



Planning Director Staff Report – Hearing on February 4, 2016

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a modified conditional use permit (CUP) be granted to authorize the continued operation of an assembly use (church) for an additional 20-year period (Case No. PL15-0074).
2. **Applicant:** Rick Fish, 6185 Sylvan Drive, Simi Valley, CA 93063
3. **Property Owner:** The Live Ride church, 6245 Sylvan Dr., Simi Valley
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8105-4 and §8111-1.2 et seq.) the Planning Director is the decision-maker for the requested Modified Conditional Use Permit.
5. **Project Site Location and Parcel Number:** The project site is located at 6245 Sylvan Dr., in the county unincorporated area of Simi Valley (APN: 6460200040) (Attachment A – Location Map). The parcel is 3.05 acres (approx. 132,858 sq. ft.) in size.
6. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: The proposed project has a General Plan land use designation of Existing Community. The proposed project is not located within an area plan (Exhibit 3).
 - b. Zoning Designation: The proposed project has a zoning designation of RE-10,000 sq. ft. (Residential Exclusive, 10,000 sq. ft. minimum lot size).
7. **Adjacent Zoning and Land Uses/Development (Exhibit 3):**

Table 1 -- Adjacent Zoning and Land Uses

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	City of Simi Valley/Urban	Southern Pacific RR, Simi Valley Unified School District and Residential
South	RE-10,000 sq. ft.	Residential
East	RE-10,000 sq. ft.	Residential
West	RE-10,000 sq. ft.	Residential and Rancho Simi Rec and Park (Knolls Park)

8. **History:** The 4,140 sq. ft. building has been used as a church since 1962 to 2000 when it was primarily abandoned for approximately two years prior to the applicant, the Live Ride church, moving on to the site in December 2002. In November 19, 2003, the County issued a Notice of Violation on the property for operation of the church facility without proper permits. On November 20, 2003 the applicant submitted an application and fees to the County Planning Division requesting a CUP (CUP 5334) be granted to authorize the operation of the existing church facility known as the Live Ride Church.

On November 10, 2005, the Planning Commission granted CUP 5334 which authorized the operation of an existing church facility (assembly use) and associated facilities for a 10-year period. The existing facility includes a 4,140 square foot building as a main church sanctuary building. The Planning Commission also granted the use of an existing 2,880 square foot modular building as a church office/classroom and the construction and use of a new 840 square foot modular home with a 392 square foot detached carport for the Live Ride Christian Church pastor's residence.

On March 14, 2013, the Planning Director approved a Permit Adjustment to CUP 5334 (PL13-0035) to add playground equipment, four storage containers, a wood burning fire pit, to relocate one handicap accessible parking space to match Building & Safety past approval, relocate the approved handicap bathrooms from the sanctuary to the modular building to match Building & Safety past approval, to clarify that the bathrooms that were previously approved for the handicap accessible bathrooms are now being used as a prayer room and office to match Building & Safety past approval, and to modify the approved sign program at the Live Ride Church site. The pastor's residence was not constructed.

9. **Project Description:** On May 6, 2015, the applicant submitted an application requesting that a modified conditional use permit (CUP) be granted to authorize the continued operation of an existing church facility (assembly use) and associated facilities for a 20-year period. CUP 5334, Condition No. 2 allows for a 10-year extension to the existing permit. However, the applicant is requesting to increase of time allowed for operation of the church facility from 10-years to 20-years and removal of construction/installation of a pastor's residence from the project description. No other changes are requested as part of this permit.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Secretary for Resources has found that certain classes of projects are exempt from CEQA that do not have a significant effect on the environment, and these projects are declared to be categorically exempt from the requirement for the

preparation of environmental documents. As described in Item A.9 (above), the applicant requests authorization for the continued operation of an existing church facility previously permitted under CUP 5334, now expired. No new construction is proposed. This project is Categorically Exempt pursuant to CEQA Guidelines Sections 15301 (Existing Facilities). Section 15301 exempts projects that consist of permitting or leasing of existing private facilities, involving little or no expansion of use beyond that existing at the time of the lead agency's determination.

