



Planning Director Staff Report – Hearing on September 17, 2015

County of Ventura • Resource Management Agency • Planning Division

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EDEN GARDENS WEDDING VENUE, CASE NO. PL14-0172

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) Case No. LU09-0143 for Temporary Outdoor Festivals, Annual Shows, and Similar Events (Case No. PL14-0172).
2. **Applicant/Property Owner:** Mr. George and Mrs. Debra Tash, 5777 Balcom Canyon Road, Somis, CA 93066
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 CUP.
4. **Project Site Size, Location, and Parcel Number:** The 4.16-acre project site is located at 3900 Brennan Road, Moorpark, CA 93021, near the intersection of Tierra Rejada Road and Highway 23, near the City of Moorpark, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 519-0-220-055 (Exhibit 2).
5. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Open Space (Exhibit 2)
 - c. Zoning Designation: OS-10 ac (Open Space, 10 acre minimum lot size minimum) (Exhibit 2)

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	City of Moorpark	Undeveloped and Single-Family Dwellings
East	OS-10 ac	Commercial and Highway 23
South	OS-10 ac	Agricultural fields
West	City of Moorpark	Undeveloped and Single-Family Dwellings

7. **History:** On February 19, 2004, the applicant submitted an application for a Tentative Parcel Map (Case No. SD04-0008/TPM 5490) to subdivide an existing

56.16 acre lot into four smaller lots. Parcels 1 and 2 were proposed to be 10.00 acres gross each, Parcel 3 was proposed to be 10.19 acres gross and Parcel 4 was proposed to be 27.97 acres gross. The Planning Director approved the Tentative Parcel Map on August 25, 2005.

On November 27, 2007, the applicant submitted an application for a modification to the Tentative Parcel Map discussed above (Case No. SD07-0059, subsequently renumbered to SD08-0037). The requested modification included a reconfiguration of the parcel boundaries. The Planning Director approved the modification on November 7, 2007, and the applicant recorded the corresponding Parcel Map on October 5, 2012.

On September 13, 2010, the Planning Director granted a CUP (Case No. LU09-0143) to allow temporary outdoor events such as weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary activities on the subject parcel. These events occurred within a designated 5.4 acre area on the subject property. Attendance at events was limited to a maximum of 100 guests on weekdays (Monday through Friday) and a maximum of 400 guests on weekend days (Saturday and Sunday). The facility was allowed to operate a maximum of 60 days per calendar year.

Additional permits issued for the subject property include:

Permit No.	Use Approved	Date Approved
ZC06-1168	New 848 square foot single-family dwelling (manufactured home), 400 square foot 2-car carport, and 2,995 square foot tractor barn	9/12/2006
ZC06-1597	Revision to ZC06-1168 to replace barn/shop and carport	12/13/2006
ZC07-0650	Manufactured home and garage On-site water features and barbeque to be considered accessory to principal, residential use.	5/16/2007
ZC07-1631	476 square foot unattached covered porch for mobile home	12/12/2007
ZC09-0939	Construction of agriculture storage structure	10/28/2009

- 8. Project Description:** The proposed project consists of a request for approval of a Minor Modification to CUP Case No. LU09-0143 to continue to allow temporary outdoor events such as weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary activities. The applicant is proposing to extend the CUP for a 20-year period. The proposed temporary special events will consist of the following:

Event Area: The applicant is requesting approval to reduce the area that will be subject to the proposed temporary special events, from the currently permitted area of approximately 5.40 acres, to 4.16 acres, as shown on the proposed site plan. There is a single-family dwelling located on the subject property; however,

the single-family dwelling will be reserved for personal use by the landowner and will not be leased or used as part of the temporary events.

The applicant also is proposing to add the use of an existing 2,000 square feet (sq. ft.) agricultural accessory structure to the event area, and add the use of a registered recreational vehicle for a bride changing room, as shown on the proposed site plan.

Brennan Road, a private road, will provide access to the project site from Tierra Rejada Road, a public road within the City of Moorpark. The applicant will maintain Brennan Road in a clean condition, by sweeping and/or watering as necessary, to ensure that dirt is not tracked onto Tierra Rejada Road.

Attendance: Attendance at events will be limited to a maximum of 300 guests (Monday through Sunday).

Hours of Operation: The hours of operation for the proposed, temporary outdoor events will be 8:00 am to 2:00 am, for a maximum of 60 days within the calendar year. Vendors would be permitted to arrive at 8:00 am to set up. The applicant is requesting approval to extend the currently permitted hours of operation, such that: (1) all event activities would end no later than 1:00 am, as compared to the currently permitted 11:00 pm ending time; and (2) all guests and vendors would vacate the property by 2:00 am, as compared to the currently permitted 12:00 am deadline to vacate the property.

Food Service: A self-sufficient, licensed catering service will provide all food and beverages. A caterer or delivery rental company will provide dishes, flatware, and glasses. The catering service will prepare the food off-site and transport the food to the site for each event. Food service operators must have a permit to operate from the Resource Management Agency, Environmental Health Division.

Parking: Guest parking will be located in a parking area within the parcel as depicted on the project site plan. The applicant is proposing to reduce the required number of parking spaces for the temporary special events, from 210 spaces to 172 total parking spaces including 6 accessible spaces. The proposed parking area will be located south of the event area (north of Brennan Road and outside of an existing floodplain located south of Brennan Road) and includes sufficient space to provide 172 parking spaces. Parking attendants will be present during temporary events to provide traffic control and valet parking when there is over 100 guests. No parking associated with the temporary events is proposed or will be authorized within the right-of-way of Tierra Rejada Road.

Restrooms: The applicant will provide an adequate quantity of portable restrooms for the temporary events, and maintain the portable restrooms in compliance with Resource Management Agency, Environmental Health Division regulations. The restrooms will be located along both the northeast edge and in the middle of the

project site. The bathrooms serving the main residence will not be used for temporary events.

Exterior Lighting: No permanent lighting will be installed for the temporary special events (Exhibit 5, Condition 23).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

On September 13, 2010, the Planning Director adopted a Negative Declaration (ND) that evaluated the environmental impacts of the project that was the subject of the CUP Case No. LU09-0143. The project consisted of the operation of temporary outdoor events such as weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary activities, on the subject property. This ND (Exhibit 4) is attached to this staff report.

The CEQA Guidelines [§ 15164(b)] state that the lead agency shall prepare an addendum to an adopted ND 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 ND have occurred. Exhibit 4 includes: the original ND, a description of the changes or additions that are necessary to the ND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of an EIR or subsequent ND.

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 ND, and the addendum to the ND (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* (2015, 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 CUP must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*.

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

As discussed in Section B (above) and in the ND and Addendum prepared for the proposed project (Exhibit 4), the project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA.

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

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

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.*

The Camrosa Water District currently provides water service to the subject property. The subject property is located in the Tierra Rejada Groundwater Basin. However, vendors and/or the leasing party will bring all water for the attendees to consume. Therefore, the proposed project will not directly or indirectly decrease the net quantity of groundwater, and will not create an overdrafted groundwater basin, because no increase in annual groundwater usage will occur.

The proposed project does not include any new development or changes to the existing uses of the subject property. As the proposed project does not include any new development, it will not create any impacts with regard to stormwater runoff (e.g., increases in pollution loading or changes in the volume or rate of runoff). Furthermore, portable restrooms will continue to be used for sewage disposal as required by the Resource Management Agency, Environmental Health Division. The Environmental Health Division reviewed the proposed project, and found that the portable restrooms comply with all applicable requirements. Therefore, the proposed project will not significantly impact the quantity or quality of water resources.

Based on the discussion above, the proposed project is consistent with Policies 1.3.2-2 and 1.3.2-4.

3. **Resources Policy 1.7.2-1:** *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no*

feasible mitigation measures are available and the decision-making body determines there are overriding considerations.

The proposed project does not include any new physical development of the subject property and, therefore, will not significantly degrade visual resources or significantly alter or obscure public views of visual resources.

Based on the discussion above, the proposed project is consistent with Policy 1.7.2-1.

- 4. Resources Policy 1.8.2-1:** *Discretionary developments shall be assess for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The proposed project does not include any new physical development on the subject property (e.g., grading or other types of ground disturbance) and, therefore, does not have the potential to adversely affect subsurface paleontological or archaeological resources that may exist on-site. Furthermore, there are no designated or eligible historical resources located on the subject property.

Based on the discussion above, the proposed project is consistent with Policy 1.8.2-1.

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

As stated in this staff report (above), the Camrosa Water District will continue to provide water to the subject property, but not for potable use for the temporary outdoor events. The Ventura County Fire Protection District (VCFPD) reviewed the proposed project, and determined that the existing water supply is adequate for fire protection purposes. Furthermore, the VCFPD confirmed that the existing driveway connection to Tierra Rejada Road via Brennan Road is adequate for evacuation purposes. Pursuant to the recommendations of the VCFPD, the proposed project will be subject to conditions of approval (Exhibit 5, Conditions Nos. 34, 35, 36, 37, 38, 39, 40, and 41) to ensure that the applicant maintains the subject property in compliance with the water supply and access requirements of the VCFPD.

Based on the discussion above, the proposed project is consistent with Policy 2.13.2-1.

- 6. Hazards 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.

(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 Leq1H of 65 dB(A) during any hour.*

(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 L10 of 60 dB(A).*

(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.*

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

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

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

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

The proposed project is not a noise sensitive use. In addition, the proposed project does not include new development and, consequently, does not have the potential to generate construction-related noise. However, the proposed project is considered a noise generator, due primarily to the proposed use of an amplification system and secondarily from attendees generating noise (e.g., from applauding).

Advanced Engineering Acoustics of Simi Valley prepared an acoustical analysis ("Noise Study"), dated November 10, 2014 (Exhibit 6). The nearest noise-sensitive receptor to the proposed project site is a single-family dwelling located approximately 550 feet to the northwest of the project site, within the City of Moorpark. This existing dwelling is located approximately 850 feet to the northwest of the proposed DJ area, which would be the source of amplified sound.

The Noise Study modeled the music propagation to that residence location and measured the ambient noise during the afternoon, evening, and nighttime hours caused primarily by freeway traffic. Based on this study, the applicable County noise limit standard is the ambient noise level plus 3 dB(A) for the daytime, evening, and nighttime hours.

Based on the measurements and modeling, the noise study concluded that the DJ music and PA sound levels must be maintained at the hourly Leq of 96 dB(A), or less, 15 feet from the DJ speakers for the residential hourly noise to be in compliance with the ambient-based County noise limit of 59 dB(A) Leq1H at the nearest residence. To account for potential inaccuracy in model results and in recognition of the uncomfortable sound level represented by 96 dB(A), the Noise Study recommends that instantaneous music and PA sound levels be limited to 85 dB(A), or less, at 15 feet from the DJ speakers. The recommended limit of 85 dB(A), at 15 feet from the DJ speakers, is incorporated into a condition of approval to be imposed on the project (Exhibit 5, Condition No. 19).

Additionally, as the proposed condition of approval is largely self-monitored, a condition of approval will be included in the permit to require the facility operator to annually identify a contact person to the Planning Director, the City of Moorpark, and to all residents within 100 feet of the parcel boundary (Exhibit 5, Condition No. 19). A complaint resolution process to resolve noise complaints that arise during temporary events will also be incorporated into the project as a condition of approval (Exhibit 5, Condition No. 19).

Finally, for the reasons set forth in Section E.2 of this staff report (below), the hours of operation of the temporary events will remain the same as what was permitted pursuant to CUP Case No. LU09-0143 and will not be extended, as the applicant requested. Although it is not required pursuant to Policy 2.16.2-1, by limiting the hours of operation of the temporary events to what is currently permitted, the proposed project will not create any new noise impacts to surrounding noise-sensitive uses.

Based on the discussion above and implementation of the conditions of approval, the proposed project is consistent with Policy 2.16.2-1.

7. Public Facilities and Services Policy 4.1.2-1: *Discretionary development shall be conditioned to contribute land, improvements or funds toward the cost of needed public improvements and services related to the proposed development.*

The applicant is requesting approval of a time extension to CUP Case No. LU09-0143, in order to continue to allow Temporary Outdoor Festivals, Annual Shows, and Similar Events on the subject property. As discussed in Section C.2 of this staff report, above, the Camrosa Water District provides water to the project site. However, vendors and/or the leasing party will bring water for the attendees consumption and, therefore, the proposed project will not create new demand for water from the Camrosa Water District.

Portable toilets will be provided for use during the temporary events. Therefore, the proposed project will not create new demand for public sewer facilities.

The proposed project will increase the number of guests that are allowed at the temporary events, from 100 to 300 on weekdays and decrease the number of guests that are allowed at the temporary events on weekends, from 400 to 300. The alteration of the number of guests would result in similar or less potential for adverse impacts to traffic congestion along Tierra Rejada Road (Wessel, 2014). However, the proposed use and incorporation of the existing agricultural storage structure into the CUP would limit the maximum allowable number of guests to 285. Pursuant to the Building Code [California Building Code, Part 2, Chapter 10, § 1004], 285 guests is the maximum allowable within the structure given it's Assembly Group A-3 occupancy and size of 2,000 square feet. The Building Code requires a minimum of 7 square feet per person for Assembly uses without fixed seats and no tables and chairs defined as a Concentrated Assembly function. Therefore, the proposed project would not require any public improvements and services beyond what is currently available.

Based on the discussion above, the proposed project is consistent with Policy 4.1.2-1.

8. 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 discussed in Section C.7 of this staff report (above), adequate public services are currently available (functional) to continue to serve the existing Temporary Outdoor Festivals, Annual Shows, and Similar Events venue. The proposed project will not increase water demand or demand for sewage disposal services from a public sewer system. Furthermore, Brennan Road, a private road, will provide access to the site and the proposed reduction in maximum guests from 400 to 300

guests on weekends and increase in maximum guests from 100 to 300 guests on weekdays would result in less potential for adverse impacts to traffic congestion along Tierra Rejada Road (Wessel, 2014)(Exhibit 7). Therefore, no improvements to the existing public roadway system are required for the continued use of the temporary events venue.

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

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

The Camrosa Water District provides water to the subject property. However, vendors and/or the leasing party will bring water for the attendees consumption. Therefore, the proposed project would not result in an increase in demand for water from a public or private purveyor's water system or wells.

Based on the discussion above, the proposed project is consistent with Policy 4.3.2-1.

- 10. Public Facilities and Services Policy 4.4.2-2:** *Any subdivision, or discretionary change in land use having a direct effect upon the volume of sewage, shall be required to connect to a public sewer system. Exceptions to this policy to allow the use of septic systems may be granted in accordance with County Sewer Policy. Installation and maintenance of septic systems shall be regulated by the County Environmental Health Division in accordance with the County's Sewer Policy, County Building Code, and County Service Area 32.*

As stated in this staff report (above), the proposed project includes the use of portable restrooms. Sewage collected in the portable restrooms must be disposed in a public sewer system; however, the proposed project does not involve a direct connection to a public sewer system or use of a private septic system.

Furthermore, the proposed project will not increase the volume of sewage beyond what is currently generated with the existing temporary events.

Based on the discussion above, the proposed project is consistent with Policy 4.4.2-2.

11. Public Facilities and Services Policy 4.8.2-1: *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The Camrosa Water District provides water to the project site, but not water to be used for Temporary Outdoor Festivals, Annual Shows, and Similar Events. As stated in this staff report (above), VCFPD staff reviewed the proposed project, and determined that the existing water supply is adequate for fire protection purposes.

The nearest full-time fire station is Mountain Meadows Station #20 which is located approximately three miles away from the project site via Cedar Springs Street and Tierra Rejada Road. As stated in this staff report (above), VCFPD staff confirmed that the existing driveway connection to Tierra Rejada Road via Brennan Road is adequate for evacuation purposes. Pursuant to the recommendations of the VCFPD, the proposed project will be subject to conditions of approval (Exhibit 5, Conditions Nos. 34, 35, 36, 37, 38, 39, 40, and 41) to ensure that the applicant maintains the subject property in compliance with the water supply and access requirements of the VCFPD.

Based on the discussion above, with the adoption of the recommended conditions of approval, the proposed project is consistent with Policy 4.8.2-1.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County NCZO (§ 8105-4), the proposed use is allowed in the OS-10 ac zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with the requirements of the Ventura County NCZO.

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

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10 acres	Yes, the subject property is 11.77 acres in total area.
Maximum Percentage of Building Coverage	5%	Yes, the allowable lot coverage is 5%, or 25,652 square feet, and the current coverage is approximately 1.53%, or 7,860 square feet.
Front Setback	20'	Yes, all structures are setback at least 20' from the front property line.
Side Setback	10'	Yes, all structures are setback at least 10' from any of the side property lines.
Rear Setback	15'	Yes, all structures are setback at least 15' from the rear property line.
Maximum Building Height – Principal	25'	Yes, none of the structures on the subject property exceed the 25' height limit.
Maximum Building Height – Accessory	15'	Yes, all of the accessory structures, both residential and agriculture related, are at or below the 15' maximum height limit. This includes the 2,000 square foot agricultural storage cover to be added to the CUP boundary.

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP 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, provided that the Planning Director adopts the recommended conditions of approval (Exhibit 5).

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

The proposed project was reviewed and evaluated for impacts to community character using the Ventura County Initial Study Assessment Guidelines. As discussed in detail in the ND (Exhibit 4 – Initial Study Item No. 2A), a “community” is a particular area within which people with common interests reside.

The Planning Division considered comments from the City of Moorpark and Sheriff's Department regarding the proposed project (Exhibits 8 and 9). In an effort to allow the permitted land use to continue operating as a "good neighbor" to nearby residences such that the use will continue to be compatible with the surrounding, legally established development, and in order to ensure that the temporary events comply with the requirements of the Building Code, Planning Division staff recommends the following:

- Events should continue to be limited to 60 days per year;
- Event hours should continue to be limited to 8:00 a.m. to 11:00 p.m. and all guests and vendors should continue to be required to vacate the property by 12:00 a.m.;
- As discussed in Section C.7 of this staff report (above), in order to comply with the Building Code requirements pertaining to the use of the agricultural storage structure as an assembly area for the events, the events will be limited to a maximum of 285 guests; and
- Noise will continue to be restricted by imposing a condition of approval that will limit the maximum noise level of the PA system to 85 dB(A) measured at 15 feet from the DJ speakers (Exhibit 5, Condition No. 19)

All parking will be located on-site, and will not be allowed along Tierra Rejada Road or Brennan Road. All lighting will be aimed downward so as to neither light up the night sky nor spill over to an adjacent property. Furthermore, the site is surrounded by vegetation from available viewing locations, so none of the events would be visible from outside of the property. With these limitations placed on the project description and with the conditions placed upon the permit with regard to days and hours of operation, parking, noise, contact person, and conflict resolution (Exhibit 5, Conditions Nos. 2, 15, 16, 18, and 19), impacts to community character are expected to be minimized such that the proposed project will be compatible with the character of surrounding, legally established development.

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 discussed above in Section E.2, the implementation of the conditions of approval placed on the project would minimize impacts that could be considered obnoxious or harmful to neighboring property or uses.

The Planning Division has not received any complaints regarding, or is aware of, adverse impacts from the existing events, with regard to surrounding agricultural or residential uses.

Finally, the Planning Division is recommending that the Planning Director approve the proposed project subject to a condition of approval that would restrict certain noise-generating activities (Exhibit 5, Condition No. 19).

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 discussed in this staff report (above), the implementation of the conditions of approval placed on the project will minimize adverse impacts to neighboring—particularly with regard to noise generated from events. While the proposed project is anticipated to generate additional traffic to the project site beyond what would occur without the proposed project, vehicle traffic will not occur during peak traffic hours, and all parking of vehicles will take place within the proposed project boundaries. No parking will be allowed on Tierra Rejada Road and Brennan Road. Finally, with the VCFPD-recommended conditions of approval, the proposed project will not create any unusual fire hazards.

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].

The proposed project is located in the unincorporated area of Ventura County, south of the City of Moorpark. Development within the general vicinity of the project site consists primarily of agricultural uses to the south of Tierra Rejada Road and residential uses to the north of Tierra Rejada Road. The subject parcel is bounded on the east and south sides by the unincorporated area of the County and on the north and west sides by the City of Moorpark. As stated in this staff report above, the subject property has a land use designation of Open Space and OS-10 ac zoning designation. The surrounding parcels to the north and west of the project site are located within the City of Moorpark with Urban land use designations and the parcels to the south and east are zoned OS-10 ac with Open Space land use designations.

Temporary events are allowed on the subject property with an approved CUP. As discussed in this staff report above, the implementation of the conditions of approval placed on the project would minimize impacts to neighboring property uses, and thereby render the project compatible with existing and potential uses on neighboring parcels—particularly with regard to noise generated from the events.

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 development will occur on a legal lot, identified as Parcel 1 of Parcel Map 5490.

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, the Planning Division has not received any comments.

The project site is located within the City of Moorpark's Area of Interest. Therefore, on December 22, 2014, the Planning Division notified the City of Moorpark of the proposed project and requested the City of Moorpark to submit any comments that the City of Moorpark might have on the proposed project. The City of Moorpark staff supplied comments on January 14, 2015, and stated that the City of Moorpark staff is opposed to the requested expansion of hours of operation beyond the existing hours of operation and asks that this request is denied (Exhibit 8). Planning Division staff concurs with the City of Moorpark staff's comments on the proposed request to extend the hours of operation of the temporary events. Provided the Planning Director adopts the recommended conditions of approval, the hours of operation of the temporary events will not be extended.

G. 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 Planning Director reviewed and considered this staff report and all exhibits thereto, including the proposed ND and Addendum (Exhibit 4), and 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 ND or EIR have occurred;
3. **ADOPT** the Addendum to the ND (Exhibit 4);

4. **MAKE** the required findings to grant a Minor Modification to CUP Case No. LU09-0143 pursuant to § 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section F of this staff report and the entire record;
5. **GRANT** the Minor Modification to CUP Case No. LU09-0143, 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 Minor Modification to CUP Case No. LU09-0143 has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Matt Sauter at (805) 654-2492 or matthew.sauter@ventura.org.

Prepared by:



Matt Sauter, Case Planner
Residential Permits Section
Ventura County Planning Division

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 Plan
- Exhibit 4 - Negative Declaration and Addendum to Negative Declaration
- Exhibit 5 - Conditions of Approval
- Exhibit 6 - Noise Study
- Exhibit 7 - Traffic Study
- Exhibit 8 - Dave Bobardt – City of Moorpark Comments
- Exhibit 9 - Sheriff's Office/Moorpark Police Comments



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 08-20-2015

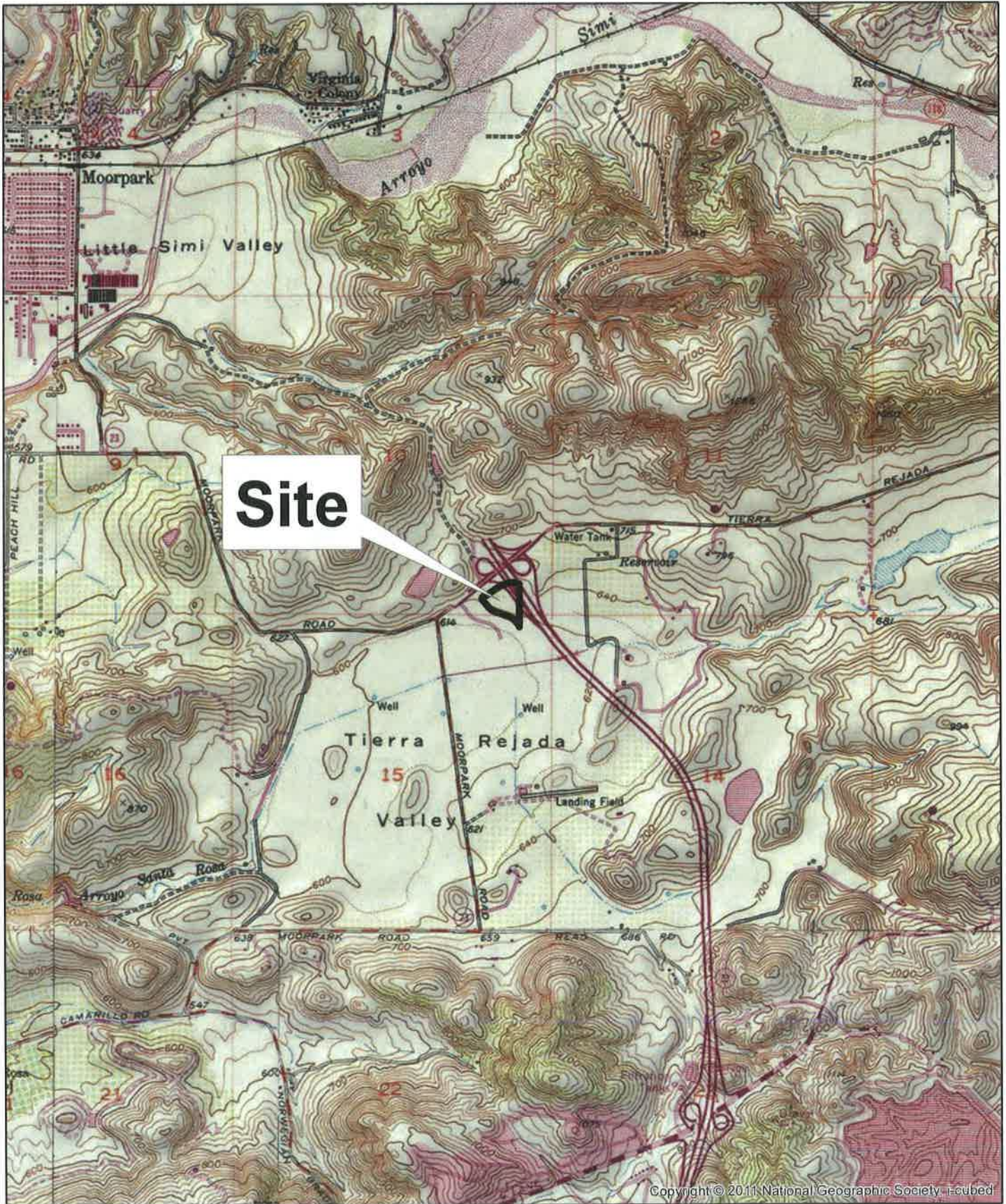


County of Ventura
Planning Director Hearing
PL14-0172
Exhibit 2 - Maps

0 8,000 16,000 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 this 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 08/21/2015
Source: Simi Valley West U.S.G.S.
7.5 Minutes Quadrangle
Contour Interval = 20 ft



