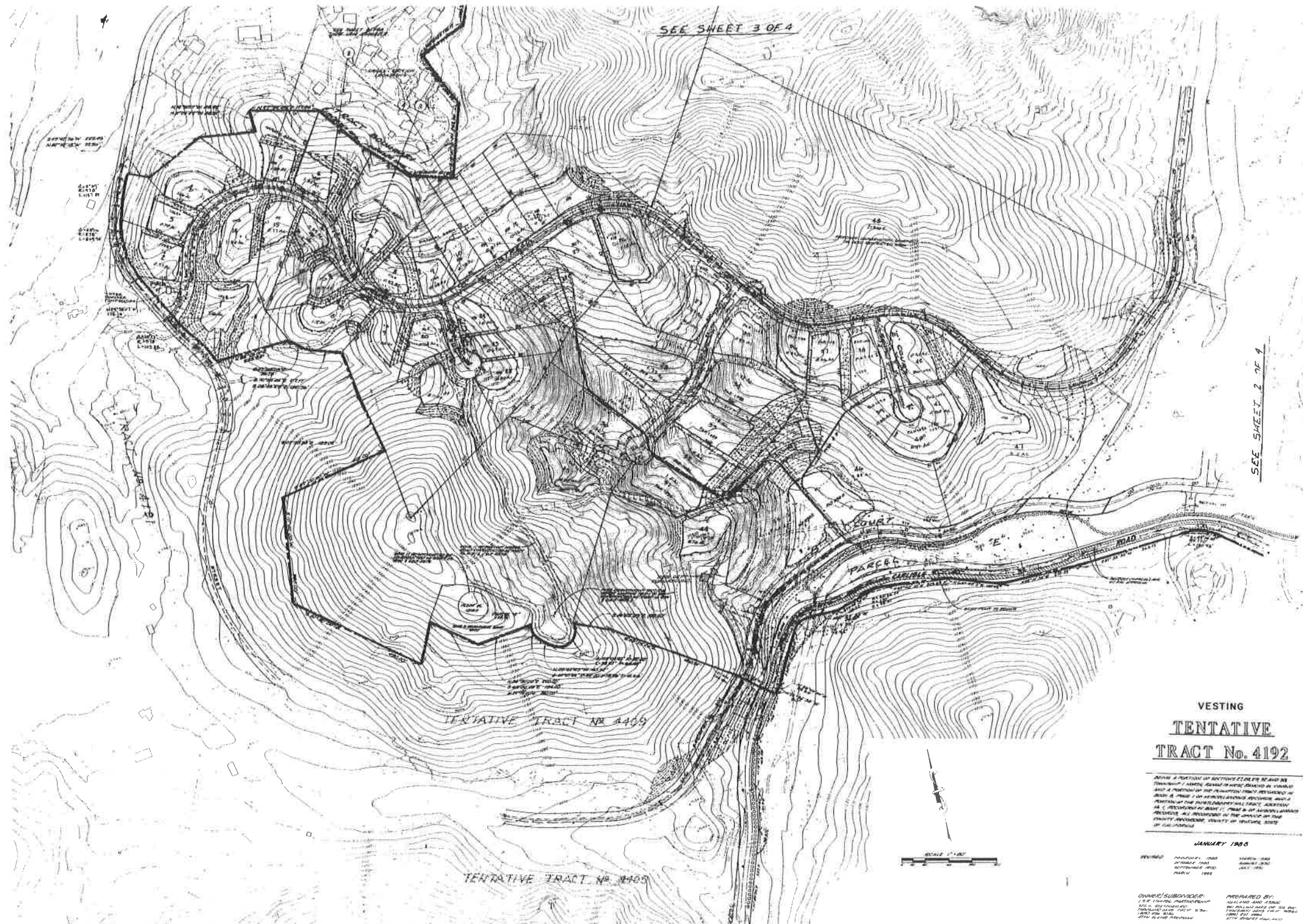
Revised 4/1/92 JCB

*EIR Issues of Focus: _____

VICINITY MAP

LOCATION MAP





FILED

APR 28 2000

MITIGATED NEGATIVE DECLARATION
SCH# 2000051031

RICHARD D. DEAN, County Clerk

By: *[Signature]*
Deputy County ClerkA. PROJECT DESCRIPTION

1. Entitlements: General Plan Amendment No. GPA-9803, which consists of the following entitlements: Zone Change No. Z-2928; Modification No. 4 to Tentative Tract Map No. TT-4192; Modification No. 4 to Tentative Tract Map No. TT-4409; Modification No. 5 to Conditional Use Permit No. CUP-4375; Modification No. 1 to Conditional Use Permit No. CUP-4631 (Scenic Resource Grading Permit); and Modification No. 1 to Residential Planned Development Permit No. RPD-1690
2. Applicant: Sherwood Development Company, c/o Frans Bigelow
3. Location: Adjacent and west of the City of Thousand Oaks, adjacent and north of Carlisle Road, adjacent and south of Hereford Ridge, and adjacent and east of Stafford Road, within the Lake Sherwood Community (Exhibit "A").
4. Assessor Parcel Number(s): 695-0-020-215; 695-0-040-145; 695-0-120-285; 695-0-170-025; 695-0-0-180-015; 695-0-190-015; 695-0-200-045; 695-0-210-025, 075, 085, and 095; 695-0-350-135, 145, 155, and 165.
5. Parcel Size: 376.70 Acres
6. General Plan Designations: The Ventura County General Plan designates the project site as "Existing Community, "Rural" and "Open Space" (Ten Acre Minimum); while the Lake Sherwood/Hidden Valley Area Plan designates the subject site as "Lake", "OS-40" (Open Space, 40 Acre Minimum), "OS-20" (Open Space, 20 Acre Minimum), "RR-5", (Rural Residential, 5-10 Acre Minimum), "RR-2" (Rural Residential, 2-5 Acre Minimum), "UR 1" (Urban Residential, 1 DU/Acre), "UR 1-2" (Urban Residential, 1-2 DU/Acre), and "UR 2-4" (Urban Residential, 2-4 DU/Acre).
7. Existing Zoning: "O-S-160Ac/SRP" (Open Space, 160 Acre Minimum/Scenic Resource Protection), "O-S-60Ac/SRP" (Open Space, 60 Acre Minimum), "O-S-40Ac/SRP" (Open Space, 40 Acre Minimum), "O-S-20Ac/SRP" (Open Space, 20 Acre Minimum), "R-E-5Ac/SRP" (Rural Exclusive, 5 Acre Minimum), "R-A-2Ac/SRP" (Rural Agriculture, 2 Acre Minimum), "R-A-1Ac/SRP" (Rural Agriculture, 1 Acre Minimum), "R-O-25,000/SRP" (Single-Family Estate, 25,000 sq. ft. Minimum), "R-E/SRP" (Rural Exclusive, 10,000 sq. ft. Minimum), "R-P-D-1U/SRP" (Residential Planned Development, 1 Dwelling Unit/Acre Minimum).
8. Proposal: The project is comprised of the following components: a) amend the General Plan Land Use Map (Exhibit "B"), the Lake Sherwood/Hidden Valley Area Plan Land Use Map (Exhibit "C"), and Zoning Designations (Exhibit "D") to conform with proposed modifications to Tentative Tracts 4192 and 4409; b) reconfigure lots located within Phases 3 through 6 of Tentative Tract 4192 (Exhibits "E", "F", and "G"); b) reconfigure lots within Phase 4 of Tentative Tract 4409 (Exhibit "H"); c) expand the Sherwood Country Club golf course (CUP-4375) to include eighteen (18) par 3 holes with a Lodge Club House @ approximately 24,280 sq. ft. with 46 parking spaces (Exhibit "I", "J", and "K"). The Lodge Club House will include an Upper Level @ 11,560 sq. ft. - members dining/function rooms, kitchen, bar, pro shop, and women's locker facilities (Exhibit "L"); and, a Lower Level @ 12,720 sq. ft. - men's locker facilities, snack bar, kitchen storage, and golf cart barn storage (Exhibit "M").
9. Responsible Agency(s): California Department of Fish & Game and County of Ventura, Planning Division.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

California State law requires that an Initial Study (environmental evaluation) be conducted to determine if this project will significantly affect the environment. The Planning Division conducted an Initial Study. Based on the findings contained in the attached Initial Study, it has been determined that this project could have a significant effect on the environment, and a Mitigated Negative Declaration (MND) has been prepared.

EXHIBIT "21"

POSTED
511100-06129100
RICHARD D. DEAN, County Clerk
By: *[Signature]*
Deputy

The potentially significant effects identified can be reduced to a level less than significant if the proposed Mitigation Measures are adopted as a **Mitigation Monitoring Program** in conjunction with the adoption of the Conditions of Approval.

C. LISTING OF POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED:
(See Initial Study Section C for Mitigation Measures)

6. Biological Resources: a) Endangered, Threatened or Rare Species; b) Wetland Habitat; d) Migration Corridors; and e) Locally Important Species/Communities.

The applicant and property owner, SHERWOOD DEVELOPMENT COMPANY has agreed to the proposed Mitigation Measures and a signed Consent Agreement is attached (see Attachment "A").

D. PUBLIC REVIEW:

1. Legal Notice Method: Direct mailing to property owners within 300 feet of the proposed project boundary, and a legal notice in a newspaper of general circulation.
2. Document Posting Period: May 8, 2000 to May 30, 2000
3. Comments: The public is encouraged to submit written comments regarding this **Mitigated Negative Declaration** no later than 5:00 p.m. on the last day of the above posting period to the Case Planner listed below, RMA/Planning, 800 So. Victoria Avenue, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509.

E. CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

Prior to approving the project, the decision-making body of the Lead Agency must consider this MND and all comments received during the public review. That body shall approve the MND if it finds that the project will not have a significant effect on the environment.

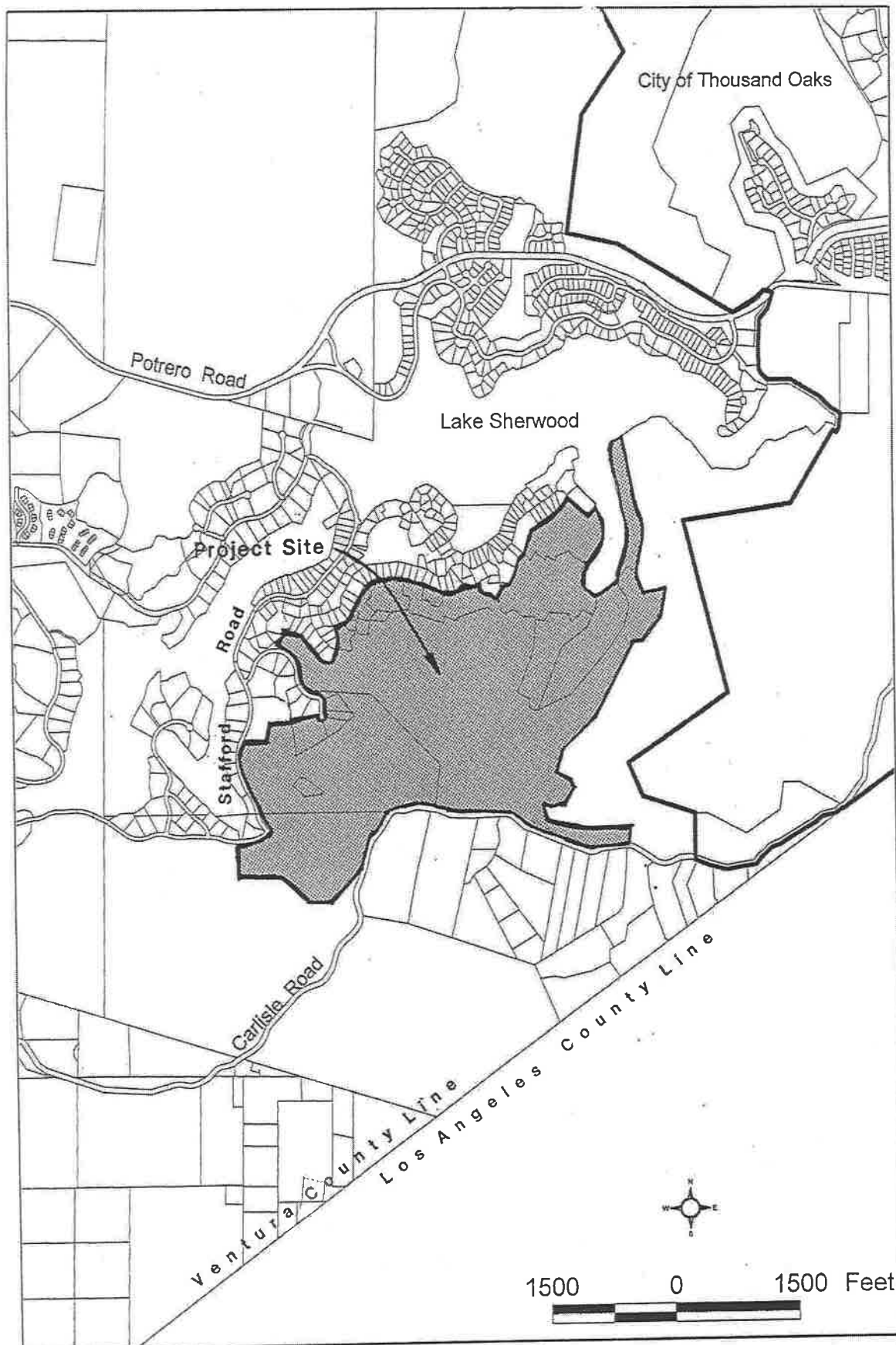
Prepared by: Ron Allen
Senior Planner

Reviewed by: Nancy Francis
Nancy Francis, Manager
Land Use Permit Section

The Planning Director recommends that the decision-making body find that the above environmental document has been completed in compliance with the California Environmental Quality Act.

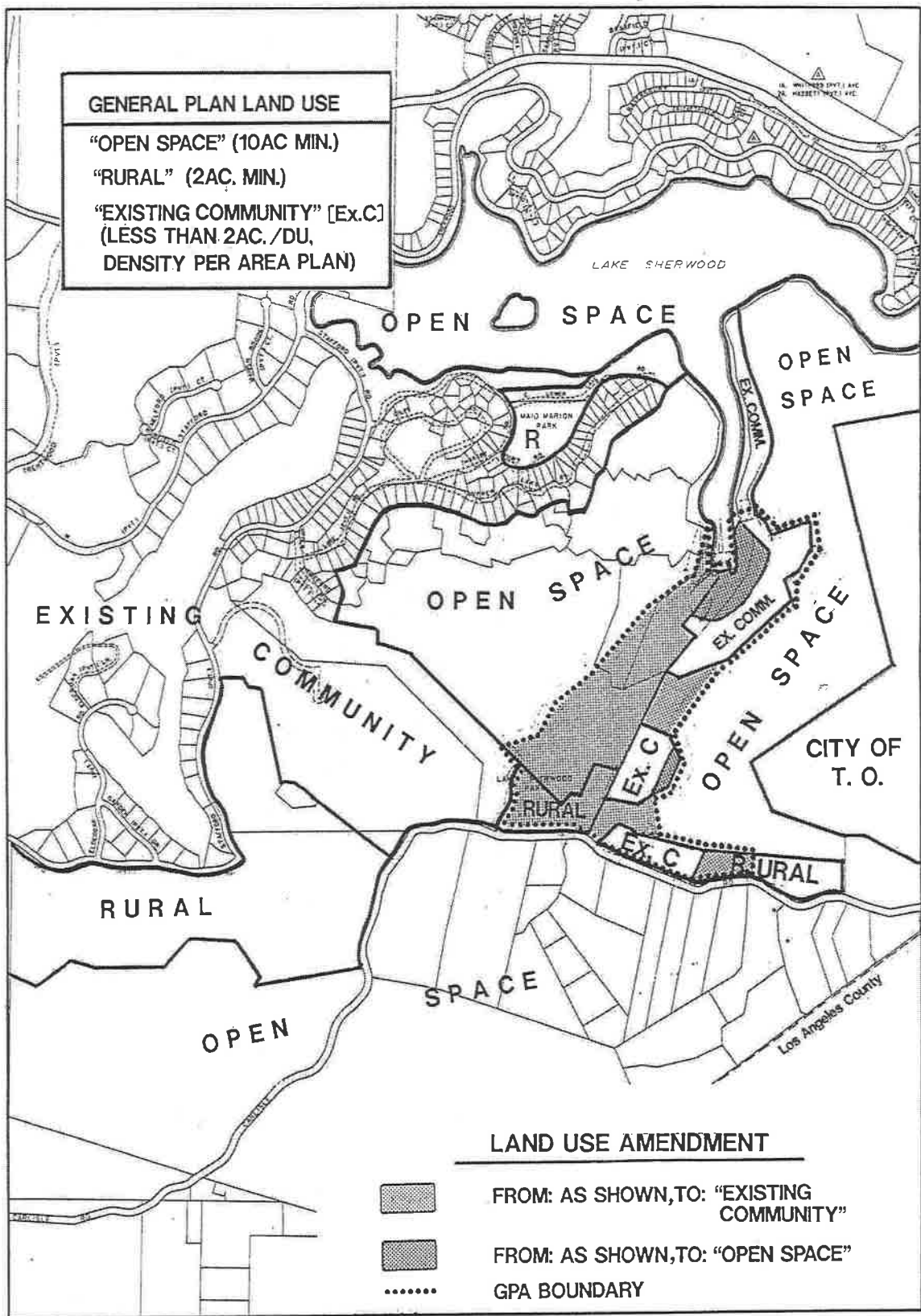
Keith Turner
Keith Turner, Planning Director
RESOURCE MANAGEMENT AGENCY

7-19-00
Date:



Ventura County, California
Resource Management Agency
Planning Division

LOCATION MAP
GPA 9803
EXHIBIT "A"



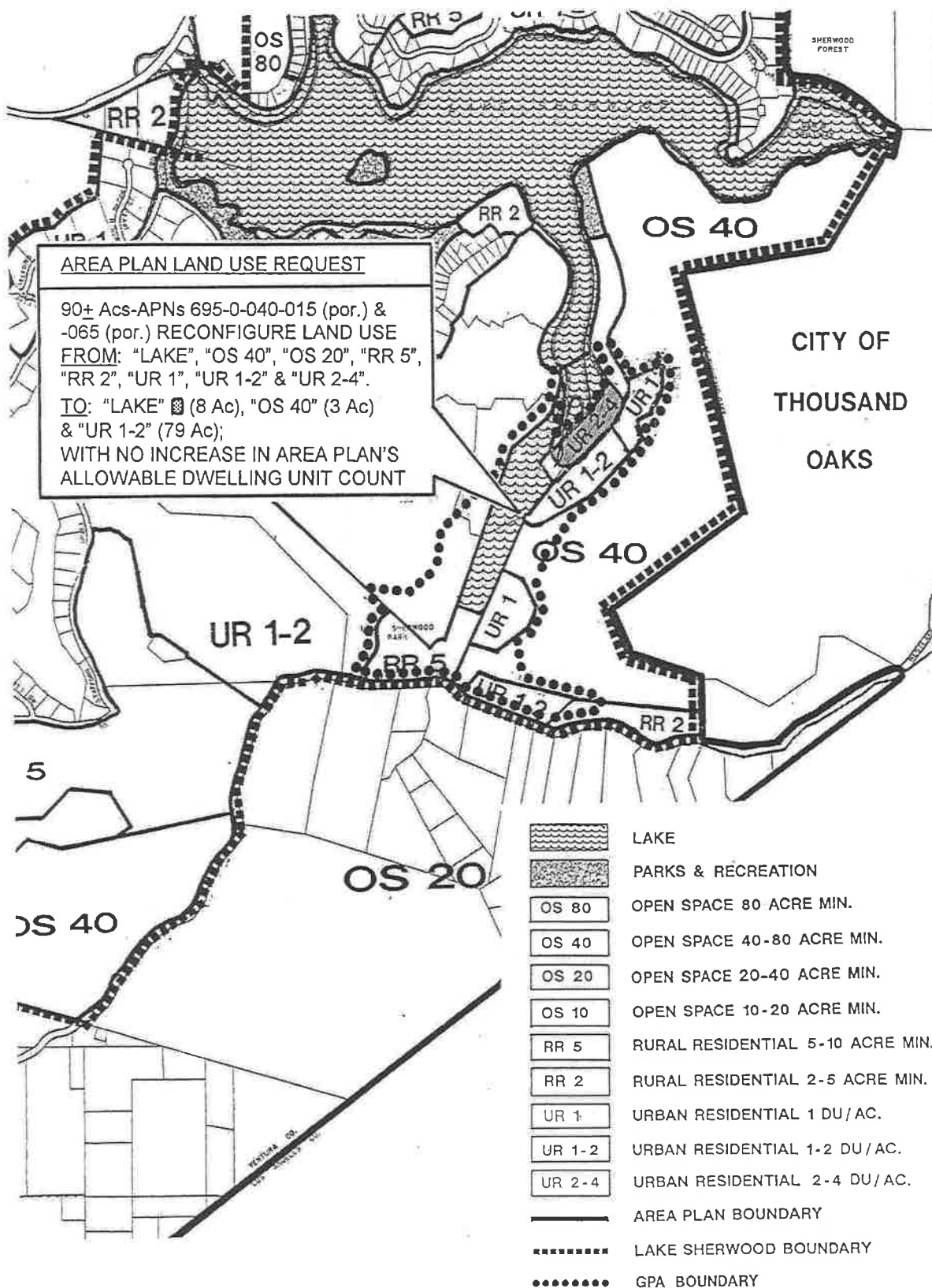
VENTURA COUNTY
 RESOURCE
 MANAGEMENT
 AGENCY

GPA 9803

GENERAL PLAN LAND USE

EXHIBIT "B"