C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (April 6, 2015, Edition, page 4) states:

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

Furthermore, the Ventura County Non-Coastal Zoning Ordinance (§8111-1.2.1.1.a) states that in order to be approved, a Conditional Use Permit 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:

- 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) for the project, the project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA.

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

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

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

compliance with CEQA. No significant adverse environmental impacts have been identified to result from the proposed project.

Based on the above discussion, the proposed project will be consistent with Resources Policy 1.1.2-2.

3. **Scenic 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 involves the continued use and operation of an existing church (assembly use) facility on a developed property. The visual character of the project site will not change from the existing condition and no scenic resources have been identified within the project boundary or from any public roads.

Thus, the visual character of the project site will not substantially change from the existing condition. The project will not obstruct, degrade, alter or obscure the views of any visual resources.

Based on the above discussion, the project will be consistent with Scenic Resources Policy 1.7.2-1.

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

According to staff's review of Ventura County RMA GIS data layers (2016), the proposed project site is located within an area known to have historically inhabited the Fernando Tatiam Mission Band of Native American Indians (AB 52). It is also located approximately 300-feet from an area that has been identified as a potentially sensitive area for paleontological resources. However, the project site is not located in an area specifically identified with paleontological resources and there are no historic buildings located on the site. Since, the proposed project does not involve any new construction or grading and no cultural resources have been identified on the project site, no substantial impacts to paleontological or cultural resources are expected.

Based on the above discussion, the project will be consistent with Paleontological and Cultural Resources Policy 1.8.2-1.

5. **Fire Hazard 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.*

Access to the site would continue to be provided by a private driveway connected to Sylvan Drive, a county-maintained road. Water would continue to be supplied by a Calleguas Municipal Water District. The project was reviewed by the VCFPD and found to have adequate access and water for fire suppression. In addition, implementation of Fire Department conditions of approval (Exhibit 7, Condition Nos. 20 through 27) will also ensure that the existing adequate situation will be maintained.

Therefore, based on the above discussion, the proposed project will be consistent with Fire Hazard Policy 2.13.2-1.

6. **Water Supply Facilities 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 Ventura County General Plan – GOALS, POLICIES & PROGRAMS (6-28-11 edition) 132 regulations. Water systems operated by or receiving water from Casitas Municipal Water District, the Calleguas Municipal Water District or the United Water Conservation District will be considered permanent supplies unless an Urban Water Management Plan (prepared pursuant to Part 2.6 of Division 6 of the Water Code) or a water supply and demand assessment (prepared pursuant to Part 2.10 of Division 6 of the Water Code) demonstrates that there is insufficient water supply to serve cumulative development within the district's service area. When the proposed water supply is to be drawn exclusively from wells in areas where groundwater supplies have been determined by the Environmental Health Division or the Public Works Agency to be questionable or inadequate, the developer shall be required to demonstrate the availability of a permanent potable water supply for the life of the project.*

According to the County Watershed Protection District, water systems operated by or receiving water from Casitas Municipal Water District, the Calleguas Municipal Water District or the United Water Conservation District are considered permanent supplies. Ventura County Waterworks District No. 8 – City of Simi Valley receives imported water from Calleguas Municipal Water District. Water to the site will continue to be provided by the Calleguas Municipal Water District. Therefore, a permanent supply of potable water of adequate quantity and quality that complies with applicable County and State water regulations will be provided.

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

7. **Waste Treatment and Disposal Facilities Policy 4.4.2-1:** *Community sewage treatment facilities and solid waste disposal sites shall be deemed consistent with the General Plan only if they are designated on the Public Facilities Map. On-site septic systems (i.e., individual sewage disposal systems), on-site wastewater treatment facilities, waste transfer stations, off-site waste treatment facilities and on-site storage facilities are consistent with the General Plan if they conform to the goals, policies and programs of the General Plan.*

Wastewater disposal will be accomplished through the connection and use of sewer lines managed by Simi Valley Sanitation District. Therefore, the proposed project would be consistent with the goals, policies and programs of General Plan.

