



## 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](http://ventura.org/rma/planning)

# Grand K-9 Ranch, LLC

## Farmworker Dwelling Unit, Case No. PL15-0201

### (Modification of CUP 2741-2)

#### A. PROJECT INFORMATION

1. **Request:** The applicant requests that a modified conditional use permit (CUP) be granted to authorize the continued use of an existing farmworker dwelling unit for an additional ten-year period. (Case No. PL15-0201)
2. **Applicant/Property Owner:** Grand K-9 Ranch, LLC, Karen Moureaux, 2492 Grand Avenue, Fillmore, CA 93015
3. **Applicant's Representative:** Steve Perlman, 7811 Marin Lane, Ventura, CA 93004
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested Minor Modification of CUP 2741-2.
5. **Project Site Size, Location, and Parcel Number:** The subject property is 17.6 acres in area and located at 2492 Grand Avenue, in the unincorporated area of Fillmore. The Tax Assessor's parcel numbers for the parcels that constitute the project site are 043-0-010-205 and -215 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations:**
  - a. Countywide General Plan Land Use Map Designation: Agriculture (Exhibit 2)
  - b. Zoning Designation: "AE-40 ac" (Agricultural Exclusive, 40 acre minimum lot size).] (Exhibit 2)

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40ac	Crop Production, agricultural structures and intermittent single family dwellings
East	"OS-160ac" (Open Space, 160 acres minimum lot size)	Sespe Creek, Open Space
South	AE-40ac	Crop Production, agricultural structures and intermittent single family dwellings
West	AE-40ac	County Road Right-of-Way, Crop Production, agricultural structures and intermittent single family dwellings

- 8. History:** On May 25, 1965 the Board of Supervisors adopted Ordinance No. 1699 that established an "R-A" (Rural Agriculture) zoning designation for the project site.

On March 15, 1967, the Board of Zoning Adjustment granted Special Use Permit (SUP) No. 2741 to authorize the construction and use of a farmworker dwelling unit.

On July 18, 1974, the Planning Commission granted a modification of SUP No. 2741 (referred to CUP No. 2741-1) for the continued operation of the farmworker dwelling unit.

On September 23, 1974, the Board of Supervisors adopted Ordinance No. 2891 that re-zoned the subject property from "R-A" to "OS-10 acres" (Open Space, 10-acre minimum lot area). Subsequently, CUP No. 2741-1 expired on July 18, 1977. However, on August 2, 1978, the CUP was reinstated for the continued use of the farmworker dwelling unit until July 18, 1980.

On November 13, 1980, the Planning Commission granted a modification of CUP 2741-1 to authorize the continued use of the farmworker dwelling unit for a 10-year period (until November 13, 1990).

On January 15, 1987, a Notice of Violation was issued to the property owners (William and Wendy Wood) for violations of the conditions of CUP 2741-1. The Planning Division identified that an illegal mobile home was installed on the property. Subsequently, the illegal mobile home was removed and the violations were fully abated on September 14, 1988. During this time, the property changed ownership to Doug and Arlene Benjamin.

Prior to the expiration of CUP No. 2741-1, the Benjamins submitted an application for a modified permit that would extend the time period for use of the farm worker dwelling. However, on February 28, 1990, the Planning Division notified the Benjamins that a renewal application would not be accepted since an

illegal mobile home (different than the one identified in 1987 violation) had been placed on the property. Subsequently, on January 10, 1991, the Planning Commission granted CUP No. 2471-2 to authorize the continued use of the farmworker dwelling unit and validate (legalize) a second caretaker unit for a horse training and boarding facility until January 10, 2001. During that time period, the ownership of the property went to Arlene McCutcheon.

On November 8, 1994, the Planning Division issued a Notice of Violation (Case No. 94-206) to Ms. McCutcheon for violations of the conditions of approval of CUP No. 2741-2. In order to abate the violations associated with Violation Case No. 94-206, two carports were installed on the property in 1995, one for each mobile home. The violations were abated and the violation case was closed on October 17, 1995.

On September 26, 1995, a Permit Adjustment of CUP No. 2471-2 was granted by the Planning Director to authorize the continued use of the two mobile homes for use as farmworker dwellings for a ten-year period, until 2005, and allowed a revision to the language of Condition No. 13 to remove an automatic permit termination clause if the required Farmworker Verification Declarations were not submitted for each farmworker dwelling unit by May 15<sup>th</sup> of each year.

On October 12, 2005, the property changed ownership to the current property owners, Grand K-9 Ranch, LLC.

On December 12, 2005, Permit Adjustment No. 2 of CUP No. 2471-2 (Case No. LU05-0081) was granted by the Planning Director to authorize the continued use of the two mobile homes as an animal caretaker dwelling unit and a farmworker dwelling unit for a ten-year period, until December 12, 2015.

In 2012, the Code Compliance Division issued a Notice of Violation to the Grand K-9 Ranch, LLC for the following violations of the Non-Coastal Zoning Ordinance:

- Operating a Dog Training and Show facility and kennel without Conditional Use Permit;
- Non-permitted use of recreational vehicles as dwellings;
- Non-permitted conversion of a garage into a groom/wash room within plumbing; and,
- Non-permitted accessory structures: barn with interior office and shade cover.