Ventura County
Resource
Management
Agency

GPA 9803

LAKE SHERWOOD/HIDDEN VLY. LAND USE

EXHIBIT "C"



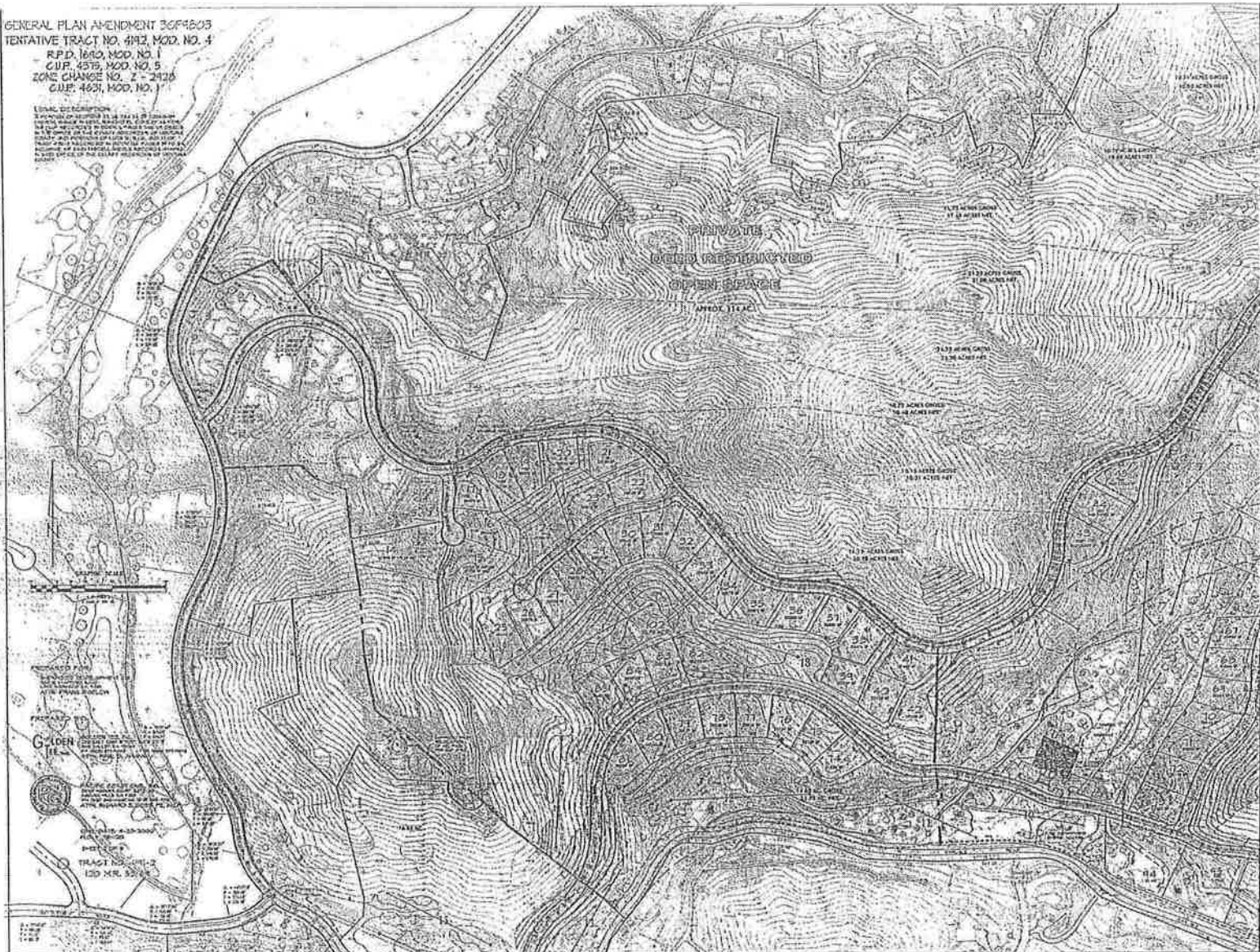


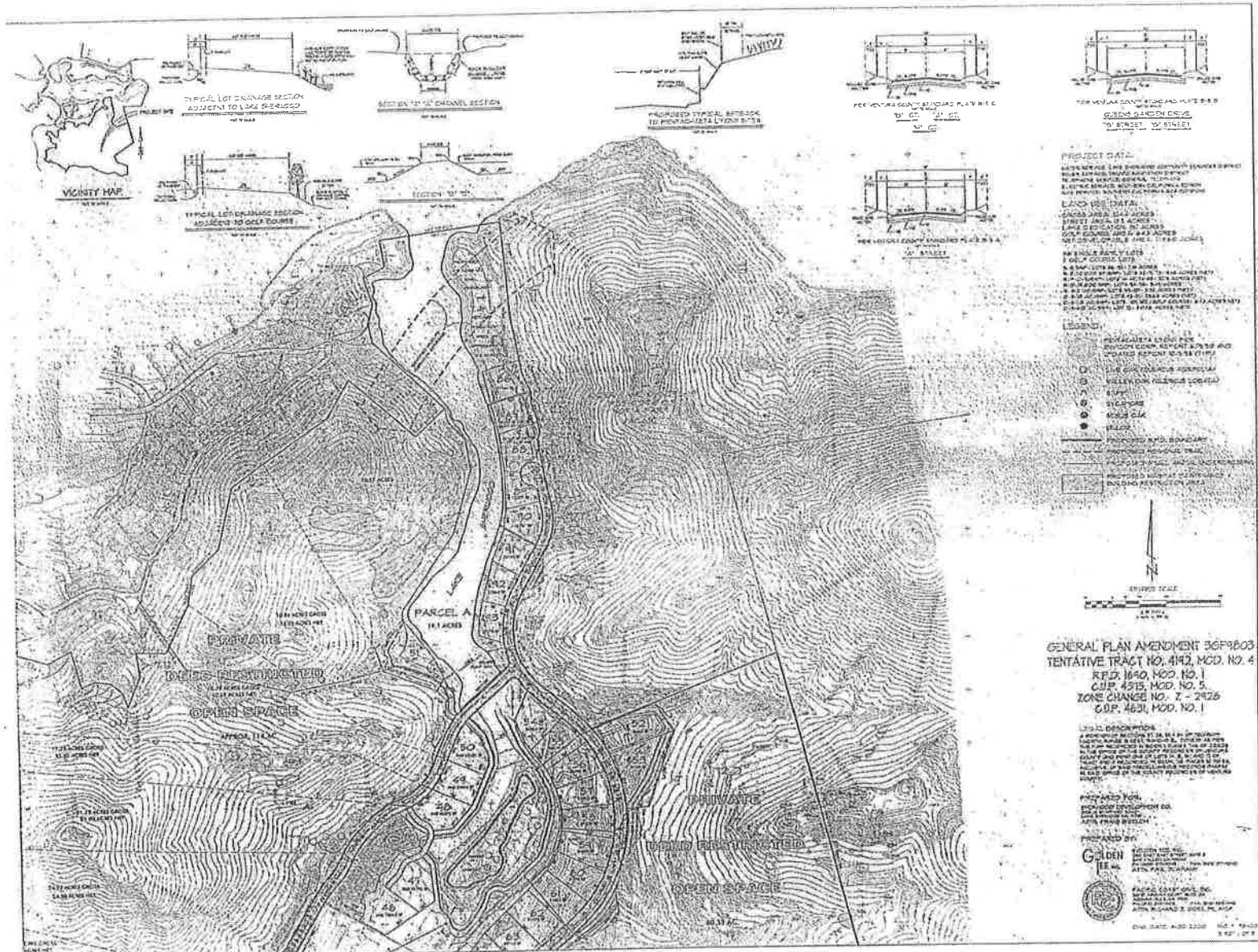
Ventura County
Resource
Management
Agency

Modification No. 4

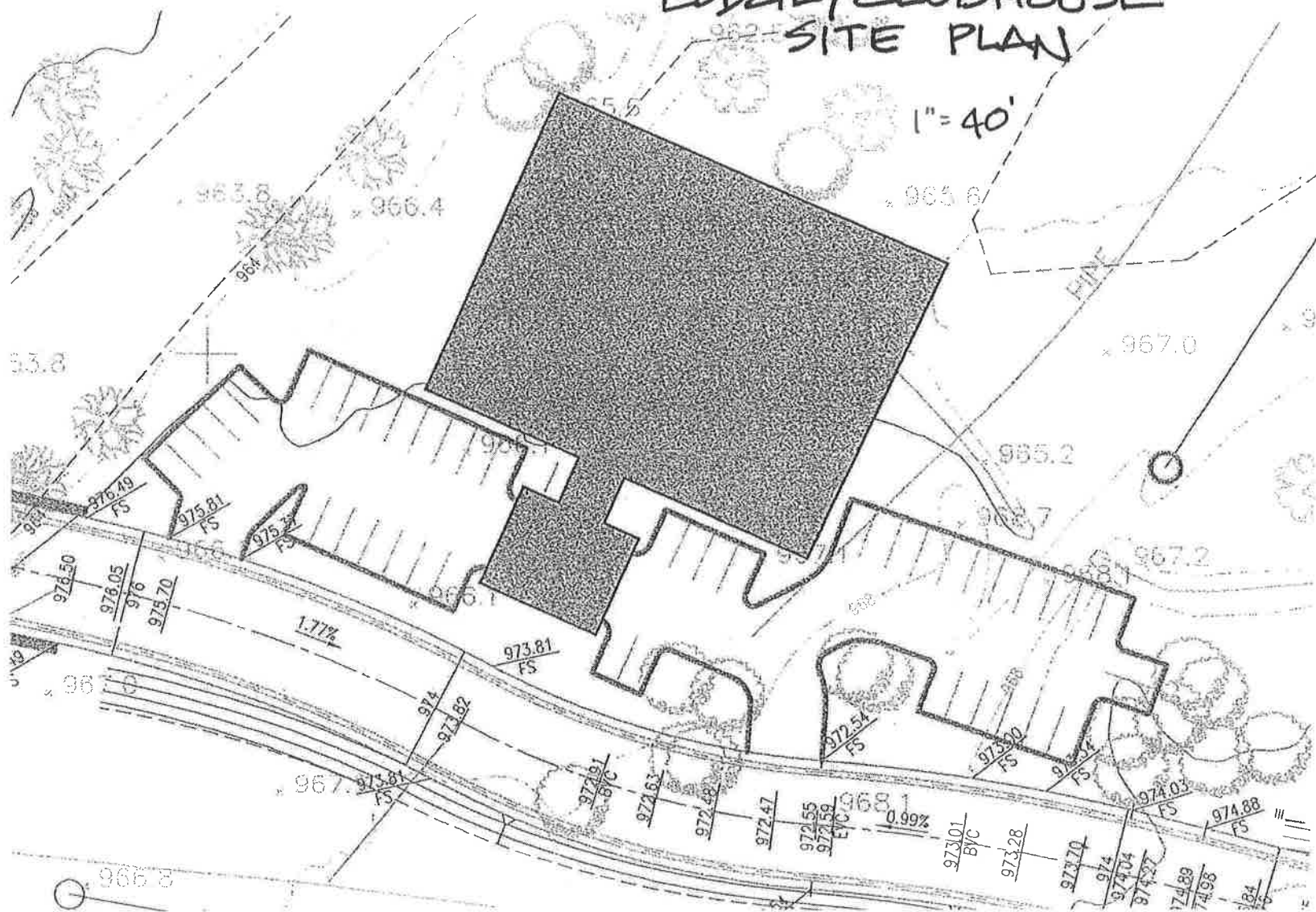
TT-4192

EXHIBIT "E"





LODGE/CLUBHOUSE
SITE PLAN

$$1'' = 40'$$


Ventura County
Resource
Management
Agency

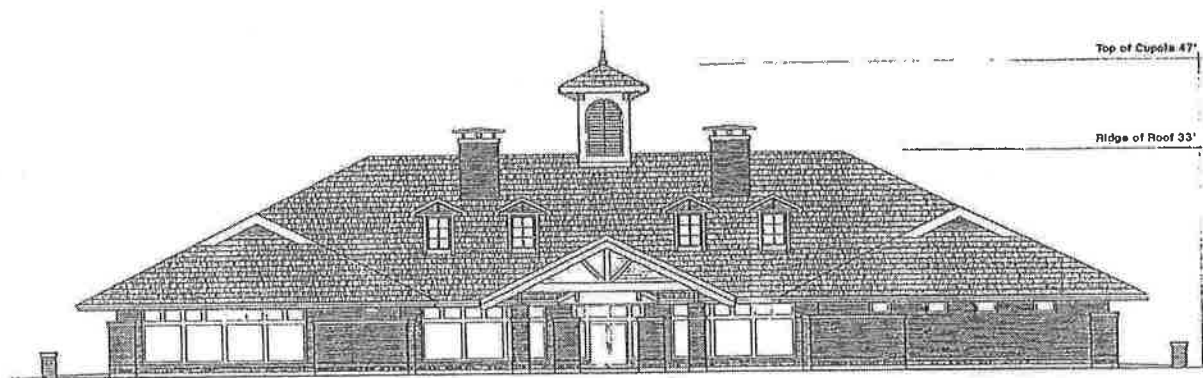
Modification No. 5

CUP-4375

SITE PLAN

EXHIBIT "I"

LODGE at Sherwood
Front Elevation
EXHIBIT "J"

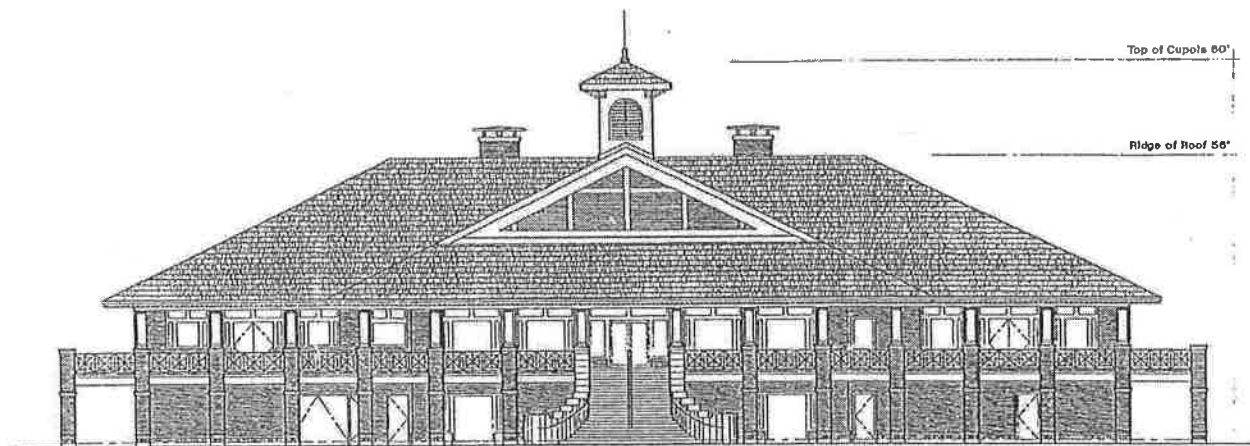


Front Elevation
**THE LODGE
AT
SHERWOOD**

3/0/00

Ventura County
Resource
Management
Agency

LODGE at Sherwood
Rear Elevation
EXHIBIT "K"



Rear Elevation

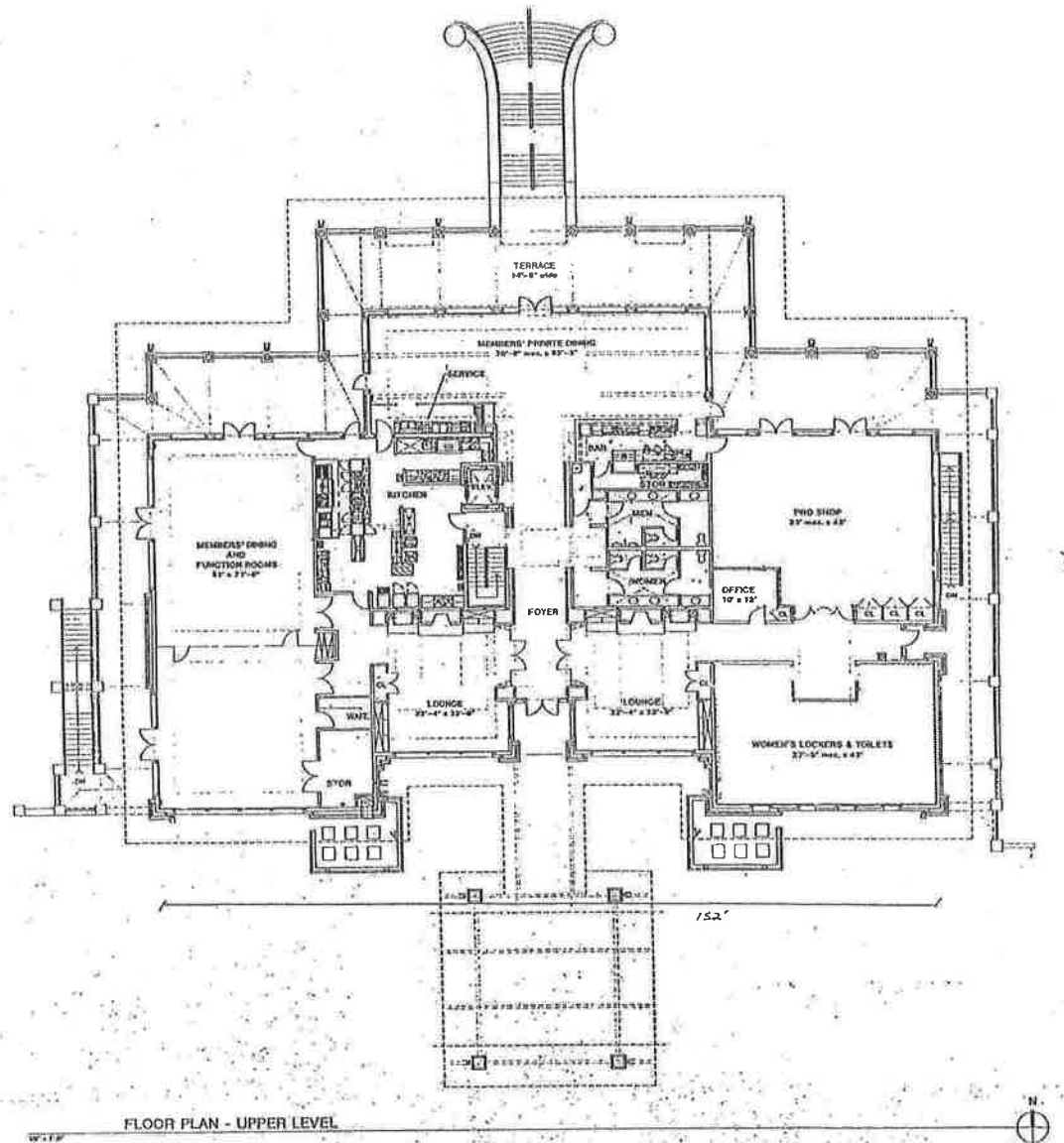
**THE LODGE
AT
SHERWOOD**

1/1/00

LODGE FLOOR PLAN

Upper Level

EXHIBIT "L"