Based on the above discussion, the proposed project will be consistent with Resources Policy 4.4.2-1.

8. **Law Enforcement and Emergency Services Policy 4.7.2-4:** *Discretionary development shall be conditioned to avoid landscaping which interferes with police surveillance (e.g., landscaping must not cover any exterior door or window, landscaping at entrances and exits or at any parking lot intersection must not block or screen the view of a seated driver from another moving vehicle or pedestrian, trees must not be placed underneath any overhead light fixture which would cause a loss of light at ground level).*

The existing mature landscaping located on the project site will be required to be maintained (Exhibit 7, Conditions of Approval, Condition No. 17). The existing landscaping at the entrance and the exit of the facility has been placed so as to not block or screen the view of a seated driver from another moving vehicle or pedestrian. In addition, no trees have been planted or placed underneath any overhead light fixture which would cause a loss of light at ground level.

Based on the above discussion, the proposed project will be consistent with Resources Policy 4.7.2-4.

9. **Fire Protection 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.*

Access to the site would continue to be from a private driveway accessed off Sylvan Drive, a county-maintained road. Water would continue to be supplied by Ventura County Waterworks District No. 8 – City of Simi Valley. The project was reviewed by the VCFPD and found to have adequate access and water for fire suppression, access and response time. In addition, implementation of Fire Department conditions of approval (Exhibit 7, Condition Nos. 20 through 27) will also ensure that the existing adequate situation will be maintained.

Therefore, based on the above discussion, the proposed project will be consistent with Fire Hazard Policy 4.8.2-1.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the Ventura County Non-Coastal Zoning Ordinance.

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8105-4), the proposed use is allowed in the RE-10,000 sq. ft. zone district with the granting of a Conditional Use Permit. Upon the granting of CUP PL15-0074, the Permittee would be in compliance with this requirement.

The proposed project includes the use of an existing church facility that is subject to the development standards of the Ventura County Non-Coastal Zoning Ordinance (§8106-1.1). Table 2 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 2 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10,000 SF	Yes
Maximum Percentage of Building Coverage	36%	Yes
Front Setback (from the street)	20 feet	Yes
Interior Yard Setback	5 feet	Yes
Rear Yard Setback	15 feet	Yes
Maximum Building Height (Principal Structure)	25 feet (Height may be increased above 25' (to maximum 35') if each side yard is at least 15' or as specified by permit)	Yes
Maximum Building Height (Accessory Structure)	15-feet (except as noted in Section 8106-7.4)	Yes

E. CONDITIONAL USE PERMIT FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant the requested permit pursuant to Section 8111-1.2.1.1 of the Ventura County Non-Coastal Zoning Ordinance. The ability of the decision-maker to make these findings is evaluated below.

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

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

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

As discussed in Section C above, the proposal involves the continued operation of an existing church. The project site is located in a residential neighborhood and borders single family dwellings on three sides. It is adjacent to an existing railroad track on the fourth side. Given that no substantial changes are proposed and there is no history of complaints regarding the church operation since it was permitted in 2005, it will continue to be compatible with the surrounding development. Existing buildings and outdoor storage buildings will be utilized to operate the facility. This facility is adequately landscaping and has sufficient parking to accommodate the proposed use. With the imposition of conditions of approval (Exhibit 7, Condition Nos 1, 2, 4, 8, 11, 13, 14, 15, 16, 17, 18, 19 and 20), the facility will be compatible with nearby residential land uses.

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

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

No adverse effects on neighboring properties or uses have been identified for the continued operation of the existing church facility. This facility is adequately landscaping and has sufficient parking to accommodate the proposed and existing uses (Exhibit 7, Condition No. 17).

The permit will be regulated by the conditions of approval to minimize adverse impacts on the adjacent residential uses (Exhibit 7, Condition Nos 1, 2, 4, 8, 11, 13, 14, 15, 16, 17, 18, 19 and 20).