Topo Map PL14-0172

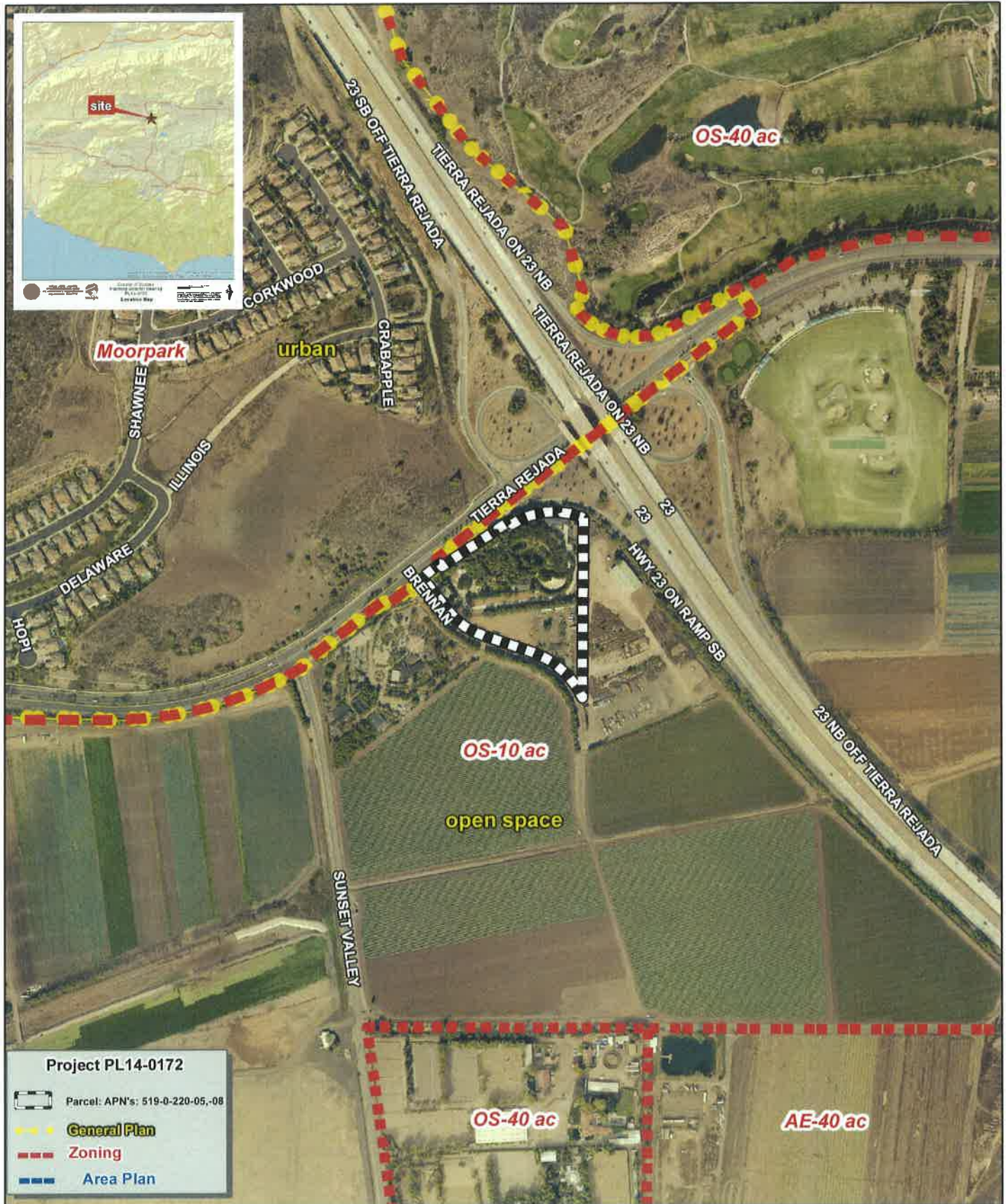
APN's: 519-0-220-05, -08

0 1,000 2,000 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 this map nor does it make any 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 08-20-2015
This aerial Imagery is under the
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Source: Pictometry, Jan. 2015



County of Ventura
Planning Director Hearing
PL14-0172
General Plan & Zoning Map

0 250 500 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.



RH



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 08-20-2015
This aerial imagery is under the
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Source: Pictometry, Jan. 2015



County of Ventura
Planning Director Hearing
PL14-0172
Aerial Photography

0 100 200 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.



RH

REVISIONS

Description Date

PL 14 -

PROPERTY EXHIBIT
"EDEN GARDENS"

3900 BRENNAN ROAD - MOORPARK, CA

APN 519-0-220-055 and 085

PARCEL 1 - 69 PM 49

PROJECT INFORMATION

APN: 519-0-220-055 and 085
LEGAL DESCRIPTION: Portion of Parcel 1, 59 PM 49
LOT SIZE: 11.77 acres
PERMIT AREA: 4.16 acres or 181,223 sq ft
ZONING: OS-10
USE: General Plan: Open Space

SITE (Parcel 1 Lot Area)

Agricultural/Nursery	7.61 acres	65%
CUP Permit Area	4.16 acres	35%
Total	11.77 acres	100%

LAND USE/SITE STRUCTURE COVERAGE BY USE AREAS

PROPOSED CUP	2,522 sq ft	0.49%	(Plan Ref)
Ag Culture Storage	2,000 sq ft	ZC09-0939	(F)
Portable Restrooms (E)	177 sq ft	LJ09-0142	(F)
Driveway Grading Station/RY (E)	225 sq ft	LJ09-0142	(F)
Shed (E)	120 sq ft	LJ09-0142	(E)

<u>HOME SITE</u>	<u>3,520 sq ft</u>	<u>0.75%</u>	
Residence (E)	848 sq ft	ZC07-0650	(E)
Garage (E)	536 sq ft	ZC07-0650	(E)
Shed (E)	160 sq ft	ZC07-0650	(E)
Covered Porch (E)	476 sq ft	ZC07-1631	(E)
Ag Barn (E)	1,500 sq ft	ZC08-1120	(A)

<u>AG SALES FACILITY</u>	<u>SQ. FT.</u>	<u>LOT %</u>	
Small Ag Sales Stand (E)	384 sq. ft.	ZC03-0144	(D)
Cooler Shed (E)	120 sq. ft.	ZC08-0059	(N)

SHIPYARD NURSERY	214 sq ft	0.18%	
Storage Container (E)	318 sq ft	ZC08-0156	(J)
Storage Container (E)	318 sq ft	ZC08-0156	(K)
Storage Container (E)	278 sq ft	ZC08-0156	(L)

PARCEL AGRICULTURE APN 519-0-220-085
No Agricultural Structures

DATA ANALYSIS

LEGAL LOT

APN 519-0-220-055 and 085
PARCEL 1 - 69 PM 49
LOT SIZE: 11.77 Acres; 512,701 sq ft

LOT COVERAGE ANALYSIS

General Plan: 5.0 %; 25,635 sq ft
Existing: 7,860 sq ft; 1.53 %

CUP PROJECT INFORMATION

APN: 519-0-220-055, 085 and 015
CUP Permit Area: 4.16 Acres; 181,223 sq ft
Zoning: OS-10 Acres
General Plan: Open Space (10 Acres minimum Parcel size)

SITE AREA SURFACE COVERAGE

Lot Impervious Surfaces (E)	47,153 sq ft	9.20 %
CLP Turf/Landscaping (E)	53,754 sq ft	10.48 %
CLP Water Features (E)	7,390 sq ft	1.44 %
CLP Bird Cages (E)	1,940 sq ft	0.38 %
CLP Pervious Parking (E/N)	61,494 sq ft	11.99 %
Site Agriculture (D)	322,599 sq ft	64.88 %
TOTAL COVER	512,701 sq ft	100.00 %

	Impervious Surfaces (concrete/asphalt) (E)
	Grass (E)
	Landscape (E)

PAR KING

Standard (9'x18') = 165

Accessible = 6

OWNER INFORMATION
George & Debbie Tash
5777 Balcom Canyon Road
Serra, CA 93068
805-432-4701

SURVEYOR

Figure 1: Site Plan, PL 14

county of ventura

Planning Division

Kimberly L. Prillhart
Director

NOTICE OF AVAILABILITY AND INTENT TO ADOPT A NEGATIVE DECLARATION

The County of Ventura Planning Division, as the Lead Agency, has reviewed the following proposed project:

1. **Entitlement:** Conditional Use Permit Case No. LU09-0143
2. **Applicant:** Carole Alary
3. **Location:** 3900 Brennan Road, in the Tierra Rejada Valley adjacent to the City of Moorpark, in the unincorporated area of Ventura County
4. **Assessor Parcel No(s):** 500-0-392-035
5. **Parcel Size:** 57.14 acres
6. **General Plan Designation:** Open Space
7. **Existing Zoning:** "OS-10 ac" (Open Space, 10 acre minimum lot size)
8. **Responsible and/or Trustee Agencies:** Fish & Game
9. **Project Description:** The applicant requests approval of a Conditional Use Permit to allow "Festivals, Animal Shows and Similar Events, Temporary Outdoor," specifically temporary, outdoor weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary events. Temporary events would be limited to 5.4 acres of the subject property, with up to 100 guests Monday through Friday and up to 400 guests on Saturday and Sunday, for a maximum of 60 days within the calendar year.

POSTED
MAY 26 2010
JAMES B. BECKER
Assistant County Clerk and Recorder
By: _____, Deputy

FILED
DATE: MAY 26 2010
JAMES B. BECKER
Assistant County Clerk and Recorder
By: _____, Deputy

In accordance with Section 15070 of the California Code of Regulations, the Ventura County Planning Department has determined that this proposed project will not have a significant effect on the environment, and a Negative Declaration has been prepared.

The public review period is from June 1, 2010 to July 1, 2010. The Initial Study/Negative Declaration is available for public review on-line at www.ventura.org/planning (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday. The public is encouraged to submit written comments to Michelle Glueckert D'Anna, no later than 5:00 p.m. on July 1, 2010 to the address listed above. In the alternative, you may fax your comments to (805) 654-2509 or e-mail the case planner at michelle.danna@ventura.org.



Following the review period, consideration of the project will be given at a Planning Director public hearing to be held **Thursday, July 22, 2010, at 10:00 A.M.** in the Board of Supervisors Hearing Room, 800 South Victoria Avenue, Ventura, CA 93009.

NB Francis
Nancy Butler Francis, Manager
Land Use Permits Section

May 25, 2010
Date

UAT:RQ

NEGATIVE DECLARATION

A. PROJECT DESCRIPTION:

Entitlement: Conditional Use Permit Case No. LU09-0143

Applicant: Carole Alary

Location: 3900 Brennan Road, in the Tierra Rejada Valley adjacent to the City of Moorpark, in the unincorporated area of Ventura County

Assessor Parcel No(s): 500-0-392-035

Parcel Size: 57.14 acres

General Plan Designation: Open Space

Existing Zoning: "OS-10 ac" (Open Space, 10 acre minimum lot size)

Responsible and/or Trustee Agencies: Fish & Game

Project Description: The applicant requests approval of a Conditional Use Permit to allow "Festivals, Animal Shows and Similar Events, Temporary Outdoor," specifically temporary, outdoor weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary events. Temporary events would be limited to 5.4 acres of the subject property, with up to 100 guests Monday through Friday and up to 400 guests on Saturday and Sunday, for a maximum of 60 days within the calendar year.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

State law requires that an Initial Study (environmental analysis) be conducted to determine if this project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that this project will not have a significant effect on the environment, and a Negative Declaration has been prepared.

C. PUBLIC REVIEW:

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.

Document Posting Period: June 1, 2010 to July 1, 2010



Public Review: The Initial Study prepared for this proposed project has determined that the project will not have adverse environmental impacts. The Initial Study/Negative Declaration is available for public review on-line at www.ventura.org/planning (select "CEQA Environmental Review") or at the County of Ventura, Resource Management Agency, Planning Department, 800 South Victoria Avenue, Ventura, California from 8:00 am to 5:00 pm Monday through Friday.

Comments: The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above posting period to Case Planner, Michelle Glueckert D'Anna, at the County of Ventura Resource Management Agency, Planning Department, 800 South Victoria Avenue L#1740, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509. You may also e-mail the Case Planner at michelle.danna@ventura.org.

D. CONSIDERATION AND APPROVAL OF THE NEGATIVE DECLARATION:

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

Prepared by:

Reviewed for Release to the Public by:


Michelle Glueckert D'Anna, Case Planner
(805) 654-2685


Nancy Butler Francis, Manager
Land Use Permits Section

**Recommended for Approval by
Lead Agency by:**

KIMBERLY L. PRILLHART, Director
Planning Division

SECTION A
PROJECT DESCRIPTION
CONDITIONAL USE PERMIT CASE NO. LU09-0143 FOR
FESTIVALS, ANIMAL SHOWS AND SIMILAR EVENTS, TEMPORARY OUTDOOR
PROPERTY OWNER: George & Debra Tash
LOCATION: 3900 Brennan Road
APN: 500-0-392-035

Project Location

The subject site is located at 3900 Brennan Road, in the Tierra Rejada Valley adjacent to the City of Moorpark, in the unincorporated area of Ventura County (Exhibit A - Aerial Location Map).

Project Size and Physical Description

The project site consists of the following land use designations:

APN	500-0-392-035
ACREAGE OF SITE	57.14 acres
ACREAGE OF CUP AREA	5.4 acres
ZONING	"OS-10 ac" (Open Space, 10 acre minimum lot size)
GENERAL PLAN LAND USE DESIGNATION	Open Space

The subject parcel is located at 3900 Brennan Road. Local access to the site is via Brennan Road by way of Tierra Rejada Road (Highway 118). Brennan Road is a private road, owned by the property owner of parcels 500-0-392-045 and 500-0-392-055, over which the property owner maintains an easement for ingress/egress. Regional access is provided by Highway 23 and Highway 118. The parcel is approximately 57.14 acres in size and is currently in process for a subdivision [Tentative Parcel Map No. 5490 (SD08-0037)] to create four new parcels and a remainder parcel. Proposed "Parcel 1" of this map will be an 11.81-acre parcel, which will contain the entire 5.4-acre Conditional Use Permit (CUP) boundary. The CUP is not dependent upon the approval and recordation of the proposed subdivision.

The property is flat, draining west from the middle of the property by way of a recognized floodway. The land is currently being utilized for agricultural production and a nursery operation. Structures on the site include agricultural buildings, storage sheds, a mobile home, tractor barn, and carport.

Property to the north is located within the City of Moorpark. Land to the east and west is zoned "OS-10" (Open Space, 10 acre minimum parcel size). Property to the south is zoned "OS-40" (Open Space, 40 acre minimum parcel size) and "AE-40 ac" (Agriculture Exclusive, 40 Acre minimum parcel size). Directly to the north of the site is Tierra Rejada Road, which is under the jurisdiction of the City of Moorpark.

Project Description

The applicant requests approval of a Conditional Use Permit to allow "Festivals, Animal Shows and Similar Events, Temporary Outdoor," specifically temporary, outdoor weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary events. Temporary events would be limited to 5.4 acres of the subject property, with up to 100 guests Monday through Friday and up to 400 guests on Saturday and Sunday, for a maximum of 60 days within the calendar year (Exhibit B – Site Plan).

Event Area

The temporary special events will be located on approximately 5.4 acres of the project site, as indicated on the site plan. The single-family residence is restricted to the owner's use and will not be leased out.

Operation of Events

The request is for a CUP for temporary events which would allow up to 100 guests Monday through Friday and up to 400 guests on Saturday and Sunday. The proposed hours of operation for temporary outdoor events will be from 8:00 am to 12:00am, for a maximum of 60 days within the calendar year. Vendors would be permitted to arrive at 8:00am to set up for events. All guests and vendors will vacate the property no later than 12:00am.

All food and beverage service on site will be provided by self-sufficient, licensed catering services. Dishes, flatware and glasses will be provided by the caterer or a delivery rental company. Catered food will be prepared off site and transported to the event site for each event. Food service operators must have a permit to operate from the Ventura County Environmental Health Division.

Parking

Guest parking is located in two separate parking areas within the parcel, just south of the event area and across Brennan Road from the event area. The CUP boundary can accommodate up to a total of 210 parking spaces. There is unobstructed access to the property (via Brennan Road) from Tierra Rejada Road. Parking attendants will be present during temporary events to provide traffic control and valet parking. No parking is proposed, nor will be permitted, on Tierra Rejada Road or shoulder right-of-way.

Portable Restrooms

Portable restrooms will be provided by a local vendor and will be required as part of the contract for any event to be held at the site. An adequate quantity of portable toilets for temporary events will be provided and maintained in compliance with Environmental Health Division regulations. The restrooms will be located along both the northeast edge in the middle of the proposed CUP boundary. The bathrooms serving the main residence are prohibited from being used for temporary events.

Exterior Lighting

No permanent lighting will be installed for the purpose of temporary special events.

Temporary exterior lighting is proposed throughout the CUP boundary, as indicated on the Site Plan (Exhibit B). Such lighting includes yard lights on the surface to illuminate paths and water features, two lights on five-foot tall poles in cocktail area, two lights on six-foot tall poles in reception area, and two lights on six-foot tall poles at the garden entrance. All lighting for special events will be shielded and directed downward onto the subject parcel to prevent spill-over onto adjacent parcels. All temporary lighting would be completely turned off and removed from the site after the event has ended.

Cumulative Impact Analysis

This Initial Study is required to analyze potential cumulative impacts that could result from the proposed project, including potential growth inducing impacts (Ventura County 2006b, 8 and 15). A "cumulative impact" is defined as:

...the adverse change to the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable projects. 'Related' means that other projects will have an adverse impact on one or more of the same specific environmental issue(s) as the proposed project. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. (Ventura County 2006b, 8)

When analyzing cumulative impacts, an Initial Study must consider any growth-inducing aspects of the proposed project. "Growth inducement" is defined as any action that would eliminate or remove an impediment to growth in an area, including both physical impediments (e.g., lack of sewers or access roads) and policy impediments (e.g., changes in zoning designations) (Ventura County, 2006b, 15). The projects that have been included in the analysis of potential cumulative impacts were selected based on their proximity to the project site, similarity in use, proximity to Tierra Rejada Road (Highway 118) and Highway 23, similar potential impacts to resources and issue areas, and status of completion.

Table 1 - Cumulative Impact Analysis

Type of Permit & Name of Venue	Assessor's Parcel Number (APN) And Address	Number of Events Permitted Per Year	Days Permitted	Hours Permitted
Conditional Use Permit for Temporary Outdoor Events: Rancho de Las Palmas	500- 0-410-285 3566 Sunset Valley Road	60	Saturday & Sunday	10AM – 10PM

Conditional Use Permit for Temporary Outdoor Events: Tierra Rejada Ranch	500- 0-410-355 3370 Sunset Valley Road	Six group events per year and three days per event	Monday - Sunday	7:30AM – 11PM
Planned Development Permit for "Amusement and Recreational Facilities" for Indoor Events: Tierra Rejada Golf Club	500-0-450-025 15137 Tierra Rejada Road	100	Saturday & Sunday	4PM – 11PM

Exhibit A – Aerial Location Map

Exhibit B – Site Plan

SECTION B
INITIAL STUDY CHECKLIST
CONDITIONAL USE PERMIT CASE NO. LU09-0143 FOR
FESTIVALS, ANIMAL SHOWS AND SIMILAR EVENTS, TEMPORARY OUTDOOR
APPLICANT: Carole Alary
PROPERTY OWNER: George & Debra Tash
LOCATION: 3900 Brennan Road
APN: 500-0-392-035

	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. GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES (PLNG.)		X				X		
LAND USE:	2. LAND USE (PLNG.):								
	A. COMMUNITY CHARACTER		X				X		
	B. HOUSING	X				X			
	C. GROWTH INDUCEMENT	X				X			
RESOURCES:	3. AIR QUALITY (APCD):								
	A. REGIONAL		X				X		
	B. LOCAL		X				X		
	4. WATER RESOURCES (PWA):								
	A. GROUNDWATER QUANTITY		X				X		
	B. GROUNDWATER QUALITY		X				X		
	C. SURFACE WATER QUANTITY		X				X		
	D. SURFACE WATER QUALITY		X				X		
	5. MINERAL RESOURCES (PLNG):								
	A. AGGREGATE	X				X			
	B. PETROLEUM	X				X			
	6. BIOLOGICAL RESOURCES:								
	A. ENDANGERED, THREATENED, OR RARE SPECIES	X				X			
	B. WETLAND HABITAT	X				X			
	C. COASTAL HABITAT	X				X			

Initial Study
LU09-0143 (Tash)
Page 5 of 30

	ISSUE (RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS-M	PS	N	LS	PS-M	PS
	D. MIGRATION CORRIDORS		X				X		
	E. LOCALLY IMPORTANT SPECIES/COMMUNITIES	X				X			
	7. AGRICULTURAL RESOURCES (AG. DEPT.):								
	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. VISUAL RESOURCES:								
	A. SCENIC HIGHWAY (PLNG.)	X				X			
	B. SCENIC AREA/FEATURE	X				X			
	9. PALEONTOLOGICAL RESOURCES	X				X			
	10. CULTURAL RESOURCES								
	A. ARCHAEOLOGICAL	X				X			
	B. HISTORICAL (PLNG.)	X				X			
	C. ETHNIC, SOCIAL OR RELIGIOUS	X				X			
	11. ENERGY RESOURCES	X				X			
	12. COASTAL BEACHES & SAND DUNES	X				X			
HAZARDS:	13. SEISMIC HAZARDS (PWA):								
	A. FAULT RUPTURE		X			X			
	B. GROUND SHAKING		X			X			
	C. TSUNAMI	X				X			
	D. SEICHE	X				X			
	E. LIQUEFACTION	X				X			
	14. GEOLOGIC HAZARDS (PWA):								
	A. SUBSIDENCE	X				X			
	B. EXPANSIVE SOILS		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
	C. LANDSLIDES/MUDSLIDES	x				x			
	15. HYDRAULIC HAZARDS (PWA/WPD):								
	A. EROSION/SILTATION		x				x		
	B. FLOODING		x				x		
	16. AVIATION HAZARDS (AIRPORTS)	x				x			
	17. FIRE HAZARDS (FIRE)	x				x			
	18. HAZARDOUS MATERIALS/WASTE								
	A. ABOVE-GROUND HAZARDOUS MATERIALS (FIRE)	x				x			
	B. HAZARDOUS MATERIALS (EH)	x				x			
	C. HAZARDOUS WASTE (EH)	x				x			
	19. NOISE AND VIBRATION			x				x	
	20. GLARE		x				x		
	21. PUBLIC HEALTH (EH)	x				x			
PUBLIC FACILITIES & SERVICES	22. TRANSPORTATION/CIRCULATION:								
	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 (PLNG.)		x				x		
	E. BUS TRANSIT	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
F. RAILROADS	x				x			
G. AIRPORTS (AIRPORTS)	x				x			
H. HARBORS (HARBORS)	x				x			
I. PIPELINES	x				x			
23. WATER SUPPLY:								
A. QUALITY (EH)	x				x			
B. QUANTITY (PWA)		x				x		
C. FIRE FLOW (FIRE)	x				x			
24. WASTE TREATMENT/DISPOSAL:								
A. INDIVIDUAL SEWAGE DISPOSAL	x				x			
B. SEWAGE	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. WPD FACILITY (WPD)		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			

	ISSUE (RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	PS-M	PS	N	LS	PS-M	PS
	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

Airports - Department Of Airports

Fire - Fire Protection District

Sheriff - Sheriff's Department

EH - Environmental Health Division

WPD - Watershed Protection District

Ag. Dept. - Agricultural Department

Lib. Agency - Library Services Agency

SECTION C
INITIAL STUDY - DISCUSSION OF RESPONSES
CONDITIONAL USE PERMIT CASE NO. LU09-0143 FOR
FESTIVALS, ANIMAL SHOWS AND SIMILAR EVENTS, TEMPORARY OUTDOOR
PROPERTY OWNER: George & Debra Tash
LOCATION: 3900 Brennan Road
APN: 500-0-392-035

GENERAL

1. GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES:

The *Ventura County General Plan* contains a large number of goals, policies and programs which are used to evaluate proposed projects within the unincorporated county.

Many of these goals and policies do not apply to the proposed project either because of its location (i.e. it is outside the area considered in the General Plan goal or policy (coastal zone, dam inundation areas, etc.) or because the project is not a land use considered by the goal or policy. The General Plan programs are a coordinated set of measures to be implemented by County staff and other public agencies to carry out the goals and policies.

As the proposed project does not violate or hinder implementation of any of these programs, the project is considered to consistent with all the General Plan Environmental Goals and Policies.

To determine project consistency with the General Plan goals and policies, only the policies are normally evaluated unless; 1) a policy is so vague that a related goal needs to be evaluated so as to clarify the intent of the specific policy; 2) there is a specific feature about the project as it relates to a specific policy which requires evaluation of a specific goal; or 3) a goal addresses issues which are not covered by specific policies. Where a goal and a policy overlap, only the policy is evaluated. These principles are derived from the fact that the policies are considered to be specific, "guiding day-to-day actions" which are designed to implement the much more generalized goals.

In review of the *Ventura County General Plan*, using the principles discussed above and the environmental analyses contained in this Initial Study, the proposed project is considered to be consistent with all the goals, policies, and programs of the *Ventura County General Plan*. The most relevant general plan sections are referenced in the relevant impact sections.