The violations remain unabated and a Notice of Imposition of Civil Administrative Penalties was issued to Grand K-9 Ranch, LLC on December 9, 2014. Subsequently, the property owner entered into a Compliance Agreement (CA15-0023) with the Code Compliance Division to stay the imposition of civil administrative penalties and abate the violations. The Grand K-9 Ranch, Inc.

obtained building permits to legalize the barn and interior office and the conversion of the garage into a groom/wash room (Building Permit Nos. B15-000240 and C15-000060).

On October 20, 2015, the Grand K-9 Ranch, LLC, submitted an application for a Conditional Use Permit that would authorize the operation of a dog kennel (Case No. PL15-0101).

On December 11, 2015, the Grand K-9 Ranch, LLC, submitted an application for a modification of CUP No. 2741-2 (the subject of this staff report) to authorize the continued use of one of the farmworker dwelling units. The second farmworker dwelling unit that was previously approved has been re-designated as a Second Dwelling Unit with the issuance of a Zoning Clearance on November 2, 2015 (ZC15-1141).

## **9. Project Description:**

The applicant requests that a modified conditional use permit (CUP) be granted to authorize the continued use of an existing farmworker dwelling unit for an additional ten-year period. The dwelling unit is 940 square feet in size and will continue to be located on APN 043-0-010-205. Access to the dwelling will continue to be provided by a 15-foot wide all-weather road connected to Grand Avenue. The Fillmore Irrigation Company will continue to provide water to the farmworker dwelling unit. Wastewater generated by the occupants of the farmworker dwelling unit will be disposed in an existing septic system on the property. There are no proposed physical changes in the dwelling unit or project site. (Refer to site plan, Exhibit 3.)

The farmworker dwelling unit will be accessory to the agricultural operations on the property. These operations and associated structures are described below:

### ***Agricultural Production and Animal Husbandry***

Approximately 12 acres of the property is used for citrus production (oranges). The property is also used for animal husbandry. This involves the raising, breeding, and pasturing of up to 150 sheep primarily for fiber production. Other animals on the property include chickens, turkeys, goats, cats, horses, and working ranch dogs. The applicant also requests to revise the maximum number of horses allowed on-site from 15 to 45.

### ***Structures and Buildings***

There are several existing structures proposed to remain on-site as accessory to the agricultural crop production and animal husbandry uses. These structures include:

Site Plan Building No.	Description	Floor Area (sq. ft.)
Building E	Barn (5 Horses)	724
Building F	Shed	94
Building G	Shed	140
Building H	Shed	134
Building I	Shed (1 Horse)	150
Building K	Carport	308
Building M	Shed (3 Horses)	96
Building P	Shed	120
5	Shade Structure	700
6	Shade Structure	960
7	Shade Structure	180
8	Shade Structure	300
9	Shade Structure	150
10	Shade Structure	80
11	Shade Structure	200

## B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposal qualifies for a Class 1 Categorical Exempt pursuant to Section 15301, Class 1 (Existing Facilities) of the CEQA Guidelines. The proposed project involves the continued use of an existing farmworker dwelling unit for an additional 10-year period. The project does not include any new development or operational changes that would have a potentially significant effect on the environment.

Based on the above discussion, staff recommends that the decision-maker find the project to be categorically exempt pursuant to Section 15301 of the CEQA Guidelines.

## C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (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 (Section 8111-1.2.1.1.a) states that in order to be approved, the minor modification of CUP No. 2741-2 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), the proposed project is categorically exempt from the CEQA Guidelines pursuant to Section 15301 (Existing Facilities).

Based on the discussion above, the proposed project is 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 proposed project is categorically exempt from the CEQA Guidelines pursuant to Section 15301 (Existing Facilities). The proposed project does not include any new development or operational changes that would cause a significant adverse impact on resources identified on the project site.

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



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

**Ventura County General Plan Goals, Policies, and Programs Resources**  
**Policy 1.3.2-3:** *The installation of on-site septic systems shall meet all applicable State and County regulations.*

**Ventura County General Plan Goals, Policies, and Programs 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.*

According to the Groundwater Resources Section, the project site overlies the Fillmore Groundwater Basin. The Fillmore Groundwater Basin is not over-drafted and will result in no net annual increase in groundwater extraction. The project would not result in an increase in water use from the existing permitted farmworker dwelling unit. In any case, the water demand of the farmworker dwelling unit is minor (less than 1 AFY) and would not have the potential to substantially affect groundwater resources.

Additionally, the proposed wastewater for the project site will be treated through an on-site wastewater treatment system constructed and operated in accordance with local, state and federal regulations. Continued operation of the wastewater treatment system as permitted by the County of Ventura Environmental Health Division would not degrade the quality of groundwater and cause groundwater to exceed quality objectives set by the Basin Plan.

Based on the above discussion, the proposed project is consistent with these policies.

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

According to the 2015 GIS Planning Division data layer, a portion of the project site lies within a mapped wildlife corridor. However, the wildlife corridor is located approximately 400 feet east of the location of the proposed farmworker dwelling unit. Due to the location of the farmworker dwelling unit and the lack of any new development or operational changes, the proposed continued use of the farmworker dwelling unit would not create a new impact on biological resources.