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

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

As indicated in Section B of this staff report, no significant environmental effects have been identified that would result from the proposed project. No aspect of

the project has been identified that would be detrimental to the public interest, health, safety or welfare.

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

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

As discussed under finding 2 above, the continued operation of the existing church facility will be compatible with the current land uses in the area.

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

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

The project is located on a legal lot that was created by conveyance (deed recorded May 19, 1953 in Book 1134, Page 360 of Official Records) prior to regulation by the Subdivision Map Act or Ventura County Subdivision Ordinance.

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

F. PLANNING DIRECTOR HEARING NOTICE AND PUBLIC COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (§65091), Ventura County Non-Coastal Zoning Ordinance (§8111-3.1. The Planning Division mailed notice to owners of property within 300 feet of the subject project site and to the City of Simi Valley. In addition, a legal ad in the Ventura County Star was published. As of the date of this document, No comments were received.

G. RECOMMENDED ACTIONS

Based on the information provided above, Planning Division staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND**, that this project is Categorically Exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines;
3. **MAKE** the required findings to grant a conditional use permit in accordance with Section 8111-1.2.1.1 of the Ventura County NCZO based on the substantial evidence presented in Section E of this staff report;

4. **GRANT** Conditional Use Permit PL15-0074, subject to the attached conditions of approval (Exhibit 7); and,
5. **SPECIFY** the Planning Division as the custodian of the documents pertaining to the subject CUP and of the environmental document, and that the location of those documents shall be in the Planning Division files.

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

If you have any questions concerning the information presented above, please contact Becky Linder at (805) 654-2469 or via e-mail at becky.linder@ventura.org,

Prepared by:



Becky Linder, Case Planner
Commercial and Industrial Permits

Reviewed by:



Brian R. Baca, Manager
Commercial and Industrial Permits Section

EXHIBITS

- Exhibit 2 -Vicinity Map
- Exhibit 3 -Aerial Map, General Plan and Zoning
- Exhibit 4 -Site Plan for PL15-0074
- Exhibit 5 -Floor Plan for PL15-0074
- Exhibit 6 – Elevations for PL15-0074
- Exhibit 7 - Conditions of Approval for PL15-0074



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 01-12-2016



County of Ventura
Planning Director Hearing
PL15-0074
Exhibit :2
Location Map

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.





Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 01-12-2016
This aerial imagery is under the
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Source: Pictometry, Jan. 2015



County of Ventura
Planning Director Hearing
PL15-0074
Exhibit:3
General Plan & Zoning Map

0 100 200 Feet

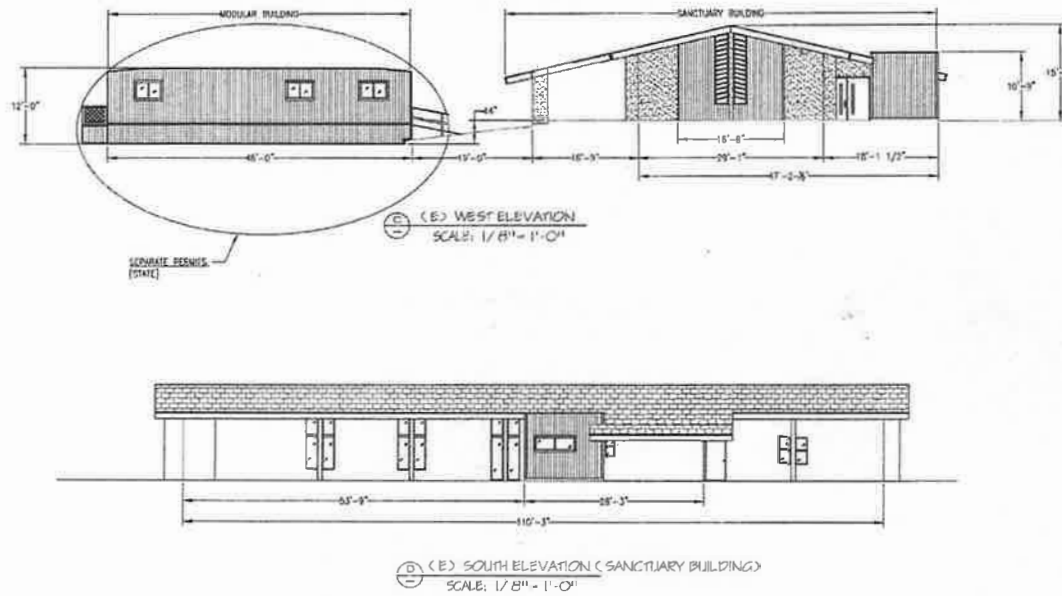
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FIRE DEPARTMENT REQUIREMENTS