The proposed project site has a General Plan land use designation of "Open Space" and a zoning designation of "OS-10ac" (Open Space, 10 acre minimum parcel size). The parcel is located within the Tierra Rejada Greenbelt and a mapped Regional Wildlife Corridor. The proposed project complies with the environmental goals, policies, and programs of the General Plan, and the Non-Coastal Zoning Ordinance; therefore, **no significant impacts** are anticipated.

Source Document: *Ventura County Initial Study Assessment Guidelines (October 2008)*, *Ventura County General Plan (2005)*, *Ventura County Non-Coastal Zoning Ordinance*.

LAND USE

2. LAND USE:

Item A - Community Character

The CUP for this proposed project would allow the applicant to host temporary outdoor events within a 5.4-acre portion of the 57.14-acre property located at 3900 Brennan Road in the unincorporated area of the County, near Moorpark. The one-day events would occur outdoors and be held Monday through Sunday, between the hours of 8:00 AM and 12:00 AM. The maximum number of guests per event will be up to 100 on Monday through Friday, and up to 400 on Saturday and Sunday. Catered food would be prepared off-site and transported to the project site for each event. Portable restrooms would be provided on-site for each event.

The proposed project was reviewed and evaluated for impacts to community character using the *Ventura County Initial Study Assessment Guidelines* (February 2006). A "community" is a particular area within which people with common interests reside. The proposed CUP boundary is bordered by a commercial nursery to the west and agricultural row crops to the south, both of which are located on the 57.14-acre parcel owned by the property owner for this CUP application (George & Debra Tash). The parcel to the west of the subject parcel, across Sunset Valley Road, is currently vacant. The parcel to the south of the subject parcel contains a single family dwelling, horse-riding facility, and maintains a previously approved CUP for temporary outdoor events (see Table 1 - Cumulative Impact Analysis).

There is one parcel adjacent and to the east of the project site, between the project site and Highway 23 (APNs: 500-0-392-045 and 500-0-392-055). The primary land use of the adjacent parcel to the east is animal-keeping. No dwellings are currently constructed on the property, although plans have been approved for three dwellings (one principal dwelling and two farmworker dwellings) on the property. The principle dwelling, once constructed, would be located approximately 70 feet from the southbound Highway 23 onramp and approximately 130 feet from the edge of the shoulder of the highway. Several trees and a fence separate the eastern boundary of the CUP area from this adjacent property. The project will be conditioned such that any speakers must point south and westward away from this neighboring parcel to minimize noise disturbance from temporary events. Additionally, the condition will require that if any future noise-sensitive receptors are constructed on any neighboring parcels, the noise-generating temporary outdoor event use shall respond accordingly to maintain noise levels below County thresholds.

Tierra Rejada Road, which borders the subject parcel to the north, is under the jurisdiction of the City of Moorpark. Dwellings located across Tierra Rejada Road from the project site, within the City of Moorpark, are located as close as 550 feet from the edge of the proposed CUP boundary. Dense vegetation would shield the events from view of these homes and noise associated with the events is likely not to be heard from this distance, given the topography of the area and proximity to Highway 23.

Conditions placed upon this permit with regard to days and hours of operation, traffic control, parking, noise, and glare will reduce the impacts to community character to a level that is **less than significant**.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

Item B – Housing

The proposed project was reviewed and evaluated for impacts to housing using the *Ventura County Initial Study Assessment Guidelines* (February 2006). The events described in the proposed project are periodic in nature and would not individually or cumulatively affect existing housing or create a demand for additional housing. Therefore, there would be **no adverse impacts** to housing as a result of this project.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

Item C - Growth Inducement

The proposed project was reviewed for growth inducing impacts using the *Ventura County Initial Study Assessment Guidelines* (February 2006). The proposed project is for periodic, temporary events. Access to the site and utilities already exist. In order to meet sanitation requirements, additional portable restrooms would need to be brought in for events, however these are temporary. Also, the zoning of the property restricts future growth to a limited number of uses. Therefore, **no adverse impacts** to growth inducement are expected as a result of this project.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

RESOURCES

3. AIR QUALITY:

Item A - Regional Air Quality Impacts

Based on information provided by the applicant, air quality impacts will be below the 25 pounds per day threshold for reactive organic compounds and oxides of nitrogen as described in the *Ventura County Air Quality Assessment Guidelines* (2.8 lbs/day and 3.15 lbs/day respectively, see attached computer print-out). Therefore, the project will have a **less than significant** impact on regional air quality.

Source Document: 2000 Ventura County Air Quality Assessment Guidelines, Air Pollution Control District (memorandum from Alicia Stratton to Michelle D'Anna dated December 30, 2009).

Item B - Local Air Quality Impacts

Based on information in the project application, the proposed project would generate local air quality impacts, but those impacts are expected to be **less than significant** with standard conditioning of the project.

Source Document: 2000 Ventura County Air Quality Assessment Guidelines, Air Pollution Control District (memorandum from Alicia Stratton to Michelle D'Anna dated December 30, 2009).

Greenhouse Gasses and Climate Change

Greenhouse gases (GHGs) are atmospheric gases affecting temperature, precipitation, and other aspects of the climate system. Scientific evidence demonstrates that the average global atmospheric temperature has been rising in recent decades. At the same time, anthropogenic GHG emissions, primarily carbon dioxide (CO₂) from the combustion of fossil fuels, have also been increasing. According to scientific data, further global warming would change the global climate system and its ecosystems. Such changes could include, but not be limited to, higher sea levels; more extreme weather, including droughts, heavy precipitation, heat waves, extreme cold, and the intensity of tropical cyclones; the decline of mountain snowpack, glaciers, and sea ice; an increase in the number of days conducive to ozone formation; and higher potential for erosion of California's coastlines.¹ In order to reduce or prevent changes to the global climate system, governmental actions have been initiated, with the support of the scientific community, to limit GHGs.

Regulatory Setting. Health & Safety Code § 38500 et seq. (AB 32), the California Global Warming Solutions Act of 2006, identifies the threat of global warming in and to the state, and establishes a goal of reducing GHG emissions to 1990 levels by the year 2020 in order to avert significant environmental consequences. AB 32 requires the California Air Resources Board (ARB) to quantify and track GHG emissions, approve a plan for achieving reductions of GHGs, and adopt reduction measures and regulations (including "cap and trade" programs) for achieving GHG emission reductions. AB 32 does not, however, amend CEQA (California Environmental Quality Act) to require new analytic processes to account for the environmental impacts of GHG emissions from projects subject to CEQA. Pursuant to SB 97, Public Resources Code § 21083.05 was enacted in 2007, to address GHG emissions from projects in CEQA analyses. SB 97 directs the Governor's Office of Planning and Research (OPR) to develop draft CEQA Guidelines by July 1, 2009.² The OPR has fulfilled its obligation by developing "Proposed Amendments" to 14 sections of the CEQA Guidelines, which are currently available for public review³ as final adoption of such CEQA Guidelines amendments are pending before the California Resources Agency. The California Resources Agency has until January 1, 2010 to certify and adopt the Proposed CEQA Guidelines Amendments.

Like many CEQA lead agencies in California, the Ventura County Planning Division relies on the guidance of its local air pollution control district, the Ventura County Air Pollution Control District (APCD), for environmental analysis and mitigation related to air quality and air pollution. Regarding ozone precursor pollutants [such as reactive organic compounds (ROC) and nitrogen oxides (NO_x)], the APCD has developed a threshold of significance and, if impacts are found to be significant, identifies mitigation measures that can reduce impacts below significance.

¹ ENVICOM Corp., Agoura Hills, CA, "Draft Final Wildwood Preserve Environmental Impact Report," April 2009.

² State of California, Office of Planning and Research, "Technical Advisory: CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review," June 19, 2008.

³ See "CEQA Guidelines: Sections Proposed to Be Added or Amended,"
http://www.opr.ca.gov/ceqa/pdfs/PA_CEQA_Guidelines.pdf

In the case of GHGs, the Ventura County APCD does not yet have a threshold of significance for GHGs. The OPR has asked the ARB to recommend a methodology for determining GHG emission significance thresholds that could be used by local agencies. The OPR⁴, ARB, and others⁵ recognize that a statewide threshold of significance for GHG emissions is warranted because of the global nature, as opposed to local or regional, of climate change. However, such state guidance is not expected until 2010, due to the public workshop process and technical complexity of the issue.

The recently Proposed Amendments to CEQA Guidelines per SB 97 do not prescribe thresholds of significance for GHG emissions. The Proposed Amendments allow lead agencies to apply or adopt significance thresholds adopted or recommended by other public agencies, or recommended by experts, provided the decision by the lead agency is supported by substantial evidence [Sec. 15064.4.(b)(2), Sec. 15064.7.(c)]. Nevertheless, existing CEQA Guidelines [Sec. 15064.7(b)] state that, "Thresholds of significance to be adopted for general use as part of the lead agency's environmental review process must be adopted by ordinance, resolution, rule, or regulation, and developed through a public review process and be supported by the substantial evidence." Currently, there are no formally adopted or published CEQA thresholds for GHG emissions from an individual project that can be used to determine significance.⁶

Thus, as no threshold of significance exists for GHG emissions, a determination of significance cannot be made for the project at this time. "Substantial additional scientific research and regulatory guidance are needed to determine whether a project's incremental GHG emissions impacts on climate change would be significant, and whether and how cumulative GHG emissions will affect global climate. Despite these difficulties and uncertainties, local and state efforts are underway to develop GHG significance thresholds."⁷ Until such time as thresholds are developed and adopted, the County does not have adequate information for determining mitigation measures.

4. WATER RESOURCES:

Item A - Groundwater Quantity

No increase in groundwater usage is anticipated. Therefore, the project will have a **less than significant** impact to Groundwater Quantity.

Source Document: Memorandum from Rick Viergutz to Michelle D'Anna dated January 7, 2010.

Item B - Groundwater Quality

All wastewater from the portable toilets will be removed after each event. Conditions of approval will further reduce the cumulative impacts to groundwater quality. Therefore,

⁴ State of California, Office of Planning and Research, "Technical Advisory: CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review," June 19, 2008.

⁵ Ventura County Air Pollution Control District, June 9, 2009.

⁶ ENVICOM Corp, Agoura Hills, CA, "Draft Final Wildwood Preserve Environmental Impact Report," April 2009.

⁷ Ibid.

the project will have a **less than significant impact** to Groundwater Quality.

Source Document: Memorandum from Rick Viergutz to Michelle D'Anna dated January 7, 2010.

Item C - Surface Water Quantity

No surface water usage is proposed. Therefore the project will have a **less than significant impact** to surface water quantity.

Source Document: Memorandum from Rick Viergutz to Michelle D'Anna dated January 7, 2010.

Item D - Surface Water Quality

The project's water quality impacts are not expected to result in a violation of any water quality standards as defined in the Los Angeles Basin Plan. As such, neither the individual project nor cumulative threshold for significance is being exceeded. Therefore, the project will have a **less than significant impact** on surface water quality.

Source Document: Memorandum from Paul Tantet to Michelle D'Anna dated December 30, 2009.

5. MINERAL RESOURCES:

Item A - Aggregate

The project site is not located within a Mineral Resource Zone. Zoning Maps indicate that the proposed project site is not zoned for "mineral resource protection," and the proposed project would not affect current aggregate manufacturing or production "stream" nor would the proposed project result in direct impacts through the use of mineral resources as described in the *Ventura County Initial Study Assessment Guidelines* (February 2006). Therefore, the proposed project would have **no adverse impact** on mineral resources.

Source Document: Ventura County General Plan (2005), Resources Appendix, Figure 1.4.6 (page 51), and Planning GIS - Aggregate Resources layer (accessed August 2009).

Item B - Petroleum

No oil or gas CUPs are located on this site or in the immediate area. The proposed CUP would not preclude access to petroleum resources should any be discovered in the future.

The proposed project would create a demand for petroleum resources, due primarily to the use of gasoline for vehicle trips. However, as stated in the *Ventura County Initial Study Assessment Guidelines* (February 2006, 33), no individual project would have a significant impact on the demand for petroleum resources because: "Petroleum resources are considered a world-wide, national and state-wide resource that is beyond the scope of local governments to effectively manage or control." Therefore, the project would have **no adverse impact** on petroleum resources.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008) and Ventura County General Plan, Resources Appendix (2005), and Planning GIS - Aggregate Resources layer (accessed August 2009).

6. BIOLOGICAL RESOURCES:

Item A - Endangered, Threatened or Rare Species, Item B - Wetland Habitat, Item C - Coastal Habitat & Item E - Locally Important Species/Communities

The *Ventura County General Plan* (2005a), Biological Resources Policy 1.5.2.1, requires an evaluation by a qualified biologist to assess the potential adverse impacts and, if necessary, the development of mitigation measures for discretionary development that has the potential to adversely affect biological resources. In addition, Biological Resources Policy 1.5.2.2 requires discretionary development to be sited and designed to incorporate all feasible measures to mitigate any significant impacts to biological resources. Finally, the analysis of potential impacts and identification of mitigation measures must be conducted and evaluated pursuant to the requirements of the *Ventura County Initial Study Assessment Guidelines* (Ventura County 2006b).

The project is not expected to have any impacts to Biological Resources relating to endangered, threatened or rare species, wetland habitat, or coastal habitat. Because the CUP boundary is already developed, there is no potential for the presence of endangered, threatened, rare, or locally important species; and there are no wetlands or coastal habitats within the CUP boundary. The project does not propose new development within the project site, but rather the use of currently developed portions of the property. Therefore, **no project-specific or cumulative impacts** are expected to endangered, threatened or rare species, wetland habitat, or coastal habitat.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008), and Memo from Christina Danko to Michelle D'Anna dated January 13, 2010.

Item D - Migration Corridors

Development projects proposed within the habitat connectivity map may have a potentially significant impact to wildlife corridors. The project site is located within a mapped regional wildlife corridor (Santa Monica - Sierra Madre connection mapped by the South Coast Missing Linkages Project). However, no new development is proposed, and therefore no new physical barriers to wildlife movement would be constructed as a result of the project. Activity from the proposed temporary events would be limited to the northeastern portion of the property, where landscaping provides a buffer to light and noise between the events and the remainder of the property, and events would be limited to 60 days per year. The distance between the proposed events and the undercrossing known to be used by wildlife to cross under Highway 23 is approximately 1,000 feet. According to the noise study conducted for the proposed project by Advanced Engineering Acoustics, the DJ music and PA sound levels must be maintained at the hourly Leq of 98 dBA, or less, 15 feet from the DJ speakers for the residential hourly noise to be in compliance with the ambient-based County variable noise limit at the nearest residence. Even so, the Noise Study recommends limiting instantaneous music and PA sound levels to 85 dBA, or less, at 15 feet from the DJ speakers, as typically, 98 dBA at 15 feet could be an uncomfortable sound level for most outdoor party venues. Noise attenuates over distance, and therefore there would be no expected noise impacts to the wildlife corridor from the proposed project. Therefore, the project will have a **less than significant impact** to migration corridors.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008) and

Planning GIS – Habitat Connectivity Layer (accessed January 2010), Noise Study prepared by Advanced Engineering Acoustics dated May 12, 2010, Memo from Christina Danko to Michelle D'Anna dated January 13, 2010.

7. AGRICULTURAL RESOURCES:

Item A – Soils

The evaluation pertains to loss of agricultural soils as classified on the Department of Conservation/RMA-GIS Important Farmland Inventory map. The event area and parking areas will be on soils classified as Unique Farmland. None of the event uses, including parking, will permanently cover the soils. In addition, the amount of land used for the event area and parking will not exceed the significance threshold in the Open Space land use designation for Unique Farmland soils, which is 15 acres. Therefore, project and cumulative impacts for soils are deemed **no impact**.

Source Document: Memorandum from the Rita Graham to Michelle D'Anna dated December 24, 2009.

Item B – Water

Professional evaluations of water usage and discharge are undertaken by the Ventura County Water Resources Division and Watershed Protection District. Unless a peculiar effect is identified by these agencies, the Agricultural Commissioner considers effects to water to be **less than significant**.

Source Document: Memorandum from the Rita Graham to Michelle D'Anna dated December 24, 2009.

Item C - Air Quality/Micro-Climate

Dust from project-related parking may increase dust on the off-site farmland to the southwest of the subject property. However, the crop production areas closest to the event parking sites are owned by the applicant. Conditions of approval have been recommended to reduce dust. In addition, professional evaluation of air quality impacts is undertaken by the Ventura County Air Pollution Control District (APCD). Unless a peculiar effect is identified by APCD, the Agricultural Commissioner considers effects to air quality/micro-climate to be **less than significant**.

Source Document: Memorandum from the Rita Graham to Michelle D'Anna dated December 24, 2009.

Item D - Pests/Diseases

According to Agricultural Department biologists, temporary event use is unlikely to introduce agricultural pests or diseases. In addition, the conditions of approval for air quality will reduce the likelihood of diseases associated with dust on crops. Crop production areas closest to the proposed event sites are owned by the applicant. Therefore, the Agricultural Commissioner considers effects to pests/diseases to be **less than significant**.

Source Document: Memorandum from the Rita Graham to Michelle D'Anna dated December 24, 2009.

Item E - Land Use Compatibility

The evaluation of land use compatibility as relevant to agricultural resources pertains to

the introduction of land use incompatibilities to off-site agricultural lands and off-site crop production. The threshold of significance is: Any non-agricultural land use or development that by its nature, design or operation may pose substantial land use incompatibilities with nearby property currently in or suitable for agricultural production will have a significant impact. Outdoor Recreational uses are listed in the Initial Study Guidelines as potentially significant if they are within certain distances of irrigated farming, dry farming or grazing lands. Temporary outdoor events and weddings are similar to "Outdoor Recreational uses." The significance thresholds are measured from the new outdoor event use to: grazing (100 ft threshold), dry farming (200 ft), or irrigated agriculture (300 ft.). In this case, there are no off-site grazing, dry farming or irrigate agricultural uses within these distances. Crop production closest to the event area is part of the parcel owned by the applicant and therefore not subject to mitigation for land use incompatibility. Off-site areas to the east of the project site are classified as Unique Farmland; however, the land has been converted to a horse keeping and horse activity area, which are not crop production or commercial grazing operations. Therefore, project and cumulative effects for land use compatibility are deemed **less than significant**.

Source Document: Memorandum from the Rita Graham to Michelle D'Anna dated December 24, 2009.

8. VISUAL RESOURCES:

Item A - Scenic Highway and Item B - Scenic Area/Feature

A scenic highway is the visible area as seen from a designated or eligible scenic highway that can generally be defined as the "view from the road." The foreground viewshed is generally within one-half mile on either side of the highway. General Plan Policy 1.7.2-4 states that a project would have a significant impact if it would degrade visual resources or significantly alter or obscure public views. Highway 23 is an eligible scenic county highway. The proposed CUP area within the subject parcel is located within 300 feet of Highway 23. Several mature trees line the northern and eastern property line of the parcel in the area of the CUP boundary, thereby shielding the view of the project site from Tierra Rejada Road as well as from the line of sight from Highway 23. Therefore, there would be **no adverse impacts** to visual resources.

Source Document: Ventura County General Plan Resources Appendix (2005), Figure 1.7.2a and the Ventura County Initial Study Assessment Guidelines (October 2008), and site visit conducted by Michelle D'Anna on January 12, 2010.

9. PALEONTOLOGICAL RESOURCES:

The proposed project is on existing developed land with an open space zoning designation. The proposed project would not involve ground disturbance activities or the construction of permanent structures. The proposed project is consistent with the goals and policies in the *Ventura County General Plan (2005)*, Section 1.8 – *Paleontological and Cultural Resources*. Therefore, the project will result in **no adverse impact** to paleontological resources.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008).

10. CULTURAL RESOURCES:

Item A – Archaeological Resources and Item B – Historical Resources

The proposed project is on existing developed land with an open space zoning designation. The proposed project would not involve ground disturbance activities, the construction of permanent structures, or the demolition of buildings. The proposed events are consistent with the goals and policies in the *Ventura County General Plan* (2005), Section 1.8 – *Paleontological and Cultural Resources*. Therefore, the proposed project will result in **no adverse impact** to cultural resources.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008).

Item C - Social or Religious Resources

No contemporary, ethnic or social establishments, cemeteries, churches, shrines, synagogues, or other religious institution or establishments are located within the project site or on the immediate adjacent parcels. Therefore, **no adverse impacts** to Social or Religious resources are expected as a result of this project. The proposed project is consistent with the goals and policies in the *Ventura County General Plan* (2005), Section 1.8 – *Paleontological and Cultural Resources*.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008), and site visit conducted by Michelle D'Anna on January 12, 2010.

11. ENERGY RESOURCES:

The proposed project is on existing developed land in an open space zone. The temporary outdoor events would be periodic and of a non-permanent nature, and would not include the construction of new buildings. The project alone and cumulatively has no relationship to renewable resources of solar, wind, and hydraulic power. Therefore, there is **no adverse impact** to energy resources as a result of this project.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008).

12. COASTAL BEACHES & SAND DUNES:

This project is not located within the Coastal Zone of the County's *Local Coastal Program*. Therefore, the proposed project would have **no adverse impact** on the coastal beaches and sand dunes.

Source Document: Ventura County Coastal Area Plan (2002).

HAZARDS

13. SEISMIC HAZARDS:

Item A - Fault Rupture

Portions of the property are located within a State of California designated Earthquake Fault zone. Construction of certain types of projects within these zones will require geologic investigations to evaluate the potential for surface fault rupture. Because the project does not involve development or construction of habitable structures, the hazard

with potential fault rupture is considered to be **less than significant**. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item B - Ground Shaking

The property will be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The County of Ventura Building code adopted from the California Building Code, dated 2007, Chapter 16, Division IV requires the structures be designed to withstand this ground shaking. The project geotechnical report prepared by Advanced Geotechnical Services, dated September 28, 2006, indicates that for a 50 year time period, a 10 percent probability is present for ground shaking to exceed an acceleration of 0.63 g. The requirements of the building code will reduce the effects of ground shaking to **less than significant**. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item C - Tsunamis

The site is not located within a tsunami inundation zone based on the Ventura County General Plan, Hazards Appendix Figure 2.6. Therefore, there is **no impact** from potential hazards from tsunami. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item D - Seiches

The site is not located adjacent to a closed or restricted body of water based on aerial photograph review (photos dated January 2007). Therefore, there is **no impact** to the project from seiche. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item E - Liquefaction

The site is not located within a potential liquefaction zone based on the Ventura County General Plan Hazards Appendix – Figure 2.4b. This map is a compilation of the State of California Seismic Hazards Maps for the County of Ventura and is used as the basis for delineating the potential liquefaction hazards within the county. Therefore, there is **no impact** from potential hazards from liquefaction. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

14. GEOLOGIC HAZARDS:

Item A – Subsidence

The subject property is not within the probable subsidence hazard zone as delineated on the Ventura County General Plan Hazards Appendix Figure 2.8 (January 27, 2004) and the project does not relate to oil, gas or groundwater withdrawal. Therefore the subsidence hazard is considered **no impact** for the proposed project. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item B - Expansive Soils

The geotechnical report prepared by Advanced Geotechnical Services, dated September 28, 2006, indicates the near surface soils have an expansive index of 13 (less than 20). An expansive index of 20 or lower is considered to be very low or non-expansive in accordance with Table 1805.4.2 of the Ventura County Building Code. Therefore, there is **no impact** for potential hazards from expansive soils. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

Item C - Landslides/Mudslides

The site is not located in a mapped landslide, located within a hillside, and is not located in a potential seismically induced landslide zone, based on analysis conducted by the California Geological Survey. Therefore, there would be **no impact** relating to landslides/ mudslides. Seismic and geologic hazards are project and location specific and in this regard, there are no cumulative impacts associated with seismic and geologic hazards.

Source Document: Memorandum from Jim O'Tousa to Michelle D'Anna dated January 4, 2010.

15. HYDRAULIC HAZARDS:

Item A - Erosion/Siltation

The proposed project will be subject to the requirements of the Ventura County Building Code. No new structures are proposed under this project description. Parking lots are to be constructed of gravel and wood chips and constitute a small percentage of the property area. Therefore, the increase in runoff due to the increase in impervious surfaces is insignificant. Cumulative impacts from the proposed project will be less than significant, as any other projects will be required to mitigate the increased runoff between undeveloped and developed as well. In this regard, the hazard from erosion and siltation is considered to be less than significant. Therefore, the adverse impacts, relating to erosion/ siltation would be considered to be **less than significant**.

Source Document: Memorandum from Jim Myers to Michelle D'Anna, dated January 4, 2010.

Item B – Flooding

A small portion of the subject property, specifically to the immediate south of Brennan Road, is located within a 1% annual chance floodplain (100-year). The floodplain is an

'AE Zone', as per FEMA's Digital Flood Insurance Rate Map Panel 838 of 1275 (Map # 06111C0838E) (January 20, 2010). The 1% annual chance base flood elevation varies between 612.0 and 613.6 feet NAVD 1988.

A gravel parking area is proposed within the floodplain. This proposed development is allowed in the floodplain, however, a Floodplain Development Permit will be required prior to the issuance of a Grading Permit or Zoning Clearance. The Floodplain Development Permit will address such design elements as, but not limited to, a system of cables and bollards to physically contain vehicles on-site and prevent potential migration of vehicles downstream during a 1% annual flood event; elevation of any electrical or other utility service proposed within the parking area above the base flood elevation; and submission of a sediment transport analysis prepared by a California-licensed civil engineer to verify that parking area gravel will not migrate off site during the 1% annual chance flood.

Through the issuance of a Floodplain Development Permit and implementation of design elements, as required via the County's Floodplain Management Ordinance and FEMA floodplain regulations set out in Title 44 Code of Federal Regulations Sections 59 and 60, the impacts from the flooding hazard are considered to be **less than significant**.

Source Document: Memorandum from Brian Trushinski to Michelle D'Anna, dated December 22, 2009.