Based on the above discussion, the proposed project is consistent with this policy.

**5. Ventura County General Plan Goals, Policies, and Programs Resources**

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

**Ventura County General Plan Goals, Policies, and Programs Resources**

**Policy 1.6.2-6:** *Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.*

According to the State Important Farmland Inventory Maps, the soil on the project site, and on adjacent properties, constitutes Prime Farmland. The proposed project does not involve any new development or loss of agricultural soils. The continued use of the farmworker dwelling will support agricultural use of the property.

Based on the above discussion, the proposed project is consistent with these policies.

**6. Ventura County General Plan Goals, Policies, and Programs 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 is not located within a County Scenic Protection Overlay Area or in the vicinity of an eligible or designated scenic highway. Additionally, the proposed project will be screened from motorists travelling on Grand Avenue (i.e. a public roadway) by orange trees and a dense tree row along the western boundary of the property. The dwelling unit will not be visible from a public viewing location.

Based on the above discussion, the proposed project is consistent with this policy.

**7. Ventura County General Plan Goals, Policies, and Programs Resources**

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



According to the Ventura County GIS Paleontological Resources Maps, the project site is located within a "low", "undetermined," and "none" area for paleontological resources and therefore, unlikely to be underlain by any significant paleontological resources. In any case, the proposed project does not involve any new ground disturbance could potentially uncover paleontological resources.

Based on the above discussion, the proposed project is consistent with this policy.

**8. Ventura County General Plan Goals, Policies, and Programs Hazards Policy 2.10.2-3:** *Development shall be protected from a 100-year flood if built in the flood plain areas.*

According to the Planning Division GIS datalayer, the proposed project is located in a Federal Emergency Management Agency (FEMA) determined 1% annual chance (100-year) "AE Zone" Special Flood Hazard Area (SFHA) floodplain as indicated on the latest "Effective" digital Flood Insurance Rate Map (DFIRM) No. 06111C0641E issued by FEMA, dated January 20, 2010. However, the proposed project involves a previously permitted structure with no proposed changes. Therefore, a Floodplain Development Permit is not required to be obtained by the Permittee. No new hazard related to flooding would result from the project.

Based on the above discussion, the proposed project is consistent with this policy.

**9. Ventura County General Plan Goals, Policies, and Programs 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.*

The Ventura County Fire Prevention Division (VCFPD) reviewed the proposed project and determined that the project site is served by a water purveyor (Fillmore Irrigation Water Company) that can provide the required fire flow in accordance with the VCFPD Fire Code. Additionally, the VCFPD determined that the existing private access road meets current VCFPD standards for fire protection and evacuation purposes.

Based on the above discussion, the proposed project is consistent with this policy.

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

Water is provided by a water purveyor, Fillmore Irrigation Company, and sewage disposal will be accomplished through the use of an individual onsite septic system. Therefore, adequate water and sewer services are available to support the proposed continued use of the existing farmworker dwelling unit.

Based on the above discussion, the proposed project is consistent with these policies.

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

The proposed project does not involve a new or increased demand for water. The farmworker dwelling will continue to be served with domestic water by a water purveyor (Fillmore Irrigation Company) that is considered to have a permanent supply of potable water that is in conformance with applicable County and State water regulations.

Based on the above discussion, the proposed project is consistent with this policy.

- 12. Ventura County General Plan Goals, Policies, and Programs 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.*

An Environmental Health Division approved septic system will continue to provide waste water disposal services to the proposed dwelling unit in compliance with applicable County regulations.

Based on the above discussion, the proposed project is consistent with this policy.

**13. Ventura County General Plan Goals, Policies, and Programs 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.*

Adequate public services are available to continue to serve the existing farmworker dwelling unit. The project site will continue to be served potable water by the Fillmore Irrigation Water Company. The project site currently includes adequate access to the farmworker dwelling unit and the response time for fire protection meets the VCFPD's requirements.

Based on the above discussion, the proposed project is consistent with this policy.

**D. ZONING ORDINANCE COMPLIANCE**

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

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

The proposed project includes the request for the continued use of a farmworker dwelling unit for an additional ten-year period and is subject to the development standards of the Ventura County NCZO (Section 8106-1.1). Table 1 lists the applicable development standards and a description of whether the proposed project is designed in conformance with the development standards.

**Table 1 – Development Standards Consistency Analysis**

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	40 acres	The subject parcel does not meet the minimum lot area, however, the lot is a legal lot pursuant to a Legal Lot Determination dated August 11, 2005.
Maximum Percentage of Building Coverage	5 percent	Yes
Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Maximum Building Height – Principal Structure	25 feet	Yes
Maximum Building Height – Accessory Structure	15 feet	Yes

#### **E. CUP FINDINGS AND SUPPORTING EVIDENCE**

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 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 [Section 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 [Section 8111-1.2.1.1.b].**

The project site is located in a sparsely populated area that predominantly consists of medium-sized agricultural lots used for crop production (orchards). As discussed in Sections C and D of this staff report, the proposed project will be consistent with the standards established for the AE zone and the existing development on the surrounding properties. The use of a farmworker dwelling supports agricultural operations and is compatible with the character of the surrounding agricultural uses in the area.