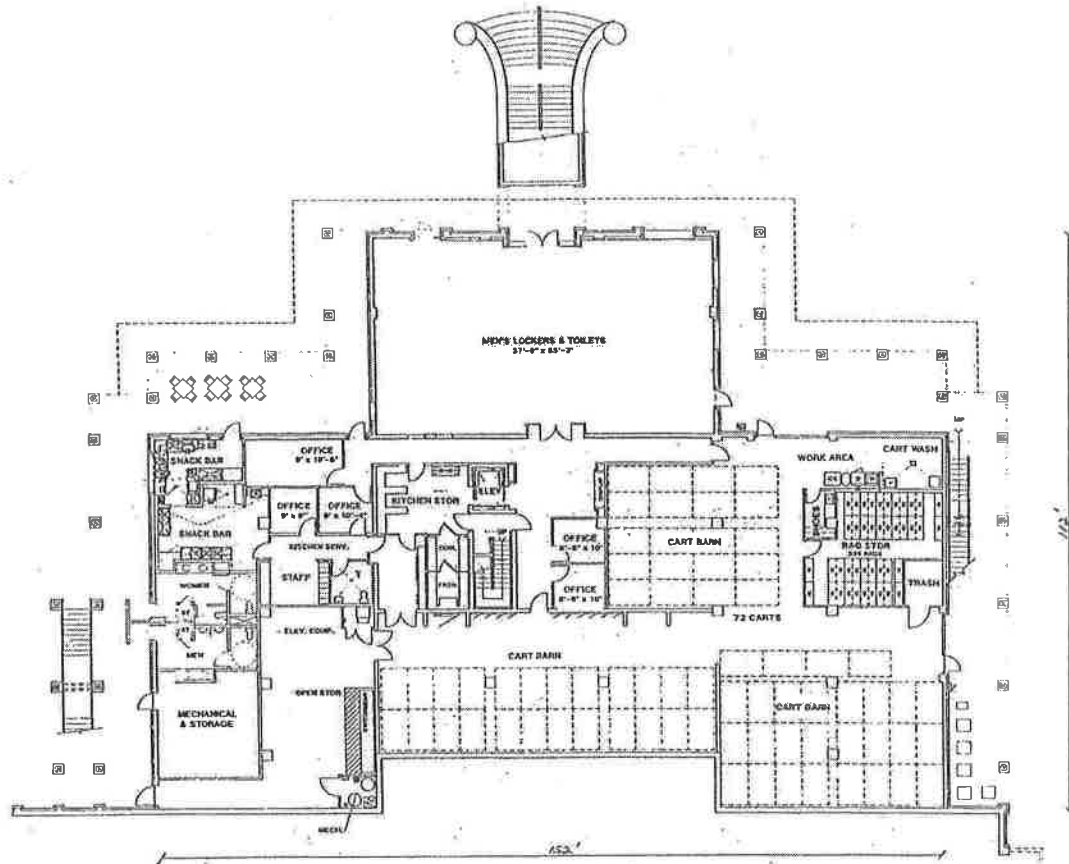


Ground Floor Plan
**THE LODGE
AT
SHERWOOD**

100

LODGE FLOOR PLAN Lower Level

EXHIBIT "M"



Lower Level Floor Plan

THE LODGE
AT
SHERWOOD

SECTION B
INITIAL STUDY CHECKLIST

GPA-9803: Z-2928; Mod. # 4 to TT-4192; Mod. # 4 to TT-4409; Mod. #5 to CUP-4375; Mod. #1 to CUP-4631; and Mod. #1 to RPD-1690

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS -M	PS	N	LS	PS -M	PS
GENERAL:	1. <u>General Plan Environmental Goals and Policies (Plng.)</u>	X				X			
LAND USE:	2. <u>Land Use (Plng.):</u>								
	A. Community Character		X				X		
	B. Housing	X				X			
	C. Growth Inducement		X				X		
RESOURCES:	3. <u>Air Quality (APCD):</u>								
	A. Regional		X				X		
	B. Local		X				X		
	4. <u>Water Resources (PWA):</u>								
	A. Groundwater Quantity	X				X			
	B. Groundwater Quality	X				X			
	C. Surface Water Quantity		X				X		
	D. Surface Water Quality		X				X		
	5. <u>Mineral Resources (Plng.):</u>								
	A. Aggregate		X				X		
	B. Petroleum		X				X		
	6. <u>Biological Resources:</u>								
	A. Endangered, Threatened, or Rare Species			X				X	
	B. Wetland Habitat			X				X	
	C. Coastal Habitat	X				X			
	D. Migration Corridors			X				X	
	E. Locally Important Species/Communities			X				X	
	7. <u>Agricultural Resources (Ag. Dept.):</u>								
	A. Soils	X				X			
	B. Water	X				X			
	C. Air Quality/Micro-Climate	X				X			
	D. Pests/Diseases	X				X			
	E. Land Use Incompatibility	X				X			
	8. <u>Visual Resources:</u>								
	A. Scenic Highway (Plng.)	X				X			
	B. Scenic Area/Feature		X				X		
	9. <u>Paleontological Resources</u>	X				X			
	10. <u>Cultural Resources:</u>								
	A. Archaeological		X				X		
	B. Historical (Plng.)		X				X		
	C. Ethnic, Social or Religious		X				X		
	11. <u>Energy Resources</u>		X				X		
	12. <u>Coastal Beaches & Sand Dunes</u>	X				X			

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS -M	PS	N	LS	PS -M	PS
HAZARDS:	13. <u>Seismic Hazards (PWA):</u>								
	A. Fault Rupture		X				X		
	B. Ground Shaking		X				X		
	C. Tsunami	X				X			
	D. Seiche	X				X			
	E. Liquefaction	X				X			
	14. <u>Geologic Hazards (PWA):</u>								
	A. Subsidence:	X				X			
	B. Expansive Soils	X				X			
	C. Landslides/Mudslides	X				X			
	15. <u>Hydraulic Hazards (PWA/FCD):</u>								
	A. Erosion/Siltation		X				X		
	B. Flooding		X				X		
	16. <u>Aviation Hazards (Airports)</u>	X				X			
	17. <u>Fire Hazards (Fire)</u>		X				X		
	18. <u>Hazardous Materials/Waste:</u>								
	A. Above-Ground Hazardous Materials (Fire)	X				X			
	B. Hazardous Materials (EH)	X				X			
	C. Hazardous Waste (EH)	X				X			
	19. <u>Noise and Vibration</u>	X				X			
	20. <u>Glare</u>		X				X		
	21. <u>Public Health (EH)</u>	X				X			
PUBLIC FACILITIES/ SERVICES:	22. <u>Transportation/Circulation:</u>								
	A. Public Roads and Highways:								
	(1) Level of Service (PWA)		X				X		
	(2) Safety/Design (PWA)		X				X		
	(3) Tactical Access (Fire)	X				X			
	B. Private Roads and Driveways (Fire):								
	(1) Safety/Design	X				X			
	(2) Tactical Access	X				X			
	C. Pedestrian/Bicycle:								
	(1) Public Facilities (PWA)		X				X		
	(2) Private Facilities		X				X		
	D. Parking (PIng.)	X				X			
	E. Bus Transit	X				X			
	F. Railroads	X				X			
	G. Airports (Airports)	X				X			
	H. Harbors (Harbors)	X				X			
	I. Pipelines	X				X			
	23. <u>Water Supply:</u>								
	A. Quality (EH)	X				X			
	B. Quantity (PWA)		X				X		
	C. Fire Flow (Fire)	X				X			

	ISSUE (Responsible Department)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS-M	PS	N	LS	PS-M	PS
PUBLIC FACILITIES/ SERVICES (CONT.):	24. Waste Treatment/Disposal:								
	A. Individual Sewage Disposal System (EH)	X				X			
	B. Sewage Collection/Treatment Facilities	X				X			
	C. Solid Waste Management (PWA)		X				X		
	D. Solid Waste Facilities (EHD)	X				X			
	25. Utilities:								
	A. Electric	X				X			
	B. Gas	X				X			
	C. Communication	X				X			
	26. Flood Control/Drainage:								
	A. FCD Facility (FCD)	X				X			
	B. Other Facilities (PWA)	X				X			
	27. Law Enforcement/Emergency Svs. (Sheriff):								
	A. Personnel/Equipment		X				X		
	B. Facilities		X				X		
	28. Fire Protection (Fire):								
	A. Distance/Response Time		X				X		
	B. Personnel/Equipment/Facilities		X				X		
	29. Education:								
	A. Schools		X				X		
	B. Libraries (Lib. Agency)		X				X		
	30. Recreation (GSA):								
	A. Local Parks/Facilities		X				X		
	B. Regional Parks/Facilities		X				X		
	C. Regional Trails/Corridors		X				X		

DEGREE OF EFFECT:

N = No Impact.

LS = Less Than Significant

PS-M = Potentially Significant Impact Unless Mitigation Incorporated.

PS = Potentially Significant Impact.


AGENCIES:

APCD - Air Pollution Control District
PWA - Public Works Agency
Plng. - Planning Division
GSA - General Services Agency
Ag. Dept. - Agricultural Department
FCD - Flood Control District
Harbors - Harbor Department

Airports - Department Of Airports
Fire - Fire Protection District
Sheriff - Sheriff's Department
EH - Environmental Health Division
Lib. Agency - Library Services Agency

D. <u>MANDATORY FINDINGS OF SIGNIFICANCE</u>		<u>YES/MAYBE</u>	<u>NO</u>
Based on the information contained within Sections B and C:			
1.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X	
2.	Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one that occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).		X
3.	Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effect of other current projects, and the effect of probable future projects. (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant).		X
4.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X	

E. <u>DETERMINATION OF ENVIRONMENTAL DOCUMENT</u>	
On the basis of this initial evaluation:	
<input type="checkbox"/> []	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
<input checked="" type="checkbox"/> [X]	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure(s) described in section C of the Initial Study will be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
<input type="checkbox"/> []	I find the proposed project, individually and/or cumulatively, MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.*
<input type="checkbox"/> []	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/> []	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


 Ronald R. Allen, Senior Planner
 Signature of Person Responsible for Administering the Project

April 22, 2000
 Date

*Eir Issues of Focus: _____

SECTION C TO INITIAL STUDY CHECKLIST DISCUSSION OF RESPONSES FOR:
GPA-9803; Z-2928; MOD. # 4 TO TT-4192; MOD. #4 TO TT-4409; MOD. #5 TO
CUP-4375; MOD. # 1 TO CUP-4631; AND MOD. #1 RPD-1690

Pursuant to Section 15183 of the CEQA Guidelines, the environmental review for residential projects consistent with a community plan for which an EIR was prepared need only evaluate site specific impacts. The Lake Sherwood/Hidden Valley Area Plan was the subject of a Master EIR which evaluated the impacts of a community of 630 dwelling units and a golf course. Cumulative and specific impacts were identified during the environmental review. Mitigation measures were developed and these measures will be implemented as development occurs consistent with the Area Plan. This Initial Study addresses the impacts peculiar to the proposed project and uses delineated in the foregoing project description. These impacts may not have been addressed as part of the 1987 EIR which covered the overall Lake Sherwood residential development.

GENERAL:

1. General Plan Environmental Goals and Policies:

The project is consistent with applicable General Plan environmental goals and policies. However, applicable General Plan and Zoning Designations will be consistent upon adoption General Plan Amendment No. GPA-9803 and Zone Change No. Z-2928.

LAND USE:

2. Land Use:

a. Community Character:

As stated above, the project is currently not consistent with the applicable General Plan and Zoning Designations and, upon adoption of the above referenced entitlements, will have a less than significant impact on the land use of this area. The County does not have any design/architectural criteria in place; however, the Lake Sherwood Homeowner's Association has the authority to review any building plans and designs, as specified in the CC & R's for the Lake Sherwood project. The CC & R's have been recorded and are presently in place. Therefore, the project will have a less than significant effect on the Community character of this area.

b. Housing:

This project does not entail the removal of any existing houses and is not expected to have any effect on the use of existing housing, nor create a demand for additional new housing.

c. Growth Inducement:

Growth inducement potential of this project is less than significant because it would not accommodate growth beyond what is addressed in the adopted Lake Sherwood/Hidden Valley Area Plan, and its associated EIR.

RESOURCES:

3. Air Quality:

a. Regional:

Based on the criteria contained in Ventura County's Guidelines for the Preparation of Air Quality Impact Analyses for determining a project's potential impact on air quality, the proposed project will have a less than significant impact on air quality.

However, the EIR supplement prepared for the Lake Sherwood/Hidden Valley Area Plan identified significant cumulative air quality impacts associated with the completion of dwelling units within the Lake Sherwood/Hidden Valley area. Therefore, the areawide air quality mitigation measures identified in the adopted area plan shall be imposed as conditions of project approval.

b. Local:

Based on information contained in the project description questionnaire, the proposed project is not expected to cause significant localized air quality impacts.

However, construction activities may generate dust. The amount of dust generated depends on such factors as the type of soil, moisture content of the soil, amount of activity, and wind direction and speed. Compliance with APCD Rule 50 (Opacity) and Rule 51 (Nuisance) should be sufficient to prevent significant dust impacts.

4. Water Resources:

a. Groundwater Quantity

The proposed projects water purveyor, Lake Sherwood Community Services District, does not deliver local groundwater to the listed projects. The applicant does not propose any groundwater use for the projects; therefore, the projects will not have an effect on groundwater quantity.

b. Groundwater Quality

The proposed projects sanitation services are provided by the Triunfo Sanitation District, and the applicant has provided a sewer availability letter for the listed Tracts of the project from the District. Therefore, the listed projects requiring sanitation services will not have a significant effect on groundwater quality.

c. & d. Surface Water Quantity and Quality:

The design of the golf course as proposed by CUP-4375 would allow for the construction ponds for: a.) irrigation, b.) water hazards, and c. provide de-silting and catchment. Runoff from the proposed Tracts and the CUP will either drain into Lake Sherwood or be diverted into storm water drains. Therefore, surface water quantity and quality will be less than significant.

5. Mineral Resources:

a. Aggregate and b. Petroleum:

The project, individually and cumulatively, will have a less than significant impact because "there are sufficient amounts of mineral resources to meet local demand for the next 50 years. Oil resources are considered a world-wide, national and state-wide resource which is beyond the scope of local governments to effectively manage or control." (Resources Appendix of the General Plan)

6. Biological Resources:

The Initial Study and Final EIR for the Lake Sherwood/Hidden Valley Area Plan indicated that development associated with the approved project would result in an adverse change to the diversity and number of plant and animal species. The Final EIR also determined that implementation of the approved project would result in unavoidable significant impacts to biological resources, despite the application of mitigation measures. Loss of plant communities and wildlife

habitat, direct mortality of wildlife, introduction of noise, roads, traffic and buildings, the removal of oak trees, and isolation from adjacent open space were cited as contributing to the significance determination.

In addition, the Final EIR identified numerous sensitive species and three listed wildlife species potentially impacted by the project: American Peregrine, Yellow-billed Cuckoo, and least Bell's vireo. As reported previously in the Final EIR, the site continues to support high quality habitat and wildlife diversity, enhanced by the juxtaposition of terrestrial, wetland, and aquatic habitats. Further, the broad connections within and between upland scrub and woodland habitats allow wildlife easy access to riparian habitats along Carlisle Creek and open water on Lake Sherwood.

A more recent biological assessment, Technical Report: Waters, Wetlands, and Riparian Habitat of TT-4192 and TT-4409, prepared by ENVICOM CORPORATION, dated January 17, 2000, reflects current site conditions and suggests that significant impacts previously identified would still result with implementation of the proposed project. However, the proposed project is more responsive than the previously approved subdivisions in reducing direct impacts to specific sensitive resources including oak trees, oak woodland, wetland and riparian habitats. As a result of several design changes, the revised **Project Description** will reduce biological impacts, relative to the previously approved subdivisions as follows:

- a. Reduction in mass grading within the oak woodland habitat by permitting clearance and site preparation only for building pads.
- b. Substantial (over 70 percent) reduction of alterations to wetland, riparian, and streambed habitat.
- c. Deletion of a retention basin that would have created a barrier to wildlife movement, thus improving function of the EIR-identified central wildlife corridor.
- d. Relocation of the internal circulation road to the perimeter of the development in order to reduce indirect impacts from brush clearance, and the proximity of human habitation to natural areas.
- e. Redesign to completely avoid Lyon's Pentachaeta.

The revised **Project Description** represents considerable changes that reduce specific impacts to wetlands, riparian habitat, oak trees and oak woodlands, and Lyon's pentachaeta. Yet given the scope of the proposed project, placed within a highly sensitive and diverse natural area, a finding of non-significance under CEQA guidelines can not be achieved. As anticipated in the Final EIR, the proposed project would result in significant, unavoidable impacts to plant communities, wildlife and wildlife habitat, and sensitive wildlife species.

The following is a discussion of the listed criteria under Biological Resources; ie, a. Endangered, Threatened, or Rare Species, b. Wetland Habitat, d. Migration Corridors, and e. Locally Important Species/Communities. The discussion is more specific to the potential significant impacts relative to the previously approved subdivisions (TT-4192 and TT-4409) and the proposed project. Text and Tables from the above referenced report: Technical Report: Waters, Wetlands, and Riparian Habitat of TT-4192 and TT-4409 will be used to clarify these distinctions.

a. **Endangered, Threatened, or Rare Species:**

Sensitive Plant Species

The Final EIR identified nine sensitive plant species expected within the project site. These included:

- Braunton's rattleweed (*Astragalus brauntonii*),
- Santa Monica Mountains' endemic live-forever (*Dudleya cymosa marcescens*; *D. c. ovatifolia*; *D. agourensis*),
- Santa Susana tarplant (*Hemizonia minthornii*), and
- Conejo endemics viz., Conejo dudleya (*Dudleya parva*), Verity's dudleya (*D. verityi*) and Conejo buckwheat (*Eriogonum crocatum*)
- Slenderhorned spineflower
- Dudleya multicaulis
- Lyon's pentachaeta (*Pentachaeta lyonii*)

Among these, only Lyon's pentachaeta is known to occur at the project site, and the others are considered to be absent based on comprehensive botanical surveys conducted in spring and summer 1998 (Envicom Corporation, 1998). The status of Lyon's pentachaeta is discussed below:

Lyon's Pentachaeta

Lyon's pentachaeta (*Pentachaeta lyonii*), listed in the Final EIR as potentially occurring in the Area Plan, was discovered on the project site in 1990. Today, the plant is a federally listed endangered species¹. In undisturbed locations, Lyon's pentachaeta occupies openings in chaparral dominated by grasses and native annual herbs, whose presence proved to have great predictive value in locating pentachaeta. Generally, Lyon's pentachaeta occupies zones of sparse vegetation where it is apparently able to compete among bunchgrasses, native annual herbs, and a few sub-shrubs. Over time, following the initial disturbance that provided the opportunity for pentachaeta to become established, continuing encroachment by introduced annual grasses or shrubs may be a factor in the eventual decline of this species at any given site. In some cases, it appears that a site may be naturally unsuited to either grass or shrub dominance, likely because of shallow soil conditions. With approval in 1992 of TT 4192 and CUP 4631, a Mitigated Negative Declaration (MND) was prepared that specifically addressed the potential for impacts to Lyon's pentachaeta, and consequently, included mitigation that remains relevant to the proposed project.

According to the revised **Project Description**, distances to occupied areas of Lyon's pentachaeta from proposed houses and grading associated with streets for the listed lots are as follows:

Lot No.	Distance from Houses	Distance from Street Grading
54	70-90	10-20
61	250	250
80	120	20-40
82	140	40
83	150	70
84	120	20
85-86	90-100	10-20

¹ (Federal Register 4182, January 29, 1997)

According to the Slope Revegetation Concept Plan (The L.A. Group, Inc., April, 1999) Fuel Modification shall be a minimum of 100 feet of fuel clearance away from habitable structures, and ten feet from roadways. Thus, several locations of Lyon's pentachaeta could potentially be impacted directly from the fuel clearance requirement at distances ranging from 70-90 feet from structures, and ten feet or more beyond roadway grading. The diminutive, annual stature of Lyon's pentachaeta poses little fire hazard even at very close distances from structures.

Lyon's pentachaeta is found in areas of disturbance such as brush clearance and ground scraping such as along fuel breaks prepared using bulldozers. It is a poor competitor among any plants that grow in dense concentration, especially alien annual grasses, but also any encroaching perennial herbs and shrubs.

A plan for Fuel Modification that judiciously removes plants that compete with Lyon's pentachaeta would appear to be a compatible activity. This would include such measures as not allowing irrigation in areas with Lyon's pentachaeta, and manual fuel modification conducted under the supervision of a qualified biologist. In addition, annual monitoring of the existing populations will be undertaken by a qualified biologist. Results of the monitoring would be submitted to the County and the CDFG. The annual monitoring report may include reasonable remediation actions, if required.

To prevent direct impacts to Lyon's pentachaeta during grading and construction, the installation of protective fencing prior to grading, and monitoring by a qualified biologist during grading will be incorporated as Mitigation Measures. Since no direct taking is proposed, permits from the CDFG or US Fish and Wildlife Service would not be required. After grading and construction, permanent split-rail fences would be installed along the perimeter roads to prevent access and damage to the locations. As a additional Mitigation Measure, an annual monitoring of the status and condition of the populations would be conducted, with reports submitted to the Lead Agency and to the Department of Fish and Game.

b. Wetland Habitat:

There are significant wetland areas within the confines of the proposed project. Carlisle Creek is present on the southerly portion of the property, and it flows easterly, eventually turning north and terminates in the Carlisle Inlet of Lake Sherwood. The Creek will be altered slightly to accommodate a bridge crossing.

Several species of introduced fish inhabit Lake Sherwood and its confluence with Carlisle Creek. Currently, no native fish are known from Carlisle Creek or Lake Sherwood (Moyle, et al. 1989; Swift, et al. 1993). Suitable aquatic habitat for fish is limited to the inundated lower portions of Carlisle Creek as it enters Lake Sherwood.