16. AVIATION HAZARDS:

Since the proposed project is not located within two miles of any public airport, there would be **no adverse impacts**, alone and cumulatively, relative to air traffic safety.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008).

17. FIRE HAZARDS:

Any construction will be required to comply with the Fire Code as adopted and amended by VCFPD Current Ordinance for Fire Hazard Abatement and also the Building Code for required building standards. The proposed project does not include the construction of roads, driveways, buildings, or structures. Therefore, **no adverse impacts** associated with fire hazards are anticipated.

Source Document: Memorandum from Michele Krieg to Michelle D'Anna dated April 15, 2010

18. HAZARDOUS MATERIALS/WASTE:

Item A - Above-ground Hazardous Materials

Any hazardous material storage will be required to comply with the Fire Code as adopted and amended by the VCFPD Current Ordinance. Currently there are no hazardous materials proposed for the project. The proposed project will have **no impact**.

Source Document: Memorandum from Michele Krieg to Michelle D'Anna dated April 15, 2010

Item B - Below-ground Hazardous Materials

The proposed project does not include the use of hazardous materials. Therefore, the project will have **no adverse impacts** relative to hazardous materials.

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

Item C - Hazardous Waste

The proposed project is not considered an activity that produces hazardous waste. Therefore, the project will have **no adverse impacts** relative to hazardous wastes.

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

19. NOISE/VIBRATION:

The proposed project would not include construction and grading activities and, therefore, does not have the potential to generate construction-related noise impacts. However, the proposed project would occasionally use amplified music depending upon the desires of the leasing party. In order for a project to be considered a noise generator, the *Ventura County Initial Study Assessment Guidelines (October 2008)* state the potential for noise at the nearest noise sensitive use/residential district must be estimated to exceed:

- Leq(1hr) of 55 dB(A)⁸ or ambient noise level plus 3 dB(A), whichever is greater, between 6:00 AM and 7:00 PM;
- Leq(1hr) of 50 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, between 7:00 PM and 10:00 PM; or,
- Leq(1hr) of 45 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, between 10:00 PM and 6:00 AM.

Currently, noise generated from the project site is emitted by activities associated with the existing residential, commercial, and agricultural land uses. The proposed project includes a parking lot that would accommodate up to 210 parking spaces and a 5.4-acre event venue, which would be expected to involve noise-generating events such as amplified music.

A Noise Study ("Noise Study") dated May 12, 2010, was prepared for the project by Advanced Engineering Acoustics. The nearest noise-sensitive receptor to the proposed CUP boundary is a dwelling approximately 850 feet to the northwest, within the city of Moorpark. The Noise Study modeled the music propagation to that residence location and concluded that the ambient noise during the afternoon, evening and nighttime hours was caused by freeway traffic noise sources. Music sound measurements at the east property line and in the Reception/DJ area during testing resulted in sound levels that were influenced by ambient noise. This means that the County noise limit would be the variable ambient noise plus 3 dB for the daytime, evening and nighttime hours. Based on these results, the DJ music and PA sound levels must be maintained at the hourly Leq of 98 dBA, or less, 15 feet from the DJ speakers for the residential hourly noise to

⁸ A-weighted sound level [dB(A)] refers to the sound pressure level measured using the A-weighting network, a filter which discriminates against low and very high frequencies in a manner similar to the human hearing mechanism at moderate sound levels [*Ventura County Initial Study Assessment Guidelines (February 2006)*].

be in compliance with the ambient-based County variable noise limit of about 60 dBA Leq(1 hr) at the nearest residence. Even so, the Noise Study recommends limiting instantaneous music and PA sound levels to 85 dBA, or less, at 15 feet from the DJ speakers, as typically 98 dBA at 15 feet could be an uncomfortable sound level for most outdoor party venues.

It is unlikely that the noise levels from the project would exceed 98 dBA since this could be an uncomfortable sound level for most outdoor party venues. Still, to encourage a "good neighbor policy" for noise emissions, a condition of approval will be placed on the project to limit the sound emissions from the source of amplified music to 85 dBA or less, as recommended in the Noise Study. Additionally, as the proposed condition of approval is self-regulating, and could be considered difficult to enforce, conditions of approval will be included in the permit that require a contact person to be provided annually to the Planning Director, the City of Moorpark, and to all residents within 100 feet of the parcel boundary. A complaint resolution process for resolving noise complaints during temporary events will also be incorporated into the project as a condition of approval. Therefore, as conditioned, the project will comply with County standards for noise emissions, and will therefore have a **less than significant impact**.

Source Document: Noise Study for Eden's Garden by Advanced Engineering Acoustics, dated May 12, 2010; Ventura County General Plan (2005) and Ventura County Initial Study Assessment Guidelines.

20. GLARE:

The proposed project is on existing developed land in an open space zone. Special events are temporary and would be periodic and of a non-permanent nature, requiring no new permanent structures. Temporary lighting associated with events would be screened by existing foliage along the property's perimeter and, a condition of approval will be placed on the project such that all lighting would be hooded and would not result in direct illumination of adjacent properties, or illumination of the night sky. Therefore, the project is expected to have a **less than significant impact** to surrounding sites from glare generated on-site.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

21. PUBLIC HEALTH:

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

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

PUBLIC FACILITIES/SERVICES

22. TRANSPORTATION/CIRCULATION:

Items A - Public Roads & Highways (1) Level of Service and (2) Safety / Design

The project, as proposed, will generate additional traffic on the County's Regional Road Network on the local public roads. To address the cumulative adverse impacts of traffic on the Regional Road Network, Ventura County Traffic Impact Mitigation Fee (TIMF) Ordinance 4246 and General Plan (GP) Policy 4.2.2 require that the Transportation Department of the Public Works Agency collect a TIMF from developments. This

development will be subject to this Ordinance. With payment of the TIMF, the level of service (LOS) and safety of the existing roads would remain consistent with the County's GP. Therefore, adverse traffic impacts relating to LOS and safety/design will be **less than significant**, with payment of the Traffic Impact Mitigation Fee (TIMF).

Source Document: Memorandum from Behnam Emami to Michelle D'Anna dated March 8, 2010

Item A - Public Roads & Highways (3) Tactical Access and Item B - Private Roads & Driveways (1) Safety/Design and (2) Tactical Access

The Fire Protection District reviewed the application to confirm that adequate turn-arounds are located on the project site and identified on the site plan. A Condition of Approval will be placed on the project to require the applicant to prepare and submit a Public Safety Plan ("PSP") for the site to be used in the event of an emergency, primarily for emergency evacuation of event participants. The PSP will ensure that current Fire District Access Standards will be maintained. Therefore, the project will have **no impact** on tactical access for public roads and highways as well as private road and driveways.

Source Document: Memorandum from Michele Krieg to Michelle D'Anna dated April 15, 2010

Item C - Pedestrian/ Bicycle (1) Public Facilities and (2) Private Facilities

The Transportation Department comments that the existing roads in the proximity of the proposed project site have provided adequate facilities pursuant to County Road Standards and the State Department of Transportation. Therefore, the Transportation Department considers that the adverse impacts relating to the supplementary addition of pedestrians and bicycles into the area would be a **less than significant**.

Source Document: Memorandum from Behnam Emami to Michelle D'Anna dated March 8, 2010

Item D - Parking

The proposed project would not generate a need for off-street parking. Guest parking is located in two separate parking areas within the parcel, just south of the event area and across Brennan Road from the event area. The CUP boundary can accommodate up to a total of 210 parking spaces. There is unobstructed access to the property (via Brennan Road) from Tierra Rejada Road. Parking attendants will be present during temporary events to provide traffic control and valet parking. No parking is proposed, nor will be permitted, on Tierra Rejada Road or shoulder right-of-way. Therefore, impacts from parking are expected to be **less than significant**.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

Item E - Bus Transit, Item F - Railroads, Item G - Airports, and Item H - Harbors

There are no bus, railroad, airport, or harbor facilities within the vicinity of the project site with which the proposed temporary outdoor events could interfere. Therefore, the project would have **no adverse impacts** on these facilities.

Source Document: Ventura County General Plan (2005) and the Ventura County Initial Study Assessment Guidelines (October 2008).

Item I - Pipelines

There are no existing pipelines that would affect the proposed project. The County GIS System Maps indicate that there are pipelines that run along Tierra Rejada Road and

Highway 23, but these do not traverse or enter the subject property. Even so, the proposed project does not include ground disturbance or construction activities. Therefore, the proposed project would have **no adverse impacts** to pipelines.

Source Document: Ventura County GIS (Pipelines Layer – Accessed January 2010).

23. WATER SUPPLY:

Item A – Quality

The proposed project will not require a supply of domestic water. Therefore, the project will **not impact** the quality of water available to the project.

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

Item B – Quantity

All potable water supplies will be provided by the events caterer using an offsite source of water. Therefore, water supply quantity is deemed **less than significant**.

Source Document: Memorandum from Rick Viergutz to Michelle D'Anna dated January 7, 2010.

Item C – Fire Flow

Water supply for fire protection is required to meet VCFPD Standard and Current Ordinance. The proposed project will not require additional water resources required under VCFPD Standards. Therefore, the project will have **no impact** on fire flow.

Source Document: Memorandum from Michele Krieg to Michelle D'Anna dated April 15, 2010.

24. WASTE TREATMENT/DISPOSAL:

Item A – Individual Sewage Disposal System

Temporary restrooms will be required for use during temporary events on the site. As such, the proposed project will not require the use of an on-site sewage disposal system. Therefore, the project will **not create any adverse environmental impacts** relative to on-site sewage disposal.

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

Item B – Sewage Collection/Treatment Facilities

The proposed project would utilize temporary restroom facilities only. Therefore, there would be **no adverse impact** to sewage collection/treatment facilities.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

Item C – Solid Waste Management

Pursuant to the IWMD's factors determining the significance of project impacts to solid waste facilities within Ventura County, any discretionary development project generating solid waste will impact the County's remaining solid waste disposal capacity. Additionally, as required by California Public Resources Code (PRC) 41701, Ventura County's Countywide Siting Element (CSE), adopted in June of 2001 and updated annually, confirms Ventura County has at least 15 years of disposal capacity available for waste generated by in-County projects. Therefore, because the County currently exceeds the minimum disposal capacity required by state PRC, no individual project of this type and magnitude will significantly impact the County's remaining solid waste disposal capacity.

Therefore, this project would have a **less than significant impact** to solid waste disposal facilities in Ventura County.

Source Document: Memorandum from Derrick Wilson to Michelle D'Anna dated December 17, 2009.

Item 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.

Source Document: Memorandum from Melinda Talent to Michelle D'Anna dated April 13, 2010.

25. UTILITIES:

Item A - Electric Item B - Gas and Item C - Communications

The local area is currently served with electrical, gas, and communication facilities that can be used to adequately serve the proposed project. Therefore, the proposed project would have **no adverse impact** on these facilities.

Source Document: Ventura County Initial Study Assessment Guidelines (October 2008).

26. FLOOD CONTROL/DRAINAGE:

Item A - FCD Facility

The Santa Rosa and Tierra Rejada Creek, both Jurisdictional Red Line channels are located in proximity to the subject parcel, however they are not located on the parcel that is subject to the Conditional Use Permit. Therefore the impact to flood control and drainage facilities will be **less than significant**.

Source Document: Memorandum from Robin Jester to Michelle D'Anna dated January 8, 2010.

Item B - Other Facilities

The proposed project will be subject to the requirements of the Ventura County Building Code. No new structures are proposed under this project description. Parking lots are to be constructed of gravel and wood chips and constitute a small percentage of the property area. Therefore, the increase in runoff due to the increase in impervious surfaces is insignificant. Cumulative impacts from the proposed project will be less than significant, as any other projects will be required to mitigate the increased runoff between undeveloped and developed as well. In this regard, the impacts to flood control/drainage facilities not under the jurisdiction of the Watershed Protection District are considered to be **less than significant**.

Source Document: Memorandum from Jim Myers to Michelle D'Anna, dated January 4, 2010.

27. LAW ENFORCEMENT/EMERGENCY SERVICES:

Item A - Personnel/Equipment and Item B - Facilities

Due to the size and nature of the proposed project within an existing facility within the community, personnel, equipment, or facilities would not require expansion and there would not be a significant impact on the functions of the Ventura County Sheriff's Department. As such, the project would have a **less than significant impact** on the services provided for the area.

Source Document: Ventura County General Plan (2005) and Ventura County Initial Study Assessment Guidelines (October 2008).

28. FIRE PROTECTION:

The distance from a full-time, paid fire station is adequate and the project does not indicate that a new fire station or additional equipment is required. Therefore, the proposed project would have **no impact** on fire protection services distance/response time.

Source Document: Memorandum from Michele Krieg to Michelle D'Anna dated April 15, 2010

29. EDUCATION:

Item A - Schools and B. Libraries:

Because of the temporary nature of the outdoor event use, the proposed project would not create additional demands on schools or libraries; therefore, **no adverse impacts** to schools or libraries are anticipated.

Source Document: Ventura County General Plan (2005) and Ventura County Initial Study Assessment Guidelines (October 2008).

30. RECREATION:

Items A. Local Parks/Facilities, and B. Regional Parks/Facilities:

A project will have a significant impact on recreation if it will cause an increase in the demand for recreation, or impede future development of recreation parks and facilities or regional trails and corridors. This proposed application to add a use to the site would not have a significant impact on local or regional recreation or on local or regional trails and corridors. The proposed project would not add to the demand on existing facilities. The proposed project is not expected to have impacts on recreation. This project is not within an existing Park and Recreation or Special District having jurisdiction over the project. The proposed temporary events are expected to have no impact on regional parks and facilities. Therefore, **no adverse impacts** to recreational facilities are expected as a result of this project.

Source Document: Ventura County General Plan (2005) and Ventura County Initial Study Assessment Guidelines (October 2008).

Item C. Regional Trails/Corridors:

A project will have a significant impact on recreation if it will cause an increase in the demand for recreation, or impede future development of recreation parks and facilities or regional trails and corridors. This proposed application to add a use to the site would not have a significant impact on local or regional recreation or on local or regional trails and corridors. The proposed project does not interfere with any current regional trail and or corridor networks. The nature of the proposed project is not considered an obstacle to any future regional trail/corridor networks. Therefore, **no adverse impacts** to recreational facilities would be expected as a result of this project.

Source Document: Ventura County General Plan (2005) and Ventura County Initial Study Assessment Guidelines (October 2008).

SECTION D
MANDATORY FINDINGS OF SIGNIFICANCE
CONDITIONAL USE PERMIT CASE NO. LU09-0143 FOR
FESTIVALS, ANIMAL SHOWS AND SIMILAR EVENTS, TEMPORARY OUTDOOR
PROPERTY OWNER: George & Debra Tash
LOCATION: 3900 Brennan Road
APN: 500-0-392-035

D.	MANDATORY FINDINGS OF SIGNIFICANCE Based on the information contained within Sections B and C:	YES/ MAYBE	NO
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

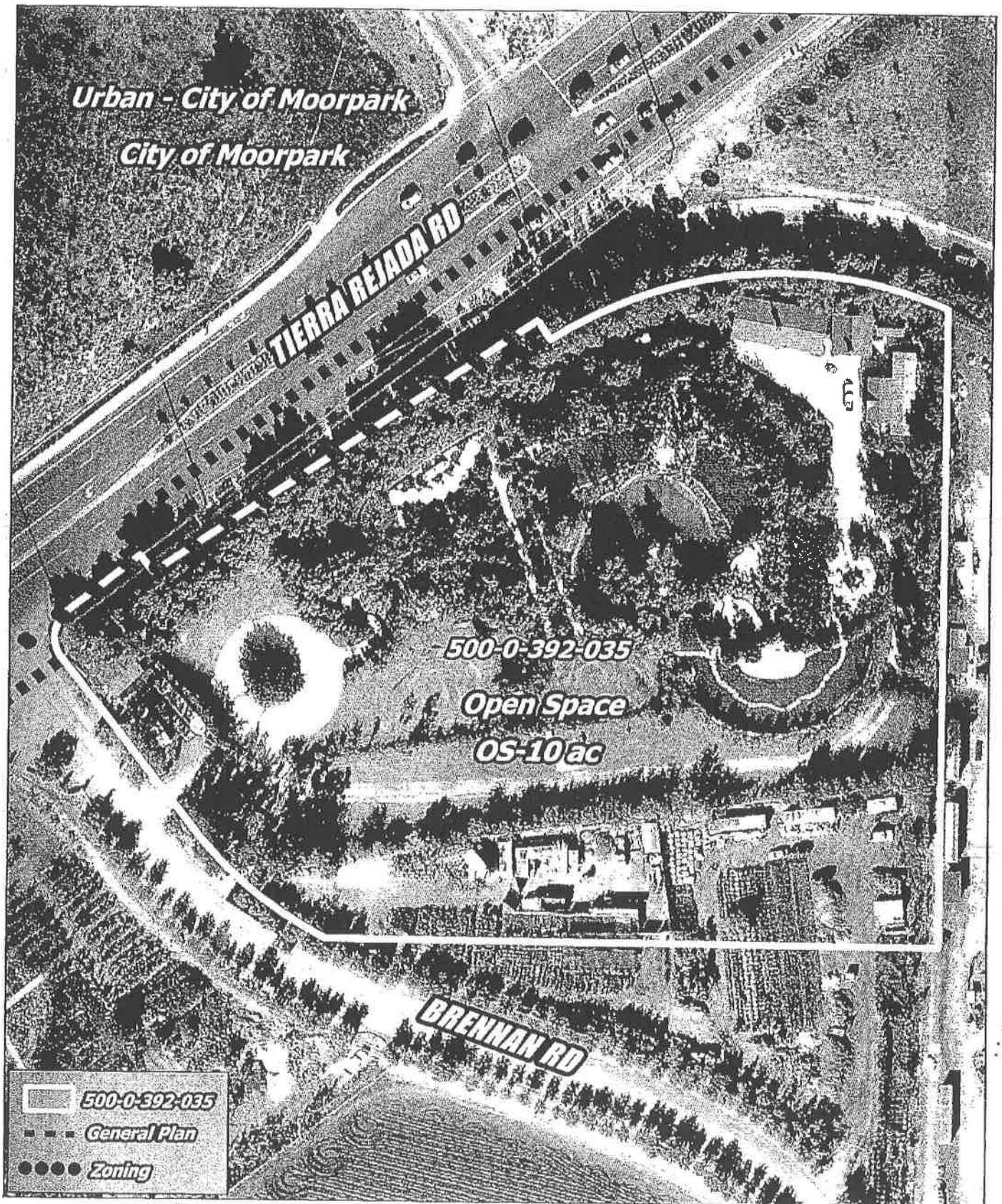
SECTION E
DETERMINATION OF ENVIRONMENTAL DOCUMENT
CONDITIONAL USE PERMIT CASE NO. LU09-0143 FOR
FESTIVALS, ANIMAL SHOWS AND SIMILAR EVENTS, TEMPORARY OUTDOOR
PROPERTY OWNER: George & Debra Tash
LOCATION: 3900 Brennan Road
APN: 500-0-392-035

E.	DETERMINATION OF ENVIRONMENTAL DOCUMENT
	On the basis of this Initial evaluation:
<input checked="" type="checkbox"/>	I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
<input type="checkbox"/>	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.


Michelle Glueckert D'Anna
Case Planner

05/14/10

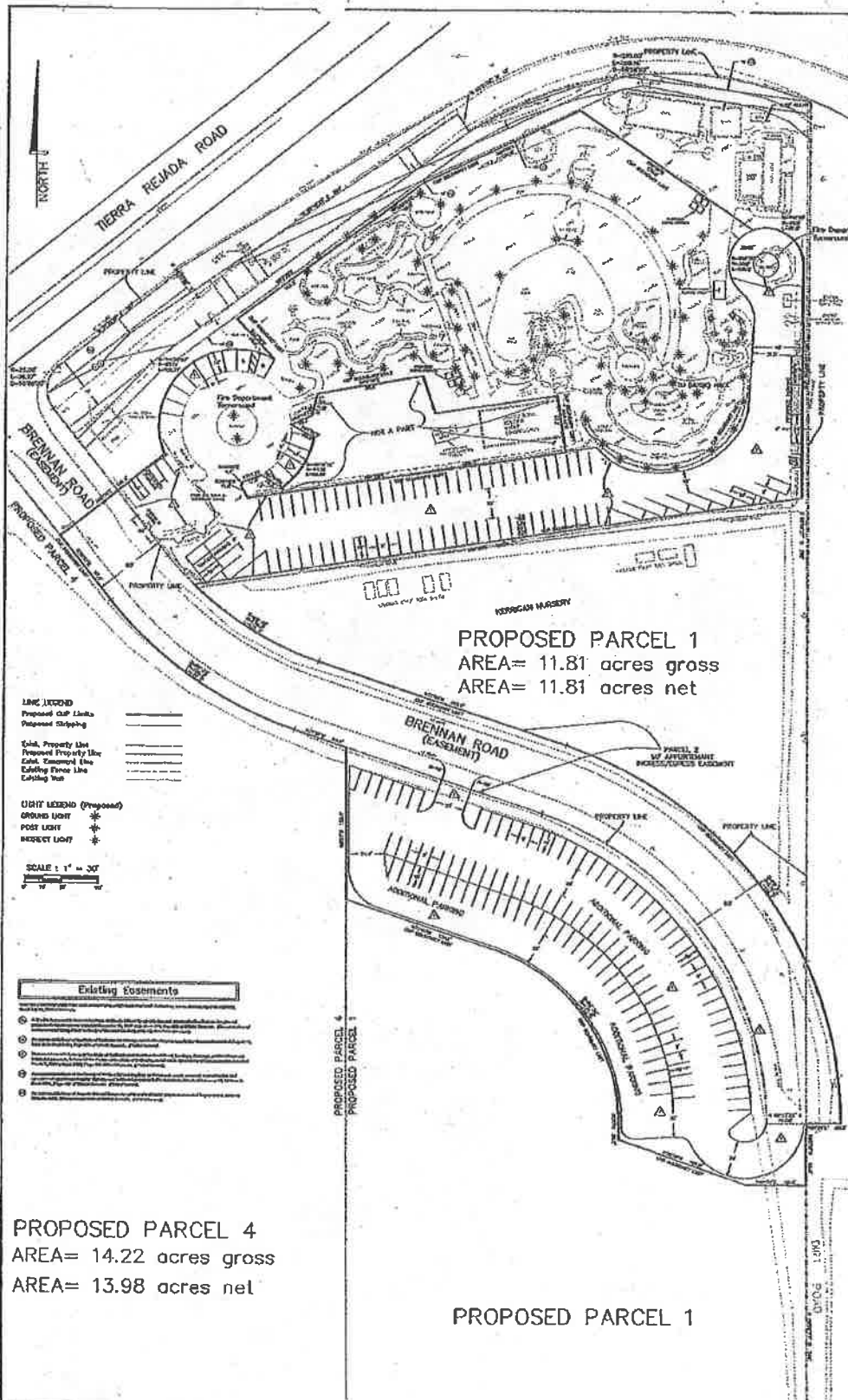
Date



Ventura County
 Resource Management Agency
 GIS Development & Mapping Services
 Map created on 05/04/2010
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, December 2009



LU09-0134
500-0-392-035
Aerial Location Map
Exhibit A



- Project Summary**
1. SITE ADDRESS: 3900 BRENNAN RD.
 2. APPROVED PARCEL NO. 1: 3900-0-3900-001
 3. EXISTING STRUCTURE: 0
 4. EXISTING LOTS: 100' 0" 100' 0" 100' 0"
 5. EXISTING ZONING: 000' 0" 100' 0" 100' 0"
 6. ALL LOTS: 100' 0" 100' 0" 100' 0"
 7. THE BOUNDARY BETWEEN PARCELS 1 & 2 IS COMPOSED OF THE EXISTING LOT LINE.
 8. THE BOUNDARY BETWEEN PARCELS 1 & 3 IS COMPOSED OF THE EXISTING LOT LINE.
 9. THE BOUNDARY BETWEEN PARCELS 1 & 4 IS COMPOSED OF THE EXISTING LOT LINE.

CUP Notes

- 1. ALL LOTS ARE TO BE DEVELOPED WITHIN THE CUP.
- 2. ALL LOTS ARE TO BE DEVELOPED WITHIN THE CUP.
- 3. ALL LOTS ARE TO BE DEVELOPED WITHIN THE CUP.