Based upon 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 [Section 8111-1.2.1.1.c].**

No aspect of the proposed continued use of the farmworker dwelling unit has been identified that would be obnoxious or harmful or impair the utility of surrounding properties.

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 [Section 8111-1.2.1.1.d].**

The project site is located in sparsely populated area that predominantly consists of medium-sized agricultural lots. The proposed continued use of the farmworker dwelling unit will be consistent with the standards established for the AE zone and the existing development on the surrounding properties. The farmworker dwelling unit on the subject property will not affect the uses of neighboring properties. No new or substantial effects on the public interest, health, safety and welfare have been identified.

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 [Section 8111-1.2.1.1.e].**

The existence and use of a farmworker dwelling unit is compatible with the agricultural land uses on the project site and in the vicinity. Given the agricultural zoning and the intense agricultural uses in the area, a change in land use is not foreseeable at this time. Thus, the continued use of the farmworker dwelling is compatible with the existing and potential land uses in the general area.

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

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

Based on a Ventura County Legal Lot Determination, dated August 11, 2015, the Assessor's Parcel Nos. (APN) 043-0-010-205 and -215 were originally comprised of a lot which was legally created on or before August 26, 1958 (Agreement recorded by Property Settlement in Book 1649, Page 350 of Official Records), prior to the regulation of the Subdivision Map Act or the local subdivision ordinance. The lot was subsequently illegally divided by conveyance (deed recorded on December 11, 1967 in Book 3233, Page 492 of Official Records) in violation of the Ventura County Subdivision Ordinance No. 1787 which required a Parcel Map. This division created two separate illegal lots (APNs 043-0-010-205

comprised of 2.2 acres and 043-0-010-215 comprised of 15.60 acres). Subsequently, the two lots merged by operation of law (Ventura County Ordinance Code Section 8113-9 and 8284), creating one legal lot. The merged legal lot continues to be merged indefinitely under Government Code Section 66451.301 due to agricultural use on or before July 1, 1981.

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

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

The proposed project involves the continued use of an existing farmworker dwelling unit. This unit supports agricultural production on the subject property and will have no discernible adverse effect on agricultural resources or operations in the area.

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

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

The proposed project does not involve the development of any new structures or relocation of any existing structures.

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

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

The proposed project involves the continued use of an existing farmworker dwelling. No new ground disturbance or the displacement of any agricultural production is proposed. No land will be removed from agricultural production as a result of the proposed project.

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 (Section 65091), and Ventura County NCZO (Section 8111-3.1). The Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the *Ventura County Star*. As of the date of this document, no public comments have been received in regards to the proposed continued use of the farmworker dwelling unit.

The project site is located within the City of Fillmore's Area of Interest. Therefore, on December 16, 2015, the Planning Division notified the City of Fillmore of the proposed project and requested the City of Fillmore to submit any comments that the City might have on the proposed project. On January 23, 2016, the City of Fillmore responded that they did not have any comments on the proposed project.

## **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 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 the project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines;
3. **MAKE** the required findings to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** CUP No. PL15-0201, subject to the conditions of approval (Exhibit 4).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10<sup>th</sup> 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 Ms. Franca A. Rosengren at (805) 654-2045 or [Franca.Rosengren@ventura.org](mailto:Franca.Rosengren@ventura.org).

Prepared by:



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Reviewed by:

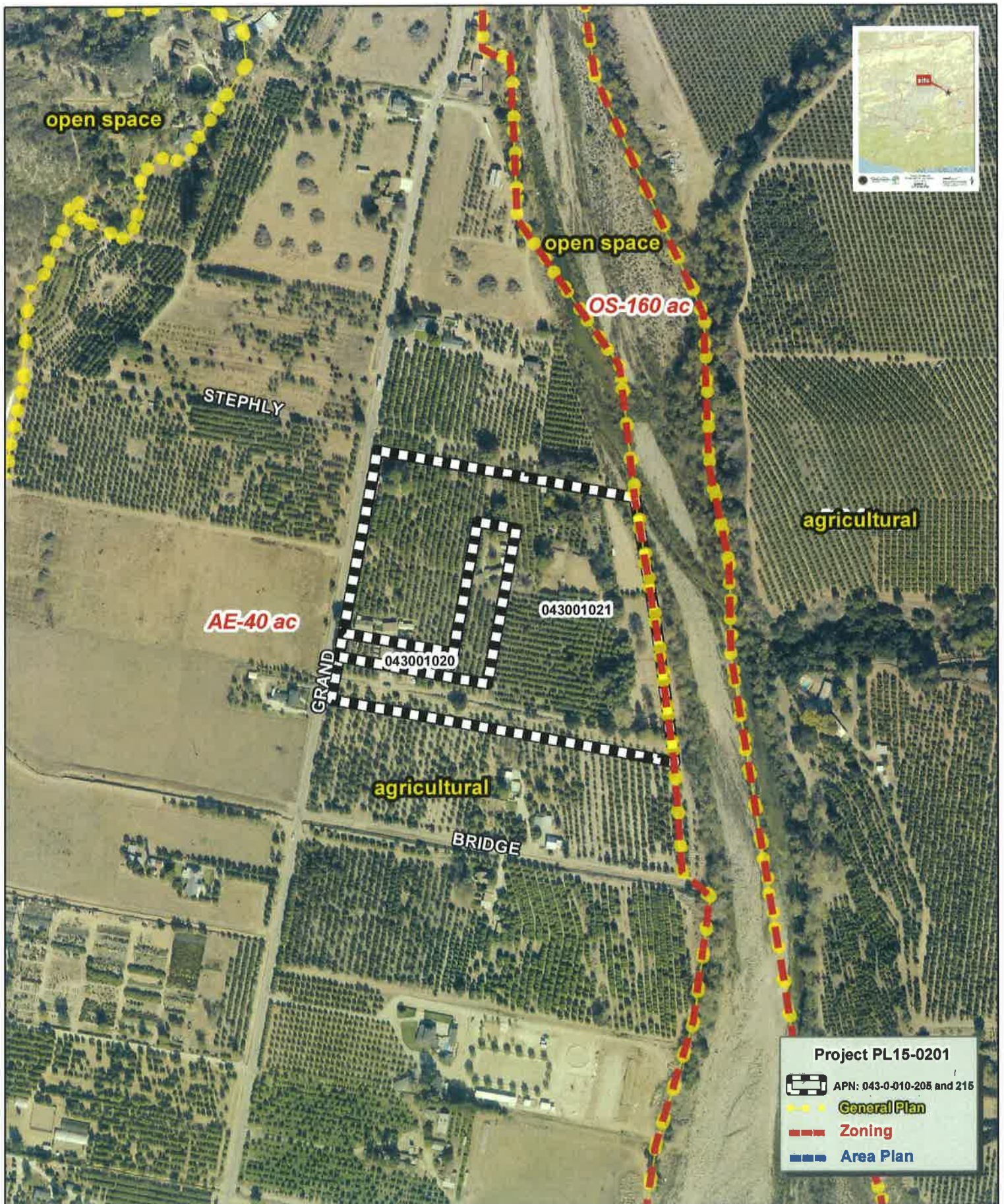


Brian R. Baca, Manager  
Commercial and Industrial Permits Section  
Ventura County Planning Division

**EXHIBITS**

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





**Project PL15-0201**

**APN: 043-0-010-205 and 215**

**General Plan**

**Zoning**

**Area Plan**



Ventura County, California  
Resource Management Agency  
GIS Development & Mapping Services  
Map Created on 01-14-2016  
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County of Ventura  
Planning Director Hearing  
PL15-0201  
**Exhibit 2 – Maps**