Table Bio-1 lists the acreage and type of jurisdictional habitat present on the project site, as summarized below:

- Army Corps = 17.633 acres: 13.85 acres of wetlands, 3.813 acres of waters.
- CDFG = 22.633 acres: 13.85 acres of wetlands, 3.813 acres of waters, 5.0 acres of riparian

TABLE BIO-1
Summary of Jurisdictional Delineation
ACOE/CDFG

LOCATION	ACOE Jurisdiction by Acreage		CDFG Jurisdiction by Acreage	
	Waters (Stream- course)	Wetland Habitat	Riparian Habitat	Total
Lake Sherwood-Aquatic & Lakeshore		10.71		10.71
Carlisle Creek Mainstem	3.54	2.13	5.0	10.67 ²
<u>Tributaries:</u>				
SW	0.010			0.010
SE	0.140			0.140
SC	0.009			0.009
NC	0.024			0.024
NE	0.090			0.090
Marsh 1		0.56		0.56
Marsh 2		0.45		0.45
Subtotal Waters of the US	3.813	13.85		
TOTAL ACOE JURISDICTION		17.663		
TOTAL CDFG JURISDICTION				22.663

The previously approved subdivisions (TT-4192 and TT-4409) would significantly modified wetland/riparian habitat of the south inlet of Lake Sherwood, and altered riparian and aquatic habitat along the reaches of Carlisle Creek. The proposed plan would also result in the removal of wetland/riparian habitat, however, to a lesser degree.

Table Bio-3 lists the direct impacts of the approved and proposed project plans on project site vegetation. Impacts to plant communities are reduced from 83.82 acres, under the approved plan to 83.40 acres (a 0.42-acre difference) under the proposed plan. To preserve sensitive habitats, the development envelope was relocated to areas containing chaparral/annual grassland vegetation. Under the proposed project, direct impacts to oak, sycamore, and willow woodland are reduced from 12.2 acres to 5.1 acres. There is also a 0.5-acre decrease in removal of native grassland (from 1.0 acre).

Sherwood Development Company considered six alternatives, including the approved tract maps (TT-4192 and TT-4409) to assess impacts to sensitive plant communities including wetlands, and riparian habitat under the jurisdiction of the Army Corps and CDFG (Table Bio-4).

² The 10.67 acres of riparian include the 3.54 acres of stream channel (non-wetland), 2.13 acres of wetland, and 5.00 acres of riparian vegetation that is regulated only by CDFG. The latter areas do not meet the Corps criteria for waters of the U.S., or wetlands.

TABLE BIO- 3		
Vegetation Impacts - Approved and Proposed Projects		
	Approved Project	Proposed Project
	Alternative 1	Alternative 6
HABITAT	Total Acreage of Impact	Total Acreage of Impact
UPLAND		
Woodland	12.2	5.1
Oak, Sycamore & Willow with Mulefat scrub in valley bottom/Oak Woodland on low slopes		
Chaparral	20.4	38.2
Hillside, north and south facing		
Recovering chaparral	2.6	3.2
Previously cleared		
Rock Outcrops	0.3	0.3
Thin Soil/Rockfields/Chaparral	0.0	1.0
Grassland	33.56	26.0
Primarily non-native/herbaceous, some native grass present		
Native Grassland	1.0	0.5
DISTURBED AREAS	5.9	5.9
Dirt roads, work yards, grading scars, barren areas		
MARSH	0.8	0.03
AQUATIC	1.1	1.75
WATERS	1.10	0.17
WETLAND	1.86	0.05
RIPARIAN WOODLAND	2.97	1.2
TOTAL ACREAGE	83.82	83.40

With the Approved Project (Alternative 1-TT4192 and TT-4409) as a baseline for subsequent impact analysis, alternatives were developed. Alternative 2 (Preferred Nine – Hole Traditional Plan) was found to exceed the impact thresholds on sensitive resources as established by the Approved Project. Therefore, further efforts to re-design the project were undertaken. This resulted in the development of Alternative 3 (Revised Nine-Hole Target-Style Plan). This plan would impact 4.788 acres of ACOE jurisdictional habitat and 7.368 acres of CDFG jurisdictional habitat. While this represented a decrease in impacts, further avoidance was desirable. Therefore, the applicant developed three more site plans. The resulting project reduces impacts to 2.0 acres of under the jurisdiction of the Corps and 3.2 acres under the jurisdiction of the CDFG, (this includes an additional 1.2 acres of impact to riparian woodland).

The Final EIR found that with implementation of mitigation measures to create and/or enhance wetland/riparian habitat impacts would be less than significant. Nonetheless, the Final EIR cited *the loss of the ecological relationship between wetlands/riparian woodlands and adjacent uplands* as an unavoidable significant impact of the project. The same conclusion holds under the current plan. This is because the roads, houses, and golf course would replace mostly natural, vacant land. An artificial landscape would predominate, acting to fragment the ecological functioning of natural areas.

TABLE BIO- 4
Comparison of Alternative Site Plan Impacts
Jurisdictional Habitats

HABITAT	Approved Project	Preferred 9-Hole Traditional Golf Course	Revised 9-Hole Target Style Golf Course	18-Hole Golf Course	Modified 18-Hole, Par 3 Golf Course	Proposed Project
	Alt. 1	Alt. 2	Alt. 3	Alt. 4	Alt. 5	Alt. 6
MARSH						
	0.84	1.01	0.564	0.564	0.56	0.03
LAKE						
	1.05	3.76	2.39	2.39	2.17	1.75
TRIBUTARIES						
NE	0.06	0.06	0.06	0.06	0.06	0.06
NC	0.024	0.024	0.024	0.024	0.018	0.0
SC	0.009	0.009	0	0.0	0.005	0.0
SE	0.095	0.14	0.04	0.04	0.023	0.07
SW	0.01	0.01	0.01	0.01	0.005	0.01
Subtotal	0.2	0.243	0.134	0.1	0.1	0.1
CARLISLE CREEK MAINSTREAM						
Wetland	1.86	1.71	1.67	1.28	1.15	0.05
Waters	0.91	2.93	0.85	0.42	0.61	0.03
Subtotals	2.77	4.64	2.52	1.70	1.76	0.08
TOTAL IMPACT						
CORPS JURISDICTION			5.61	4.79	4.60	2.00
RIPARAIN IMPACT	2.97	4.3	2.74	2.6	1.452	1.2
TOTAL IMPACT CDFG			8.35	7.35	6.05	3.20

c. Coastal Habitat:

The project includes Carlisle Creek, which is one of the watershed drainage areas for Lake Sherwood. Carlisle Creek is located approximately six (6) miles from the Pacific Ocean. Since the project is not within or located adjacent to coastal resources, there will be no impacts related to this resource.

d. Migration Corridors:

Barriers to wildlife movement are relatively passable depending on body size, life history, habitat requirements, and dispersal ability of the taxa under consideration (e.g., hawks vs. salamanders). For larger terrestrial species, however, surrounding land uses such as Carlisle Road, adjacent residential development, and Lake Sherwood itself, may act as absolute barriers for dispersal to other, off-site habitats. This is because the project site's relative isolation from large open space areas limits its overall contribution to maintaining regional wildlife diversity through emigration and immigration. Consequently, the long-term viability of larger native animal populations in the project vicinity may decline over time. In contrast, long-term population viability for smaller species may be sustainable in relatively small habitat patches. In this case, the overall size of the project site and the connectivity of habitat patches *within* the site becomes important (Harris, 1984; Soule, et al. 1988).

The riparian corridor and watercourse of Carlisle Creek provides a linear landscape element and habitat structural diversity not found elsewhere in the project area. Riparian corridors are important wildlife dispersal sites because of the contact with a variety of other needed habitats. An important feature of the mixed riparian corridor along Carlisle Creek is that it connects directly with oak woodland, scrub, and grassland habitats that extend laterally across much of the project site.

Currently, the project site is part of a larger wildlife habitat area that surrounds the site to the east and west. In that light, the whole site is subject to the movement of animals without restriction, although Carlisle Creek and its associated riparian habitat is likely an important area for animals to traverse the site. As such, the proposed project would create artificial "corridors" by leaving openings, or gaps within the developed areas that are connected to vacant land. These created "wildlife corridors" may give wildlife the opportunity to traverse the site to reach undeveloped land and to use remaining onsite resources.

Corridor locations, shown on the approved site plan, cross over the Carlisle Creek inlet on the south shore of Lake Sherwood and the east-central portion of the site. The corridor on the south shore of Lake Sherwood will have little value to terrestrial animals except as open space on the adjacent banks, i.e. gray fox and mountain lion will not swim across a lake. The east-central corridor was of adequate width, under the approved plan that may have allowed wildlife species to utilize this area to reach open space after development occurred. In addition, under the approved plan portions of Carlisle Creek were effected by development.

Under the proposed plan, to reduce significant impacts to wildlife movement, the east-central wildlife corridor is increased from 350 feet to 580 feet, almost double of the approved plan. Further, the proposed project integrates the use of small under-crossings on roads for amphibians, reptiles, and smaller animals, and maintains the entirety of Carlisle Creek. With these new project design elements, the proposed plan reduces significant impacts to wildlife corridors. However, vacant land will be restricted to wildlife with the construction of roads, houses, yards, infrastructure, and the golf course.

e. Locally Important Species/Communities:

Resource sensitivities exist at both the habitat and individual species level. Generally, sensitive habitats support unique or rare animal species, are especially valuable to wildlife, or are prime examples of a particular biotic community. On the project site, these include oak woodland, including coast live oak-sycamore riparian woodland, wetlands, open water aquatic habitats, scrub habitats and native grassland. Development in such habitats is regulated by various agencies including the California Department of Fish and Game and the U.S. Army Corps of Engineers.

Federally listed wildlife species that may potentially temporarily or permanently reside on the project site. These include the California red-legged frog, American peregrine falcon, and least Bell's vireo. This statement is based on the availability of suitable foraging and/or breeding habitat for these species on the project site, and/or their known occurrence in the project vicinity. California red-legged frogs, if present, would be expected to occur in Carlisle Creek and Lake Sherwood. Peregrine falcons are not known to nest in the project vicinity, but may roost and forage over the project site from known nesting and long-term roost sites on the Channel Islands. To better document the presence of listed species, protocol surveys will be undertaken for the California red-legged frog, southwestern pond turtle, and the least Bell's vireo.

There are ten federal/state species of concern known to occur in the project area. These are southwestern pond turtle, two-striped garter snake, least bittern, Cooper's hawk, prairie falcon, horned lark, loggerhead shrike, yellow warbler, desert woodrat, and mountain lion. In addition, at least 33 other sensitive species have varying potentials for occurrence on the project site.

Special status species include all federal and state-listed or proposed for listing animals (CDFG, 1996), former federal candidates (USFWS, 1994, 1996), and species of Special Concern, as designated by the California Department of Fish and Game (CDFG, 1996; CNDDDB, 1999). In addition, there are a number of sensitive wildlife species of local concern and various watch lists published by state agencies (Remsen, 1978; Williams, 1986; Moyle, et. al. 1989; Jennings and Hayes, 1994; CDFG, 1996). Descriptions of state and/or federally listed species and their potential for occurrence on the site are presented below.

Listed Species Discussion

California gnatcatcher (*Polioptila californica*)

California gnatcatcher (*Polioptila californica*) is a songbird that was listed as a federally Threatened species on March 30, 1993. According to the Service, "it occurs almost exclusively in the coastal sage scrub plant community (occasionally, it is also found in chaparral)." Recently, California gnatcatchers have been observed in Ventura County, near Moorpark.

No suitable habitat for this species occurs on the project site, and for this reason, the US Fish and Wildlife Service indicated that protocol surveys would not be required (Mr. Rick Farris, USFWS Ventura Field Office).

Least Bell's vireo (*Vireo bellii pusillus*)

Within the riparian habitat of Carlisle Creek, the potential exists for the occurrence of least Bell's vireo. According to the proposed rule by which

this species was listed federally endangered (Federal Register Vol. 50, No. 86, p. 18968 May 3, 1985), "[least Bell's vireo] only inhabits dense, willow-dominated riparian habitats with lush under-story vegetation." To determine if protocols surveys are required, a habitat assessment was performed (Mr. Jim Greaves, November 1999).

Results indicate that low to moderate habitat exists on the project site. Therefore, as a Mitigation Measure, protocol surveys shall be conducted from early May through June.

Qionio Checkerspot (*Euphydryas editha quino*)

The quino Checkerspot butterfly (*Euphydryas editha quino*) was listed as a federally endangered species on January 16, 1997 (62 FR 23132). According to the USFWS (January 20, 1999), its distribution: "is restricted to open grassland and sunny openings within shrubland habitats of the interior foothills of southwestern California"...primarily where its larval host plant, *Plantago erecta* (dwarf plantain) is found.

USFWS (January 25, 1999) shows the project site is located within the "Potential Habitat Area" but not within the "Adult Focused Survey Area." If land falls within the Potential Habitat Area and outside of the Adult Focused Survey Areas, a habitat suitability for quino is required. Furthermore, "if suitable habitat components are present and when an ocular estimated average of one or more *Plantago erecta* plant(s) within any 100 square meter area), adult surveys are warranted."

According to botanical surveys, Plantago erecta exists on the property. For this reason, if the site remains within the mapped Adult Focused Survey Area. Therefore, protocol surveys will be conducted at the appropriate time of year.

California red-legged frog (*Rana aurora draytonii*)

Once the most abundant ranid frog throughout most of lowland California, subspecies *draytonii* has been extirpated from most of its former range. Adult red-legged frogs are highly nocturnal and quite wary (Storer, 1925; Hunt, pers. obs). Preliminary field surveys, using US Fish and Wildlife protocol methods for the California red-legged frog were undertaken on the project site from the bed and banks of lower Carlisle Creek from its confluence with the lake upstream to Carlisle Road. This species was not found during these limited field surveys, despite the presence of suitable aquatic and upland habitat within and adjacent to Carlisle Creek and the southern inlet of Lake Sherwood. Larval and adult bullfrogs were found during daytime and night-time field surveys throughout the lower, inundated reaches of Carlisle Creek and the south inlet of Lake Sherwood.

Therefore, as a Mitigation Measure to further document presence/absence, protocol surveys will be conducted at the appropriate time of year.

Southwestern pond turtle (*Clemmys marmorata pallida*)

Typical pond turtle habitat includes slow-moving or stagnant aquatic habitat that forms pools at least three feet deep and 6 feet in diameter, with bank cover such as vegetation, tree roots, or rip-rap boulders (Rathbun et al, 1991). This species is recorded throughout the Malibu Creek watershed, including Lake Sherwood (De Lisle, 1986; Holland, 1991; CNDD, 1999; UCSB-Museum of Systematics and Ecology specimen).

Therefore, as a Mitigation Measure, further surveys will be conducted to more fully document presence/absence on the project site.

American peregrine falcon (Falco peregrinus anatum)

While the rock outcrops and diversity of waterfowl species found in the Lake Sherwood area provide good to excellent roosting and foraging habitat, No American peregrine falcon were observed. Peregrine falcons are listed by the State Department of Fish and Game as endangered (CDFG, 1997). This falcon occurs along coastlines, in mountainous areas, and in riparian habitats throughout the western United States and Canada. The widespread decline in peregrine falcons was attributed to a combination of factors, including reproductive failure due to pesticide (DDT and DDE) contamination and habitat destruction. With success of the recovery program, the USFWS has proposed delisting the peregrine falcon (Mesta, et. al. 1995; USFWS, 1998c). However, it will remain a State-listed endangered species.

Coast horned lizard (Phrynosoma coronatum)

The Coast horned lizard is likely present in open scrub/grassland habitats with loose, friable soils throughout the project site. Historically, Coast horned lizard occurred throughout much of the Central and Sacramento Valleys however, habitat conversion has extirpated most of these populations (Jennings and Hayes, 1994). Horned lizards are active above-ground between April and October, with activity concentrated in April to June. In the project region, coast horned lizards are found in the interior of the Santa Monica Mountains, away from persistent convection fogs that blanket the coastlines of Ventura County (Hunt, pers. obs.). This species was observed in scrub habitats in Triunfo Canyon Creek (UCSB Museum of Systematics and Ecology specimen), and Encinal Canyon (Hunt, pers. obs.).

State Species of Special Concern- Raptors of grassland and scrub Habitats:

Roosting and nesting habitat typically includes riparian woodlands and stands of mature eucalyptus. Each of these species has been observed in the project region, foraging in grassland, open scrub, and shoreline habitats in the project region. Species such as the golden eagle, prairie falcon, and merlin, forage in these habitats from cliff roost sites on rock exposures along the ridgelines.

- northern harrier (*Circus cyaneus*)
- white-tailed kite (*Elanus leucurus*)
- golden eagle (*Aquila chrysaetos*)
- bald eagle (*Haliaeetus leucocephalus*)
- osprey (*Pandion haliaetus*)
- prairie falcon (*Falco mexicanus*)
- merlin (*Falco columbarius*)

State Species of Special Concern -Riparian and marsh-nesting bird species:

The following birds are obligate or facultative riparian species whose foraging, and in some cases, nesting habitat closely linked to riparian woodland, wetlands (such as lakes and ponds), riparian scrub, and adjacent upland habitats.

- Cooper's hawk (*Accipiter cooperi*),
- sharp-shinned hawk (*A. striatus*),
- Vaux's swift (*Chaetura vauxi*),
- black swift (*Cypseloides niger*),
- purple martin (*Progne subis*),
- yellow warbler (*Dendroica petechia*),

- yellow-breasted chat (*Icteria virens*),
- tricolored blackbird (*Agelaius tricolor*) and,
- warbling vireo (*Vireo gilvus*).

Each of these species has experienced significant regional and local declines as riparian habitat are removed or modified, and all are considered State Species of Special Concern. They formerly bred or are currently known to breed in the project region, including the project area. These species still occur in the region as either migratory transients or fall and winter visitors (sharp-shinned hawk, and purple martin), migratory breeders (yellow warbler, and yellow-breasted chat), or residents (Cooper's hawk) (Lehman, 1994).

Oak Trees/Oak Woodland

The Final EIR stated the loss of oak trees and woodland would be a significant impact of the project. Under the approved subdivision (P.U. 4-TT 4192), of the 1,000+ oak trees in Carlisle Inlet approximately 250, oak trees were anticipated to be removed/relocated. The proposed project substantially reduces the potential maximum number of removals to under 100 oak trees. In addition, the proposed project maintains the integrity of the eastern oak woodland habitat by shifting the development envelope. These design improvements substantially reduce direct impacts. However, there would continue to be an overall degradation of the biological functions and values of the oak trees with the loss of connecting natural areas and the reduction of natural stands. Indirect impacts to oak woodlands and oak trees could result from high volumes of irrigation water, which causes root rot, loss of areas for reproduction, and limiting wildlife diversity in the proximity of development. To minimize these potential impacts, the applicant will retain control of the oak woodland habitat through easements.

The Final EIR anticipated significant impacts to sensitive wildlife, and wildlife in general through the alteration and removal of vegetation, construction activities, mortality, loss of home range territory, overcrowding in adjacent areas, and intrusion of residential development. In addition, the Final EIR found indirect impacts from proximity of human disturbances to raptors, swallows, and bats would result in significant decreases to local populations. The proposed project reduces impacts to sensitive wildlife through increased preservation of habitats used by these species. However, development would still result in the same type of impacts described in the Final EIR, and thus remain significant.

MITIGATION MEASURES

Project Design Measures: These mitigation measures have been incorporated into the Project Description and are repeated herein to clarify limitations instituted by the applicant.

- Substantial reduction in impacts to wetlands and riparian habitat over the approved and preferred project. Specially, from 9.65 acres with the preferred plan to 2.0 acres (an 80% reduction) under the Corps, and from 13.95 acres to 3.2 acres of impacts under CDFG (a 77% reduction). From the approved plan, 4.86 acres to 2.0 acres of impacts under the Corps, a 59% reduction; and from 7.92 acres to 3.2 acres of CDFG jurisdiction (a 60% reduction).
- Preservation of the majority of marsh habitat (Marsh 1) and several oak trees in the northern portion of the site through avoidance by creating of an "island" consisting of the northern marsh surrounded by new and existing lake.

- Avoidance of marsh habitat (Marsh 2) in the southeast area of the project site.
- Replacement of the removed 0.03 acres of marsh habitat on a 2:1 basis through the salvage of vegetation for use in created marsh areas.
- Replacement on a 1:1 basis the loss of deepwater aquatic habitat.
- Avoidance of wetland habitat by relocating four lots in the lower reaches of Carlisle Creek.
- Relocation of lots in the southeast to avoid a tributary stream to Carlisle Creek.
- Use of a bridge at B Street over Carlisle Creek instead of culverts to minimize wetland impacts from the stream crossing.
- Establishment of new wetland and riparian habitat removed or impacted on 2:1 basis (as compared to 1:1 as previously required by the Final EIR).
- Implementation of 30-foot setbacks from residential improvements to jurisdictional riparian habitat (Lots 46, 47, and 48).
- Placement of all preserved wetlands and riparian habitat under maintenance/conservation easements.
- Utilization of biofiltration methods (as typified by Best Management Practices) to reduce potential water quality impacts to wetlands from urban runoff.
- Preservation of oak woodland habitat on the eastern edge of the site by relocating one lot and reconfiguring additional lots to enlarge the protected oak woodland area.
- A written, legally binding agreement to be reached between the applicant and the CDFG regarding maintenance/conservation easements covering sensitive resources located on deed-restricted portions of private lots and the common areas of the housing and golf course development.
- For Lots 62 through 67, 72 and 73, which contain oak woodlands, the applicant shall ensure that grading and construction are confined to the least sensitive areas. The remaining area of the parcel shall be under a maintenance/conservation easement administered by the applicant and/or successors.
- For Lots 46, 47, 62 through 67, 72 and 73, that contain sensitive resources (oak woodlands, wetlands, riparian habitat), none or minimal disturbance shall be allowed according to conditions of the Section 404/1603/401 permits, oak tree permits, and the maintenance/conservation easement agreements. These sensitive resources, to be placed under the protection of maintenance/conservation easements shall be managed and maintained by the golf course. Best design and construction practices shall be used in the siting of homes on these lots to ensure the integrity of these resources.
- Relocation of selected healthy oak trees to the northeastern portion of the site north of Lot 86, adjacent to the lake, to establish functioning oak woodland habitat. In addition, each oak tree shall be identified prior to removal. Notification shall be submitted to the CDFG during the oak tree transplantation process. In addition, the applicant will provide emergent wetland vegetation along the lake's perimeter to enhance the overall habitat value of the oak restoration site located north of Lot 86.