Proposed Parking

PROPOSED SPACES: 200 RETAIL
 200 TOTAL SPACES

Bench Mark

BM 1: 11.81' 11.81' 11.81' 11.81'

- LINE LEGEND**
- Proposed CUP Limits
 - Proposed Easements
 - Subd. Property Line
 - Proposed Property Line
 - Subd. Easement Line
 - Existing Easement Line
 - Existing Road

- POINT LEGEND (Proposed)**
- GROUND LIGHT
 - POST LIGHT
 - REFLECTOR LIGHT

SCALE: 1" = 30'

- Existing Easements**
- 1. Easement for utility lines
 - 2. Easement for utility lines
 - 3. Easement for utility lines
 - 4. Easement for utility lines
 - 5. Easement for utility lines
 - 6. Easement for utility lines
 - 7. Easement for utility lines
 - 8. Easement for utility lines
 - 9. Easement for utility lines
 - 10. Easement for utility lines

PROPOSED PARCEL 4
 AREA= 14.22 acres gross
 AREA= 13.98 acres net

PROPOSED PARCEL 1

Legend of Symbols & Abbreviations

1. 10' 10' 10' 10'	2. 10' 10' 10' 10'	3. 10' 10' 10' 10'	4. 10' 10' 10' 10'
5. 10' 10' 10' 10'	6. 10' 10' 10' 10'	7. 10' 10' 10' 10'	8. 10' 10' 10' 10'
9. 10' 10' 10' 10'	10. 10' 10' 10' 10'	11. 10' 10' 10' 10'	12. 10' 10' 10' 10'
13. 10' 10' 10' 10'	14. 10' 10' 10' 10'	15. 10' 10' 10' 10'	16. 10' 10' 10' 10'
17. 10' 10' 10' 10'	18. 10' 10' 10' 10'	19. 10' 10' 10' 10'	20. 10' 10' 10' 10'
21. 10' 10' 10' 10'	22. 10' 10' 10' 10'	23. 10' 10' 10' 10'	24. 10' 10' 10' 10'
25. 10' 10' 10' 10'	26. 10' 10' 10' 10'	27. 10' 10' 10' 10'	28. 10' 10' 10' 10'
29. 10' 10' 10' 10'	30. 10' 10' 10' 10'	31. 10' 10' 10' 10'	32. 10' 10' 10' 10'
33. 10' 10' 10' 10'	34. 10' 10' 10' 10'	35. 10' 10' 10' 10'	36. 10' 10' 10' 10'
37. 10' 10' 10' 10'	38. 10' 10' 10' 10'	39. 10' 10' 10' 10'	40. 10' 10' 10' 10'
41. 10' 10' 10' 10'	42. 10' 10' 10' 10'	43. 10' 10' 10' 10'	44. 10' 10' 10' 10'
45. 10' 10' 10' 10'	46. 10' 10' 10' 10'	47. 10' 10' 10' 10'	48. 10' 10' 10' 10'
49. 10' 10' 10' 10'	50. 10' 10' 10' 10'	51. 10' 10' 10' 10'	52. 10' 10' 10' 10'
53. 10' 10' 10' 10'	54. 10' 10' 10' 10'	55. 10' 10' 10' 10'	56. 10' 10' 10' 10'
57. 10' 10' 10' 10'	58. 10' 10' 10' 10'	59. 10' 10' 10' 10'	60. 10' 10' 10' 10'
61. 10' 10' 10' 10'	62. 10' 10' 10' 10'	63. 10' 10' 10' 10'	64. 10' 10' 10' 10'
65. 10' 10' 10' 10'	66. 10' 10' 10' 10'	67. 10' 10' 10' 10'	68. 10' 10' 10' 10'
69. 10' 10' 10' 10'	70. 10' 10' 10' 10'	71. 10' 10' 10' 10'	72. 10' 10' 10' 10'
73. 10' 10' 10' 10'	74. 10' 10' 10' 10'	75. 10' 10' 10' 10'	76. 10' 10' 10' 10'
77. 10' 10' 10' 10'	78. 10' 10' 10' 10'	79. 10' 10' 10' 10'	80. 10' 10' 10' 10'
81. 10' 10' 10' 10'	82. 10' 10' 10' 10'	83. 10' 10' 10' 10'	84. 10' 10' 10' 10'
85. 10' 10' 10' 10'	86. 10' 10' 10' 10'	87. 10' 10' 10' 10'	88. 10' 10' 10' 10'
89. 10' 10' 10' 10'	90. 10' 10' 10' 10'	91. 10' 10' 10' 10'	92. 10' 10' 10' 10'
93. 10' 10' 10' 10'	94. 10' 10' 10' 10'	95. 10' 10' 10' 10'	96. 10' 10' 10' 10'
97. 10' 10' 10' 10'	98. 10' 10' 10' 10'	99. 10' 10' 10' 10'	100. 10' 10' 10' 10'

Exhibit B

OWNER:
 3900 Brennan Road
 Santa, CA 93256
 (559) 432-0000

DESIGNER:
 3900 Brennan Road
 Santa, CA 93256
 (559) 432-0000

CUP No. LU09-0143
3900 BRENNAN ROAD
CUP PLAN

county of ventura

NEGATIVE DECLARATION (ND) ADDENDUM

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

1. **Entitlement:** Minor Modification of Conditional Use Permit (CUP) Case No. LU09-0143 for Temporary Outdoor Festivals, Animal Shows, and Similar Events (Case No. PL14-0172)
2. **Applicants/Property Owners:** Mr. George and Mrs. Debra Tash, 5777 Balcom Canyon Road, Somis, CA 93066
3. **Location:** 3900 Brennan Road, Moorpark, CA 93021
4. **Assessor's Parcel Number:** 519-0-220-055
5. **Lot Size:** 5.539 acres
6. **General Plan Land Use Designation:** Open Space
7. **Zoning Designation:** OS-10ac (Open Space, 10 acre minimum lot size)
8. **Project Description:** The proposed project consists of a request for approval of a Minor Modification to Conditional Use Permit (CUP) Permit Case No. LU09-0143 to continue to allow temporary outdoor events such as weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary activities. The applicant is proposing to extend the CUP for a 20-year period. The proposed temporary special events will consist of the following:

Event Area: The applicant is requesting approval to enlarge the area that will be subject to the proposed temporary special events, from the currently permitted area of approximately 4.16 acres, to 5.40 acres, as shown on the proposed site plan. The single-family residence located within this area is reserved for personal use by the landowner and will not be leased or used as part of the temporary events.

The applicant also is proposing to add the use of an existing 2,000 square feet (sq. ft.) agricultural accessory structure to the event area, and add the use of a registered recreational vehicle for a bride changing room, as shown on the proposed site plan.

The event area will continue to be accessed via Brennan Road, a private road, which is accessed from Tierra Rejada Road, a public road under the jurisdiction of the City of Moorpark. The applicant will maintain Brennan Road in a clean condition, by sweeping and/or watering as necessary, to ensure that dirt is not tracked onto Tierra Rejada Road.

Attendance: Attendance at events will be limited to a maximum of 300 guests (Monday through Sunday).



Hours of Operation: The hours of operation for the proposed, temporary outdoor events will be 8:00 am to 2:00 am, for a maximum of 60 days within the calendar year. Vendors would be permitted to arrive at 8:00 am to set up. The applicant is requesting approval to extend the currently permitted hours of operation, such that: (1) all event activities would end no later than 1:00 am, as compared to the currently permitted 11:00 pm ending time; and (2) all guests and vendors would vacate the property by 2:00 am, as compared to the currently permitted 12:00 am deadline to vacate the property.

Food Service: All food and beverages will be provided by a self-sufficient, licensed catering service. Dishes, flatware, and glasses will be provided by the caterer or a delivery rental company. Catered food will be prepared off-site and transported to the site for each event. Food service operators must have a permit to operate from the Ventura County Environmental Health Division.

Parking: Guest parking will be located in a parking area within the parcel as depicted on the project site plan. The applicant is proposing to reduce the required number of parking spaces for the temporary special events, from 210 spaces to 168 parking spaces. The proposed parking area will be located south of the event area (north of Brennan Road and outside of an existing floodplain located south of Brennan Road) and includes sufficient space to provide 168 parking spaces. Parking attendants will be present during temporary events to provide traffic control and valet parking when there is over 100 guests. No parking associated with the temporary events is proposed or will be authorized within the right-of-way of Tierra Rejada Road.

Restrooms: The applicant will provide an adequate quantity of portable restrooms for temporary events, and maintain the portable restrooms in compliance with Resource Management Agency, Environmental Health Division regulations. The restrooms will be located along both the northeast edge and in the middle of the area encompassed by the CUP boundary. The bathrooms serving the main residence will not be used for temporary events.

Exterior Lighting: No permanent lighting will be installed for the temporary special events.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On September 13, 2010, the Planning Director adopted a ND that evaluated the environmental impacts of CUP Case No. LU09-0143. CUP Case No. LU09-0143 allowed temporary outdoor events such as weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary activities, on the subject property.

As stated in the project description set forth in Section A.8 of this ND Addendum (above), the current, proposed project (Case No. PL14-0172) consists of a request for a Minor Modification to CUP Case No. LU09-0143, in order to allow a time extension

of, and changes to, the project description for CUP Case No. LU09-0143. 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 ND 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 which require the preparation of a subsequent EIR or ND, are provided below, along with a discussion as to why a subsequent EIR or ND is not required:

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

The project site is currently permitted for, and being used as, a location for temporary outdoor events. As discussed above (Item A.8, Project Description), the proposed project consists of a request to continue the existing temporary outdoor event use on the project site for an additional 20 years. The existing use would be located within areas that were previously analyzed in the original ND—including the 2,000 sq. ft. accessory structure and recreational vehicle that the applicant is proposing to use as part of the temporary special events.

The approved 2010 ND evaluated the noise impacts of the temporary special events and found that the temporary special events would not create a significant noise impact. However, as a “good neighbor policy,” and in order to make the findings for approval of the CUP for the temporary special events (Ventura County Non-Coastal Zoning Ordinance, § 8111-1.2.1.1 *et seq.*), the Planning Director adopted a condition of approval of the CUP to limit the maximum decibel level to 85 dbA at 15 feet from the DJ speakers that are used at the temporary outdoor events.

The applicant submitted an updated noise study (Advanced Engineering Acoustics, 2014) that evaluated the proposed project's noise impacts, given the proposed changes to the hours of operation of the temporary special events. As stated in the project description, the applicant has requested to expand the permitted hours of operation from 12:00 am to 2:00 am, which potentially would result in an additional two hours of noise during the most sensitive time period [i.e., between 10:00 pm and 6:00 am, as described in the Ventura County Initial Study Assessment Guidelines (2011)] for residences located within the vicinity of the project site. The updated noise study revealed that the proposed project is unlikely to generate noise that exceeds the significance thresholds set forth in the Ventura County Initial Study Assessment Guidelines. Therefore, the proposed changes to the project description

that was evaluated in the ND will not create a new, significant noise impact that was not evaluated in the ND.

However, although the proposed project will not create a significant noise impact pursuant to CEQA and the Ventura County Initial Study Assessment Guidelines, noise from the temporary wedding events that is audible at properties located within the vicinity of the project site could be incompatible with the residential use of the properties. Currently permitted temporary outdoor event venues within the County that are similar to the proposed project with regard to the size of the venue and proximity of the venue to residential uses, have hours of operation that are similar to the hours of operation that are currently allowed for the venue, pursuant to CUP LU09-0143. The only temporary outdoor event venues that have permitted hours of operation to 2:00 am are located over 1,300' from the nearest residential uses. In contrast, the proposed project site is located approximately 575' from residences located to the north/northeast of the project site (measuring from the proposed CUP boundary to the nearest residence). Furthermore, as stated in the previous completeness letter and Ventura County Sheriff's/Moorpark Police Department's comments on the proposed project, the Ventura County Sheriff's Office/Moorpark Police Department are concerned with noise impacts to the residences, which may have an increased impact on law enforcement. As such, the proposed expanded hours of operation of the temporary special events will not comply with the following standards for approval of the requested Minor Modification:

- The proposed development is compatible with the character of surrounding, legally established development;
- The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses;
- The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare; and/or
- The proposed development, if allowed by a CUP, is compatible with existing and potential land uses in the general area where the development is to be located (Ventura County Non-Coastal Zoning Ordinance, § 8111-1.2.1.1 *et seq.*).

Therefore, Planning Division staff is unlikely going to support the requested extensions to the hours of operation of the temporary special events. Regardless, the proposed changes to the project description that was analyzed in the ND will not require major revisions of the previous ND, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a**

substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

The environmental conditions that existed at the project site at the time the County prepared the original ND have not changed to the extent that the proposed time extension and minor modification would require revisions to the ND. No new reasonably foreseeable, recently approved, or possible future projects exist within the surrounding area that either were not analyzed in the original ND or would result in the project, as modified by this proposal, making a potentially significant contribution to a cumulative impact that was not analyzed in the original ND. Furthermore, the project site and surrounding area do not exhibit any previously unknown resources that need to be analyzed as part of this project.

Therefore, substantial changes will not occur with respect to the circumstances under which the proposed project is undertaken, and the proposed project will not require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

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 Planning Director adopted the previous ND, shows any of the following:

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

As stated above in Items B.1 and B.2, the proposed changes to the project description will not create new significant environmental effects. The evaluation of the proposed changes to the project description did not reveal new information of substantial importance that the project will have one or more significant effects not discussed in the previous ND.

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

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the ND does not need to be circulated for public review, and shall be included in, or attached to, the adopted ND.

Prepared by:



Matt Sauter, Case Planner
Residential Permits Section
Ventura County Planning Division

Reviewed by:



Daniel Klemann, Manager
Residential Permits Section
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**DRAFT CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE
NO. PL14-0172**

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

Planning Division (PL) Conditions

1. **Project Description**

This Conditional Use Permit (CUP) is based on and limited to compliance with the project description stated in this condition below, all County land use hearing exhibits in support of the project marked Exhibits 1, 2, 3, and 4, dated September 17, 2015, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

This CUP allows "Temporary Outdoor Festivals, Animal Shows, and Similar Events," (Ventura County Non-Coastal Zoning Ordinance, 2014, §§ 8102-0 and 8105-4), specifically weddings, birthday and anniversary celebrations, garden tours and gardening classes, art classes, non-profit and charity events, and similar temporary outdoor activities. The events will occur within a 4.16-acre area on the subject property as indicated on the site plan (Exhibit 3 of the Planning Director hearing on September 17, 2015). Attendance at events will be limited to a maximum of 285 guests.

The hours of operation for temporary outdoor events will be from 8:00 a.m. to 12:00 a.m., for a maximum of 60 days within the calendar year. Vendors may arrive at 8:00 a.m. to set up. All event activities must end by 11:00 p.m. and all guests and vendors must vacate the property by 12:00 a.m.

All food and beverages will be provided by a self-sufficient, licensed catering service. Dishes, flatware, and glasses will be provided by the caterer or a delivery rental company. Catered food will be prepared off-site and transported to the site for each event. Food service operators must have a permit to operate from the Ventura County Resource Management Agency Environmental Health Division.

Guest parking will be located in a parking area within the CUP boundary as depicted on the site plan (Exhibit 3 of the Planning Director hearing on September 17, 2015). The

parking area will be located just south of the event area and will include sufficient space to provide 172 parking spaces, including six accessible parking spaces. Parking attendants will be present during temporary events to provide traffic control and valet parking when 200 guests or more will be present at a single event. No parking associated with the event facility is allowed within the right-of-way of Tierra Rejada Road or along Brennan Road.

An adequate quantity of portable toilets for temporary events must be provided and maintained in compliance with Ventura County Resource Management Agency Environmental Health Division regulations. The restrooms will be located in the middle of the CUP area and the recreational vehicle will be located along the northeastern edge of the CUP boundary as depicted on the site plan (Exhibit 3). The recreational vehicle will be used only by the bridal party. The recreational vehicle will be portable, able to be driven on and off the premises, and registered with the California Department of Motor Vehicles. The bathrooms serving the main residence, outside the CUP boundary, shall not be used for temporary events.

No permanent lighting will be installed for the purpose of the temporary special events.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below. (PL-1)

2. Days and Hours of Operation

Purpose: In order to achieve compatibility with surrounding existing and potential future uses, it is necessary to limit the days and hours of operation of the approved use.

Requirement: The temporary outdoor events permitted by this CUP shall be limited to a maximum of 60 days per year. The days and hours of operation shall apply to all aspects of the events, including, but not limited to, event preparation (e.g., catering and supply deliveries and set-up), ceremonies, receptions, and post event activities (e.g., clean-up and dismantling of equipment). Specifically, hours of operation shall be limited as follows:

- Set-up for an event shall not begin before 8:00 a.m.
- Events must end by 11:00 p.m.
- Clean-up must be completed and all event staff must leave the premises by 12:00 a.m.

The Permittee shall post the hours of operation in an obvious location that can be seen by customers and vendors. The signage must be made of weatherproof and permanent material, and comply with the Ventura County Non-Coastal Zoning Ordinance (Article 10).

Conditions for CUP No. LU09-0143

Date of Public Hearing: September 17, 2015

Approval of CUP Case No. LU09-0143: September 13, 2010

Approval of Minor Modification Case No. PL14-0172: [DATE]

Permittee: Debra and George Tash

Location: 3900 Brennan Road, Moorpark

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Documentation: The Permittee shall provide the Planning Division with photographic documentation that the hours of operation have been posted as required pursuant to this condition.

Timing: The Permittee shall post the hours of operation prior to the issuance of Zoning Clearance for use inauguration and the Permittee shall maintain the posted hours of operation for the life of this CUP.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance by the Permittee with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-2)

3. Site Maintenance

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

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

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

Timing: Prior to occupancy and for the life of this CUP.

Monitoring and Reporting: The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-4)

4. CUP Modification

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

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, § 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, § 15000-15387), as amended from time to time. (PL-5)

5. Acceptance of Conditions and Schedule of Enforcement Responses

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

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

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations. (PL-7)

6. Time Limits

- a. Use inauguration:

- (1) The approval decision for this CUP becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses provided in Condition No. 1 (Project Description).
- (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- (3) Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning

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Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

- b. Permit Life or Operations Period: This CUP will expire on [date]. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:
 1. The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to [expiration date]; and
 2. The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance. (PL-8)

7. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

Purpose: To ensure compliance with and notification of federal, state, or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this CUP.

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 this CUP) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

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 file.

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

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the 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)

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

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

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

Documentation: The Permittee shall maintain a current set of CUP conditions and exhibits at the project site.

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

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-10)

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 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 tax assessor's parcel that is subject to this CUP.

Documentation: Recorded Notice of Land Use Entitlement.

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

Monitoring and Reporting: The Permittee shall return a copy of the recorded Notice of Land Use Entitlement to the Planning Division for the Project file. (PL-11)

10. Financial Responsibility for Compliance Monitoring and Enforcement

- a. Cost Responsibilities: The Permittee shall bear the full costs and fees of the following:
 - i. condition compliance costs and fees including, but not limited to, staff time, materials and consultants associated with the preparation, review and approval

of studies and reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other programs; and,

- ii. monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance* (2015, § 8114-3). The Permittee, or the Permittee's successors-in-interest, shall bear the full costs and fees incurred by the County and its contractors and consultants 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 this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§ 8114-3.4).
- b. Existing Revolving Compliance Account and Reimbursement Agreement: Per the existing Condition Compliance account (Case No. CC11-0046), the Permittee will continue to pay all condition compliance review, monitoring and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment. If in the event that the existing reimbursement agreement for Condition Compliance account Case No. CC11-0046 sets forth obsolete information that is inconsistent with this CUP (e.g., changed information regarding the Permittee), then the Permittee shall sign and submit a new, updated reimbursement agreement.
- c. Monitoring and Enforcement Costs: The reimbursement agreement (Condition 10.b) is required to ensure that funds are available for legitimate and anticipated costs incurred for condition compliance and enforcement costs. All permits issued by the Planning Division may be reviewed and the site inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur. The Permittee, in accepting this Conditional Use Permit, grants permission for County Staff to make unannounced inspections of all, or any, events for condition compliance purposes.
- d. Billing Process: The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment. (PL-12)

11. Defense and Indemnify

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

- a. Defend, at the Permittee's sole expense, against any claim, action or proceeding brought against the County by a third party challenging either the County's decision to issue this CUP, or the manner in which the County is interpreting or enforcing the conditions of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any claim, action or proceeding described in Condition 11.a above. 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 claim, action, or proceeding the Permittee defended pursuant to Condition 11.a above. The County may, at its sole discretion, participate in the defense of any such claim, action, or proceeding through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
- c. Except with respect to claims arising from the County's sole negligence or intentional misconduct, the Permittee shall also indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, actions, proceedings, demands, costs, and expenses, including attorney's fees, judgments, fines or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense. The County may, at its sole discretion, participate in the defense of any such legal action through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
- d. Neither the issuance of this CUP, nor compliance with the conditions thereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property. (PL-13)

12. Permittee's Consent to Site Inspections

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3.5), the Planning Division conducts periodic site inspections of permitted facilities and land uses to monitor compliance with the conditions of County-issued permits and the County zoning ordinance. The Permittee hereby consents to the inspection of all property, facilities, operations, and events comprising the Project that is subject of this CUP. The inspections may occur at any time the Planning Division deems necessary to fully and effectively monitor the Project, including on nights or weekends. For example, since this CUP authorizes events on weekend nights, the Permittee authorizes the Planning Division to conduct site inspections during the events to monitor compliance with these

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CUP conditions. Upon the Planning Division's provision of reasonable notice, the Permittee shall allow Planning Division personnel to conduct the inspections for the sole and exclusive purpose of monitoring compliance with this CUP and the Ventura County Non-Coastal Zoning Ordinance. (PL-13b)

13. Invalidation of Conditions

If any of the conditions or limitations of this CUP are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP conditions or limitations. 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 competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP shall continue in full force unless, until and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the 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 this CUP may be revoked. (PL-14)

14. Relationship of CUP Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the CUP area and any facilities thereon in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules or regulations, or orders of an authorized governmental agency. Neither the issuance of this CUP, nor

compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain a business tax certificate for the operation of the temporary outdoor event venue. (PL-16)

15. Contact Person

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

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

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

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

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the respective Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-17)

16. Resolution of Complaints

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

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about an event as it is occurring may directly contact the Contact Person;
- b. If Planning Division staff receive a written complaint about this CUP, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and
- c. If, following a complaint investigation by County staff, a violation of the Ventura County Non-Coastal Zoning Ordinance or a condition of this CUP is confirmed,

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County enforcement actions pursuant to § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance may be initiated. (PL-18)

17. Change of Owner and/or Permittee

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

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

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

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

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. (PL-20)

18. Availability of Parking Spaces

Purpose: To ensure compliance with all applicable provisions in § 8108-3 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall ensure that the required 172 motor vehicle parking spaces, including six accessible spaces, remain continuously available for their intended parking use and are not used for merchandise display, storage, vehicle repair, or any other unauthorized use. The Permittee and Property Owner shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes, but is not limited to: the number of parking spaces; curbs; directional markings;

accessible parking symbols; screening; sight distance; surfaces; signs; striping; lighting fixtures; landscaping; and trash and recyclables enclosures.

Documentation: A stamped copy of the approved site plan.

Timing: The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to occupancy, and shall maintain the required parking area as illustrated on the approved site plan for the life of this CUP.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the Project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to occupancy. 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-24)

19. Resolution of Noise Complaints at Temporary Outdoor Events

Purpose: In order to resolve noise complaints during temporary events and minimize noise related impacts.

Requirement: The Permittee shall provide the Planning Director and all residents along Illinois Court and Crabapple Court, in the City of Moorpark, within 1,000 feet of the parcel boundary, with the name, title, address, and phone number of the Permittee, or Permittee's designee, who will be responsible for ensuring condition and code compliance during temporary events at the project site.

The Permittee, or the Permittee's designee, must use the following process to resolve noise complaints received during temporary events:

- a. Immediately investigate the complaint and then decide if any of the following actions are needed to address the noise complaint:
 - (1) lower speaker volumes of public address (PA) systems and/or amplified music below the maximum allowed (i.e., 85 dBA at 15 feet from the source of amplified music);
 - (2) discontinue the use of PA systems;
 - (3) discontinue the use of amplified music and replace with acoustical music; and/or
 - (4) alter the timing and sequence of wedding event activities to comply with the maximum noise standards.
- b. Report back to the complaining party by telephone about their investigation findings and explain abatement actions taken, if any, to the complainant as soon as possible, but no later than 15 minutes after receiving the complaint, unless otherwise agreed to by the complainant.

- c. Notify the Planning Director in writing within 10 days of receiving a noise complaint. The notice shall indicate the date and time of the complaint(s), as well as the name, address, and phone number of the complainant(s).

The Permittee shall take all reasonable actions to prevent noise from adversely affecting nearby residents. If the problem persists, the Planning Director may initiate actions to prevent further complaints, including, but not limited to, the use of a noise consultant, at the Permittee's expense, to monitor the event noise and implement measures to achieve compliance with the maximum noise levels (i.e., 85 dBA at 15 feet from the source of amplified music). Failure of the above attempts to curtail noise complaints may result in the Planning Director modifying this CUP to disallow event activities that adversely affect nearby sensitive receptors.

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

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, and annually on June 1st thereafter, the Permittee shall provide the Planning Division updated contact information for the individual who will be responsible for ensuring condition and code compliance during temporary events at the Project site. The Permittee, or Permittee's designee, shall be available for contact during events, if any. If the contact information should change prior to the mandatory annual update, the Permittee shall provide the residents and Planning Director with the new information prior to the next event. The Permittee shall notify the Planning Director in writing within 10 days of receiving a noise complaint. The notice shall indicate the date and time of the complaint(s), as well as the name, address, and phone number of the complainant(s).

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Permittee shall provide the Planning Division notice of any complaints associated with the events to be maintained in the Project file. In the event that complaints go on unabated, the Planning Director has the authority to review any complaints received by the Planning Division to determine whether this CUP should be modified or revoked. (PL-60)

20. Temporary Events Report

Purpose: The purpose of this condition is to ensure that the Permittee conducts the temporary events in compliance with the requirements of this CUP.

Requirement: The Permittee shall maintain an Events Report, on a form provided by the Planning Division, in order to record the following for each temporary event:

- a. A brief description of the type of temporary event (e.g., wedding event);
- b. The scheduled date and hours of the temporary event;
- c. The number of attendees;
- d. If a temporary event involves greater than 50 attendees, the number of security guards provided at the event, as required pursuant to Condition No. 23 (below); and
- e. Whether noise complaints were received and resolved as required pursuant to Condition No. 19 (above).

This Events Report shall be retained by the Permittee and submitted with an application for CUP renewal pursuant to Condition No. 6.b, or at any time upon the written request of the Planning Director or the Planning Director's designee.

Documentation: The Permittee shall complete and maintain the Events Report form provided by the Planning Division.

Timing: The Permittee must submit the Events Report form: with an application for CUP renewal; within 24 hours of receiving a request to submit the form from the Planning Director or her designee; and to the Planning Director annually on or before February 1.

Monitoring and Reporting: The Planning Division will review, and maintain in the Project file, the Events Report forms provided by the Permittee. If the Events Report forms indicate that the temporary events were conducted in violation of the conditions of this CUP, the Planning Division has the authority to implement enforcement actions consistent with the regulations of Article 14 of the Ventura County Non-Coastal Zoning Ordinance. (PL-60(a))

21. Alcohol License

Purpose: The purpose of this condition is to ensure that the food service operator (caterer) possesses a valid license to serve alcohol at the events that are authorized pursuant to this CUP.