1. FIRE FLOW SHALL NOT BE LESS THAN 1500 GPM @ 20 PSI
2. PROJECT IS LOCATED IN A HIGH FIRE HAZARD AREA
3. BUILDING CONSTRUCTION SHALL COMPLY WITH THE LOCAL BUILDING CODE OF JURISDICTION WHERE PROJECT IS LOCATED
4. 100' BRUSH CLEARANCE FROM STRUCTURE(S) REQUIRED PRIOR TO CONSTRUCTION
5. AUTOMATIC FIRE SPRINKLER SYSTEMS (UNDERGROUND, OVERHEAD) SHALL BE INSTALLED IN ACCORDANCE WITH CURRENT ADOPTED BUILDING CODE STANDARD AND NFPA #13. PLANS SHALL BE SUBMITTED TO FIRE DISTRICT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION
6. UPGRADE EXISTING HYDRANT ON SYLVAN DRIVE, NEW HYDRANT SHALL HAVE ONE 4 INCH AND TWO 2-1/2 INCH OUTLETS
7. PRIOR TO FINAL INSPECTION, BLUE REFLECTIVE HYDRANT LOCATION MARKERS SHALL BE PLACED ON THE ACCESS ROADS IN ACCORDANCE WITH FIRE DISTRICT STANDARDS
8. POST ADDRESS NUMBERS ON STRUCTURE WITH MINIMUM HEIGHT OF 8 INCHES, CONTRAST WITH BACKGROUND (NO BRASS OR GOLD), CLEARLY VISIBLE FROM THE STREET. POST TEMPORARY NUMBERS DURING CONSTRUCTION.
9. POST ADDRESS NUMBERS ON AN ELEVATED POST AT STREET ENTRANCE.
10. COMPLY WITH ALL FIRE DISTRICT PLANNING CONDITIONS ISSUED FOR CDP-5334.



NO.	DATE	REVISION

DESCRIPTION:	Live Ride Church 6245 Sylvan Drive, Simi Valley, CA 93063
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ALBERT AVILA, P.E. AND ASSOCIATES
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REGISTERED PROFESSIONAL ENGINEER
STRUCTURAL
STATE OF CALIFORNIA
No. 10000
Exp. 12/31/2018

DESIGNED BY: S.A.	CHECKED BY: S.A.
DRAWN BY: S.A.	DATE: 1/1/2018
SHEET: A-2	

County of Ventura
Planning Director Hearing
PL15-0074
Exhibit 6 – Elevations

CONDITIONS OF APPROVAL FOR LIVE RIDE CHURCH

CONDITIONAL USE PERMIT NO. PL15-0074

RESOURCE MANAGEMENT AGENCY CONDITIONS

Planning Division

1. Project Description

This Conditional Use Permit is based on and limited to compliance with the project description found in this condition below, all County land use hearing exhibits in support of the project marked Exhibit No's. 4 and 5 dated February XX, 2016 and conditions of approval set forth below. Together, these documents describe the Project. Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the original approval. Project deviations may require Planning Commission approval for changes to the permit or further CEQA environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) constitutes a violation of the conditions of this permit.