- Increase in the width of the EIR-mandated wildlife corridor located in the east-central portion of the site from 350 feet to an average of 580 feet. This measure preserves ecologically functioning oak woodland and provides additional buffering for wildlife to move through the site.
- Complete avoidance of Lyon's pentachaeta, including the use of vertical and horizontal buffers between residential development and locations supporting Lyon's pentachaeta. During grading and construction, the applicant shall install protective fencing, and provide monitoring by a qualified biologist during grading. No direct "take" is anticipated, therefore, an Incidental Take Permit should not be required. After grading and construction, permanent split-rail fences shall be installed along the perimeter roads to prevent further access and damage to the locations. An annual monitoring of the status and condition of the populations will be conducted, and reports submitted to the Lead Agency and to the Department of Fish and Game. The annual monitoring report may include reasonable remediation actions, if required.
- Addition of underpasses for small mammals along the project's roadway system.
- Removal on an annual basis the yellow-star thistle by removing the seed heads prior to setting seed and applying an appropriate herbicide for the habitat type in which the plant is located.

Final EIR Measures: These measures, required in the Final EIR remain applicable to the current project.

- Sustain 50 percent cover of emergent vegetation on the lake perimeter. Optimum width of the emergent vegetation is 5 to 20 feet. Such vegetation will only be trimmed for sedimentation removal or to remove nuisance problems. Maintenance to provide open water within the pond would be permitted, however vegetation removal would not be undertaken during the birdnesting season from March 15 to September 15.
- Create new stream channels using bioengineering techniques and planting with low-growing riparian vegetation (i.e. rushes, sedges, native grasses) to achieve a 2:1 replacement ratio.
- Construct flood control structures with bottoms composed of native vegetation, rock, sand, and/or soil on the surface. Use bioengineering techniques for stabilization.
- Dredging of the siltation basin shall occur only during the non-breeding season for birds.
- A specific oak tree preservation and mitigation program shall be instituted, modeled after the program adopted for the Oak Park Area Plan in Ventura County.
- Manage the golf course/open areas for wildlife with the following recommendations:
 - * Use of pesticides and herbicides within 20 feet of creek and pond banks should be prohibited.
 - * Non-controlled fertilizer applications should be limited to greens and tees.
 - * Fairways should be limited to an application rate of 200 pounds of actual nitrogen/acre per year including that nitrogen delivered from the reclaimed wastewater used for irrigation.

- * No fertilizers should be used on the fairways to prevent excessive phosphate input to Lake Sherwood.
- * Maintain wildlife corridors as shown on the project plan.
- Vegetate fuel modification zones with fire-retardant native plants, and irrigate until vegetation is well established, except where such as practice would adversely impact the survival of Lyon's pentachaeta.
- Preserve and maintain healthy, aesthetically attractive oak trees within the Development Plan area.
- Enhance preserved habitat through removal of exotic species and planting of native plant species.
- Blasting should be limited to July through January to avoid affecting breeding raptors. A field survey by a qualified biologist should be done prior to blasting of any rocky outcrops and mitigation measures recommended by the survey should be implemented. Blasting could be permitted during January-July if a wildlife survey indicates that no raptors are nesting within 3/4 mile of the blasting site.
- Revegetation of all buried pipeline and transmission line corridors through areas to be left natural should be undertaken as follows:
 - * During pre-construction clearing of right-of-way, all vegetation and the top 6 to 12 inches of soil should be windrowed and later spread back over the construction site after burial of facilities.
 - * Post-construction grading should return the terrain to its pre-construction contours as much as practicable.
 - * Areas requiring compaction should have the top 6 to 12 inches scarified prior to any revegetation efforts.
 - * Those areas susceptible to erosion should be stabilized by the use of jute mats or other erosion-control devices.
 - * A hydromulch mix of native seeds should be sprayed within the construction corridor after project construction.
- All night-lighting within the proposed development should be shielded and directed to the ground. Transient light from lighting should not exceed 1 foot-candle at 100 feet from a lightpole, except for the tennis court area (if constructed for this project).
- Residential estate lots should not be fenced except for the perimeter of each private home within 200 feet of the main residence on each lot including swimming pools. Perimeter fencing used for the common areas should have an opening of not less than 6 inches between the ground and bottom of the fence and be of split-rail type. Top of fence should not exceed 4.5 feet in height above the ground.

Mitigated Negative Declaration -1992 Measures:

- Prior to issuance of a grading permit, a plan shall be prepared showing how and when the specified rare plant mitigation are to be accomplished. This plan shall be submitted to the Planning Division and shall be subject to approval by the Planning Director.
- A minimum average fifty (50) foot buffer shall be provided in addition to the identified Pentachaeta areas. These areas shall be maintained in the natural xeric landscape. If feasible, large landscape units shall be protected, and shall

encompass several of the individual locations of Lyon's pentachaeta. Area-to-perimeter ratios for these units shall be maximized.

- Prior to grading, all individual rare plant locations, including those within the fifty (50) feet of proposed grading, or which could otherwise be affected incidentally by grading activity, shall be provided with on-the-ground protection by fencing and signage.
- Prior to recordation of TT 4192, the applicant and/or any successors shall record a conservation easement or deed restriction upon the large landscape units, as described above. The specific purpose of the said restriction and /easement shall be for the protection and enhancement of Lyon's pentachaeta and its habitat, and any other non-compatible use shall be expressly forbidden.

Additional Mitigation Measures for Proposed Project:

California Department of Fish & Game

- Prior to grading in areas identified with Lyon's pentachaeta and its habitat, the "seed-bank" shall be: a) tested by a qualified Biologist to determine its extent into proposed grading areas; and b) removed and relocated (if applicable) to an appropriate area. These activities shall be coordinated with the C.D.F&G.
- A **Weed Management Program** shall be prepared by a qualified Biologist and submitted for review and approval by the Planning Director. The program shall address Lyon's pentachaeta and its surrounding habitat to allow expansion. This would involve removing exotic weeds and shrubs that out-compete the Lyon's pentachaeta. Review shall be coordinated with the C.D.F&G.
- Prior to recordation of TT-4192, a **Fuel Modification Plan** shall be prepared by a qualified Biologist and submitted for review and approval by the Planning Director. The plan shall address restricted areas supporting oak woodlands and riparian areas within lots and the golf course. The subject plan shall be coordinated with the County Fire Department in order to ensure that proposed maintenance activities will meet their requirements. The **Fuel Modification Plan** shall detail how key components of these habitats will be conserved, including dead and downed trees, native under-story vegetation and provide for the natural recruitment of young oaks and sycamores. Review shall be coordinated with the C.D.F&G.

County Biological Consultant

- No vertical curbs and gutters shall be constructed between Lots 41 and 43, 45 and 46, 66 and 67; rather rolled swales that do not create a barrier to wildlife movement are to be used. Rolled gutters in these locations shall not exceed an angle greater than 35 degrees above horizontal at any cross-section point (lower angle and wider is better than steep). However, the use of native rock within swales is permitted provided that adequate spacing is present between rocks for the movement of animals of concern.
- An **Oak Tree Monitoring Plan** shall be prepared by a State-licensed Landscape Architect and submitted for review and approval by the Planning Director. The subject plan shall address on-site oak tree plantings and relocations for a period of five (5) years after completion of golf course site development and landscaping of associated residential lots. At the end of five years, all applicable oak trees shall be checked for health conditions compared to before project implementation. If any trees are observed to be declining in health, an additional three (3) of monitoring shall be required.

In addition, the plan shall provide specific recommendations for preservation of declining oak trees. Oak trees that die in the residual natural areas between the fairways shall be replaced in accordance with the Tree Protection Requirements of the County Zoning Ordinance. The dead trees shall be left standing to provide cavity nesting areas for birds and roosts for raptors unless they present a safety hazard or a disease to other oaks.

- Proposed fairway roughs shall be re-vegetated with native perennial bunch grasses at a mix of 2:1 to non-native species. These roughs shall be maintained as native perennial grasslands unless after three (3) years of effort, findings are made that such re-vegetation would be unsuccessful.
- An **Integrated Pest Management Plan** shall be prepared by a qualified professional and submitted to the Planning Director for review and approval. The subject plan shall be in accordance with the current practices advised by the Statewide Integrated Pest Management Project, University of California, Division of Agriculture and Natural Resources.
- Prior to recordation of TT-4192, a **Fuel Modification Zone Maintenance Program** shall be prepared by a State-licensed Landscape Architect and submitted for review and approval by the Planning Director. The plan shall require that: a) slope re-vegetation and fire clearance zones be planted with native species; b) limit fire hazard fuel modification to hand-thinning of individual shrubs, clearing of deadwood and litter; and c) replanting with fire-resistant native shrubs or other methods to attain fire safety while producing a biologically viable community.
- Construction workers shall be notified through pre-construction meetings that a variety of sensitive wildlife are present on the site and that they shall not willfully harm any species, especially snakes and reptiles. During the construction meeting, the proper method of moving snakes from construction zones shall be illustrated.
- Prior to grading activities within the Carlisle Inlet or its upstream creek, a **Pre-Construction Clearance Survey** shall be conducted for the *southwestern pond turtle*. The survey shall be performed by a qualified Biologist, and a report shall be submitted for review and approval by the Planning Director. If pond turtles are located, then Site Plans shall be modified to provide continued access by the turtles to suitable terrestrial breeding areas from their aquatic foraging sites. Such access ways shall not be obstructed by fairways or golf cart paths.
- Prior to recordation of TT-4192, a **Capture and Relocation Plan** shall be developed for the *San Diego horned lizard* by a qualified Biologist and submitted for review and approval by the Planning Director. The subject plan shall include such techniques as scouring of the grassland and scrub areas to be developed and/or the use of drift fences and drop pits to capture the horned lizards and relocation of such individuals to the grassland areas to be maintained within the "open space" portions of the site.
- Prior to use inauguration of the golf course, *swallow* boxes shall be located within the natural areas between fairways as part of the **Integrated Pest Management Plan**.
- Prior to grading activities, a **Pre-Construction Clearance Survey** shall be conducted for the *least Bell's vireo*. The survey shall be performed by a qualified Biologist, and a report shall be submitted for review and approval by the Planning Director. If vireos are discovered to be nesting within areas to be disturbed, then **no vegetation** shall be removed between April 1st and September 1st. If nesting habitat is to be removed, the habitat shall be restored within the site along Carlisle

Creek at a minimum of 2:1 ratio. If the vireos are nesting in areas proposed to be retained as natural "open space", then **no construction** activity shall occur within 150 feet of the nest sites between April 1st and September 1st.

- Prior to recordation of TT-4192, a **Protocol Survey** for the *red-legged frog* shall be conducted by a qualified Biologist and the report submitted for review and approval by the Planning Director. If the *red-legged frog* is found to be present, then the applicant shall provide to the County of Ventura proof of an "incidental take" permit prior to the initiation of grading activities. The subject permit can be obtained either through the Endangered Species Act Section 7 consultation process via the Army Corps of Engineers and/or through the Endangered Species Act Section 10(a)(1)(B) provisions.

Water Quality Mitigation:

The project shall implement Best Management Practices for controlling sedimentation and erosion during and after construction. In addition, implement the following mitigation measures from the Final EIR:

- Flood protection of all building and facilities upstream and downstream of Lake Sherwood shall be achieved through a combination of approaches. These include the following:
 - * proper design and construction of roads;
 - * use of culverts and bank protection devices such as natural rock;
 - * adequate setback of facilities from the 100-year flood plain limits; and,
 - * limited encroachment of protected fills into the 100-year flood plain using appropriate flood plain management techniques.
- Design the de-silting basin to include calculations demonstrating that there will be none or minimal increase in the average annual siltation loading on Lake Sherwood proper.
- Maintain the natural flow in Carlisle Creek to its conjunction with the lake. Prevent co-mingling of potable flows that are recycled between constructed ponds and wetlands on the golf course and the existing natural water bodies, including Carlisle creek, except during periods of high storm flow.

The above referenced mitigation measures or substantially similar measures must be adopted as a **Mitigation Monitoring Program**, in conjunction with adoption of Conditions of Approval in order to reduce identified potential environmental impacts to an acceptable level.

7. Agricultural Resources:

a. Soils, b. Water, c. Air Quality/Micro-Climate, d. Pests/Diseases, and e. Land Use Incompatibility:

The Lake Sherwood area is not suitable for agricultural production and is not contiguous to any agricultural uses. Therefore, there are no effects on these resources.

8. Visual Resources:

a. Scenic Highway:

The subject area is not adjacent to a scenic highway; therefore, there will be no impacts on such highways.

b. Scenic Area/Feature:

Because the existing residences within the Plompton and Thistleberry Tracts are located below Hereford Ridge, which will be deed restricted as "Open Space", there will not be a visual impact to these existing residences. However, approximately eight homes located on the eastside of the mouth of Carlisle Inlet will be visible from residences presently on the north shore of Lake Sherwood. The EIR for the Lake Sherwood/Hidden Valley Area Plan discussed this issue in detail and recommended mitigating measures to reduce the visual impact of future construction (see EIR, pp. V-175 through V-178). The EIR concluded that there would be some visual effects which cannot be mitigated.

With regard to the Hereford Ridge issue, the applicant has agreed to limit all construction on Lots 5 through 13 to a maximum height limit of 26 feet. A berm would be created to screen the development, lessen the impact of lowering the ridge, and provide for wildlife passage. The homes on these lots are to be setback 20 feet south of the berm. All development in this area is subject to the following Area Plan Policies, which are intended to minimize the effects on Hereford Ridge as well as other areas of the project: 1) Fencing shall be constructed to allow passage of wildlife (see Sec. 2.1.2.19). 2) Cut slopes and graded areas to be landscaped and maintained by the developer until the Homeowners Association or CSD or other agency takes responsibility (see Sec. 2.5.2.7; note that this policy applies to the entire Lake Sherwood development). 3) The access road for Hereford Ridge lots has been sited to minimize alteration of the ridge to the extent feasible (see Section 2.5.2.14).

The original proposal for the Lake Sherwood development included the construction of a bridge across the northerly mouth of Carlisle Inlet. This was deemed to be unfeasible, and was not included in the approved Area Plan. However, the mouth of Carlisle Inlet had been altered to accommodate the bridge during lake bottom grading under an earlier emergency use authorization. The project description and the Tentative Tract Map for TT-4192 clearly indicate that the mouth of the Inlet is to be restored to its original configuration as required by the Area Plan (see Section 2.5.2.13). For reference, a bridge crossing is planned farther south of the inlet's mouth, which would not have the visual effects inherent in the original proposal.

The applicant's amended Project Description includes natural landscaping and berming to mitigate visual impacts from potential homes on large estate lots.

On July 14, 1987, when the Board of Supervisors adopted the Lake Sherwood/Hidden Valley Area Plan, it was recognized that the project would have environmental effects on land use, biological resources, air quality, fire protection and visual resources, that could not be completely mitigated. Therefore, the Board adopted a Statement of Overriding Considerations "...which outweigh and make acceptable the potentially unavoidable impacts...". The justification for this statement is:

- a. The proposed project would substantially improve protection of the health, safety and welfare of the residents of the Lake Sherwood area as follows:
 - i. The proposed project would diminish traffic safety hazards associated with the existing road system in the area.
 - ii. The proposed project would provide the opportunity to eliminate sanitation problems due to septic systems in the existing residential areas and the ensuing contamination of surface and groundwaters.

- iii. The proposed project would resolve the inadequate water supply system of the existing residential area ensuring a dependable supply of potable water and enhancing fire protection.
- b. The proposed project would ensure long term maintenance of Lake Sherwood, a scenic and biologic resource of the County.

9. Paleontological Resources:

The project area constitutes a portion of the Conejo Volcanics Formation which are known to not generally have fossil remains. Therefore, the project will have no impacts on paleontological resources.

10. Cultural Resources:

- a. Archaeological, b. Historical, c. Ethnic, Social or Religious:

The entire Lake Sherwood area has undergone extensive archeological research and testing, as required by the Lake Sherwood/Hidden Valley Area Plan, and as reflected in conditions of the Golf Course CUP-4375. The most recent report, Archaeological Test Investigation at Fifteen (15) Prehistoric Sites in Lake Sherwood, W & S Consultants, dated August 10, 1989, describes archaeological resources located on the TT-4192 site. Conditions for the first discretionary entitlement, CUP-4375, Lake Sherwood Golf Course and Country Club, required evaluation of these resources, scientific data recovery, and site protection as required pursuant to Policies 2.2.2.2. thru 8 of the Lake Sherwood/Hidden Valley Area Plan. All recommended studies have been completed and site protection is in effect where required. Therefore, the project would not have a significant effect on cultural resources.

11. Energy Resources:

This project, alone and cumulatively, will not have a significant impact on the renewable resources of solar, wind and hydraulic power. The Uniform Building Code regulates construction of structures with regard to energy efficiency.

Therefore, the energy necessary to maintain a residence would not be used in a wasteful manner. The individual and cumulative effect of this residential project will have less than a significant impact due to the conservation measures enforced by the Uniform Building Code.

12. Coastal Beaches and Sand Dunes:

This project is not within the Coastal Zone of the County's Local Coastal Program. Therefore, this project has no effect on the coastal beaches and sand dunes.

13. Seismic Hazards:

- a. Fault Rupture, b. Ground Shaking, c. Tsunami, d. Seiche, and e. Liquefaction:

Pursuant to the Preliminary Geotechnical Evaluation of Recent Silt Deposits, prepared by Gorian and Associates, dated April 9, 1985; the Seismicity Report, prepared by Lindvall, Richter and Associates, dated September 12, 1978; Geotechnical Investigation, prepared by Gorian and Associates, dated July 12, 1988; and the Addendum Geotechnical Report, prepared by Geolabs-Westlake Village, dated October 31, 1988, the

proposed project rockfall and debris flow are present at some current locations of the indicated building pads; movement of the impacted building pads and installation of protective devices should mitigate the potential hazards from rockfall and debris flow; and concludes that no evidence of any on-site faults was encountered.

As such, the potential for ground rupture is considered to be very low, but ground shaking is likely to occur on the site due to earthquakes caused by movement along nearby faults.

Therefore, any mitigation beyond the recommendations of the aforementioned reports, and subsequent reports, will not be necessary.

14. Geologic Hazards:

a. Subsidence, b. Expansive Soils, c. Landslides/Mudslides :

Site preparation by clean up, compacting loose surface soils and grading will very likely eliminate the loose surface condition. The changes in topography or ground surface relief features are synonymous with site development. Grading will be accomplished in accordance with the Ventura County Building Code, Chapter 70 of the Uniform Building Code. Therefore, mitigation will not be required.

15. Hydraulic Hazards:

a. Erosion/Siltation, b. Flooding:

Pursuant to the project description, the proposed development is traversed by Carlisle Creek. As part of this project description, the developer is proposing to install a de-silting basin, and slope protection in those areas requiring such protection. Therefore, no mitigation is required.

16. Aviation Hazards:

The project, alone and cumulatively, will have no significant impact on air traffic safety.

17. Fire Hazards:

The nearest County Fire Station (#33) is located at the northeast corner of Lake Sherwood Drive and Stafford Road and is approximately within three quarters of a mile of the proposed project. According to the Fire Department, response time would be adequate. The entire Lake Sherwood area is considered to be in a high fire hazard area. This project, alone and cumulatively, would increase the number of residential structures in the area exposed to potential wildfires and would place additional demands on Ventura County Fire Protection District equipment and personnel. The development will be subject to Fire and Building Code requirements and related policies of the Lake Sherwood/Hidden Valley Area Plan, which will reduce these effects to less than significant levels.

18. Hazardous Materials/Wastes:

a. Above-Ground Hazardous Materials, b. Hazardous Materials, and c. Hazardous Waste:

The project, alone and cumulatively, will not generate any hazardous materials or wastes. Nor will it involve the use of any underground hazardous materials storage tanks.

19. Noise and Vibration:

The construction of homes and grading for building pads and roads could result in an increase in noise and vibration during these activities. However, this increase would be temporary during construction. Once the homes are complete and occupied, no significant noise and vibration effects would occur.