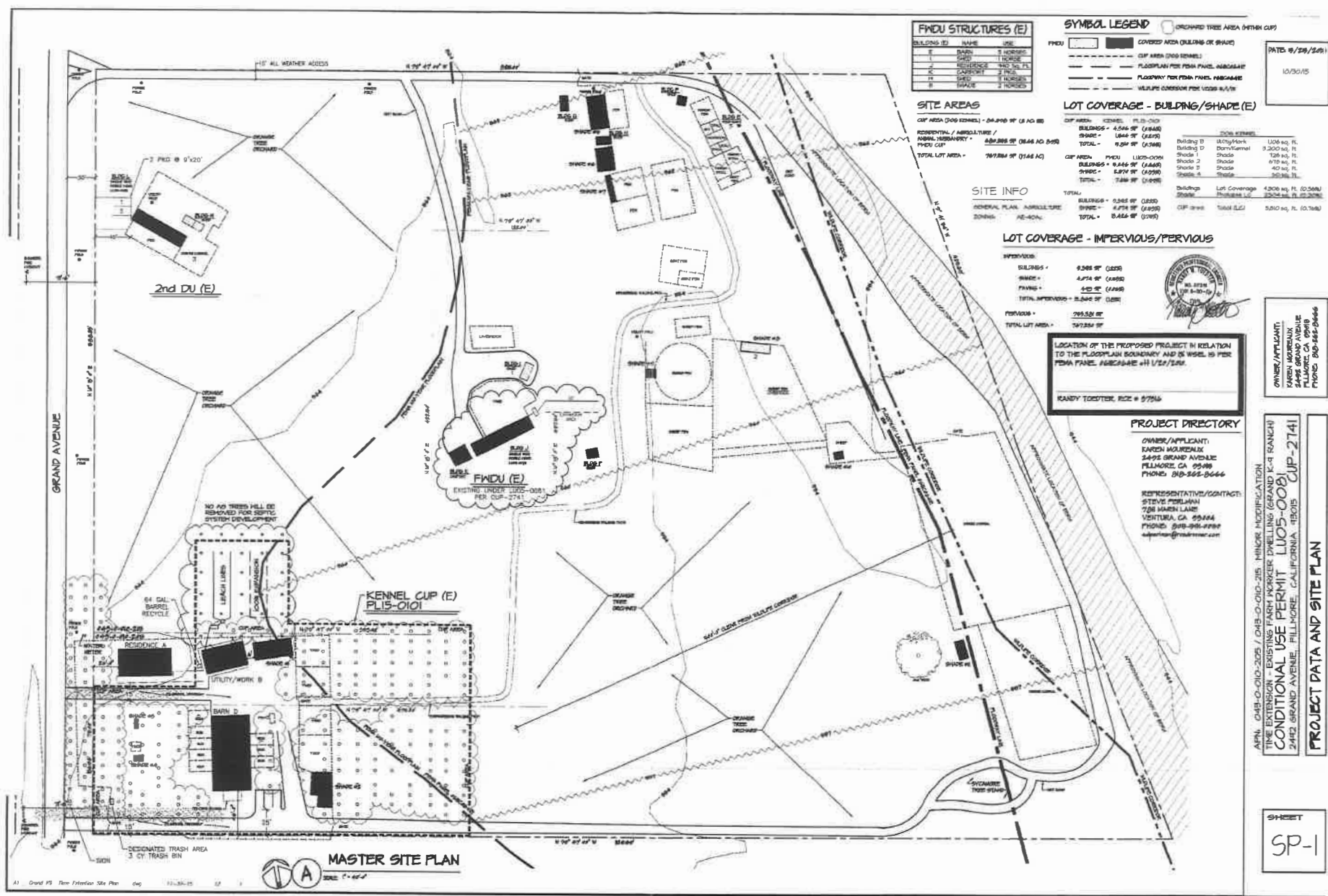


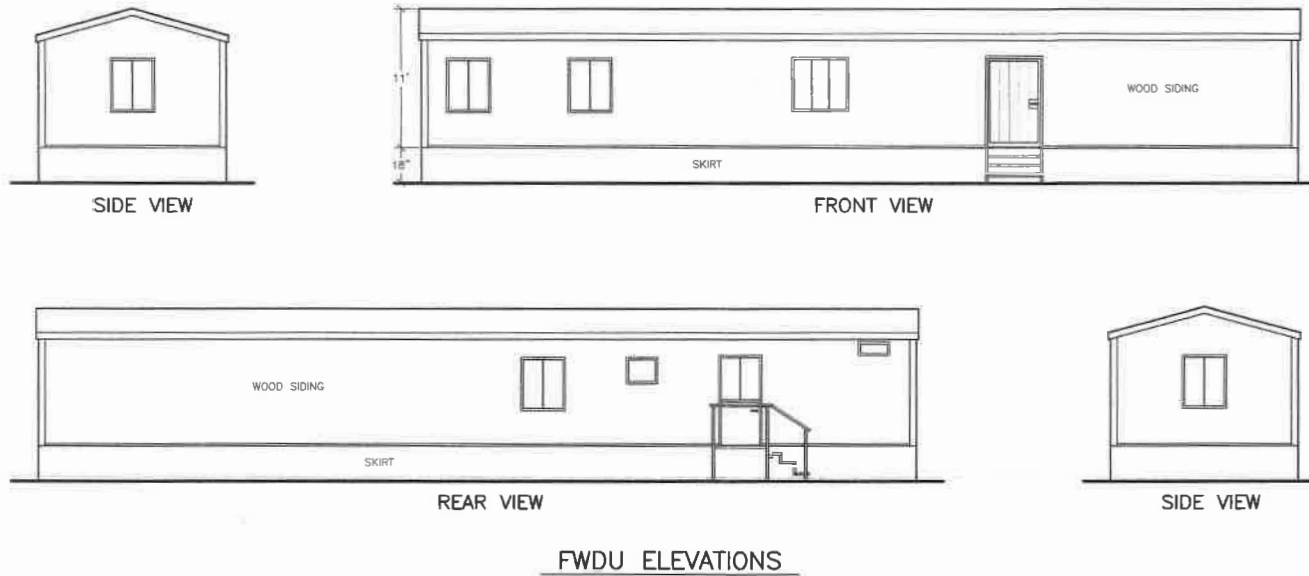
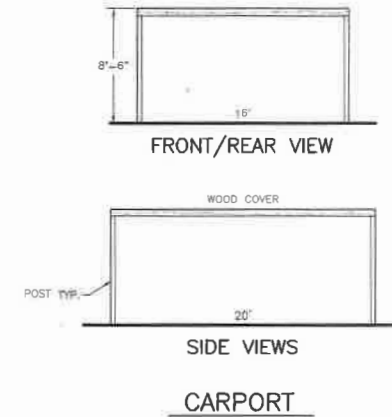
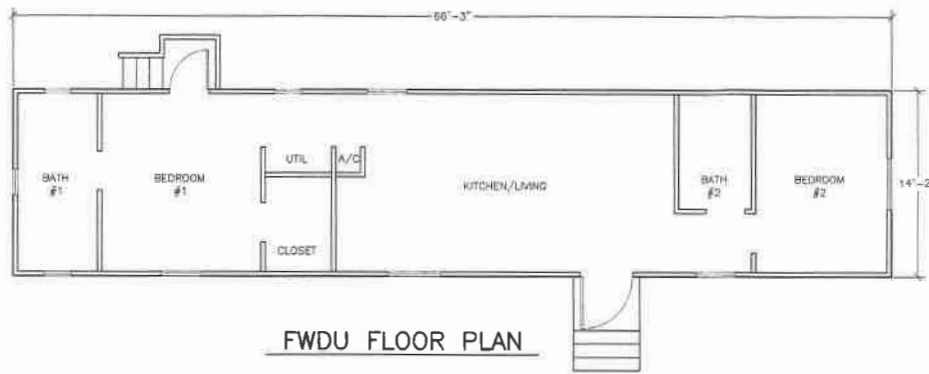
This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed solely for the convenience of the County and related agencies. The County does not warrant the accuracy of this data involving a risk of economic loss or physical injury made in reliance thereon.