The Planning Director granted a modified Conditional Use Permit (CUP) No. PL15-0074 which authorized the continued operation of a church (assembly use) facility for a 20-year period. The existing facilities that will continue to be used include:

- A 4,140 sq. ft. (square foot) building as a main church sanctuary building.
- A 2,880 sq. ft. modular building as a church office/classroom
- A 375 sq. ft. covered memorial and BBQ
- A 1,680 sq. ft. children's playground
- 52 parking spaces for staff and the public
- 3 Storage sheds (130 sq. ft., 49 sq. ft., and 30 sq. ft.)
- 1 320 sq. ft. cargo container
- Fire Pit with benches
- Trash/recycle Enclosure
- 200 sq. ft. area used for open storage behind the existing 320 sq. ft. cargo container
- 56 existing parking spaces (54 standard and 3 handicapped) maintained by the permittee.

Domestic Water is provided by Ventura County Waterworks District No. 8 – City of Simi Valley. Domestic waste is handled by Simi Valley Sanitation District.

Church Operations:

The church facility may employ a maximum of 15 paid, full-time employees. The authorized Church facility activities include the following:

CONDITIONS OF APPROVAL FOR LIVE RIDE CHURCH

CONDITIONAL USE PERMIT NO. PL15-0074

- Activities for youths and adults in the community and Live Ride church members as well as other united local church functions.

Activities include, but are not limited to, the following:

- Weekday morning and evening prayer
- study, and fellowship groups
- Child day care is allowed during church hours of operations (see below).
- weddings and funerals
- weekend services
- One-day outdoor special events (allowed one time per every three months. See Miscellaneous Property Regulations below for more details).
- The Church facilities are also available for use by local community agencies or groups.

Facility Days and Hours of Operations and UPS/FedEx Deliveries:

- Office Operations: Monday – Friday, 10:00 am to 6:00 pm
(Hours Open to the Public)
- Church Operations: Monday – Sunday, 7:00 am to 10:00 pm
(Including Church Services)
- UPS type deliveries: 10per week, Monday – Saturday: 10:00 am to 6:00 pm

****Note: The church buildings, grounds and parking lot shall be vacated by church members, visitors and staff by 10:00 pm.**

Miscellaneous Property Regulations:

Amplified music or public address outside of any of the church buildings on the property shall be allowed not more than one time per every three months between the hours of 11:00 am and 8:00 pm, not to exceed a three hour duration on any one event. Outdoor noise generated by church activities, as measured at adjacent residences, shall not exceed the noise limits established in Policy No. 2.16.2 of the Ventura County General Plan.

There shall be no temporary, long-term or permanent residential use of this permitted property and all its facilities. Exceptions for emergency use may be authorized in writing by the Planning Director at his/her sole discretion.

Exhibit 7

CONDITIONS OF APPROVAL FOR LIVE RIDE CHURCH

CONDITIONAL USE PERMIT NO. PL15-0074

2. CUP Modification

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

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

3. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of inauguration and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (2015, 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.

4. 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.
2. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Use Inauguration within 180-days from the

CONDITIONS OF APPROVAL FOR LIVE RIDE CHURCH

CONDITIONAL USE PERMIT NO. PL15-0074

granting or approval of this CUP (*Ventura County Non-Coastal Zoning Ordinance, 2015, §8111-4.7*).

- b. Operations Period: This CUP will expire on February X, 2036. 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 Section 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to February X, 2036; 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 Section 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

5. Consolidation of All Approved Exhibits and Permits

Purpose: In order to assure that the facility is operated in compliance with other federal, state or local government regulatory requirements, the Permittee shall obtain all necessary permits or other documentation.

Requirement: The Permittee shall comply with all applicable federal, state and local regulatory requirements.

Documentation: The Permittee shall provide copies of permits or other correspondence to the County Planning Division for review and approval that demonstrates compliance with the other agency requirements.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for Use Inauguration or as required by the permitting agency.

Monitoring and Reporting: The Planning Division shall maintain the documentation provided by the Permittee in the project file. In the event that a permit is by any other agency, the Permittee shall submit revised documentation within 30 days of the modification.