Based on earlier experience from golf course grading, and the construction of an access road for the Zone II reservoir, residents of existing homes adjacent to the TT-4192/CUP-4631 site have expressed concerns over blasting associated with grading activities. Particular concerns included potential damage to existing structures, frightened pets, general inconvenience and disruption. To alleviate these concerns, the following proposed conditions will be required, pursuant to Section 7-10 Public Convenience and Safety, Standard Land Development Specifications:

- a. In conjunction with any blasting activities associated with TT-4192 and CUP-4631, the developer shall submit evidence to the Public Works Agency, that a Blasting Permit has been acquired from the proper authority; and that a Licensed Geophysicist has been retained.

The Licensed Geophysicist shall:

- i) Develop a plan addressing the monitoring of the blasting before and after the event. The plan shall address, but not be limited to, the location of charges; required intensity of blast, and shall define limits necessary to avoid damage to existing structures;
 - ii) Develop specific specifications and monitoring for blasting within 1,500 feet of the Lake Sherwood Dam;
 - iii) Offer to inspect all structures within 1,000 feet of the blasting, before and after occurrence;
 - iv) Report on the intensities of the blast measured at locations within and around the 1,000 foot radius; and
 - v) Submit the monitoring plans, specifications, and reports to the Public Works Agency for review and approval prior to issuance of any blasting permits.
- b. In conjunction with any blasting activities, the developer shall conform to the following restrictions:
 - i) All blasting shall be done between the hours of 9:00 a.m. and 3:00 p.m., Monday through Friday only. There shall be no blasting on holidays;
 - ii) Prior to the blasting, the developer shall notify all residents of the Lake Sherwood area; and
 - iii) For blasting in the Potrero Road area within 1,500 feet of Foxfield Riding Academy, the Academy shall be notified five (5) days before blasting; and one (1) hour before each day's blast to ensure the safety of the horses and riders.

- c. The developer shall prepare a brochure describing blasting procedures with instructions for obtaining compensation in the event of damage resulting from blasting. This brochure shall be subject to approval by the Planning Director and shall be ready for distribution prior to approval of any blasting permit for this project. The brochure shall be distributed to all affected parties five days prior to any blasting event.

20. Glare:

The project, alone and cumulatively, would increase the amount of light and glare. This increase could have an impact because the project is in an area with a considerable amount of wildlife.

Pursuant to Policy 2.1.2.12 of the Lake Sherwood/Hidden Valley Area Plan, all night-lighting within the proposed development shall be shielded and directed to the ground. Transient light from lighting should not exceed one (1) foot-candle at 100 feet from the lightpole. In order to effect this policy, the applicant has obtained a deviation to County Road Standards, which was approved by the Board of Supervisors.

Implementation of this policy would reduce the impact to a less than significant level.

21. Public Health:

No impacts to public health were identified during the review of the proposed project.

PUBLIC FACILITIES/SERVICES:

22. Transportation/Circulation:

- a. Public Road & Highways: (1) Level of Service, (2) Safety/Design:

To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County Traffic Impact Mitigation Fee Ordinance 4071 (Fee) and the General Plan Amendment 94-3 require that the Transportation Department of the Public Works Agency collect a Traffic Impact Mitigation Fee from development. This development is subject to this Ordinance. With payment of the Traffic Impact Mitigation Fee(s), the Level of Service and safety of the existing roads would remain consistent with the County's General Plan. Therefore, adverse impacts relating to level of service and safety/design will be less than significant.

- (3) Tactical Access:

Stafford Road is a private road adequate for a safe tactical response.

- b. Private Roads and Driveways:

- (1) Safety/Design; (2) Tactical Access:

The private access roads as proposed meet the Private Road Guidelines for safety and tactical access will be adequate.

- c. Pedestrian/Bicycle:

(1) Public Facilities; (2) Private Facilities:

The existing public roads in the vicinity of the proposed project have provided adequate facilities pursuant to the County's Road Standards and the State Department of Transportation (Caltrans). The proposed private roads on-site have adequate provisions for pedestrian and bicycle facilities and will be improved in accordance with County Road Standards. Therefore, the adverse impact relative to pedestrian/bicycle facilities will be less than significant.

d. Parking:

The County's Zoning Ordinance regulates the number, location, and size of off-street parking. This project will not warrant any additional off-street parking. Therefore, the project will have no effect relative to parking requirements.

e. Bus Transit, f. Railroads, g. Airports, h. Harbors:

This project is not by a public transportation system or near any harbor facility due to the "open Space" nature of the area. Therefore, the project will have no effect on these facilities.

i. Pipelines:

No pipeline facilities exist within the Lake Sherwood/Hidden Valley area. Therefore, the project, alone and cumulatively, will not have a significant effect on pipeline facilities.

23. Water Supply:

a. Quality, b. Quantity:

The Environmental Health Division has determined that domestic water is available from the Lake Sherwood Community Services District, a public water purveyor, permitted and regulated by the State Department of Health Services.

The quantity of water from a public water purveyor must be in compliance with the State regulations, enforced by the State Department of Health Services. Therefore the project will not adversely impact the quality and quantity of water supplied by the public water system.

c. Fire Flow:

The Fire Department has determined that the water system is adequate and the project will not have a significant effect on fire flow requirements with the following mitigation measure in place:

Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standards of the Ventura County Water Works Manual.

24. Waste Treatment/Disposal:

a. Individual Sewage Disposal System:

The project will not utilize on site sewage disposal systems (septic systems). Public sewer service is available from the Triunfo Sanitation District. Therefore, the project, alone and cumulatively, will not create any adverse effects resulting from on-site sewage disposal systems.

b. Sewage Collection/Treatment Facilities:

The Triunfo County Sanitation District (TCSD) provides sanitary sewer service and reclaimed water service. TCSD sends all its sewage flow to the Tapia Wastewater Reclamation Facility near Malibu in Los Angeles County. As stated in the Final EIR for the Lake Sherwood Area Plan, "the applicant will provide a sanitary sewer system to connect with the existing major trunk sewer line east of the project site. This sewer line has adequate capacity to serve the proposed project."

c. Solid Waste Management:

The solid waste facilities for the Lake Sherwood area are the Simi Valley Landfill and the Calabasas Landfill. This project, alone and cumulatively, is not expected to have a significant incremental effect on these existing facilities.

d. Solid Waste Facilities:

The proposed project does not include a solid waste facility. Therefore, the project will not create any adverse impacts relating to solid waste facilities.

25. Utilities:

a. Electric, b. Gas, and c. Communications:

The project is adjacent to areas, specifically the Thistleberry Tract and Tract 4191, that are served by existing electrical, natural gas and communication facilities which can be extended underground to this site. This project will not have significant effects on these facilities.

26. Flood Control/Drainage:

a. Flood Control District Facilities, and b. Other Facilities:

The impacts of the project on surface water quantity and quality are potentially significant. In addition, project development shall be undertaken in accordance with the requirements of the Ventura Countywide Storm-water Quality Management Program, National Pollutant Discharge Elimination System (NPDES Permit No. CAS063339).

Furthermore, storm-water runoff impacts of this development can be mitigated to less than significant by inclusion of the design of Best Management Practices; such as: a) bio-filtration methods, b) create new stream channels using bioengineering techniques, c) planting with low-growing riparian vegetation (i.e. rushes, sedges, and native grasses), d) construct flood control structures with bottoms composed of native vegetation, rock, sand, and/or soil on the surface, and e) a **Waste Management Handling Plan** for animal waste.

Consequently, the project development will come under the requirements of the **Section 404/1603/401** permits. Therefore, mitigation will not be required beyond the above provisions.

27. Law Enforcement/Emergency Systems:

a. Personnel/Equipment, b. Facilities:

The Sheriff's Department has determined that the project will have a less than significant effect on Items due to project design, roads, or location.

28. Fire Protection:

a. Distance/Response Time, b. Personnel/Equipment/Facilities:

Fire Station 33 is located on the northwest corner of Lake Sherwood Drive and Stafford Road, approximately two (2) miles from this project. Fire Station 32 on the Reino Road, Station 31, on Duesenberg Road, and Los Angeles County Station 144 on Lindero Canyon Road are within acceptable distance for additional resources. Therefore, the project will have a less than significant effect on fire protection services.

29. Education:

a. Schools:

The Conejo Valley Unified School District serves the Lake Sherwood/Hidden Valley area. This project, alone and cumulatively, would have an impact on the school district, however, the impact would be less than significant due to the standard requirement for subdivisions that developer fees be provided for relocation of portable classrooms to meet individual conditions of crowding, and to finance added personnel and equipment.

b. Libraries:

The Thousand Oaks Library and Oak Park Library serve the Lake Sherwood area. This project, alone and cumulatively, would have a less than significant impact on the services of these libraries.

30. Recreation:

a. Local Parks/Facilities, b. Regional Parks/Facilities, c. Regional Trails/Corridors:

This project lies within the Conejo Valley Recreation and Park District, which administers public parks for the City of Thousand Oaks and Lake Sherwood area. It has been determined that the project, alone and cumulatively, would have a less than significant effect on the need for recreation facilities due to the existing 18 hole private golf course, tennis courts, boat club and marina, and Maid Marion Park (a local, private park); all located in the adjacent area.

Also, the County's Subdivision Ordinance states that partial credit up to a maximum of 50 percent of useable private open space may be credited against the requirement for land dedication or payment of in-lieu fees. This project proposes two "open space" areas as follows: a) Lot 72 of Tract 4192, which encompasses 60.33 acres, will be dedicated IN FEE to the Conejo Open Space Conservation Agency (COASCA); and b) an area totaling approximately 114 acres, will be *Deed Restricted* as "private" open space.

Finally, pursuant to Policy 4.6.2.3 of the Lake Sherwood/Hidden Valley Area Plan, an "equestrian trail" easement, as identified on the tentative map will be dedicated to either: COASCA, the Santa Monica Mountains National Recreation Area, or other public or on-profit organization. The route of the subject easement shall link to the Regional Trail System.

ATTACHMENT "1"

COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY
800 S. VICTORIA AVENUE
VENTURA, CA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO: General Plan Amendment No. GPA-9803 consisting of the following entitlements: Zone Change No. 2928; Modification No. 4 to TT-4192; Modification No. 4 to TT-4409; Modification No. 5 to CUP-4375; Modification No. 1 to CUP-4631; and Modification No. 1 to Residential Planned Development Permit No. RPD-1690

I, FRANS BIGELOW, representing the applicant, SHERWOOD DEVELOPMENT COMPANY, hereby agree to implement the mitigation measures described below that have been developed in conjunction with the preparation of a Mitigated Negative Declaration for my proposed project. I understand that these mitigation measures, or substantially similar measures, must be adopted as part of a **Mitigation Monitoring Program** in conjunction with the adoption of the **Conditions of Approval** with this permit request in order to reduce identified potential environmental impacts to less than significant levels.

The potentially significant environmental effects and the proposed mitigation measures are as follows:

6. Biological Resources:

- a. Endangered, Threatened or Rare Species; b. Wetland Habitat; d. Migration Corridors; and e. Locally Important Species/Communities:

The revised **Project Description** represents considerable changes that reduce specific impacts to wetlands, riparian habitat, oak trees and oak woodlands, and Lyon's pentachaeta. However, given the scope of the proposed project, placed within a highly sensitive and diverse natural area, a finding of non-significance under CEQA guidelines **can not** be achieved. As anticipated in the Final EIR, the proposed project would result in significant, unavoidable impacts to plant communities, wildlife and wildlife habitat, and sensitive wildlife species. Therefore, in order to reduce the potentially adverse impacts to biological resources to a less than significant level, the permittee shall:

Comply with the **Mitigation Monitoring Program** adopted for this project. The subject Mitigation Monitoring Program shall consist of the following Mitigation Measures identified for this project:

Project Design Measures: These mitigation measures have been incorporated into the Project Description and are repeated herein to clarify limitations instituted by the applicant.

- Substantial reduction in impacts to wetlands and riparian habitat over the approved and preferred project. Specially, from 9.65 acres with the preferred plan to 2.0 acres (an 80% reduction) under the Corps, and from 13.95 acres to 3.2 acres of impacts under CDFG (a 77% reduction). From the approved plan, 4.86 acres to 2.0 acres of impacts under the Corps, a 59% reduction; and from 7.92 acres to 3.2 acres of CDFG jurisdiction (a 60% reduction).
- Preservation of the majority of marsh habitat (Marsh 1) and several oak trees in the northern portion of the site through avoidance by creating of an "island" consisting of the northern marsh surrounded by new and existing lake.

- Avoidance of marsh habitat (Marsh 2) in the southeast area of the project site.
- Replacement of the removed 0.03 acres of marsh habitat on a 2:1 basis through the salvage of vegetation for use in created marsh areas.
- Replacement on a 1:1 basis the loss of deepwater aquatic habitat.
- Avoidance of wetland habitat by relocating four lots in the lower reaches of Carlisle Creek.
- Relocation of lots in the southeast to avoid a tributary stream to Carlisle Creek.
- Use of a bridge at B Street over Carlisle Creek instead of culverts to minimize wetland impacts from the stream crossing.
- Establishment of new wetland and riparian habitat removed or impacted on 2:1 basis (as compared to 1:1 as previously required by the Final EIR).
- Implementation of 30-foot setbacks from residential improvements to jurisdictional riparian habitat (Lots 46, 47, and 48).
- Placement of all preserved wetlands and riparian habitat under maintenance/ conservation easements.
- Utilization of biofiltration methods (as typified by Best Management Practices) to reduce potential water quality impacts to wetlands from urban runoff.
- Preservation of oak woodland habitat on the eastern edge of the site by relocating one lot and reconfiguring additional lots to enlarge the protected oak woodland area.
- A written, legally binding agreement to be reached between the applicant and the CDFG regarding maintenance/conservation easements covering sensitive resources located on deed-restricted portions of private lots and the common areas of the housing and golf course development.
- For Lots 62 through 67, 72 and 73, which contain oak woodlands, the applicant shall ensure that grading and construction are confined to the least sensitive areas. The remaining area of the parcel shall be under a maintenance/conservation easement administered by the applicant and/or successors.
- For Lots 46, 47, 62 through 67, 72 and 73, that contain sensitive resources (oak woodlands, wetlands, riparian habitat), none or minimal disturbance to these resources shall be allowed according to conditions of the Section 404/1603/401 permits, oak tree permits, and the maintenance/conservation easement agreements. These sensitive resources, to be placed under the protection of maintenance/ conservation easements shall be managed and maintained by the golf course. Best design and construction practices shall be used in the siting of homes on these lots to ensure the integrity of these resources.
- Relocation of selected healthy oak trees to the northeastern portion of the site north of Lot 86, adjacent to the lake, to establish functioning oak woodland habitat. In addition, each oak tree shall be identified prior to removal. Notification shall be submitted to the CDFG during the oak tree transplantation process. In addition, the applicant will provide emergent wetland vegetation along the lake's perimeter to enhance the overall habitat value of the oak restoration site located north of Lot 86.

- Increase in the width of the EIR-mandated wildlife corridor located in the east-central portion of the site from 350 feet to an average of 580 feet. This measure preserves ecologically functioning oak woodland and provides additional buffering for wildlife to move through the site.
- Complete avoidance of Lyon's pentachaeta, including the use of vertical and horizontal buffers between residential development and locations supporting Lyon's pentachaeta. During grading and construction, the applicant shall install protective fencing, and provide monitoring by a qualified biologist during grading. No direct "take" is anticipated, therefore, an Incidental Take Permit should not be required. After grading and construction, permanent split-rail fences shall be installed along the perimeter roads to prevent further access and damage to the locations. An annual monitoring of the status and condition of the populations will be conducted, and reports submitted to the Lead Agency and to the Department of Fish and Game. The annual monitoring report may include reasonable remediation actions, if required.
- Addition of underpasses for small mammals along the project's roadway system.
- Removal on an annual basis the yellow-star thistle by removing the seed heads prior to setting seed and applying an appropriate herbicide for the habitat type in which the plant is located.

Final EIR Measures: These measures, required in the Final EIR remain applicable to the current project.

- Sustain 50 percent cover of emergent vegetation on the lake perimeter. Optimum width of the emergent vegetation is 5 to 20 feet. Such vegetation will only be trimmed for sedimentation removal or to remove nuisance problems. Maintenance to provide open water within the pond would be permitted, however vegetation removal would not be undertaken during the birdnesting season from March 15 to September 15.
- Create new stream channels using bioengineering techniques and planting with low-growing riparian vegetation (i.e. rushes, sedges, native grasses) to achieve a 2:1 replacement ratio.
- Construct flood control structures with bottoms composed of native vegetation, rock, sand, and/or soil on the surface. Use bioengineering techniques for stabilization.
- Dredging of the siltation basin shall occur only during the non-breeding season for birds.
- A specific oak tree preservation and mitigation program shall be instituted, modeled after the program adopted for the Oak Park Area Plan in Ventura County.
- Manage the golf course/open areas for wildlife with the following recommendations:
 - * Use of pesticides and herbicides within 20 feet of creek and pond banks should be prohibited.
 - * Non-controlled fertilizer applications should be limited to greens and tees.
 - * Fairways should be limited to an application rate of 200 pounds of actual nitrogen/acre per year including that nitrogen delivered from the reclaimed wastewater used for irrigation.

- * No fertilizers should be used on the fairways to prevent excessive phosphate input to Lake Sherwood.
- * Maintain wildlife corridors as shown on the project plan.
- Vegetate fuel modification zones with fire-retardant native plants, and irrigate until vegetation is well established, except where such as practice would adversely impact the survival of Lyon's pentachaeta.
- Preserve and maintain healthy, aesthetically attractive oak trees within the Development Plan area.
- Enhance preserved habitat through removal of exotic species and planting of native plant species.
- Blasting should be limited to July through January to avoid affecting breeding raptors. A field survey by a qualified biologist should be done prior to blasting of any rocky outcrops and mitigation measures recommended by the survey should be implemented. Blasting could be permitted during January-July if a wildlife survey indicates that no raptors are nesting within 3/4 mile of the blasting site.
- Revegetation of all buried pipeline and transmission line corridors through areas to be left natural should be undertaken as follows:
 - * During pre-construction clearing of right-of-way, all vegetation and the top 6 to 12 inches of soil should be windrowed and later spread back over the construction site after burial of facilities.
 - * Post-construction grading should return the terrain to its pre-construction contours as much as practicable.
 - * Areas requiring compaction should have the top 6 to 12 inches scarified prior to any revegetation efforts.
 - * Those areas susceptible to erosion should be stabilized by the use of jute mats or other erosion-control devices.
 - * A hydromulch mix of native seeds should be sprayed within the construction corridor after project construction.
- All night-lighting within the proposed development should be shielded and directed to the ground. Transient light from lighting should not exceed 1 foot-candle at 100 feet from a lightpole, except for the tennis court area (if constructed for this project).
- Residential estate lots should not be fenced except for the perimeter of each private home within 200 feet of the main residence on each lot including swimming pools. Perimeter fencing used for the common areas should have an opening of not less than 6 inches between the ground and bottom of the fence and be of split-rail type. Top of fence should not exceed 4.5 feet in height above the ground.

Mitigated Negative Declaration -1992 Measures:

- Prior to issuance of a grading permit, a plan shall be prepared showing how and when the specified rare plant mitigation are to be accomplished. This plan shall be submitted to the Planning Division and shall be subject to approval by the Planning Director.
- A minimum average fifty (50) foot buffer shall be provided in addition to the identified Pentachaeta areas. These areas shall be maintained in the natural xeric landscape. If feasible, large landscape units shall be protected, and shall encompass several of the individual locations of Lyon's pentachaeta. Area-to-perimeter ratios for these units shall be maximized.

- Prior to grading, all individual rare plant locations, including those within the fifty (50) feet of proposed grading, or which could otherwise be affected incidentally by grading activity, shall be provided with on-the-ground protection by fencing and signage.
- Prior to recordation of TT 4192, the applicant and/or any successors shall record a conservation easement or deed restriction upon the large landscape units, as described above. The specific purpose of the said restriction and /easement shall be for the protection and enhancement of Lyon's pentachaeta and its habitat, and any other non-compatible use shall be expressly forbidden.

Additional Mitigation Measures for Proposed Project:

California Department of Fish & Game

- Prior to grading in areas identified with Lyon's pentachaeta and its habitat, the "seed-bank" shall be: a) tested by a qualified Biologist to determine its extent into proposed grading areas; and b) removed and relocated (if applicable) to an appropriate area. These activities shall be coordinated with the C.D.F&G.
- A **Weed Management Program** shall be prepared by a qualified Biologist and submitted for review and approval by the Planning Director. The program shall address Lyon's pentachaeta and its surrounding habitat to allow expansion. This would involve removing exotic weeds and shrubs that out-compete the Lyon's pentachaeta. Review shall be coordinated with the C.D.F&G.
- Prior to recordation of TT-4192, a **Fuel Modification Plan** shall be prepared by a qualified Biologist and submitted for review and approval by the Planning Director. The plan shall address restricted areas supporting oak woodlands and riparian areas within lots and the golf course. The subject plan shall be coordinated with the County Fire Department in order to ensure that proposed maintenance activities will meet their requirements. The **Fuel Modification Plan** shall detail how key components of these habitats will be conserved, including dead and downed trees, native under-story vegetation and provide for the natural recruitment of young oaks and sycamores. Review shall be coordinated with the C.D.F&G.