RH







MINOR MODIFICATION LU05-0081  
ELEVATIONS / FLOOR PLANS

Revisions		
No.	Description	Date

OWNER/APPLICANT:  
**KAREN MOUREAUX**  
2492 GRAND AVENUE  
FILLMORE, CA 93015  
PHONE: 818-262-8866

APN: 043-0-010-205 / 043-0-010-215 MINOR MODIFICATION  
TIME EXTENSION - EXISTING FARM WORKER DWELLING (GRAND K-9 RANCH)  
CONDITIONAL USE PERMIT LU05-0081  
2492 GRAND AVENUE, FILLMORE, CA 93015 CUP-2741

Job No.	
Drawn By	Date
cms/psm	10-30-15
Drawing No.	
Scale	NOTED
Sheet	EL-1

## EXHIBIT 4

### GRAND K-9 RANCH FARMWORKER DWELLING UNIT

# CONDITIONS OF APPROVAL, CUP PL15-0201

## RESOURCE MANAGEMENT AGENCY

### Planning Division

#### 1. Project Description

This Conditional Use Permit (CUP) is based on and limited to compliance with the project description, the Planning Director hearing exhibits marked Exhibits 3 and 4, dated February 4, 2016, and conditions of approval set forth below. Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with the original approval. Deviations may require Planning Director approved changes to the permit and/or further environmental review. Deviations that are implemented without requisite approval(s) will constitute a violation of the conditions of this permit.

The project description is as follows:

**Project Description:** This permit authorizes the continued use of an existing farmworker dwelling unit for an additional ten-year period. The dwelling unit is 940 square feet in size and is located on APN 043-0-010-205. Access to the dwelling will be provided by a 15-foot wide all-weather road connected to Grand Avenue. The Fillmore Irrigation Company will continue to provide water to the farmworker dwelling unit. Wastewater generated by the occupants of the farmworker dwelling unit will be disposed in an existing septic system on the property. This permit does not include the authorization of physical changes in the dwelling unit or project site. (Refer to site plan, Exhibit 3.)

The farmworker dwelling unit will be accessory to the agricultural operations on the property. These operations and associated structures are described below:

#### ***Agricultural Production and Animal Husbandry***

Approximately 12 acres of the property is used for citrus production (oranges). The property is also used for animal husbandry. This involves the raising, breeding, and pasturing of up to 150 sheep primarily for fiber production. Other animals on the property include chickens, turkeys, goats, cats, horses, and working ranch dogs. The applicant also requests to revise the maximum number of horses allowed on-site from 15 to 45.



### ***Structures and Buildings***

There are several existing accessory structures to the agricultural crop production and animal husbandry uses as recognized in Zoning Clearance No. ZC15-1141. These structures include:

Site Plan Building No.	Description	Floor Area (sq. ft.)
Building E	Barn (5 Horses)	724
Building F	Shed	94
Building G	Shed	140
Building H	Shed	134
Building I	Shed (1 Horse)	150
Building K	Carport	308
Building M	Shed (3 Horses)	96
Building P	Shed	120
5	Shade Structure	700
6	Shade Structure	960
7	Shade Structure	180
8	Shade Structure	300
9	Shade Structure	150
10	Shade Structure	80
11	Shade Structure	200

## **2. Time Limits:**

### **a. Zoning Clearance for use inauguration:**

- i. The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision on which the Planning Director rendered the decision on the Project, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses provided in Condition No. 1 (Project Description).
- ii. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the granting or approval of this CUP. The Planning Director may grant a one year extension of time 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 extension in writing at least 30 days prior to the one year expiration date.

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

b. Permit Life or Operations Period:

This CUP will expire on December 12, 2026. 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 December 12, 2026; 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.

3. 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 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 modified by any other agency, the Permittee shall submit revised documentation within 30 days of the modification.

4. 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 and vendors regularly dealing with the daily operation of the proposed activities shall be informed, in writing, by the Permittee of the pertinent conditions of this CUP. The Permittee shall retain a copy of the CUP on the site available for inspection by all 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*.

5. 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.

6. 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.

**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.

7. Recorded Notice of Land Use Entitlement

**Purpose:** To ensure future Property Owners are aware that the property is subject to a CUP that has conditions relating to the operation and maintenance of the property.

**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 property that is subject to this CUP.

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

**Timing:** Prior to the issuance of the Zoning Clearance for use inauguration, and in accordance with the *Ventura County Non-Coastal Zoning Ordinance* (§8111-8.3).

**Monitoring and Reporting:** The Planning Division shall make a copy of the recorded Notice of Land Use Entitlement form a part of 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:
  - i. condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
  - ii. monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance (2015, § 8114-3)*. The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§ 8114-3.4)*.