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

Purpose: In order to assure compliance, all relevant parties shall be informed of permit requirements.

Requirement: The owners of record, the contractors, and all other parties that participate in the daily operation of the proposed activities shall be informed, in writing, by the Permittee of

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the pertinent conditions of this CUP. The Permittee shall retain a copy of the CUP on the site available for inspection by all interested parties.

Documentation: The Permittee shall provide a copy of a letter that informs all relevant parties of the applicability of the CUP to the subject operation and facility. This letter shall also specify the location of the copy of the CUP to be retained onsite.

Timing: Prior to the issuance of the Zoning Clearance for Use Inauguration, the informational letter shall be provided to the Planning Division. The copy of the CUP shall be retained onsite until expiration of this 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*.

7. 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 subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions.

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

Documentation: The Permittee shall provide to the Planning Division a copy of the recorded Notice of Land Use Entitlement.

Timing: The required documentation shall be provided to the Planning Division prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The County Planning Division shall maintain a copy of the recorded Notice of Land Use Entitlement in the project file.

8. Condition Compliance, Enforcement, and Other Responsibilities

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs as described below in Condition 8.b. Specifically, the Permittee shall bear the full costs of the following:

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- (1) Condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
 - (2) Monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance (2015, § 8114-3.4)*. The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, 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. Establishment of Revolving Compliance Accounts: The condition compliance account (CC06-0134) previously established for the life of this project shall remain in full force and effect.
 - c. Monitoring and Enforcement Costs: The condition compliance account deposit and reimbursement agreement are required to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur.
 - d. Billing Process: The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment.
 - e. Inspections: Permittee acknowledges, accepts and allows the County to conduct compliance inspections of the site and all facilities at any time without prior notification to the Permittee or Permittee's agents, employees or managers in order to uphold applicable laws and regulations and the conditions of approval of this permit to ensure public health, safety and welfare.
9. Defense and Indemnity
- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to County, against any and all claims, actions or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board

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members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration or enforcement 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. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County and/or third parties.
- c. Except with respect to claims, actions, proceedings and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County) and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings and Liabilities arising out of or in any way related to the construction, maintenance, land use or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County and/or third parties. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- d. Neither the issuance of this CUP, nor compliance with the conditions hereof, 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 Indemnified Parties for injury or damage to persons or property.

10. Invalidation of Condition(s)

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

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

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such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If a court of law invalidates any condition, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning 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.

11. Consultant Review of Information and Consultant Work

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

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

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 8 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

12. Relationship of CUP Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the CUP area and any facilities thereon in compliance with all applicable requirements and enactments of Federal, State, and County authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles

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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.

13. Contact Person

Purpose: In order to facilitate responses to complaints, a contact person shall be designated.

Requirement: The Permittee shall designate a contact person(s) responsible to respond to complaints from citizens and the County regarding the uses permitted by 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 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*.

14. Resolution of Complaints

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

- a) The Permittee shall post the office telephone number and hours of operations in a visible location on the site. The office phone number shall have an answering machine which shall accommodate voice mail messages on a 24-hour basis. Persons with concerns about the wireless facility operations may directly contact the Contact Person. The internal resolution of issues by the Permittee is encouraged;

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- b) If a written complaint about this project/CUP is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
- c) If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to §8114-3 of the Non-Coastal Zoning Ordinance may be initiated.

15. Reporting of Major Incidents

Purpose: In order to safe operations, the Permittee shall report all major incidents that occur within the CUP area to the Planning Director.

Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the CUP area.

Documentation: Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include, but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and, the steps taken to prevent a recurrence of the incident.

Timing: The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of the request.

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the CUP file.

16. Change of Owner and/or Permittee

Purpose: In order to facilitate County monitoring of the conditionally permitted use, the Permittee shall notify the Planning Division of any change of ownership or Permittee.

Requirement: The Permittee shall submit written notices to the Planning Division that discloses the identity and contact information of any new owner(s) or Permittee(s).