County Biological Consultant

- No vertical curbs and gutters shall be constructed between Lots 41 and 43, 45 and 46, 66 and 67; rather rolled swales that do not create a barrier to wildlife movement are to be used. Rolled gutters in these locations shall not exceed an angle greater than 35 degrees above horizontal at any cross-section point (lower angle and wider is better than steep). However, the use of native rock within swales is permitted provided that adequate spacing is present between rocks for the movement of animals of concern.
- An **Oak Tree Monitoring Plan** shall be prepared by a State-licensed Landscape Architect and submitted for review and approval by the Planning Director. The subject plan shall address on-site oak tree plantings and relocations for a period of five (5) years after completion of golf course site development and landscaping of associated residential lots. At the end of five years, all applicable oak trees shall be checked for health conditions compared to before project implementation. If any trees are observed to be declining in health, an additional three (3) of monitoring shall be required.

In addition, the plan shall provide specific recommendations for preservation of declining oak trees. Oak trees that die in the residual natural areas between the

fairways shall be replaced in accordance with the Tree Protection Requirements of the County Zoning Ordinance. The dead trees shall be left standing to provide cavity nesting areas for birds and roosts for raptors unless they present a safety hazard or a disease to other oaks.

- Proposed fairway roughs shall be re-vegetated with native perennial bunch grasses at a mix of 2:1 to non-native species. These roughs shall be maintained as native perennial grasslands unless after three (3) years of effort, findings are made that such re-vegetation would be unsuccessful.
- An **Integrated Pest Management Plan** shall be prepared by a qualified professional and submitted to the Planning Director for review and approval. The subject plan shall be in accordance with the current practices advised by the Statewide Integrated Pest Management Project, University of California, Division of Agriculture and Natural Resources.
- Prior to recordation of TT-4192, a **Fuel Modification Zone Maintenance Program** shall be prepared by a State-licensed Landscape Architect and submitted for review and approval by the Planning Director. The plan shall require that: a) slope re-vegetation and fire clearance zones be planted with native species; b) limit fire hazard fuel modification to hand-thinning of individual shrubs, clearing of deadwood and litter; and c) replanting with fire-resistant native shrubs or other methods to attain fire safety while producing a biologically viable community.
- Construction workers shall be notified through pre-construction meetings that a variety of sensitive wildlife are present on the site and that they shall not willfully harm any species, especially snakes and reptiles. During the construction meeting, the proper method of moving snakes from construction zones shall be illustrated.
- Prior to grading activities within the Carlisle Inlet or its upstream creek, a **Pre-Construction Clearance Survey** shall be conducted for the *southwestern pond turtle*. The survey shall be performed by a qualified Biologist, and a report shall be submitted for review and approval by the Planning Director. If pond turtles are located, then Site Plans shall be modified to provide continued access by the turtles to suitable terrestrial breeding areas from their aquatic foraging sites. Such access ways shall not be obstructed by fairways or golf cart paths.
- Prior to recordation of TT-4192, a **Capture and Relocation Plan** shall be developed for the *San Diego horned lizard* by a qualified Biologist and submitted for review and approval by the Planning Director. The subject plan shall include such techniques as scouring of the grassland and scrub areas to be developed and/or the use of drift fences and drop pits to capture the horned lizards and relocation of such individuals to the grassland areas to be maintained within the "open space" portions of the site.
- Prior to use inauguration of the golf course, *swallow* boxes shall be located within the natural areas between fairways as part of the **Integrated Pest Management Plan**.
- Prior to grading activities, a **Pre-Construction Clearance Survey** shall be conducted for the *least Bell's vireo*. The survey shall be performed by a qualified Biologist, and a report shall be submitted for review and approval by the Planning Director. If vireos are discovered to be nesting within areas to be disturbed, then **no vegetation** shall be removed between April 1st and September 1st. If nesting habitat is to be removed, the habitat shall be restored within the site along Carlisle Creek at a minimum of 2:1 ratio. If the vireos are nesting in areas proposed to be retained as natural "open space", then **no construction** activity shall occur within 150 feet of the nest sites between April 1st and September 1st.

- Prior to recordation of TT-4192, a **Protocol Survey** for the *red-legged frog* shall be conducted by a qualified Biologist and the report submitted for review and approval by the Planning Director. If the *red-legged frog* is found to be present, then the applicant shall provide to the County of Ventura proof of an "incidental take" permit prior to the initiation of grading activities. The subject permit can be obtained either through the Endangered Species Act Section 7 consultation process via the Army Corps of Engineers and/or through the Endangered Species Act Section 10(a)(1)(B) provisions.


Water Quality Mitigation:

The project shall implement Best Management Practices for controlling sedimentation and erosion during and after construction. In addition, implement the following mitigation measures from the Final EIR:

- Flood protection of all building and facilities upstream and downstream of Lake Sherwood shall be achieved through a combination of approaches. These include the following;
 - * proper design and construction of roads;
 - * use of culverts and bank protection devices such as natural rock;
 - * adequate setback of facilities from the 100-year flood plain limits; and,
 - * limited encroachment of protected fills into the 100-year flood plain using appropriate flood plain management techniques.
- Design the de-silting basin to include calculations demonstrating that there will be none or minimal increase in the average annual siltation loading on Lake Sherwood proper.
- Maintain the natural flow in Carlisle Creek to its conjunction with the lake. Prevent co-mingling of potable flows that are recycled between constructed ponds and wetlands on the golf course and the existing natural water bodies, including Carlisle creek, except during periods of high storm flow.

The above referenced mitigation measures or substantially similar measures must be adopted as a **Mitigation Monitoring Program**, in conjunction with adoption of Conditions of Approval in order to reduce identified potential environmental impacts to an acceptable level.

Applicant's Signature


Frans Bigelow, Executive Vice President
SHERWOOD DEVELOPMENT COMPANY
320 West Stafford Road
Thousand Oaks, Lake Sherwood, CA 91361

Date:

4/26/2000

Exhibit 5 – CONDITIONS OF APPROVAL FOR PLANNED DEVELOPMENT (PD) PERMIT CASE NOS. PL14-0158, PL14-0159, and PL14-0160

Resource Management Agency Conditions

Planning Division

1. Project Descriptions

PD Permit Case Nos. PL14-0158, PL14-0159, and PL14-0160 are based on and limited to compliance with the project descriptions found in this condition below, all County land use hearing exhibits in support of the projects marked Exhibit 1 (Staff Report), Exhibit 3 (Site Plans), and Exhibit 4 (Environmental Document), dated June 29, 2015, and conditions of approval set forth below. Together, these documents describe the Projects. Any deviations from the Projects 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 PD Permits or further California Environmental Quality Act (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 PD Permit Case Nos. PL14-0158, PL14-0159, and PL14-0160 (as applicable).

The Project descriptions are as follows:

PL 14-0158: The Project that is the subject of PD Permit Case No. PL14-0158 includes the construction of a 4,960 square feet (sq. ft.) single-family, single-story dwelling with 670 sq. ft. of covered porches, and an attached 941 sq. ft. four-car garage. The structure will be approximately 25 feet and 11 inches in height with a minimum 15 feet side yard setback around the structure, and will be located along the bank of the Lake Sherwood Inlet. The property is located in the Scenic Resources Protection (SRP) Overlay Zone and is visible from Lake Sherwood.

The Project site is located on a lot that was created as part of the sixth phase of Tract Map TT-4192 ("TT-4192"). Development of the site shall be limited to a 20,138 sq. ft. (0.46 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4 to TT-4192. In addition, 11.44 acres of the subject property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley Homeowners Association (HOA) and will remain undeveloped. The remaining 0.12 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional grading or vegetation removal will occur beyond what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 20-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. The Lake Sherwood Community Services

District (LSCSD) will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.

PL 14-0159: The Project that is the subject of PD Permit Case No. PL14-0159 includes the construction of a 4,962 sq. ft. single-family, two-story dwelling with 604 sq. ft. of covered porches, 568 sq. ft. balcony/deck on the second floor, an attached 685 sq. ft. two-car garage, and a detached 550 sq. ft. two-car garage. The structure will be approximately 31 feet and 10 $\frac{3}{4}$ inches in height with a minimum 15 feet side yard setback, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay Zone and is visible from Lake Sherwood.

The Project site is located on a lot that was created as part of the sixth phase of TT-4192. Development of the site shall be limited to a 18,224 sq. ft. (0.42 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4 to TT-4192. In addition, 10.45 acres of the property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA and will remain undeveloped. The remaining 0.14 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional grading or vegetation removal will occur beyond what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. LSCSD will provide water and the Triunfo Sanitation District will provide sewage disposal services for the residential use of the subject property.

PL 14-0160: The Project that is the subject of PD Permit Case No. PL14-0160 includes the construction of a 4,707 sq. ft. single-family, single-story dwelling with 712 sq. ft. of covered porches and loggia, and an attached 900 sq. ft. four-car garage. The structure will be approximately 21 feet and 3.5 inches in height, and will be located along the bank of the Lake Sherwood inlet. The property is located in the SRP Overlay Zone and is visible from Lake Sherwood.

The Project site is located on a lot that was created as part of the sixth phase of TT-4192. Development of the site will be limited to a 15,900 sq. ft. (0.37 acre) graded pad that was approved as part of TT-4192, CUP 4631, and Modification No. 4. In addition, 9.56 acres of the property are subject to an open space easement that the Lake Sherwood Development Company granted to the Sherwood Valley HOA and will remain undeveloped. The remaining 0.12 acres of the property are subject to access, maintenance, utility, water, and public service easements. No additional grading or vegetation removal will occur beyond what the Board of Supervisors approved as part of TT-4192, CUP 4631, and Modification No. 4.

A new, 14-foot-wide private driveway from Queens Garden Drive, an asphalt road, will provide access to the project site. LSCSD will provide water and the Trifuno Sanitation District will provide sewage disposal services for the residential use of the subject property.

The grading, development, use, and maintenance of the properties, 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 descriptions above and all approved County land use hearing exhibits in support of the Projects and conditions of approval below. (PL-1)

2. Required Improvements for the PD Permits

Purpose: To ensure the Project sites conform to the plans set forth in Exhibit 3 of the Planning Director hearing on June 29, 2015, regarding the Projects.

Requirement: The Permittee shall ensure that all required off-site and on-site improvements for the Projects, including structures, paving, parking, and landscaping are completed in conformance with the approved plans set forth in Exhibit 3 of the Planning Director hearing on June 29, 2015. The Permittee shall submit all final building and site plans for the County's review and approval in accordance with the approved plans.

Documentation: The Permittee shall obtain Planning Division's stamped approval on the Projects plans and submit them to the County for inclusion in the Projects files. The Permittee shall submit additional plans to the Planning Division for review and stamped approval (e.g., tree protection and landscape plans) for inclusion in the Projects files, as necessary.

Timing: Prior to the issuance of a Zoning Clearance for construction the Permittee shall submit all final development plans (including, but not limited to, plans for fencing) to the Planning Division for review and approval. Unless the Planning Director and Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to occupancy. The Permittee shall maintain the required improvements for the life of these PD Permits.

Monitoring and Reporting: The County Building Inspector, Public Works Agency 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*. (PL-3)

3. Site Maintenance

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

Requirement: The Permittee shall maintain the Project sites in compliance with the described uses outlined in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1, or which are authorized by any subsequent amendments to these PD Permits, shall be stored on the property during the life of these PD Permits.

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

Timing: Prior to occupancy and for the life of the PD Permits.

Monitoring and Reporting: The County Building Inspector, Public Works Agency 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*. (PL-4)

4. PD Permit 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 the respective PD Permit. 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 PD Permit modification is required. If a PD Permit 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. (PL-5)

5. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, a Zoning Clearance for use inauguration/occupancy, and a Building Permit from the Building and Safety Division. (PL-6)

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of these PD Permits and/or commencement of construction and/or operations under these PD Permits shall constitute the Permittee's formal agreement to comply with all conditions of these PD Permits. Failure to abide by and comply with any condition for the granting of these PD Permits shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (2014, 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 PD Permit 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 the respective PD Permit.

The Permittee is responsible for being aware of and complying with the PD Permit conditions and all applicable Federal, State, and local laws and regulations. (PL-7)

7. Time Limits

- a. The approval decision for these PD Permits 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 construction and use inauguration for each Project in order to initiate the land uses provided in Condition No. 1 (Project Descriptions).
- b. These PD Permits shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction and use inauguration within one year from the granting of these PD Permits. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for construction and 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.
- c. Prior to the issuance of the Zoning Clearance for construction and 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 the respective PD Permit.

8. Documentation Verifying Compliance with Other Agencies' Requirements Related to these PD Permits

Purpose: To ensure compliance with and notification of Federal, State, or local government regulatory agencies that have requirements that pertain to the Projects (Condition No. 1, above) that are the subject of these PD permits.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of these PD Permits) to verify that the Permittee has obtained or satisfied all applicable Federal, State, and local entitlements and conditions that pertain to the Projects.

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, to be included in the Planning Division Project files.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the Federal, State, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency. (PL-9)

9. 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 PD Permit conditions and regulations.

Requirement: The Permittee and 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 the Tax Assessor's parcels that are subjects of these PD Permits.

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 respective Project file. (PL-11)

10. 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 PD Permit compliance, and monitoring programs as described below in Condition 10.b. Specifically, the Permittee shall bear the full costs of the following:
 - i. 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 PD Permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
 - ii. Monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance* (§ 8114-3.4). 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 (which may include weekday and/or weekend inspections), public reports, penalty hearings, forfeiture of securities, and suspension of the respective PD Permit. 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 Condition Compliance Account Case No. CC07-0011:** A Condition Compliance account (Case No. CC07-0011) that is associated with TT-4192 and all other Lake Sherwood entitlements currently exists and applies to the subject properties. The Planning Division will use this Condition Compliance account to bill the Permittee for all condition compliance costs associated with these PD Permits (in addition to any condition costs associated with the entitlements for which the condition compliance account was originally established). In the event that the existing, executed "Reimbursement Agreement" for this Condition Compliance account has obsolete or incorrect information, the Permittee shall sign and submit a new "Reimbursement Agreement" that sets forth the current or corrected information within 10 days following the effective date of these PD Permits.
- c. **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 the respective PD Permit. The Permittee shall have the right to challenge any charge prior to payment. (PL-12)

11. Defense and Indemnity

As a condition of PD Permit 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 these PD Permits, or the manner in which the County is interpreting or enforcing the conditions of these PD Permits; 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 11.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 these PD Permits, 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 these PD Permits 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 (Project Descriptions), as it may be subsequently modified pursuant to the conditions of these PD Permits. (PL-13)

12. Invalidation of Condition(s)

If any of the conditions or limitations of these PD Permits are held to be invalid, that holding shall not invalidate any of the remaining PD Permit 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, these PD Permits 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 these PD Permits, at the discretion of the Planning Director, the Planning Director may review the respective Project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director 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 the respective PD Permit may be revoked. (PL-14)

13. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Projects 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 these PD Permits, 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. In accordance with Condition No. 10 above, 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. (PL-15)

14. Relationship of PD Permit Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the PD Permit areas 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.

No condition of these PD Permits 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 these PD Permits, nor compliance with the conditions of these PD Permits, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property. (PL-16)

15. Change of Owner and/or Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of ownership of the properties that are the subject of these PD Permits, or change of Permittee of these PD Permits.

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 these PD Permits.

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 respective Project files and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*. (PL-20)

16. Landscaping and Screening

Purpose: The purpose of this condition is to ensure that landscaping of the subject properties complies with the Ventura County Landscape Design Criteria (October 1992), the Ventura County Non-Coastal Zoning Ordinance [§ 8109-4.1.5.a(3)], Ventura County General Plan *Goals, Policies and Programs* Policies 1.7.2.3 and 1.7.2.4, and *Lake Sherwood/Hidden Valley Area Plan* Policies 1.1.2.4, 2.1.2.6, and 2.5.2.2.

Requirement: The Permittee shall install and maintain all landscaping on the Project sites pursuant to the following requirements:

- a. Provides visual integration. Since the projects are located in the SRP Overlay zone, landscaping must be provided that blends with the natural environment and includes native vegetation.

- b. Ensures compatibility with community character. Landscaping must be provided that visually integrates the development with the character of the surrounding community.
- c. Re-vegetates slopes. Re-vegetation must be provided for cut slopes in excess of 5 feet and fill slopes in excess of 3 feet. Should additional grading occur in the open space easement area, the land must be re-vegetated with drought tolerant native plants.

The required landscaping must be designed to require minimal amounts of water and to use required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and must achieve the following design objectives:

- d. Use Available Non-potable Sources of Water. The landscaping must integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and gray water, where feasible.
- e. Protection of Solar Access. The landscaping must be designed to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells, or impair the function of a nearby building using passive solar heat collection.
- f. Protection of Existing Vegetation. Existing vegetation, especially trees, must be saved and integrated into landscape design wherever feasible, appropriate, or required by other regulations (such as the Tree Protection Ordinance).
- g. Create Viable Growing Environment. Landscape design must address the needs of the plants to ensure their health, long-term viability, and protection.
- h. Species Diversity. The landscape plan must integrate a variety of plant species, heights, colors and textures, as appropriate given the size of the landscape.
- i. Use Native Plant Species to the maximum extent feasible. The landscaping should include a minimum of 50% native plants and must not include any invasive species.
- j. In accordance with § 8109-4.1.5 of the Ventura County *Non-Coastal Zoning Ordinance*, plants used to re-vegetate graded slopes must be native plants indigenous to the area, where appropriate considering the surrounding conditions.

Documentation: The Permittee shall submit to the County of Ventura Planning Division for review and approval three sets of a draft landscape plan, prepared by a California

registered landscape architect (or other qualified individual as approved by the Planning Director), demonstrating compliance with the above requirements, § 8109-0.6 (Landscaping) of the *Non-Coastal Zoning Ordinance* and the County's *Landscape Design Criteria*. The landscape architect responsible for the work shall stamp the plan. After landscape installation, the Permittee shall submit to the County of Ventura Planning Division a statement from the project landscape architect that all landscaping has been installed as shown on the approved landscape plan. 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 landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. The Permittee shall install all required landscaping prior to final inspection.

Monitoring and Reporting: The Planning Division maintains the landscape plans and statement by the landscape architect provided by the Permittee 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*. (PL-21)

17. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with § 8106-8.6 and § 8109-4.1.5 of the *Ventura County Non-Coastal Zoning Ordinance* and:

- avoids interference with reasonable use of adjoining properties;
- avoids conflict with landscape features;
- minimizes on-site and eliminates off-site glare;
- provides adequate on-site lighting for security;
- shields lighting and directs night lighting to the ground;
- minimizes impacts to wildlife movement;
- minimizes energy consumption; and,
- includes devices that are compatible with the design of the permitted facility and minimize energy consumption.

Requirement: The Permittee shall submit two copies of a lighting plan for each lot that is the subject of these PD Permits, to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. The Permittee shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs) in the lighting plan for each lot. An electrical engineer registered by the State of California shall prepare the lighting plan. The plans must include illumination information within parking areas, pathways, streetscapes, and open spaces proposed throughout the development. In order to minimize light and glare from the Projects, all parking, exterior structure light fixtures, and freestanding light standards must be high cut-off type that divert lighting downward onto

the property to avoid the casting of any direct light onto any adjacent property or roadway. The Permittee shall bear the total cost of the review and approval of the lighting plan. The Permittee shall install all exterior lighting in accordance with the approved lighting plan.

Documentation: A stamped copy of the approved Lighting Plans.

Timing: The Permittee shall submit the lighting plans for review and approval by the Planning Division prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plans for the life of these PD Permits.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plans in the Project files. The Permittee shall ensure that the lighting is installed according to the approved lighting plans prior to final inspection. The Building and Safety Inspector and the Planning Division have the authority to ensure that the lighting is installed according to the approved lighting plans. 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*. (PL-22)

18. Materials and Colors in the SRP Overlay Zone

Purpose: In order to ensure that buildings and structures comply with the development standards of the Scenic Resource Protection Overlay Zone (*Ventura County Non-Coastal Zoning Ordinance*, § 8109-4.1.5) and Ventura County General Plan Goals, Policies and Programs Policy 1.7.2-2(3)(e) and blend in with the natural surroundings.

Requirement: The Permittee shall utilize natural building materials and colors compatible with surrounding terrain (earth tones and non-reflective paints) on exterior surfaces of all structures, including but not limited to the dwelling, trash area, water tanks, walls, pilasters, and fences.

Documentation: A copy of the approved plans denoting the colors.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit the building plans with the colors and materials noted on all structures for review and approval by the Planning Division. Prior to final inspection, the Permittee shall paint the structures according to the approved plans.

Monitoring and Reporting: The Planning Division maintains the approved plans in the Project files. Prior to occupancy, the Planning Division has the authority to inspect the sites to ensure that the exterior of the structures were treated as approved. The Permittee shall maintain these materials and colors throughout the life of these PD Permits. The Planning Division has the authority to inspect the site to confirm on-going compliance with the approved plans consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*. (PL-31)

19. Paleontological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:

- Cease operations and assure the preservation of the area in which the discovery was made;
- Notify the Planning Director in writing, within three days of the discovery;
- Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide recommendations on the proper disposition of the site;
- Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
- Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the reports prepared by the paleontologist or geologist. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations set forth in the paleontological report.