Requirement: If the temporary events authorized by this CUP will involve the sale or distribution of alcohol, the Permittee shall ensure that the caterer possesses the appropriate license to serve alcohol.

Documentation: All contracts between the Permittee and the caterer for an event that will involve the sale or distribution of alcohol, must include a requirement that the caterer possess, and be able to provide evidence of, the appropriate license to serve alcohol at the event that is the subject of the contract.

Timing: Within 24 hours of a request from the Planning Director, the Permittee shall provide the Planning Division a copy of the (1) contract between the Permittee and the caterer and/or (2) caterer's license to serve alcohol.

Monitoring and Reporting: The Planning Director has the discretion to request a copy of the contract between the Permittee and the caterer, and/or the caterer's license to serve alcohol, for review. If the Planning Director finds that the caterer does not possess a valid license to serve alcohol, the Planning Division has the authority to implement enforcement actions consistent with the regulations of Article 14 of the Ventura County Non-Coastal Zoning Ordinance. (PL-60(b))

22. Security

Purpose: The purpose of this condition is to ensure that the Permittee provides adequate security at the events that are authorized pursuant to this CUP.

Requirement: If a temporary event will involve greater than 50 attendees, the Permittee shall provide security guard(s) in sufficient number to ensure on-site security.

Documentation: As required pursuant to Condition No. 20 (above), the Permittee shall complete and maintain an Events Report, on a form provided by the Planning Division, which includes the number of security guards provided at each temporary event that involves greater than 50 attendees.

This Events Report shall be retained by the Permittee and submitted with an application for CUP renewal pursuant to Condition No. 6.b, or at any time upon the written request of the Planning Director or the Planning Director's designee.

Documentation: The Permittee shall complete and maintain the Events Report form provided by the Planning Division.

Timing: The Permittee must submit the Events Report form: with an application for CUP renewal; within 24 hours of receiving a request to submit the form from the Planning

Director or the Planning Director's designee; and to the Planning Director annually on or before February 1.

Monitoring and Reporting: The Planning Division will review, and maintain in the Project file, the Events Report forms provided by the Permittee. If the Events Report forms indicate that the temporary events were conducted in violation of the conditions of this CUP, the Planning Division has the authority to implement enforcement actions consistent with the regulations of Article 14 of the Ventura County Non-Coastal Zoning Ordinance. (PL-60(c))

23. Lighting for Temporary Outdoor Events

Purpose: The purpose of this condition is to ensure that lighting used for temporary outdoor events does not spill-over onto adjacent parcels.

Requirement: No permanent lighting shall be installed for the purpose of temporary special events. Temporary exterior lighting shall be provided in the parking areas for safety and security purposes. Temporary dance lights shall be limited to the area reserved for the dance floor. Other temporary lighting may be used for ceremony ambiance and dinner tables. Any lighting for special events shall be hooded and/or directed downward onto the subject parcel to prevent spill-over onto adjacent parcels.

Documentation: As required pursuant to Condition 20 (above), the Permittee shall complete and maintain an Events Report, on a form provided by the Planning Division, which includes the number and type of temporary lighting on-site.

Timing: All lights associated with events shall be completely turned off by 12:00 a.m.

Monitoring and Reporting: The Planning Division will review, and maintain in the Project file, the Events Report forms provided by the Permittee. If the Events Report forms indicate that the temporary events were conducted in violation of the conditions of this CUP, the Planning Division has the authority to implement enforcement actions consistent with the regulations of Article 14 of the Ventura County Non-Coastal Zoning Ordinance. (PL-60(d))

Environmental Health Division (EHD) Conditions

24. Portable Toilets

An adequate quantity of portable toilet(s) shall be provided and maintained in a sanitary condition for events allowed by this CUP. A site plan that includes the locations of the portable toilets and copy of the contract for the portable toilets for these event shall be provided to the County each year by March 1.

25. Food Preparation/Food Storage/Utensil Washing

Food preparation including but not limited to an on-site barbecue and beverage service; food storage including but not limited to refrigerators; and utensil washing including but not limited to sinks for activities associated with the subject permit are prohibited on site.

27. Food Service Providers

Food service providers and/or caterers shall have a permit to operate from EHD. (EHD-12)

28. Plumbing Fixtures

During events allowed by this CUP, the use of any plumbing fixtures connected to any on-site septic systems is prohibited.

29. Mosquito Breeding Sources

All water impoundments and storm water collection systems shall be constructed and maintained in a manner, which will not create mosquito breeding sources.

PUBLIC WORKS AGENCY (PWA) CONDITIONS

Transportation Division (TD) Conditions

30. Special Events

Purpose: The Special Events have the potential to temporarily cause an increase in traffic.

Requirement: The Special Events have the potential to temporarily cause an increase in traffic on Tierra Rejada Road in the City of Moorpark's jurisdiction.

- a. The Permittee shall provide adequate parking for all guests, employees, and vendors within the property. Event parking shall not be allowed on any public roadway. Event parking shall not be allowed on Brennan Road.
- b. The maximum number of special events is 60 per year. The maximum number of guests is 285 guests any day of the week.
- c. Valet parking shall be provided when the number of anticipated guests is expected to exceed 200 persons (generating an estimated 100 vehicles, 100 vehicles = 200 persons at 2 persons/vehicle).
- d. The operational hours are as determined by the Resource Management Agency (RMA).
- e. If a complaint is received by the County of Ventura regarding traffic congestion due to this Project, or as deemed necessary, then the Permittee shall do the following as recommended in the Traffic Study by Interwest (November 3, 2014):

- (1) If, in the County's sole discretion, site traffic is found to cause congestion or other operational problems at Tierra Rejada Road and Brennan Road, the [P]ermittee shall pay for a traffic-control officer [TCO] satisfactory to the County to control the intersection at large events as necessary to facilitate incoming and/or outgoing event traffic.
- (2) In addition, should a TCO be deemed necessary as described in section e(1) of this condition (above), then the Permittee shall obtain an Encroachment Permit (EP) from the City of Moorpark as Tierra Rejada Road is located within the City's jurisdiction.

Documentation: No documentation is required by the Transportation Department (TD). If the TCO is deemed necessary as described in section e of this condition (above), then the Permittee shall provide the TD with a copy of the EP from the City of Moorpark.

Timing: When the conditions set forth in section e of this condition (above) exist, then the Permittee shall obtain the EP from the City of Moorpark before the next scheduled Special Event.

Monitoring and Reporting: RMA will monitor the number of guests and employees and number of events per year to determine compliance with this CUP. (TD-3, RMA-137)

Integrated Waste Management Division (IWMD) Conditions

31. Waste Diversion & Recycling Requirement

Purpose: To ensure the Project complies with Ordinance No. 4445. Ordinance No. 4445 pertains to the diversion of recyclable materials generated by this Project (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers) from local landfills through recycling, reuse, or salvage. Ordinance No. 4445 can be reviewed at www.vcpublishworks.org/ord4445

Requirement: Ordinance No. 4445, Sec. 4770-2.3, requires the Permittee to work with a County-franchised solid waste hauler who will determine the level of service required to divert recyclables generated by the Project from local landfills. For a complete list of County-franchised solid-waste haulers, go to: www.vcpublishworks.org/commercialhaulers

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

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

Monitoring and Reporting: Upon request, the Permittee shall allow IWMD staff to perform a free, on-site, waste audit to verify recyclable materials generated by the Project are being diverted from the landfill. (IWMD-1)

32. Collection and Loading Areas for Refuse and Recyclables

Purpose: To comply with the California Solid Waste Reuse and Recycling Access Act of 1991 (CA Public Resources Code 42900-42901).

Requirement: The Permittee shall provide adequate trash and recycling containers at all Special Events, and ensure all food, trash, and recyclables are removed from the property following each event.

Documentation: The Permittee shall submit a site plan to the IWMD indicating the location of a trash enclosure or a designated area on the property with sufficient space to accommodate refuse and recycling bins necessary to meet the needs of the Project.

Timing: Prior to any scheduled Special Event, the Permittee shall arrange for temporary trash and recycling containers.

Monitoring and Reporting: The Permittee shall, upon request, provide evidence that the temporary trash and recycling containers were provided at Special Events hosted on the property (i.e., dated catering service receipts and dated solid waste collection bills). (IWMD-4)

Watershed Protection District (WPD) Conditions

33. Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies 2.10.2 and 2.10.3.

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

Documentation: A Floodplain Clearance issued by the County Public Works Agency Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to the issuance of a Zoning Clearance.

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

OTHER VENTURA COUNTY AGENCIES CONDITIONS

Ventura County Fire Protection District (VCFPD) Conditions

34. Address Numbers (Commercial, Industrial, Multi-Family Buildings)

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

Requirement: The Permittee shall install a minimum of 10 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. The address number(s) 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 VCFPD's form #126 "Requirements for Construction" or a copy of the Fire Code Permit.

Timing: The Permittee shall install and maintain all address numbers clearly visible from the street.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the VCFPD's Form #126 "Requirements for Construction" or Fire Code Permit shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the address is installed and maintained in a visible condition. (VCFPD-41b)

35. Access Road Widths, Commercial or Industrial

Purpose: To ensure adequate VCFPD access is provided in conformance with current California State Law and VCFPD Ordinance.

Requirement: The Permittee shall provide a minimum paved access road width of 25 feet. Parking is prohibited on the required width of any driveway less than 36 feet in width.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain all on-site access per approved plans. All on-site access shall be cleared to meet the minimum VCFPD clear width for access prior to the start of any event.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the access is installed according to the approved plans. Unless

a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of the CUP. (VCFPD-4)

36. Vertical Clearance

Purpose: To ensure adequate VCFPD access is provided in conformance with current California State Law and VCFPD Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain all on-site access per approved plans. All trees and shrubs shall be trimmed up the meet the 13 feet 6 inches vertical clearance requirements prior to the start of any event.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of the CUP. (VCFPD-11.a)

37. Turning Radius

Purpose: To ensure adequate VCFPD access is provided in conformance with current California State Law and VCFPD Ordinance.

Requirement: The Permittee shall provide a minimum 40 foot inside radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain all on-site access per approved plans. No obstructions shall be placed within the turning radius width requirements for VCFPD access. All required access shall be kept clear at all times.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of the CUP. (VCFPD-11.b)

38. Turnarounds

Purpose: To ensure adequate VCFPD access is provided in conformance with current California State Law and VCFPD Ordinance.

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

- a. Do not exceed a 5% cross-slope in any direction
- b. Are located within 150 feet of the end of the access road/driveway.
- c. Are posted as fire lanes in accordance with VCFPD Standards.
- d. Are kept free of obstructions at all times.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain VCFPD turnarounds per the approved access plans. All required turnarounds shall be maintained before the start of any events.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of the CUP. (VCFPD-14)

39. Fire Lanes

Purpose: To ensure adequate VCFPD access is provided in conformance with current California State Law and VCFPD Ordinance.

Requirement: The Permittee shall post all fire lanes in accordance with California Vehicle Code, the International Fire Code and current VCFPD Fire Lane Standards. All fire lane markings/signs shall be located within recorded access easements. The Permittee shall maintain all required fire lane markings/signs to be clearly visible.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall install and maintain fire lane markings and signage.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of the CUP. (VCFPD-26)

40. Fire Flow

Purpose: To ensure adequate water supply is available to the Project site for firefighting purposes.

Requirement: The Permittee shall maintain on site fire hydrants for the required fire flow. 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 1,500 gallons per minute at 20 psi for a minimum 2 hour duration. For Commercial, Industrial sites, a minimum fire flow of 1,000 GPM shall be provided from each hydrant when multiple hydrants are flowing at the same time.

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

Timing: The Permittee shall maintain all on-site fire hydrants and provide a three foot clearance around all hydrants for fire department access.

Monitoring and Reporting: A copy of the fire flow certification shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the hydrants are being maintained. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the access for the life of this CUP. (VCFPD-32)

41. 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 Standards.

Documentation: A stamped copy of the approved fire hydrant location plan and VCFPD Fire Hydrant Standards.

Timing: The Permittee shall install and maintain all required blue reflective fire hydrant location markers or other approved signage to indicate the locations of fire hydrants on-site.

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 may conduct periodic 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 this CUP. (VCFPD-36)

42. Fire Code Permits

Purpose: To comply with the requirements of the Ventura County Fire Code.

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

Documentation: A stamped copy of the Fire Code permit(s). Fire code permits are required for tents, public assembly gatherings, and candles or other open flame.

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval before use of any tent, candle or open flame device or any other permits required by the Fire Code. Fire Code Permits may or may not be used for ongoing events and may require re-application specific for each event.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau may conduct periodic inspections to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and the Permittee's successors in interest, shall maintain the conditions of the Fire Code permit for each specific requirement. (VCFPD-53)

43. Tents, Canopies and Temporary Membrane Structures

Purpose: To comply with the requirements of the California Fire Code and California Code of Regulations Titles 19 and 24.

Requirement: The Permittee shall obtain a Fire Code permit for all temporary structures (e.g., tents and canopies). Temporary tent(s) are limited to a maximum of 180 days in a 12 month period at a single property. Each day a tent is erected counts towards the 180 day limit. The 180 day limit does not restart each time a tent is taken down. Any tent(s) exceeding the 180 day limitation shall comply with the California Building Code for permanent buildings. This will require a fire sprinkler system and building permit.

The submittal shall include the following requirements:

- a. Site plans showing the size of the tent(s), interior layout of tables and chairs, exits and fire extinguisher locations.
- b. Site plans showing the locations of tent(s) in relation to existing buildings, other tents/canopies, cooking facilities, parking locations, heating equipment (i.e., LPG forced air heaters) and fuel operated generators.
- c. A certificate of flame retardant for tent fabrics.
- d. For outdoor festivals and concession booths, plans shall indicate which booths provide cooking and non-cooking, aisle width between booths, emergency vehicle access and existing hydrant locations.

Documentation: A signed copy of the Fire Code permit(s).

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval at least two weeks before installing any tent.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the structures 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 conditions of the Fire Code permit for the duration of the event. (VCFPD-54)

44. Public Safety Plan

Purpose: To ensure adequate public safety levels are maintained during indoor/outdoor public gatherings of persons which may have an adverse impact on public safety.

Requirement: The Permittee shall develop and have an approved Public Safety Plan (PSP). The PSP shall address such items as emergency vehicle ingress and egress, fire protection, emergency medical services, evacuation and safe dispersal areas, public assembly areas and the directing of both attendees and vehicles (including the parking of vehicles), vendor and food concession distribution, method(s) for activating the emergency response system (911), method(s) to notify and give direction to attendees, staff training and the need for the presence of law enforcement and fire and emergency medical services personnel at the event (International Fire Code, Chapter 4).

Documentation: A stamped copy of the approved PSP.

Timing: The Permittee shall submit an updated PSP to the Fire Prevention Bureau for approval before the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the approved PSP shall be kept on file with the Fire Prevention Bureau. (VCFPD-58)

45. 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 (VCFPD) is authorized to enter at all reasonable times and examine any building, structure, or premises subject to this Project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of these CUP conditions.

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

Conditions for CUP No. LU09-0143

Date of Public Hearing: September 17, 2015

Approval of CUP Case No. LU09-0143: September 13, 2010

Approval of Minor Modification Case No. PL14-0172: [DATE]

Permittee: Debra and George Tash

Location: 3900 Brennan Road, Moorpark

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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)

Advanced Engineering Acoustics
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November 10, 2014

Debra & George Tash
5777 Balcom Canyon Road
Moorpark, CA 93066

SUBJECT: Eden's Garden, 3900 Brennan Rd., Moorpark, CA
 Temporary Event CUP Amendment

REFERENCES: AEA Ambient & Music Noise Reports dated Nov. 18, 2009 and May 12, 2010
 County GP Source Noise Limits at Residences

Dear Mr. & Mrs. Tash:

You are requesting certain changes to your special event CUP which may have an affect on the vicinity of your Eden Garden venue. At your request, Advanced Engineering Acoustics (AEA) had previously conducted ambient noise measurements and music sound propagation tests at four locations on your east property line with your nearest but unoccupied neighboring property (see AEA referenced reports). The County of Ventura (County) regarded the nearest residence across Tierra Rejada Road as a compliance location. That nearest residence to your proposed venue is about 850 feet to the northwest, in the city of Moorpark. In 2010, AEA modeled your event music propagating to that residential location. The back yard of that residence is about 550 feet from the centerline of the SR-23 Moorpark Freeway (see Figure 1). Your DJ location is about 480 feet from the freeway, placing it about 100 feet closer to the freeway. Since the previous noise studies, the traffic on the SR-23 freeway has not changed significantly according to the latest Caltrans published SR-23 traffic data. This letter report summarizes the impact modeling results of the current freeway ambient noise and your event venue music propagation.

Fundamentals of Sound - Physically, sound pressure magnitude is measured and quantified in terms of the decibel (dB), which is associated with a logarithmic scale based on the ratio of a measured sound pressure to the reference sound pressure of 20 micropascal ($20 \mu\text{Pa} = 20 \times 10^{-6} \text{ N/m}^2$). However, the decibel system can be very confusing. For example, doubling or halving the number of sources of equal noise (a 2-fold change in acoustic *energy*) changes the receptor noise by only 3 dB, which is a barely perceptible sound change for humans. While doubling or halving the sound *loudness* at the receiver results from a 10 dB change and also represents a 10-fold change in the acoustic *energy*.

In addition, the human hearing system is not equally sensitive to sound at all frequencies. Because of this variability, a frequency-dependent adjustment called "A-weighting" has been devised so that sound may be measured in a manner similar to the way the human hearing system responds. The A-weighted sound level is abbreviated "dBA".

County of Ventura
Planning Director Hearing
PL14-0172
Exhibit 6 – Noise Study



Figure 1. Venue with DJ site and sound meter measurement locations

County Noise Standards - The noise standards for the County of Ventura are outlined in Sec. 2.16 Noise et. Al., of the Ventura County General Plan Policies (see this information online at www.ventura.org/planning). Table 1 shows the county noise standards for noise-generating sources.

Venue Music Propagation Modeling - A computer noise model has been used to develop the receptor site-specific noise model for the project. The project model was developed using SoundPLAN® (Version 7.3), a computer program developed by the German environmental software firm, Braustein and Berndt GmbH. The main selected noise propagation standard for the venue music assessment was the ISO 9613-2 sound propagation method that assumes hemispherical propagation losses and noise attenuation from ground cover. This ISO noise propagation standard also considers the molecular air absorption of sound propagation over distance and topography.

Table 1. Ventura County General Plan Noise Source Limits

(4) Noise generators, proposed to be located near any <i>noise sensitive use</i> , 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 , do not exceed any of the following standards:	
a.	Leq(1hr) of 55 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
b.	Leq(1hr) of 50 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.
c.	Leq(1hr) of 45 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

Summary of Model Results - Table 2 shows the distances from the DJ music location to the modeled residential location and the referenced property line measurement sites. Table 3 shows the ambient freeway noise at the DJ locations for the referenced measurement days and the modeled for the residence as well as the county noise limits. Table 4 shows the modeled allowable music at the referenced measured test sites and the residence site with its county variable noise limit compliance.

Table 2. Distance from DJ Music Source to Residence and P/L Measurement Locations

Sound Test Propagation Receiver	Residence, feet	SE P/L, feet	East P/L, feet	NE P/L, feet
DJ music source to receiver locations	850	115	95	170

Table 3. Measured and Modeled Ambient Freeway Noise

Ambient Measurement Period	DJ Site 480-foot Ambient Leq, dBA	Residence 550-foot Ambient Leq, dBA	County Fixed Noise Limit Leq(1 hr), dBA	County Variable Noise Limit Leq(1 hr), dBA	Residence Variable Noise Limit Leq(1 hr), dBA
17:00 – 18:00	56.9	55.3	55	Amb. + 3 dB	58.3
18:00 – 19:00	59.5	57.9	55	Amb. + 3 dB	60.9
19:00 – 20:00	60.5	58.9	50	Amb. + 3 dB	61.9
20:00 – 21:00	59.8	58.2	50	Amb. + 3 dB	61.2
21:00 – 22:00	59.7	58.1	50	Amb. + 3 dB	61.1
22:00 – 23:00	59.1	57.5	45	Amb. + 3 dB	60.5
23:00 – 00:00	58.6	57.0	45	Amb. + 3 dB	60.0
00:00 – 01:00	58.0	56.4	45	Amb. + 3 dB	59.4
01:00 – 02:00	57.2	55.6	45	Amb. + 3 dB	58.6

Table 4. Allowable DJ Music Receiver Results

DJ Music Measurement Period	DJ 15-ft, Music, Leq, dBA	NE P/L Music, Leq, dBA	East P/L Music, Leq, dBA	SE P/L Music, Leq, dBA	Residence Music, Leq, dBA	Residence Music Limit Status
17:00 – 19:00	98.0	75.6	80.9	80.5	60.9	PASS
19:00 – 22:00	98.2	75.8	81.1	80.7	61.1	PASS
22:00 – 01:00	96.5	74.1	79.4	79.0	59.4	PASS

Findings and Conclusions - The ambient noise during the afternoon, evening and nighttime hours was caused by freeway traffic noise sources. Music sound measurements along your east property line and in the reception DJ area during CD music source testing resulted in sound levels that were influenced by ambient noise. This is an important conclusion and means that the County noise limit would be the variable ambient noise plus 3 dB for the daytime, evening and nighttime hours. Based on these results, the DJ music and PA sound levels must be maintained at the hourly Leq of 96 dBA, or less, 15 feet from the DJ speakers for the residential hourly noise to be in compliance with the ambient-based County variable noise limit of about 59 dBA Leq(1 hr) at the nearest residence.

Recommendations – In order to assure that amplified PA and DJ music not exceed the County outdoor variable noise limit, we recommend you purchase or rent a simple sound monitoring system (see Appendix), that can be used as a control meter to monitor the sound emissions at 15 feet from the DJ speakers, with the meter set to the “A-weighting, slow response” scale. This control sound level measurement system would allow you and the DJ to monitor the music and PA sound levels at 15 feet, allowing corrective action to be taken whenever the control location noise limit is exceeded. Even though your ambient-based variable County noise limit at the nearest residence northwest of your site would be a 1-hour Leq of about 59 dBA, we recommend limiting your instantaneous music and PA sound levels to 85 dBA, or less, 15 feet from the DJ speakers (which equates to an instantaneous sound level of about 47 dBA at the residence). Typically, 96 dBA at 15 feet could be an uncomfortable sound level for most outdoor party venues. We are making a very conservative recommendation in both time and sound level, since your County variable noise limit of 59 dBA Leq(1 hr) at the nearest residence equates to an hourly average Leq of 96 dBA at 15 feet from the DJ speakers. Our recommendation could be regarded as a “good neighbor policy” with a lot of music volume headroom before reaching your variable County noise limit.

This concludes our report on the acoustical evaluation of the proposed wedding reception venue. If you have any questions regarding this report, please contact me by phone or email.

Sincerely,



Marlund E. Hale, Ph.D., INCE (Full Member)
noisedoc@aol.com

A P P E N D I X

Recommended Vendors - Sound monitoring systems:

Extech SL130G (\$250) with the optional 15-foot remote microphone (\$30) and optional external AC relay module (\$100, requires a third party "normally closed" relay switch that controls an AC power supply strip that will shut off DJ power when the 15-foot noise level is exceeded)

Manufactured by Extech Instruments

Local Distributor: Pulse Instruments, Van Nuys, CA, 818-909-0800

www.extech.com

Realistic Digital Display Sound Level Meter (\$50)

Model: 33-2055

Sold by Radio Shack, Inc.

www.radioshack.com

Advanced Engineering Acoustics
663 Bristol Avenue
Simi Valley, California 93065-5402
(805) 583-8207 - Voice (805) 231-1242 - Cell (805) 522-6636 - Fax

May 12, 2010

Debra & George Tash
5777 Balcom Canyon Road
Moorpark, CA 93066

SUBJECT: Eden's Garden, 3900 Brennan Rd. Temporary Event CUP - Moorpark
Ambient Noise Measurements and CD Music Propagation Tests

REFERENCES: AEA Ambient & Music Noise Report dated Nov. 18, 2009
County GP Source Noise Limits at Residences

Dear Mr. & Mrs. Tash:

At your request, Advanced Engineering Acoustics (AEA) has previously conducted ambient noise measurements and music sound propagation tests at four locations on your east property line. The County of Ventura (County) regards the nearest residence as the location for compliance. The nearest residence to your proposed venue is about 850 feet to the northwest, in the city of Moorpark. We have modeled the music propagation to that residence location. The residence is about 580 feet from the centerline of the Moorpark Freeway (SR-23). The DJ location is about 480 feet from the freeway, placing it about 100 feet closer to the freeway. This letter report summarizes the results of your event venue music propagation modeling.

Fundamentals of Sound - Physically, sound pressure magnitude is measured and quantified in terms of the decibel (dB), which is associated with a logarithmic scale based on the ratio of a measured sound pressure to the reference sound pressure of 20 micropascal ($20 \mu\text{Pa} = 20 \times 10^{-6} \text{ N/m}^2$). However, the decibel system can be very confusing. For example, doubling or halving the number of sources of equal noise (a 2-fold change in acoustic *energy*) changes the receptor noise by only 3 dB, which is a barely perceptible sound change for humans. While doubling or halving the sound *loudness* at the receiver results from a 10 dB change and also represents a 10-fold change in the acoustic *energy*.

In addition, the human hearing system is not equally sensitive to sound at all frequencies. Because of this variability, a frequency-dependent adjustment called "A-weighting" has been devised so that sound may be measured in a manner similar to the way the human hearing system responds. The A-weighted sound level is abbreviated "dBA".

County Noise Standards - The noise standards for the County of Ventura are outlined in Sec. 2.16 Noise et. al., of the Ventura County General Plan Policies (see this information online at www.ventura.org/planning). Table 1 shows the county noise standards for noise-generating sources.