Documentation: The Permittee shall file with the Planning Division:

- a) An initial notice that discloses 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 responsible corporate, partnership or business officer(s);
- b) A final notice once the transfer of ownership and/or operational control has occurred; and,

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- c) 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 the initial notice to the Planning Division at least 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 after the effective date of the transfer.

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

17. Landscaping

Purpose: To comply with the County's requirements.

Requirement: Maintenance of existing landscape screening on-site that serves the following function must be provided and maintained:

- Provides visual relief and ensures compatibility with community character.

Documentation: The approved site plan for PL14-0191 shall serve as documentation for this condition.

Timing: Landscaping shall be maintained for the life of this permit.

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

PUBLIC WORKS AGENCY CONDITIONS

Integrated Waste Management Division

18. Waste Diversion & Recycling Requirement

Purpose: To ensure the project complies with Ordinance No. 4445. Ordinance 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 4445 can be reviewed at www.vcpublishworks.org/ord4445.

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Requirement: Ordinance 4445, Sec 4770-2.3, requires the Permittee to work with a County-franchised solid waste hauler who can determine the level of service required to divert recyclables generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to: www.vcpublicworks.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 their business are being diverted from the landfill.

19. 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 adhere to the County's Space Allocation Guidelines which include minimum space requirements for refuse and recycling bins and recommend aesthetic, gated, trash enclosures. Please review the County's Space Allocation Guidelines at: www.vcpublicworks.org/SpaceAllocation.

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

Timing: Prior to Issuance of a Zoning Clearance for Use Inauguration, the Permittee must submit a site plan to the IWMD for review/approval that indicates the location of a trash enclosure or a designated area for refuse and recycling bins on the property.

Monitoring & Reporting: Upon request, the Permittee shall allow IWMD staff to verify the location of a trash enclosure or a designated area for trash and recycling bins on the property.

FIRE PROTECTION DISTRICT CONDITIONS:

20. Fire Code Permits

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

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

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

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

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

21. Access Road Gates

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

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

Documentation: A stamped copy of the approved gate plans.

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

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

22. Fire Lanes

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

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

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

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

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

23. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. [Note: Add the following as necessary - All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project. The Fire District may require the entire parcel to be cleared.] Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

Documentation: A signed copy of the Ventura County Fire Protection District's Form #126 "Requirement for Construction" or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines before the start of construction on any structure.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct on-site inspections to ensure compliance with this condition.

24. Fire Extinguishing Equipment:

A garden hose connected to a water dedicated supply shall be provided. Fire extinguishers with a minimum 4A rating, shovels and buckets shall be provided and available at the site where open burning is to be conducted.

25. Weather Conditions:

Open burning shall only be conducted when approved by VCFPD. Atmospheric conditions including wind speed and temperature shall dictate when burning shall not be conducted. These conditions shall be placed on the open burning permit.

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26. Open Burning: The open burning of paper products is prohibited. Open burning shall not be conducted within 50 feet of any structure.

27. Termination Of Open Burning:

The Fire Chief or any of his representatives from VCFPD shall have the right to immediately discontinue open burning if there is a determination that the smoke emissions are offending to occupants of surrounding property or if the burning is determined to constitute a hazardous condition.

Air Pollution Control District Conditions

28. APCD Rules and Regulations

Any combustion equipment onsite, which is rated at 50 horsepower (HP) or greater, must have either an APCD Permit to Operate (PTO), or be registered with the California Air Resources Board's (CARB) Portable Equipment Registration Program (PERP). Examples of such equipment include portable electrical generators, and portable air compressors.

For more information on obtaining an APCD PTO please contact the District's Permitting Engineering Division at (805) 645-1401 or (805) 645-1481. Additional information can also be accessed from the Permits section of the APCD website at www.vcapcd.org. For more information on CARB's PERP program, please visit the CARB website at <http://www.arb.ca.gov/perp/perp.htm>, or call (916) 324-5869.