Timing: The Permittee shall submit the paleontological reports to the Planning Division immediately upon completion.

Monitoring and Reporting: The Permittee shall provide any paleontological report prepared for the Project sites to the Planning Division to be made part of the Project files. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. (PL-56)

20. Archaeological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 - i. Cease operations and assure the preservation of the area in which the discovery was made;
 - ii. Notify the Planning Director in writing, within three days of the discovery;
 - iii. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;

- iv. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
 - v. Implement the agreed upon recommendations.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
- i. Cease operations and assure the preservation of the area in which the discovery was made;
 - ii. Immediately notify the County Coroner and the Planning Director;
 - iii. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 - iv. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
 - v. Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations set forth in the archaeologist's report.

Timing: The Permittee shall submit the archaeologist reports to the Planning Division immediately upon completion.

Monitoring and Reporting: The Permittee shall provide any archaeologist report prepared for the Project sites to the Planning Division to be made a part of the Project files. The Permittee shall implement any recommendations made in the archaeologist's report to the satisfaction of the Planning Director. (PL-59)

21. Construction Noise

Purpose: In order for the Projects to comply with the Ventura County General Plan *Goals, Policies and Programs* Noise Policy 2.16.2-1(5) and the *County of Ventura Construction Noise Threshold Criteria and Control Plan* (Amended 2010).

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous on-site location visible to the general public. The sign must provide a

telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the affected public.

Timing: The sign shall be installed prior to the issuance of a building permit and throughout construction activities. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, nature of the complaint, and any corrective action taken.

Monitoring and Reporting: The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division prior to the commencement of noise-generating construction activities. (PL-59)

22. Fencing

Purpose: In order for these Projects to comply with the *Lake Sherwood/ Hidden Valley Area Plan* Biological Resources Policy 2.1.2-19.

Requirement: Fencing shall be located within 200 feet of the main residence on each lot. The fencing must have an opening of not less than 6 inches between the ground and bottom of the fence. The tops of fences should not exceed 8 feet in height above the ground.

Documentation: The Permittee shall provide the Ventura County Planning Division a fencing plan for each Project site.

Timing: The Permittee shall provide the Planning Division with a site plan with fencing specifications or a fencing plan for each lot prior to the issuance of a Zoning Clearance for construction.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved fencing plans in the Project files. The Permittee shall ensure that the fencing is installed according to the approved fencing plans prior to final inspection. The Building and Safety Inspector and the Planning Division have the authority to ensure that the fencing is installed according to the approved fencing plans. 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*.

Public Works Agency Conditions

Engineering Services Department, Development and Inspection Services Division

23. Grading Permit

Purpose: In order to ensure the Permittee performs all grading in compliance with Appendix J of the Ventura County Building Code.

Requirement: The Permittee shall complete the approved grading plan showing existing and proposed elevations to the satisfaction of the Public Works Agency's Development and Inspection Services Division.

Documentation: The Permittee shall submit all materials, as detailed on Public Works Agency Form DS-37 and/or DS-44, to the Development and Inspection Services Division for review and approval.

Timing: All applicable documentation, as specified above, was approved prior to recordation of the subdivision. Completion of the grading permit is required prior to obtaining a building permit.

Monitoring and Reporting: Public Works Agency engineers will review as-built grading plans and reports for compliance with Ventura County codes, ordinances and standards, as well as State and Federal laws. Public Works Agency inspectors will monitor the proposed grading to verify that the work is done in compliance with the approved plans and reports.

24. Land Development Fee for Flood Control Facilities (AKA: Flood Acreage Fee (FAF))

Purpose: To address the cumulative adverse impacts of runoff from development on Watershed Protection District Facilities as required by Ordinance No. FC-24.

Requirement: The Permittee shall deposit with the Public Works Agency – Engineering Services Department a Flood Acreage Fee (FAF) in accordance with Ordinance No. FC-24 and subsequent resolutions. The fee will be calculated based on the Permittee's information. The Permittee may choose to submit additional information to supplement the information currently provided to establish the amount of the fee.

Documentation: The Permittee shall provide a site plan including a calculation of the new impervious surface being created by the Projects along with impervious surface for existing construction.

Timing: The Permittee shall pay the Flood Acreage Fee (FAF) to the Ventura County Public Works Agency prior to obtaining a building permit.

Monitoring and Reporting: Public Works Agency staff will prepare a quote of the fee amount and provide a receipt when the fee is paid.

Integrated Waste Management Division

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

Purpose: Ordinance 4421 requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by the Projects (e.g., wood, metal, greenwaste, soil, concrete, asphalt, paper, and cardboard) from local landfills through recycling, reuse, or salvage. Please review Ordinance 4421 at: www.vcpublicworks.org/ord4421.

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 demonstrate that a minimum of 60% of the recyclable C&D debris generated by the Projects will be diverted from the landfill by recycling, reuse, or salvage. A copy of Form B is available at: www.vcpublishworks.org/formsB&C. A comprehensive list of permitted recyclers, County-franchised haulers, and solid waste and recycling facilities in Ventura County is available at: www.vcpublishworks.org/C&D.

A list of local facilities permitted to recycle soil, wood, and greenwaste is available at: www.vcpublishworks.org/greenwaste. A complete list of County-franchised solid waste haulers is available at: www.vcpublishworks.org/commercialhaulers.

Timing: Upon Building and Safety Division's issuance of a building permit for each Project, the Permittee must submit a Form B – Recycling Plan to the IWMD for approval.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Form B – Recycling Plan until the Resource Management Agency, Building and Safety Division's issuance of final permits.
(IWMD-2)

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

Purpose: Ordinance 4421 requires the Permittee to divert recyclable C&D materials generated by the Projects (e.g., wood, metal, greenwaste, soil, concrete, paper, cardboard, and plastic containers) from local landfills through recycling, reuse, or salvage. Please review Ordinance 4421 at: www.vcpublishworks.org/ord4421.

Requirement: The Permittee must submit a Form C – Reporting Form to the IWMD for approval upon issuance of the final Resource Management Agency, Building and Safety Division permit. A copy of Form C – Reporting Form is available at: www.vcpublishworks.org/formsB&C.

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 the Projects was diverted from the landfill.

Timing: A completed Form C – Reporting Form, with required recycling facility receipts and/or documentation of reuse, must be submitted to the IWMD for approval at the time of the Resource Management Agency, Building and Safety Division's issuance of final permits.

Monitoring & Reporting: The Permittee is required to keep a copy of the approved Form

C – Reporting Form until the Resource Management Agency, Building and Safety Division's issuance of final permits.
(IWMD-3)

Watershed Protection District – Surface Water Quality Section (collectively, "SWQS")

27. Compliance with Stormwater Development Construction Program

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board National Pollution Discharge Elimination System (NPDES) Municipal Stormwater Permit No. CAS004002 (Permit) the Projects will be subject to the construction requirements for surface water quality and storm water runoff in accordance with Part 4.F., "Development Construction Program" of the Permit.

Requirement: The construction of the Projects shall meet requirements contained in Part 4.F. "Development Construction Program" of the Permit through the inclusion of effective implementation of the construction drainages during all ground disturbing activities.

Documentation: The Permittee shall complete and sign SW-2 form (Best Management Practices for Construction One Acre and Larger), which can be found at <http://onestoppermit.ventura.org/>.

Timing: The SW-2 form shall be submitted to the SWQS for review and approval prior to issuance of a Zoning Clearance for construction.

Monitoring and Reporting: SWQS will review the submitted materials for consistency with the NPDES Municipal Stormwater Permit. Building Permit Inspectors will conduct inspections during construction to ensure effective installation of the required Best Management Practices (BMPs). (SWQ-1)

28. State General Construction Stormwater Permit No. CAS000002 Requirements

Purpose: To ensure compliance with all water quality provisions in NPDES State General Construction Stormwater Permit No. CAS000002, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities.

Requirement: Proper filing of all compliance documents required under the General Construction Permit No. CAS000002.

Documentation: The Permittee shall prepare and submit the following items to the SWQS staff for review:

1. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the General Construction Stormwater Permit (No. CAS000002);

2. Current Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board requirements under the General Construction Permit; and
3. If applicable, Change of Information (COI) form and a copy of modified SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going.

Timing: The NOI and SWPP shall be submitted to the SWQS staff for review prior to issuance of a Zoning Clearance for construction. In addition, if applicable, the COI form and a copy of modified SWPPP shall be submitted to Grading Permit staff anytime during project duration.

Monitoring and Reporting: SWQS staff will review the submitted materials for consistency with the General Construction Permit. A current, site-specific SWPPP shall be kept on-site for periodic review by the Building Permit inspectors. (SWQ-2)

Watershed Protection District – Planning and Regulatory Division

29. Lot 48 Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan *Goals, Policies and Programs* Policies 2.10.2-2 and 2.10.2-3.

Requirement: The Permittee shall obtain a Floodplain Clearance (Clearance) from the Ventura County Public Works Agency Floodplain Manager for Lot 48.

The Clearance will verify that new structures, site grading, and temporary or permanent storage areas are located above the minimum 959.2 feet NGVD 1929 elevation (FEMA base flood elevation and one-foot of freeboard).

Documentation: A Floodplain Clearance for Lot 48 as issued by the Ventura County Public Works Agency Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to issuance of a Ventura County Grading Permit or Building Permit.

Monitoring and Reporting: Copies of the approved Floodplain Clearance shall be provided to the Resource Management Agency, Building and Safety Division as well as maintained in the case file by the Public Works Agency for compliance purposes of the National Flood Insurance Program and the Community Rating System.

30. Lot 49 Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and

Ventura County General Plan *Goals, Policies and Programs* Policies 2.10.2-2 and 2.10.2-3.

Requirement: The Permittee shall obtain a Floodplain Clearance from the Ventura County Public Works Agency Floodplain Manager for Lot 49. The Clearance will verify that new structures, site grading, and temporary or permanent storage areas are located above the minimum 959.2 feet NGVD 1929 elevation (FEMA base flood elevation and one-foot of freeboard).

Documentation: A Floodplain Clearance for Lot 49 as issued by the Ventura County Public Works Agency Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to issuance of a Ventura County Grading Permit or Building Permit.

Monitoring and Reporting: Copies of the approved Floodplain Clearance shall be provided to the Resource Management Agency, Building and Safety Division as well as maintained in the case file by the Public Works Agency for compliance purposes of the National Flood Insurance Program and the Community Rating System.

31. Lot 50 Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan *Goals, Policies and Programs* Policies 2.10.2-2 and 2.10.2-3.

Requirement: The Permittee shall obtain a Floodplain Clearance from the Ventura County Public Works Agency Floodplain Manager for Lot 50. The Clearance will verify that new structures, site grading, and temporary or permanent storage areas are located above the minimum 959.0 feet NGVD 1929 elevation (FEMA base flood elevation and one-foot of freeboard).

Documentation: A Floodplain Clearance for Lot 50 as issued by the Ventura County Public Works Agency Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to issuance of a Ventura County Grading Permit or Building Permit.

Monitoring and Reporting: Copies of the approved Floodplain Clearance shall be provided to the Resource Management Agency, Building and Safety Division as well as maintained in the case file by the Public Works Agency for compliance purposes of the National Flood Insurance Program and the Community Rating System.

Ventura County Fire Protection District

32. Address Numbers (Single-Family Homes)

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

Requirement: The Permittee shall install a minimum of 4 inch address numbers that are a contrasting color to the background and readily visible at night. Brass or gold plated numbers shall not be used. Where structures are setback more than 150 feet from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structures are not visible from the street, the address numbers shall be posted adjacent to the driveway entrance on an elevated post.

Documentation: A stamped copy of an approved addressing plan or a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction".

Timing: The Permittee shall install approved address numbers before final occupancy.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction" 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/form. (VCFPD-41a)

33. Construction Access

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

Requirement: The Permittee shall install all utilities located within the access road(s) and a paved all-weather access road/driveway suitable for use by a 20 ton fire apparatus. The access road(s)/driveway(s) shall be maintained with a minimum 20-foot clear width at all times. Fire hydrants shall be operational and accessible at all times. No parking, storage, or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants.

Documentation: A stamped copy of the construction access plan.

Timing: The Permittee shall submit plans to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of construction.

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 periodic on-site inspections to ensure that all required Ventura County Fire Protection District access is maintained during construction. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors-in-interest, shall maintain all required fire access during construction. (VCFPD-23)

34. Street Name Signs

Purpose: To ensure proper premise identification.

Requirement: The Permittee shall install all required street name signs in accordance with the Public Road Standards.

Documentation: Street sign plate of the Public Road Standards.

Timing: The Permittee shall design and install all required street signs per the Public Road Standards. All street names shall be per the street name list as approved by the Fire Prevention Bureau. All required street name signs shall be installed at the time of road improvements.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that all street name signs are installed according to the Public Road Standard and approved street name list. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors-in-interest, shall maintain the fire lanes for the life of the development. (VCFPD-28)

35. Fire Flow

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

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the Project sites. 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 1,000 gallons per minute (GPM) at 20 pounds per square inch (psi) for a minimum 2 hour duration. A minimum fire flow of 500 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 map recordation, the Permittee shall provide to the Ventura County Fire Protection District, verification from the water purveyor that the purveyor can provide the required fire flow. 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. (VCFPD-32)

36. 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 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 the Permittee's successors-in-interest, shall maintain the fire hydrants for the life of the development. (VCFPD-34)

37. 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 the Permittee's successors-in-interest, shall maintain the fire hydrants and markers for the life of the development. (VCFPD-36)

38. Fire Sprinklers

Purpose: To comply with current California Codes and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall be responsible to have an automatic fire sprinkler system installed in all structures as required by the Ventura County Fire Protection District. The fire sprinkler system shall be designed and installed by a properly licensed contractor under California State Law.

Documentation: A stamped copy of the approved fire sprinkler plans.

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

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 the Permittee's successors-in-interest, shall maintain the fire sprinkler system for the life of the development. (VCFPD-40)

39. Hazardous Fire Area

Purpose: To advise the Permittee that the project is located within a Hazardous Fire Area and ensure compliance with California Building and Fire Codes.

Requirement: The Permittee shall construct all structures to meet hazardous fire area building code requirements.

Documentation: A stamped copy of the approved building plans to be retained by the Building Department.

Timing: The Permittee shall submit building plans to the Resource Management Agency, Building and Safety Division for approval before the issuance of building permits.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area building code requirements. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors-in-interest, shall maintain the approved construction for the life of the structure. (VCFPD-46)

40. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. Note: A

Notice to Abate Fire Hazard may be recorded against the parcel.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirement for Construction" or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines before the start of construction on any structure.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct on-site inspections to ensure compliance with this condition. (VCFPD-47)

41. Ventura County Fire Protection District Clearance

Purpose: To provide the Permittee a list of all applicable fire department requirements for the Projects.

Requirement: The Permittee shall obtain Ventura County Fire Protection District Form #126 "Requirements for Construction" for any new structures or additions to existing structures before issuance of building permits.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction"

Timing: The Permittee shall submit Ventura County Fire Protection District Form #126 Application to the Fire Prevention Bureau for approval before issuance of building permits.

Monitoring and Reporting: A copy of the completed Ventura County Fire Protection District 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. (VCFPD-51)

42. 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 these Project approvals 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 Projects.

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. (VCFPD-60)

TT-4192

The following Tentative Tract 4192 (TT-4192) conditions are applicable to PL14-0158, PL14-0159, and PL14-0160. The conditions below should only be used as a supplement to the TT-4192/CUP 4631 conditions of approval and in no way void the existing TT-4192/CUP-4631 conditions of approval.

Planning Division Conditions

43. All utilities shall be placed underground (TT-4192 Condition 5).
44. Building standards for residential structures as provided under Chapter 2.53 of Part 2 and Chapters 4-10 of Part 4, of Title 24 of the California Administrative Code, shall be imposed on future residential units constructed in this subdivision (TT-4192 Condition 12).
45. Landscaping shall use non-invasive, fire resistant native species to the maximum extent possible and should consist of naturalistic and/or native groundcovers and shrubs which do not require irrigation (TT-4192 Condition 17).
46. The use of pesticides and herbicides within 20 feet of creek and pond beds shall be prohibited (TT-4192 Condition 20).
47. Any required fuel modification zones around the tract shall be planted with fire retardant native plants and irrigated until such plants are well established. Such planting shall be shown on the landscaping plan (TT-4192 Condition 21).
48. All homesites shall be located within 200 feet of main access roads, unless homesites can be established which would protect biological resources, allow for adequate tactical fire access and prescriptive burning, and protect visual resources (TT-4192 Condition 23).
49. Fencing on large estate lots shall be within 200 feet of the main residence, corral and swimming pool on each lot. Outside perimeter fencing shall not extend to the ground. The bottom of the fence shall be at least six (6) inches above ground. Fences shall not exceed eight feet in height (TT-4192 Condition 24).

Environmental Health Division Conditions

50. On-site and off-site drainage facilities shall be designed and maintained in a manner that will not create potential mosquito breeding sources (TT-4192 Condition 31).

Fire Department Conditions

51. All drives shall have a minimum vertical clearance of 13 feet, 6 inches (13' 6") (TT-4192 Condition 34).
52. Any gates, to control vehicle access, shall be subject to review by the Bureau of Fire Prevention. A minimum clear open width of 15' in each direction shall be provided. If gates are to be locked, a Knox System shall be installed (TT-4192 Condition 38).
53. Fire hydrants shall be installed and in service prior to combustible construction and shall conform to the minimum standards of the Ventura Water Works Manual.
 - Each hydrant shall be a 6 inch wet barrel design, and shall have one 4 inch and one 2¹/₂ inch outlet.
 - The required fire flow shall be achieved at no less than 20 psi residual pressure.
 - Fire hydrants shall be spaced 500 feet on center, and so located that no structure will be farther than 250 feet from any one hydrant.
 - Fire hydrants shall be 24 inch on center, recessed in from the curb face. (TT-4192 Condition 43)
54. All grass or brush exposing any structures shall be cleared for a distance of 100 feet prior to framing, according to the Ventura County Weed Abatement Ordinance (TT-4192 Condition 44).
55. An approved spark arrester shall be installed on the chimney of any structure (TT-4192 Condition 45).
56. Any structure greater than 5,000 square feet in area and/or 5 miles from a fire station shall be provided with an automatic fire sprinkler system in accordance with Ventura County Ordinance #14 (TT-4192 Condition 47).
57. Prior to issuance of an Occupancy Permit, the applicant shall pay all fees as determined by GSA pursuant to Ventura County Ordinance Code, Sections 8297-4 et seq., as such sections read as of the date the parcel or final map is recorded, for the purpose of providing fees in lieu of land dedication for local park acquisition and/or development for the future residents of the subdivision.

Payment of Quimby fees may be made at an earlier time if:

- The local agency determines that the fees or charges will be collected for public improvements or facilities for which an account has been established and funds appropriated, and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy; or,

- The fees or charges are to reimburse the local agency for expenditures previously made (TT-4192 Condition 50).

58. Prior to the issuance of a Building Permit for new construction or (a Zoning Clearance to initiate a new use or to increase an existing use), and, pursuant to the Traffic Impact Mitigation Fee Ordinance, the permittee for the development permit shall deposit with the Public Works Agency a Traffic Mitigation Fee.

The actual deposit shall be the then current applicable fee at the time the contribution is made to the County.

The Board of Supervisors adopted the Traffic Impact Mitigation Fee Ordinance on August 30, 1994; and, approved the modification to the Countywide General Plan on December 20, 1994. Therefore, the permittee shall be subject to the provisions of the Ordinance thirty (30) days after the Board's action, January 19, 1995. Consequently, if a Zoning Clearance and/or a Building Permit is issued before January 20, 1995, the fee would not be imposed. Otherwise the permittee is subject to the provisions of the Traffic Impact Mitigation Fee Ordinance (TT-4192 Condition 55).

Mitigation Monitoring Program

59. Rare and Endangered Plant Mitigations:

As required by the Mitigated Negative Declaration for TT-4192 and CUP-4631, the applicant shall perform the following mitigation measures consistent with recommendations specified in The Rare Plant Survey Report for Tentative Tracts 4192 and 4408, Lake Sherwood, County of Ventura, California, Envicom Corp., June 19, 1990. The purpose of this mitigation is to preserve *Pentachaeta* sites for future research.

Pursuant to recommendations in the aforementioned rare plant survey report, the applicant shall perform the following mitigating measures:

- o Direct impacts to the known extant locations of Lyon's *Pentachaeta* (*Pentachaeta lyonii*), including an appropriate buffer shall be avoided as shown on the attached Tentative Tract Map (Revision dated March 1992).
- o All housing pads and their anticipated brush clearance zones shall provide for minimum 100 foot buffer at extant locations of Lyon's *Pentachaeta*, as shown on the attached Tract Map. These buffers shall consist of native coastal scrub, chaparral or grassland vegetation (TT-4192 Condition 90).

60. Locally Important Species/Communities:

Pursuant to the protection of important riparian woodland resources, all measures included within the Streambed Alteration Conditions for the Fish and Game 1603 Permit Number 5-476-90 shall be incorporated here by reference (TT-4192 Condition 91).