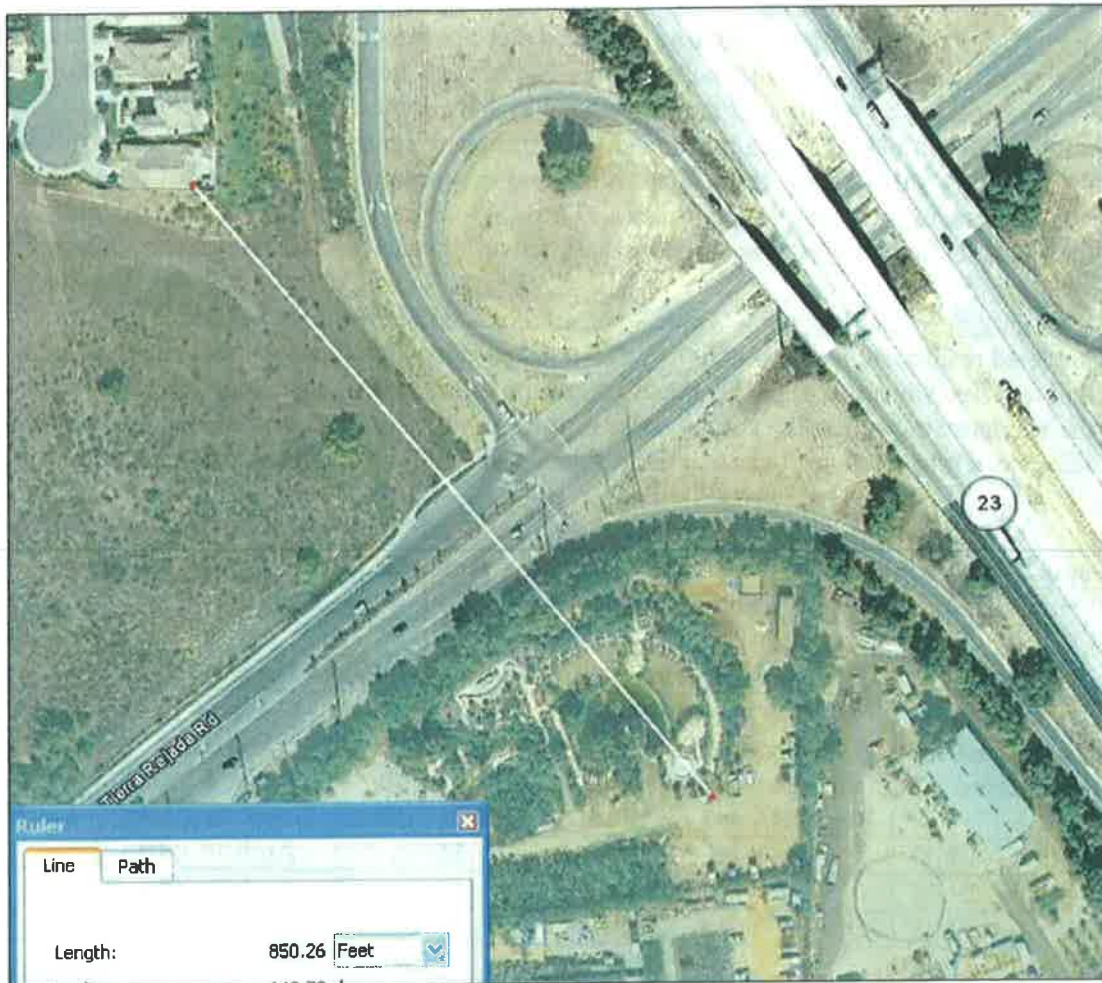


Figure 1. Venue with DJ site and sound meter measurement locations

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- (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**, do not exceed any of the following standards:
- a. Leq(1hr) of 55 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
 - b. Leq(1hr) of 50 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.
 - c. Leq(1hr) of 45 dB(A) or ambient noise level plus 3 dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.

Venue Music Propagation Modeling - A computer noise model has been used to develop the receptor site-specific noise model for the project. The project model was developed using SoundPLAN® (Version 6.5), a computer program developed by the German environmental software firm, Braustein and Berndt GmbH. The main selected noise propagation standard for the venue music assessment was the ISO 9613-2 sound propagation method that assumes hemispherical propagation losses and noise attenuation from ground cover. This ISO noise propagation standard also considers the molecular air absorption of sound propagation over distance and topography.

Summary of Model Results - Table 2 shows the distances from the DJ music location to the modeled residential location and the referenced property line measurement sites. Table 3 shows the ambient freeway noise at the DJ locations for the referenced measurement days and the modeled for the residence as well as the county noise limits. Table 4 shows the modeled allowable music at the referenced measured test sites and the residence site with its county variable noise limit compliance.

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17:00 – 18:00	56.8	55.2	55	Amb. + 3 dB	58.2
18:00 – 19:00	59.4	57.8	55	Amb. + 3 dB	60.8
19:00 – 20:00	60.4	58.8	50	Amb. + 3 dB	61.8
20:00 – 21:00	59.7	58.1	50	Amb. + 3 dB	61.1
21:00 – 22:00	59.6	58.0	50	Amb. + 3 dB	61.0
22:00 – 23:00	59.0	57.4	45	Amb. + 3 dB	60.4

Table 4. Allowable DJ Music Receiver Results

DJ Music Measurement Period	DJ 15-ft, Music, Leq, dBA	NE P/L Music, Leq, dBA	East P/L Music, Leq, dBA	SE P/L Music, Leq, dBA	Residence Music, Leq, dBA	Residence Music Limit Status
17:00 – 23:00	98.6	76.2	81.5	81.1	61.5	PASS

Findings and Conclusions - The ambient noise during the afternoon, evening and nighttime hours was caused by freeway traffic noise sources. Music sound measurements along your east property line and in the reception DJ area during CD music source testing resulted in sound levels that were influenced by ambient noise. This is an important conclusion and means that the County noise limit would be the variable ambient noise plus 3 dB for the daytime, evening and nighttime hours. Based on these results, the DJ music and PA sound levels must be maintained at the hourly Leq of 98 dBA, or less, 15 feet from the

DJ speakers for the residential hourly noise to be in compliance with the ambient-based County variable noise limit of about 60 dBA Leq(1 hr) at the nearest residence.

Recommendations – In order to assure that amplified PA and DJ music not exceed the County outdoor variable noise limit, we recommend you purchase or rent a simple sound monitoring system (see Appendix), that can be used as a control meter to monitor the sound emissions at 15 feet from the DJ speakers, with the meter set to the “A-weighting, slow response” scale. This control sound level measurement system would allow you and the DJ to monitor the music and PA sound levels at 15 feet, allowing corrective action to be taken whenever the control location noise limit is exceeded. Even though your ambient-based variable County noise limit at the nearest residence northwest of your site would be a 1-hour Leq of about 60 dBA, we recommend limiting your instantaneous music and PA sound levels to 85 dBA, or less, 15 feet from the DJ speakers (which equates to an instantaneous sound level of about 47 dBA at the residence). Typically, 98 dBA at 15 feet could be an uncomfortable sound level for most outdoor party venues. We are making a very conservative recommendation in both time and sound level, since your County variable noise limit of 60 dBA Leq(1 hr) at the nearest residence equates to an hourly average Leq of 98.6 dBA at 15 feet from the DJ speakers. Our recommendation could be regarded as a “good neighbor policy” with a lot of music volume headroom before reaching your variable County noise limit.

This concludes our report on the acoustical evaluation of the proposed wedding reception venue. If you have any questions regarding this report, please contact me by phone or email.

Sincerely,



Marlund E. Hale, Ph.D., P.E.(Acoustics - OR), INCE
noisedoc@aol.com

APPENDIX

Recommended Vendors - Sound monitoring systems:

Extech SL130G (\$250) with the optional 15-foot remote microphone (\$30) and optional external AC relay module (\$100, requires a third party "normally closed" relay switch that controls an AC power supply strip that will shut off DJ power when the 15-foot noise level is exceeded)

Manufactured by Extech Instruments

Local Distributor: Pulse Instruments, Van Nuys, CA, 818-909-0800

www.extech.com

Realistic Digital Display Sound Level Meter (\$50)

Model: 33-2055

Sold by Radio Shack, Inc.

www.radioshack.com

November 3, 2014



Mr. George Tash
5777 Balcom Canyon Road
Somis, CA 93066-2131

Subject: LU09-0143 Eden Garden Time Extension Traffic Evaluation

Dear Mr. Tash:

As requested, we have performed a traffic evaluation to support the proposed time extension of the temporary event permit for the Eden Garden operation at 3900 Brennan Road in the unincorporated Ventura County area adjacent to Moorpark. This report presents the results of that evaluation, including average daily traffic, parking, and access.

BACKGROUND

The current temporary event permit issued by the County of Ventura allows temporary events such as weddings, birthday/anniversary parties, garden tours, and animal shows. In advance of permit expiration in 2016, a time extension is being requested. As part of the time extension application, various changes are proposed. Of the changes, those that could affect traffic and circulation were evaluated:

- The maximum number of guests will be reduced from 400 to 300 on weekends and increased from 100 to 300 on weekdays.
- Parking will be shifted out of the flood plain, but reduced from 210 spaces to 168 spaces.

TRIP GENERATION

Our February 12, 2010 report developed detailed trip generation estimates for 300-attendee events and 400-attendee events; these estimates are summarized in Table 1.

9519 CHAMBERLAIN STREET • VENTURA, CALIFORNIA 93004
TEL. 805.659.0017 • mwessel@interwestgrp.com

Table 1. Round Trips Per Event

	Attendance	
	300	400
Attendees	100	133
Vendors	10	10
Security	3	4
Disc Jockey	1	1
Parking Valets	5	7
Owner	1	1
Tables/Heaters	1	1
Restroom Service	1	1
Trash	1	1
Miscellaneous	2	2
TOTAL	125	161

For the permit issued in 2010, it was assumed that 51 events would have an attendance of 300 and 9 would have an attendance of 400. Therefore, the trip generation net effect of reducing the attendance limit from 400 to 300 for those 9 events was calculated to be a reduction of:

$$9 \times (125 - 161) = -324 \text{ total annual round trips.}$$

Average Daily Traffic (ADT) is typically expressed as one-way trips, so the reduction was calculated as follows:

$$-324 \text{ round trips} \times 2 \text{ one way trips per round trip} / 365 \text{ days per year} = -2 \text{ ADT}$$

PARKING

Although the number of parking spaces will be reduced from 210 to 168 spaces, all 168 spaces will be out of the flood plain and available year round. Furthermore, the parking reduction will be matched by a corresponding reduction (from 161 to 125) of event trips; the ratio of spaces per event round trip will remain unchanged at 1.3. Parking for all events with more than 200 attendees will be facilitated by a valet service.

ACCESS

Access to the site is served by Brennan Road, a private road over which the permittee has an access easement. Immediately adjacent to the site, Brennan Road connects with Tierra Rejada Road at an uncontrolled full-access intersection. Although site traffic has not been problematic on weekends, the

proposed attendance limit increase on weekdays was evaluated to determine if it is likely to cause weekday peak period impacts.

Attendees at site events typically arrive and depart over a span of time; furthermore, their departure is effectively metered by the capacity of the parking valets. And, finally, most exiting traffic turns right onto Tierra Rejada, which is a relatively unimpeded movement. It was therefore concluded that exiting traffic is not likely to cause any significant traffic impacts.

Site traffic arriving for events on weekdays has greater potential to cause peak hour traffic impacts and warrants further evaluation. Although most of the staff and vendors will arrive well before an event, a few may arrive shortly beforehand. And, although most attendees will arrive in the hour preceding the event start, a few will generally arrive late. For analysis purposes, it was assumed that both sets of late arrivals will cancel each other and the number of vehicles arriving during the peak hour will be 100. It was also assumed that 75% will arrive via the SR 23 Freeway and make the left turn onto Brennan Road. The question, therefore, is: will 75 peak hour arrivals cause the left turn queue to spill out of the 100' turn pocket into the westbound through lanes on Tierra Rejada?

Although it is impossible to predict exactly how long the future queue will be, there are various methods of approximation. Four storage requirement estimation methods were applied, the calculations are provided in the appendix, and the results are presented in Table 2.

Table 2. Left Turn Storage Requirements

Method	Source	Storage (ft)
1	AASHTO	68
2	NCHRP 745	73
3	ITE Journal (<100 LT)	102
4	ITE Journal (>100 LT)	92

As can best be determined at this time, the existing 100' storage area should prove adequate for the proposed use. Nevertheless, it is recommended that the County reserve the right to require the permittee to pay for a traffic control officer at the Tierra Rejada Road – Brennan Road intersection if site traffic is found to cause unacceptable congestion or other operational problems. The following permit condition is recommended for consideration:

- If, in the County's sole discretion, site traffic is found to cause congestion or other operational problems at the Tierra Rejada Road – Brennan Road, the permittee shall pay for a traffic control officer satisfactory to the County to control the intersection at large events as necessary to facilitate incoming and/or outgoing event traffic.

CONCLUSIONS

The proposed permit time extension includes various operational changes, including reduction of the maximum number of event attendees on weekends, reduction of parking, and an increase of the maximum number of event attendees on weekdays.

Because the maximum number of attendees at large events will be reduced from 400 to 300, there will be a slight decrease in average daily traffic. Although the total parking will be reduced from 210 to 168 spaces, the ratio of spaces per event round trip will remain the same. Larger weekday events may result in event traffic coinciding with peak hour traffic, which raises the question of adequacy of the Tierra Rejada Road westbound left turn pocket at the Brennan Road intersection. However, the results found from application of four left turn storage requirement methodologies suggests the existing 100' pocket will likely be adequate. Nevertheless, a permit condition is suggested that requires the permittee to pay for a traffic control officer if necessary.

I appreciate the opportunity to work with you on this project. If you have any questions regarding this report or if I can be of further assistance, please feel free to call.

Sincerely,

INTERWEST CONSULTING GROUP



Mark Wessel, P.E.

141103 Eden Garden Traffic Evaluation



APPENDIX

LEFT TURN STORAGE REQUIREMENT CALCULATIONS

Various methods of approximating left turn storage requirements at unsignalized intersections have been developed. Four of these methods were applied to the westbound left turn movement at the Tierra Rejada Road - Brennan Road intersection (excerpts of the published methodologies are included following the calculations). These methods require various input data, such as left turn volume, opposing volume, speed, etc. Where required by each method, the following values were used:

- Tierra Rejada peak hour volume and peak hour factor were drawn from a 5/17/2013 peak hour count at the Tierra Rejada - Sunset Valley intersection, which is immediately west of the Brennan intersection.
- Peak Hour Factor (PHF) = westbound peak hour through volume / (4 x peak 15-minute volume) = $1,958 / (4 \times 537) = 0.91$
- Opposing volume $V_o = (1,304 + 92) / \text{PHF} = 1,396 / 0.91 = 1,534$
- Left turn volume $V = 75 / \text{PHF} = 75 / 0.91 = 82$
- Critical gap (minimum acceptable gap for first vehicle) $t_c = 6.25$ seconds
- Follow-up gap (minimum acceptable gap for subsequent vehicles) $t_f = 2.2$ seconds
- Probability of overflow (P_o) = 5%
- Vehicle storage requires 25 feet per vehicle.
- Number of opposing lanes = 2
- Speed = 45 mph

1. American Association of State Highway & Transportation Officials (AASHTO) *Green Book*

The storage length at unsignalized intersections should be based on the number of turning vehicles likely to arrive in an average two minute period within the peak hour. There are 30 two-minute periods within the peak hour, so the storage is calculated as:

$$\text{Storage} = V / 30 \times 25'$$

$$\text{Storage} = 82 / 30 \times 25$$

$$\text{Storage} = 68 \text{ feet}$$

2. National Cooperative Highway Research Program (NCHRP) Report 745 *Left Turn Accommodations at Unsignalized Intersections*

This report updated previously published work (Highway Research Record 211 and NCHRP 457) to incorporate a more conservative critical gap assumption of 6.25 seconds, which corresponds to the 85th percentile of observed driver behavior. To determine the storage required for a 95th percentile queue, which allows for a 5% probability of overflow (P_o), the turn lane capacity (c) is first calculated as:

$$c = [V_o \times e \text{ EXP}(-V_o \times t_c / 3,600)] / [1 - e \text{ EXP}(-V_o \times t_f / 3600)]$$

$$c = [1,534 \times e \text{ EXP}(-1,534 \times 6.25 / 3,600)] / [1 - e \text{ EXP}(-1,534 \times 2.2 / 3,600)]$$

$$c = 176 \text{ vehicles per hour (vph)}$$

The storage requirement is then calculated as:

$$\text{storage} = 25 \times \{[\ln(P_o) / \ln(V / c)] - 1\}$$

$$\text{storage} = 25 \times \{[\ln(0.05) / \ln(82 / 176)] - 1\}$$

$$\text{storage} = 73 \text{ feet}$$

3. November, 2001 Institute of Transportation Engineers (ITE) Journal paper entitled *Estimation of Maximum Queue Lengths at Unsignalized Intersections*

This report summarized research that culminated in development of regression equations to estimate queue lengths for turn lanes. For a major street left turn volume of less than 100, the queue is calculated as:

$$\text{storage} = 25' \times [-2.042 + 1.167 \ln(V) + (0.975 \times 1)]$$

$$\text{storage} = 25' \times [-2.042 + 1.167 \ln(82) + (0.975 \times 1)]$$

$$\text{storage} = 102 \text{ feet}$$

4. November 2001 ITE Journal paper (for left turn volume more than 100)

Because the estimated left turn volume is near the 100 vph threshold, the storage was also calculated based on the corresponding equation:

$$\text{storage} = 25' \times [4.252 - (1.23 \times \text{Lanes}) + (0.07996 \times \text{Speed}) + (1.412 \times 1) - (374.028 / V) + (0.00001144 V \times V_o)]$$

$$\text{storage} = 25 \times [4.252 - (1.23 \times 2) + (0.07996 \times 45) + (1.412 \times 1) - (374.028 / 82) + (0.00001144 \times 82 \times 1,534)]$$

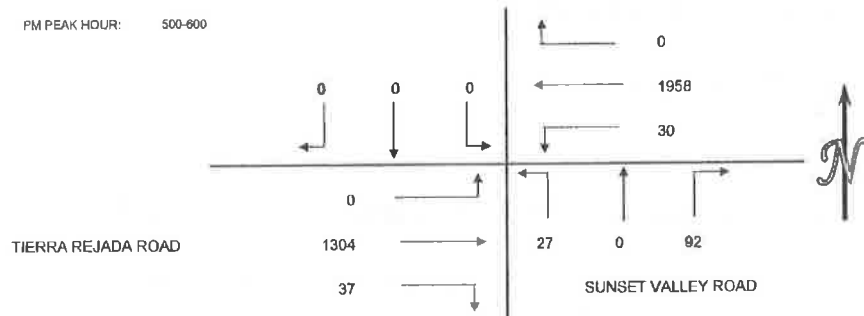
$$\text{storage} = 92 \text{ feet}$$

INTERSECTION CAR/PED/BIKE TRAFFIC COUNT RESULTS SUMMARY

CLIENT: INTERWEST GROUP
 PROJECT: MOORPARK TRAFFIC COUNTS
 DATE: FRIDAY MAY 17, 2013
 PERIOD: 3:30 PM TO 6:30 PM
 INTERSECTION: N/S SUNSET VALLEY ROAD
 E/W TIERRA REJADA ROAD
 CITY: MOORPARK

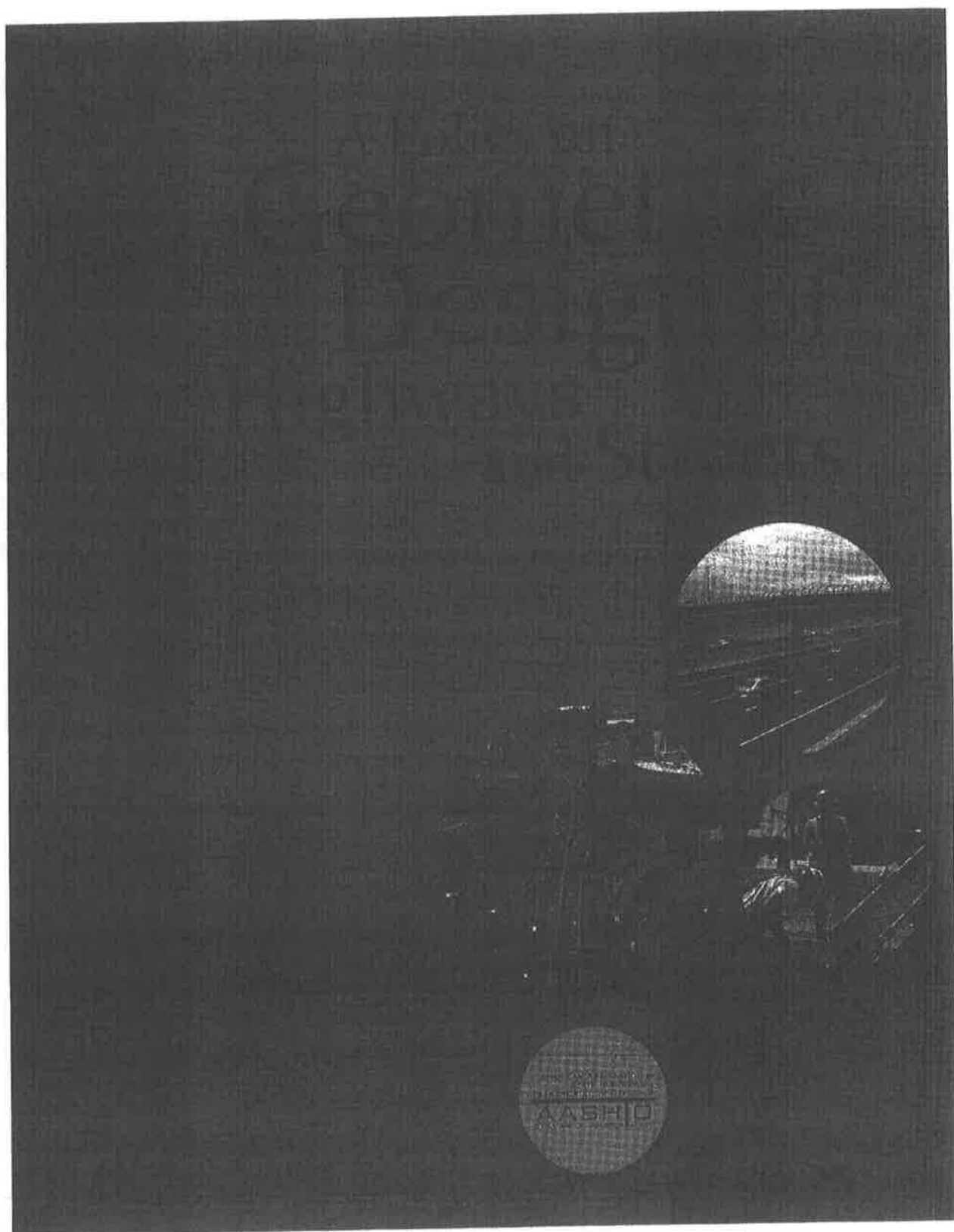
VEHICLE COUNTS													
15 MIN COUNTS	1	2	3	4	5	6	7	8	9	10	11	12	
PERIOD	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	TOTAL
330-345	0	0	0	0	368	7	12	0	3	8	278	0	676
345-400	0	0	0	0	427	11	17	0	2	8	314	0	777
400-415	0	0	0	0	405	2	14	0	4	4	342	0	771
415-430	0	0	0	0	410	10	26	0	7	5	308	0	766
430-445	0	0	0	0	414	7	17	0	8	6	303	0	755
445-500	0	0	0	0	460	5	27	0	8	10	280	0	790
500-515	0	0	0	0	500	6	21	0	8	5	318	0	856
515-530	0	0	0	0	537	10	30	0	5	4	380	0	948
530-545	0	0	0	0	481	9	22	0	10	10	313	0	845
545-600	0	0	0	0	440	5	19	0	6	18	313	0	801
600-615	0	0	0	0	405	16	23	0	3	12	281	0	740
615-630	0	0	0	0	342	10	12	0	11	19	250	0	644
HOURLY TOTALS	1	2	3	4	5	6	7	8	9	10	11	12	
PERIOD	SBRT	SBTH	SBLT	WBRT	WBTH	WBLT	NBRT	NBTH	NBLT	EBRT	EBTH	EBLT	TOTAL
330-430	0	0	0	0	1610	30	69	0	16	23	1242	0	2990
345-445	0	0	0	0	1656	30	74	0	21	21	1267	0	3089
400-500	0	0	0	0	1689	24	84	0	27	25	1233	0	3082
415-515	0	0	0	0	1784	28	91	0	29	26	1209	0	3167
430-530	0	0	0	0	1911	28	95	0	27	25	1261	0	3347
445-545	0	0	0	0	1978	30	100	0	29	29	1271	0	3437
500-600	0	0	0	0	1958	30	92	0	27	37	1304	0	3448
515-615	0	0	0	0	1863	40	94	0	24	44	1267	0	3332
530-630	0	0	0	0	1668	40	76	0	30	59	1157	0	3030

PM PEAK HOUR: 500-600



PEDESTRIAN COUNTS					
15 MIN COUNTS	NORTH LEG	EAST LEG	SOUTH LEG	WEST LEG	TOTAL
330-345	0	0	0	0	0
345-400	0	0	0	0	0
400-415	0	0	0	0	0
415-430	0	0	0	0	0
430-445	0	0	0	0	0
445-500	0	0	0	0	0
500-515	0	0	0	0	0
515-530	0	0	0	0	0
530-545	0	0	0	0	0
545-600	0	0	0	0	0
600-615	0	0	0	0	0
615-630	0	0	0	0	0
HOURLY TOTALS	NORTH LEG	EAST LEG	SOUTH LEG	WEST LEG	TOTAL
330-430	0	0	0	0	0
345-445	0	0	0	0	0
400-500	0	0	0	0	0
415-515	0	0	0	0	0
430-530	0	0	0	0	0
445-545	0	0	0	0	0
500-600	0	0	0	0	0
515-615	0	0	0	0	0
530-630	0	0	0	0	0

BICYCLE COUNTS					
15 MIN COUNTS	NORTH LEG	EAST LEG	SOUTH LEG	WEST LEG	TOTAL
330-345	1	0	1	0	2
345-400	0	0	0	0	0
400-415	3	0	0	0	3
415-430	0	0	0	0	0
430-445	0	0	1	0	1
445-500	0	0	1	0	1
500-515	0	0	2	0	2
515-530	0	0	0	0	0
530-545	0	0	0	0	0
545-600	1	0	0	1	2
600-615	0	0	0	0	0
615-630	0	0	0	0	0
HOURLY TOTALS	NORTH LEG	EAST LEG	SOUTH LEG	WEST LEG	TOTAL
330-430	4	0	1	0	5
345-445	3	0	1	0	4
400-500	3	0	2	0	5
415-515	0	0	4	0	4
430-530	0	0	4	0	4
445-545	0	0	3	0	3
500-600	1	0	2	1	4
515-615	1	0	0	1	2
530-630	1	0	0	1	2



On many facilities, it is not practical to provide the full length of the auxiliary lane for deceleration due to constraints such as restricted right-of-way, distance available between adjacent intersections, and extreme storage needs. In such cases, at least part of the deceleration by drivers needs to be accomplished before entering the auxiliary lane. Inclusion of the taper length as part of the deceleration distance for an auxiliary lane assumes that an approaching turning vehicle can decelerate comfortably up to 15 km/h [10 mph] before clearing a through lane. Shorter auxiliary lane lengths will increase the speed differential between turning vehicles and through traffic. A 15-km/h [10-mph] differential is commonly considered acceptable on arterial roadways. Higher speed differentials may be acceptable on collector highways and streets due to higher levels of driver tolerance for vehicles leaving or entering the roadway due to slow speeds or high volumes. Therefore, the distances discussed above should be accepted as a desirable goal and should be provided where practical. The deceleration distances discussed above are applicable to both left- and right-turning lanes, but the approach speed is usually lower in the right lane than in the left lane.