- b. Establishment of Revolving Compliance Accounts: Within 10 calendar days of the effective date of the decision on this CUP the Permittee, or the Permittee's successors-in-interest, shall submit the following deposit and reimbursement agreement to the Planning Director:
  - i. a payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs incurred for Condition Compliance review (Condition 8.a, above), monitoring and enforcement (Condition 8.c, below). The \$500.00 deposit may be modified to a higher amount by mutual agreement between the Permittee and the Planning Director; and,
  - ii. a signed and fully executed County RMA reimbursement agreement, which is subject to the Permittee's right to challenge any charges obligating the Permittee to pay all Condition Compliance review, monitoring, and enforcement costs.
- c. Monitoring and Enforcement Costs: The \$500.00 deposit and reimbursement agreement (Condition 8.b, above) 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.

9. Defense and Indemnity

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

- a. Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either the County's decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such legal action. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such legal action the Permittee defended or controlled the defense thereof pursuant to Condition 9(a) above. The County may, at its sole discretion, participate in the defense of any such

legal action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

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

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

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 conditions or limitations set forth therein. 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 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 permitting agencies shall 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 staff 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, provided the consultant and the proposed scope-of-work are acceptable to the County. However, the County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes.

**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 of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

A business tax certificate and regulatory licenses shall be obtained for operation of the kennel.

**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 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*.

14. Change of Property Owner and/or Permittee

**Purpose:** To ensure that the Planning Division is notified of any change of Property Ownership or 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 Property 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 following the transfer of Property Ownership and/or operational control has occurred.

**Documentation:** The initial notice shall be submitted with the new Property Owner's and/or Permittee's contact information. The final notice of transfer shall 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 initial notice shall be provided 10 calendar days prior to the change of Property Ownership. The final notice shall be provided within 15 calendar days of the effective date of the transfer.

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

15. CUP Modification

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

16. Acceptance of Conditions and Schedule of Enforcement Responses

Commencement of construction and/or operations under this CUP shall constitute acceptance by the Permittee and Property Owner of all conditions of this CUP. Failure to abide by and faithfully comply with any conditions for the granting of this CUP shall constitute grounds for the implementation of enforcement procedures as provided in the *Ventura County Non-Coastal Zoning Ordinance* (2015, Article 14), which include, but are not limited to, the following actions:

- 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.

It is the Permittee's responsibility to be aware of, and to comply with, the CUP conditions and the rules and regulations of all jurisdictions having authority over the uses described herein.

17. 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:** Site maintenance in accordance with the above-stated purpose shall be the documentation of this condition.

**Timing:** For the life of the permit.

**Monitoring and Reporting:** The Planning Division shall ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

18. Availability of Parking Spaces

**Purpose:** In order to comply with §8108-4 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Requirement:** The Permittee shall ensure that two motor vehicle parking spaces remain available for the farmworker dwelling unit. The Permittee shall maintain the required parking area as illustrated on the approved site plan.

**Documentation:** A stamped copy of the approved site plan.

**Timing:** The Permittee shall continue to maintain the required two motor vehicle parking spaces (carport) as indicated on the approved site plan for the life of the permit.

**Monitoring and Reporting:** The Planning Division shall maintain a stamped copy of the approved site plan in the project file. The Planning Division shall inspect the site and ensure compliance with the approved site plan prior to the issuance of the Zoning Clearance for use inauguration. The Planning Division shall ensure ongoing compliance consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

19. Annual Verification of Farmworker Employment

**Purpose:** In order to comply with §8107-26.4 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Requirement:** The Permittee shall submit an annual verification report by May 15<sup>th</sup> of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, demonstrating that the farmworker(s) residing in the farmworker dwelling unit meets the employment criteria established in §8107-26.3 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Documentation:** A completed Annual Verification Declaration.

**Timing:** The Permittee shall continue to submit the required verification declaration to the Planning Division before May 15<sup>th</sup> of each year for the life of the permit.

**Monitoring and Reporting:** The Planning Division shall maintain copies of each submitted annual verification declaration in the project file. The Planning Division shall inspect the site and ensure compliance with the submitted declarations consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

20. Farmworker Employment Criteria

**Purpose:** In order to comply with §8107-26.3 of the *Ventura County Non-Coastal Zoning Ordinance*.

**Requirement:** The Permittee shall ensure that the farmworker dwelling unit only be rented or provided under the terms of employment to persons who are employed full time (minimum of 32 hours per week) as farmworkers by the property owner or lessee of the lot upon which the dwelling unit sits, or on other land in Ventura County that is under the same ownership or lease as the property with the dwelling unit. A farmworker who has been renting or occupying a farmworker dwelling unit and who subsequently retires or becomes disabled may continue to reside in the dwelling unit. Members of the farmworker, if any, may also occupy said dwelling unit.

**Documentation:** A completed Annual Verification Declaration.

**Timing:** For the life of the permit.

**Monitoring and Reporting:** The Planning Division shall maintain copies of each submitted annual verification declaration in the project file. The Planning Division shall inspect the site and ensure compliance with the submitted declarations consistent with the requirements of §8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.