Storage Length

The auxiliary lane should be sufficiently long to store the number of vehicles, or queue, likely to accumulate during a critical period. The storage length should be sufficient to avoid turning vehicles stopping in the through lanes waiting for a signal change or for a gap in the opposing traffic flow.

→ At unsignalized intersections, the storage length should be determined by an intersection traffic analysis based on the number of turning vehicles likely to arrive in an average two-minute period within the peak hour. Space for at least two passenger cars should be provided; with over 10 percent turning truck traffic, provisions should be made for at least one car and one truck. The two-minute waiting time may need to be changed to some other interval that depends largely on the opportunities for completing the left-turn maneuver. These intervals, in turn, depend on the volume of opposing traffic. Where the volume of turning traffic is high, a traffic signal will often be needed. Additional information can be found in the *TRB Access Management Manual* (30).

At signalized intersections, the storage length needed should be determined by an intersection traffic analysis, and depends on the signal cycle length, the signal phasing arrangement, and the rate of arrivals and departures of left-turning vehicles. The storage length is a function of the probability of occurrence of events and should usually be based on one and one-half to two times the average number of vehicles that would store per cycle, which is predicated on the design volume. This length will be sufficient to serve heavy surges that occur from time to time. As in the case of unsignalized intersections, provision should be made for storing at least one car and one truck. Traffic signal design fundamentals are discussed further in the *MUTCD* (7).

Where turning lanes are designed for two-lane operation, the storage length is reduced to approximately one-half of that needed for single-lane operation. For further information, refer to the *HCM* (29).

Taper Length

On high-speed highways it is common practice to use a taper rate that is between 8:1 and 15:1 (longitudinal:transverse or L:T). Long tapers approximate the path drivers follow when entering an auxiliary lane from a high-speed through lane. However, with exceptionally long tapers some through drivers may tend to drift into the deceleration lane—especially when the taper is on a horizontal curve. Long tapers may constrain the lateral movement of a driver desiring to enter the auxiliary lanes. This situation primarily occurs on urban curbed roadways.

NCHRP REPORT 745

**Left-Turn Accommodations at
Unsignalized Intersections**

**Kay Fitzpatrick
Marcus A. Brewer
William L. Eisele**

TEXAS A&M TRANSPORTATION INSTITUTE
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or high volumes. Therefore, the no-speed-reduction lengths given in Table 6 should be accepted as a desirable goal and should be provided where practical.

Vehicle Storage Length

The left-turn lane should be sufficiently long to store the number of vehicles likely to accumulate during a critical period; the definition of that critical period can vary depending on the traffic conditions at the site. Regardless of the specific critical period, the storage length should be sufficient to avoid the possibility of the left-turning queue spilling over into the through lane.

According to the *Green Book* (5), at unsignalized intersections, the storage length—exclusive of taper—may be based on the number of turning vehicles likely to arrive in an average 2-minute period within the peak hour. Space for at least two passenger cars should be provided; with over 10 percent truck traffic, provisions should be made for at least one car and one truck. The 2-minute waiting time may need to be changed to some other interval that depends largely on the opportunities for completing the left-turn maneuver. These intervals, in turn, depend on the volume of opposing traffic, which the *Green Book* does not address. For additional information on storage length, the *Green Book* refers the reader to

the *Highway Capacity Manual* (3). The equation presented in the *TRB Access Management Manual* (6) (and reproduced in Table 7) can be used to determine the design length for left-turn storage as described by the *Green Book*.

NCHRP Report 457 (11) developed suggested storage length values using equations identified from Harmelink's work (12) regarding storage length of left-turn bays at unsignalized intersections. The storage length equation is a function of movement capacity, which is dependent upon assumed critical gap and follow-up gap. Critical gap is defined by the *Highway Capacity Manual* as the minimum time interval in the major street traffic stream that allows intersection entry for one minor-street vehicle. Thus, the driver's critical gap is the minimum gap that would be acceptable. The time between the departure of one vehicle from the minor street and the departure of the next vehicle using the same major street gap, under a condition of continuous queuing on the minor street, is called the follow-up time.

NCHRP Report 457 used a smaller critical gap (4.1 sec as recommended in the *Highway Capacity Manual* compared to the 5.0 or 6.0 sec used by Harmelink for two-lane and four-lane highways, respectively), which resulted in shorter values than those generated by Harmelink. The assumptions made regarding critical gap or follow-up gap and the

Table 7. Equations used to determine storage length.

Equation in TRB Access Management Manual		
$L = \frac{V}{N_c} k s \quad (1)$		
Where: L = design length for left-turn storage (ft) V = estimated left-turn volume, vehicles per hour (veh/hr) N_c = number of cycles per hour. For the <i>Green Book</i> unsignalized procedure, this would be 30 (V/N is the average number of turning vehicles per cycle). k = factor that is the length of the longest queue (design queue length) divided by average queue length (a value of 2.0 is commonly used for major arterials, and a value of 1.5 to 1.8 might be considered for an approach on a minor street or on a collector where capacity will not be critical). For the <i>Green Book</i> procedure, this would be 1.0. s = average length per vehicle, including the space between vehicles, generally assumed to be 25 ft (adjustments for trucks and buses are available in several documents such as the <i>TRB Access Management Manual</i>)		
Equations Used in NCHRP Report 457		
Equations also used to generate values in Table 8		
$P(n > N) = \left(\frac{V}{c}\right)^{(N+1)}$	$c = \frac{V_o e^{-V_o t_c / 3600}}{1 - e^{-V_o t_f / 3600}}$	$N = \frac{\ln[P(n > N)]}{\ln[v/c]} - 1$
Where: $P(n > N)$ = probability of bay overflow v = left-turn vehicle volume (veh/hr) N = number of vehicle storage positions c = movement capacity (veh/hr) V_o = major-road volume conflicting with the minor movement, assumed to be equal to one-half of the two-way major-road volume (veh/hr) t_c = critical gap (sec) t_f = follow-up gap (sec)		

Young Consultant's Award Paper: Estimation of Maximum Queue Lengths at Unsignalized Intersections

**IN ITE'S 2001 YOUNG
CONSULTANT'S AWARD
PAPER, THE AUTHOR
DESCRIBES THE
METHODOLOGY AND
RESULTS OF A RESEARCH
EFFORT UNDERTAKEN TO
DEVELOP A SET OF EASY-
TO-USE EQUATIONS THAT
ACCURATELY PREDICTS
MAXIMUM QUEUE LENGTHS
FOR MAJOR-STREET LEFT
TURNS AND MINOR-STREET
MOVEMENTS AT TWO-WAY
STOP-CONTROLLED
INTERSECTIONS.**

BY JOHN T. GARD

PROBLEM STATEMENT

Transportation engineers are often required to develop queue-length estimates for minor-street stop-controlled intersections. The engineer's ability to reasonably estimate the 95th percentile queue length (i.e., the length of queue that has a probability of 5 percent or less of being exceeded during the peak hour) is critical to the operational success and safety of the intersection. For instance, if the left-turn lane on the major street is undersized, queued vehicles may spill back into the adjacent through lane, which could adversely affect the operation and safety of the intersection.

Several methodologies are available to assist the transportation engineer in estimating 95th percentile queue lengths at unsignalized intersections. Most, if not all, of these methodologies have a theoretical basis and have not been field-calibrated. Through experience, these methods have been found to produce questionable queue-length estimates under varying geometric and traffic conditions. Thus, there is a clear need for a field-calibrated methodology that accurately predicts queue lengths at unsignalized intersections.

PURPOSE

This paper describes the methodology and results of a research effort undertaken to develop a set of empirical equations that accurately predicts the maximum queue length for major-street left turns and minor-street movements at two-way stop-controlled intersections.

STUDY METHODOLOGY

This study employed a traditional statistical approach to develop a set of empirical equations to predict maximum queue lengths at unsignalized intersections. The following four steps outline the general methodology of the study:

- *Step 1:* Identify study intersections and perform data collection;
- *Step 2:* Perform statistical analysis of data to develop maximum queue length equations;
- *Step 3:* Validate accuracy of equations based on independent data set; and
- *Step 4:* Compare predictive ability of equations to other methodologies.

DATA COLLECTION

The first step of the data collection effort was to identify a set of unsignalized intersections that are appropriate for study. Fifteen unsignalized intersections with varying traffic and geometric characteristics in Sacramento, CA, USA, were selected for study. To ensure that a broad range of driver behaviors was captured, intersections in urban, suburban, and rural areas were selected. Table 1 describes the geometric characteristics of each intersection.

The study intersections were selected so as to provide a wide range of operating characteristics. The major street varies from a two-lane collector street to a six-lane arterial with posted speed limits ranging from 30 miles per hour (mph) to 55 mph. Traffic signals are situated on the major street within one-quarter mile of nine of the study intersections. Five of the intersections have two-way left-turn lanes. Six of the intersections consist of private (minor-street) driveways serving shopping centers, an office complex, or a hospital. Six intersections are located in suburban areas, five intersections are located in urban areas and four intersections are located in rural areas.

None of the study intersections has unusual geometric design features (e.g., limited sight distance, substantial grades, close spacing to adjacent intersections or driveways) or traffic-flow characteristics that may affect queuing (e.g., upstream or downstream bottlenecks, heavy pedestrian

Table 3. Summary of data collection.

Movement	Condition	Number of observations	Maximum observed vehicle queue		Hourly traffic volume/PHF for subject movement	
			Range	Median	Range	Median
Major-street left turn	Approach volume \leq 100 VPH/PHF	33	1-5	3	8-100	60
	Approach volume $>$ 100 VPH/PHF	37	3-10	6	102-468	164
Minor-street left turn	Approach volume \leq 60 VPH/PHF	18	2-5	2	16-52	32
	Approach volume $>$ 60 VPH/PHF	18	4-12	6	72-332	142
Minor-street right turn	Approach volume \leq 100 VPH/PHF	24	2-5	3	36-96	62
	Approach volume $>$ 100 VPH/PHF	28	2-13	5.5	104-464	210
Minor-street shared left/through/right	All conditions	26	3-12	7	32-404	174

Note: Vehicles per hour = VPH.

Table 4. Regression equations.

Movement	Condition	Equation
Major-street left turn	Approach volume \leq 100 VPH/PHF	Max. Queue = $-2.042 + 1.167 \ln(\text{AppVol}) + 0.975 \cdot \text{TS}$
	Approach volume $>$ 100 VPH/PHF	Max. Queue = $+4.252 - 1.23 \cdot \text{Lanes} + 0.07996 \cdot \text{Speed} + 1.412 \cdot \text{TS} - 374.028/\text{AppVol} + 0.00001144 \cdot \text{AppVol} \cdot \text{ConflVol}$
Minor-street left turn	Approach volume \leq 60 VPH/PHF	Max. Queue = $+0.958 + 0.00111 \cdot (\text{AppVol})^2 + 0.000333 \cdot (\text{ConflVol})$
	Approach volume $>$ 60 VPH/PHF	Max. Queue = $+6.174 - 2.313 \cdot \text{TS} + 0.03307 \cdot \text{Speed} - 1201.644/\text{ConflVol} + 0.00006549 \cdot (\text{AppVol})^2$
Minor-street right turn	Approach volume \leq 100 VPH/PHF	Max. Queue = $-19.822 + 0.688 \ln(\text{AppVol}) + 1.886 \cdot \text{TS} + 0.369 \cdot (\text{Lanes})^2 + 0.00000288 \cdot (\text{ConflVol})^2 + 0.401 \cdot \text{Speed}$
	Approach volume $>$ 100 VPH/PHF	Max. Queue = $-26.23 + 0.132 \cdot \text{Speed} + 0.00000603 \cdot (\text{ConflVol})^2 + 4.909 \ln(\text{AppVol})$
Minor-street shared left/through/right	All conditions	Max. Queue = $-12.916 + 3.225 \ln(\text{AppVol}) + 0.00569 \cdot (\text{ConflVol for LTs \& THs}) - 0.000177 \cdot (\text{ConflVol for RTs}) - 2.109 \cdot (\text{RT \%}) - 3.157 \cdot \text{TS}$

Early in the model-building process, the regression function for each type of movement was observed to be complex and non-linear. To approximate these complex regression functions, two separate linear regression equations (for lower and higher ranges of subject approach volumes) were developed for all but one type of movement. Table 3 shows the traffic-volume ranges for each equation of each movement. The number of observations and range of maximum observed vehicle queues and approach volumes for each category of each movement is also shown. The sample size used to develop each equation ranged from 18 to 37 cases, which is considered adequate given the limited number of independent variables and the limited range of values of the dependent variable.

Table 4 displays the selected regression equations for each movement. A major challenge in this effort was to develop a set of equations that are understandable and relatively easy-to-use without compromising their predictive abilities. The reader is

urged to use the information presented in Table 4 to draw general inferences regarding factors that affect maximum queue lengths but not to presume a cause-and-effect relationship that may not exist.

Several interesting inferences can be drawn from the fitted regression equations in Table 4. For all equations, the hourly approach volume for the subject movement is an important predictor variable. The presence of a traffic signal within one-quarter mile of the intersection tends to increase queue lengths for major-street left turns. This result may be attributable to vehicles arriving in the left-turn lane in platoons (perhaps from an upstream traffic signal) opposed by vehicles approaching in platoons from a downstream traffic signal. By contrast, the presence of a traffic signal within one-quarter mile of the intersection tends to decrease queue lengths for minor-street left and left/through/right movements. It is worth noting that several of the possible independent variables listed in Table 2 are not included in the regression

equations because they were found not to be statistically significant.

The independent variables included in these equations are defined as follows:

- AppVol = hourly traffic volume divided by peak-hour factor (PHF) for subject movement;
- ConflVol = hourly traffic volume divided by PHF that conflicts with subject movement (refer to the *Highway Capacity Manual*³ to identify movements that conflict with subject approach);
- TS = a dummy variable with a value of 1 if a traffic signal is located on the major street within one-quarter mile of the subject intersection and 0 otherwise;
- Lanes = number of through lanes occupied by conflicting traffic;
- Speed = posted speed limit on major street (in miles per hour); and
- RT % = Percentage of vehicles on shared left/through/right minor-street approach that turn right.

March 11, 2010



Mr. George Tash
5777 Balcom Canyon Road
Somis, CA 93066-2131

Subject: LU 09-0143 3900 Brennan Road Traffic Control Plan

Dear Mr. Tash:

As required by the County, we have prepared this traffic control plan to support various temporary events at your 3900 Brennan Road location in the unincorporated Ventura County area adjacent to Moorpark.

BACKGROUND

Pursuant to a County conditional use permit, as many as 60 temporary events such as weddings, parties, and outdoor classes ranging in size up to 400 attendees will be held each year. Although events can occur seven days per week, most events will occur on Saturdays or Sundays.

Access to the site is served by Brennan Road, which connects to Tierra Rejada Road at an uncontrolled full-access intersection. As outlined in our February 12, 2010 traffic evaluation, attendance is limited to 100 on weekdays and most site-related traffic will occur at the intersection on weekends or during off-peak hours. Most attendees will arrive and depart over a span of time (departures will be metered by the capacity of the parking valets), making congestion at the Tierra Rejada Road – Brennan Road intersection unlikely. Nevertheless, the traffic control measures described in the following section are provided as a guideline in the event they are deemed necessary.

TRAFFIC CONTROL MEASURES

Events With 200 Attendees or Less

No traffic control measures necessary.

Events With More Than 200 Attendees

Permittee may opt to post event way-finding signs to guide out of town attendees to the site. Other traffic control measures are typically not necessary. However, if the County, at its sole discretion, deems traffic control measures to be necessary

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Mr. George Tash
March 11, 2010
Page 2

due to observed congestion, parking, or other operational problems, some or all of the following measures may be implemented as appropriate:

- Post temporary parking prohibition signs along both sides of Sunset Valley Road from Tierra Rejada Road to a point 500 feet southerly.
- Hire additional parking valets to serve incoming attendees prior to the event.
- Provide a qualified traffic control officer, satisfactory to the County, to direct traffic at the Tierra Rejada Road – Brennan Road intersection before and/or after the event as needed. Post two temporary SC5(CA) *Special Event Ahead* signs in each direction along Tierra Rejada Road in advance of the Brennan Road intersection at approximately 400-500 foot spacing.

I appreciate the opportunity to work with you on this project. If you have any questions regarding this report or if I can be of further assistance, please feel free to call.

Sincerely,

INTERWEST CONSULTING GROUP



Mark Wessel, P.E.



100311 LU 09-0143 3900 Brennan Rd Traffic Control Plan.doc

February 12, 2010



Mr. George Tash
5777 Balcom Canyon Road
Somis, CA 93066-2131

Subject: Traffic Evaluation for Temporary Events at 3900 Brennan Road

Dear Mr. Tash:

As requested, we have performed a traffic evaluation of various proposed temporary events at 3900 Brennan Road in the unincorporated Ventura County area adjacent to Moorpark. This report presents the results of that evaluation, including average daily traffic, parking, and access.

BACKGROUND

The project site is currently agricultural land, although charitable events occasionally occur there. A Conditional Use Permit is being sought to allow temporary events such as weddings, birthday/anniversary parties, garden tours, and art classes. The attached site plan shows the proposed site layout and location. Events can occur 7 days per week, but there will be a maximum of 60 events per year under the permit. Although event hosts and vendors may arrive as early as 8:00 a.m., events will be limited to the hours between 10:00 a.m. and midnight. Guest attendance will be limited to 100 on weekdays and 400 on Saturdays and Sundays.

TRIP GENERATION

Although there are no standard Institute of Transportation Engineers trip generation rates for these types of events, a review of available data for banquet facilities suggests trip rates of approximately 0.30 trips per attendee. For the purpose of this analysis, it was assumed that a slightly more conservative rate of 0.33 trips per attendee (3.0 people per vehicle) would apply and additional allowance was made for security, vendor staff, etc. Most of the anticipated events will occur on Saturdays or Sundays. For the purpose of the trip generation evaluation, a very conservative approach was taken: it was assumed that all 60 permitted events will draw 300-400 attendees. Although attendance at many of the events will likely be significantly lower, the high attendance assumption is intended to provide a trip generation worst case scenario. A permit based on this analysis will give the permittee maximum flexibility when planning future events.

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Attendance

Based on a vehicles occupancy rate of 3.0 attendees per vehicle, a 300 person event will generate 100 round trips and a 400 person event will generate 133 round trips.

Vendors

For each 300-400 person event, it was assumed that vendors (caterer, flowers, cake) will generate 10 round trips.

Security Guards

It was assumed that 4 security guard round trips will be required for a 400 person event and 3 for a 300 person event.

Disc Jockey

It was assumed that each event will require 1 round trip for a disc jockey.

Parking Valets

It was assumed that 7 parking valet round trips will be required for a 400 person event and 5 for a 300 person event.

Owner

It was assumed that each event will require one round trip for the owner or owner's representative.

Tables and Kerosene Heaters

It was assumed that each event will require one delivery truck round trip for tables and/or kerosene heaters.

Portable Restrooms

The permittee will purchase one or more "honeywagons" with restroom capacity sufficient for the larger events. Although small events will not necessitate a visit to service the honeywagons, it was assumed that each 300-400 person event will require one service round trip.

Trash

The permittee will use a large (6 cubic yard) dumpster. It was assumed that the dumpster will be emptied once for every 300-400 person event.

Miscellaneous Support

Permanent lighting is provided onsite and a gardener will continue to maintain the grounds whether or not the proposed use permit is granted. However, two additional round trips per event were assumed to provide for unanticipated contingencies.

Trip Generation Calculation

Trip generation for each event is summarized in Table 1.

Table 1. Round Trips Per Event

	Attendance	
	300	400
Attendees	100	133
Vendors	10	10
Security	3	4
Disc Jockey	1	1
Parking Valets	5	7
Owner	1	1
Tables/Heaters	1	1
Restroom Service	1	1
Trash	1	1
Miscellaneous	2	2
TOTAL	125	161

Based on the assumption that there will be 51 events with attendance of 300 and 9 events with attendance of 400, annual trip generation was then calculated as follows:

$$\begin{array}{lcl} \text{300 person event:} & 51 \times 125 = & 6,375 \\ \text{400 person event:} & 9 \times 161 = & \underline{1,449} \\ & & 7,824 \text{ total annual round trips} \end{array}$$

Average Daily Traffic (ADT) is typically expressed as one-way trips and was calculated as follows:

$$7,824 \text{ round trips} \times 2 \text{ one way trips per round trip} / 365 \text{ days per year} = 43 \text{ ADT}$$

PARKING

Approximately 226 parking spaces will be provided at the site in two parking fields. As shown on the attached site plan, 97 spaces will be provided in the northerly parking field and 129 in the southerly parking field. Parking for all events will be facilitated by a valet service.

ACCESS

Access to the site and the secondary parking lot is served by Brennan Road, which is a private road over which the permittee has an access easement. To facilitate ingress/egress, it is recommended that the driveways have radius returns. The radii should match the approximate 15 foot setback distance from the property line to the edge of road. Immediately adjacent to the site, Brennan Road connects with Tierra Rejada Road at an uncontrolled full-access intersection. Most site-related traffic will occur at the intersection on weekends or during off-peak hours. Intersection congestion is also unlikely because attendees of events such as those anticipated for the site typically arrive and depart over a span of time; furthermore, their departure will be metered by the capacity of the parking valets. Nevertheless, it is recommended that the County reserve the right to require the permittee to pay for a traffic control deputy at the Tierra Rejada Road – Brennan Road intersection if site traffic is found to cause unacceptable congestion or safety problems. The following permit condition is recommended for consideration:

- If, in the County's sole discretion, site traffic is found to cause congestion or safety impacts at the Tierra Rejada Road – Brennan Road, the permittee shall pay for a deputy to control the intersection at large events as necessary to facilitate incoming and/or outgoing event traffic.

CONCLUSIONS

The temporary events will vary in size and frequency based on demand, weather, and other factors. Weekday events will be limited to 100 attendees and associated traffic will generally occur during off-peak hours. When the traffic resulting from all 60 permitted events is averaged on an annual basis, the trip generation estimate is approximately 43 ADT.

Parking will be provided in two lots and will be facilitated by a valet service. It is recommended that the parking lot driveways have radius returns to facilitate ingress/egress. Site access is served by Tierra Rejada Road via Brennan Road. Although site traffic characteristics are unlikely to cause problems at the Tierra Rejada Road – Brennan Road intersection, it is recommended that the County consider a permit condition whereby the permittee would be responsible for paying a deputy to control intersection traffic for large events.

Mr. George Tash
February 12, 2010
Page 5

I appreciate the opportunity to work with you on this project. If you have any questions regarding this report or if I can be of further assistance, please feel free to call.

Sincerely,

INTERWEST CONSULTING GROUP



Mark Wessel, P.E.

Attachment: Site Plan



100212 3900 Brennan Rd Temp Events Traffic Eval.doc

Sauter, Matthew

From: David Bobardt <DBobardt@MoorparkCA.gov>
Sent: Wednesday, January 14, 2015 12:51 PM
To: Sauter, Matthew
Subject: Minor Modification to Conditional Use Permit (CUP)LU09-0143 Case No. PL14-0172

Good afternoon, Matthew,

The City of Moorpark is opposed to the proposed extension of operating hours for the facility at 3900 Brennan Road and asks that this request be denied. As an outdoor facility with residences located across Tierra Rejada Road, the existing limits on hours of operation are appropriate. Please let me know if you have any questions.

David A. Bobardt

Community Development Director
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021
(805) 517-6281
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Ventura County Sheriff's/Moorpark Police Recommendations

*Case Number LU09-0143
3900 Brennan Road*

1. Depending on event, Sheriff's will be concerned with security guard numbers present to safeguard the event and persons at the event. (Current average number of security personnel on site for events is one security person for every 50 people).
2. Ventura County Sheriff's Office/Moorpark Police want to see final traffic study and vehicle traffic impact on Tierra Rejada road and Brennan Road.
3. Ventura County Sheriff's Office/Moorpark Police are concerned with sound carry to residential area on the north side of the venue which can have an increased impact on law enforcement.