



Planning Director Staff Report – Hearing on March 3, 2016

County of Ventura • Resource Management Agency • Planning Division

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

MASON BEACH HOUSE COASTAL PLANNED DEVELOPMENT (PD) PERMIT CASE NO. PL15-0184

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Coastal PD Permit be granted to authorize the demolition of a single-family dwelling and attached garage and construction of a three-story single-family dwelling and attached two-car garage (Case No. PL15-0184).
2. **Applicant/Property Owner:** James P. and Margaret S. Mason Trust, 2336 Sylvan Lane, Glendale, CA 91208
3. **Applicant's Representative:** Mr. Walt Phillip, Integral Design and Construction, 950 County Square Drive, Ste. #116, Ventura, CA 93003
4. **Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3.2), the Planning Director is the decision-maker for the requested PD.
5. **Project Site Size, Location, and Parcel Number:** The 2,625 square foot project site is located at 4133 Ocean Drive, near the intersection of West Channel Islands Boulevard and Ocean Drive, in the Hollywood Beach Community of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 206-0-272-290 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations:**
 - a. Countywide General Plan Land Use Map Designation: Existing Community-Urban Reserve (Exhibit 2)
 - b. Coastal Area Plan Land Use Map Designation: Residential High 6.1 to 36 dwelling units (Exhibit 2)
 - c. Zoning Designation: RBH (Residential Beach Harbor) (Exhibit 2)

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

| Location in Relation to the Project Site | Zoning | Land Uses/Development |
|--|---|---------------------------|
| North | RBH | Single-family Residential |
| East | RBH | Single-family Residential |
| South | RBH | Single-family Residential |
| West | COS/10ac/sdf (Coastal Open Space, 10 acre minimum lot size/slope density formula) | Beach and Pacific Ocean |

- 8. History:** The subject property is developed with a single-family residence and attached one-car garage that was originally built in 1949 (Building Permit No. 3392). Building Permit No. B00-00027 was issued on May 3, 2000, to reroof the building. No discretionary permits have been issued for development on the subject property.
- 9. Project Description:** The applicant requests a Coastal PD Permit to demolish the existing 930 square foot (s.f.) single-family dwelling and attached one-car garage. The single-family dwelling and attached garage would be replaced with the construction of a new three-story 3,333 s.f. single-family dwelling, 217 s.f. second floor deck, 217 s.f. third floor deck, a 257 s.f. roof deck, and a 508 s.f. attached two-car garage.

The Channel Islands Beach Community Services District (CIBCSD) would continue to provide water and sewer service to the project site. A 26-foot wide driveway to Ocean Drive will provide access to the project site. The proposed project does not include grading or the removal of native vegetation (Exhibit 3).

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 applicant proposes to demolish an existing single-family dwelling and construct a 3,333 s.f. single-family dwelling and a 508 s.f. attached two-car garage on a 2,625 s.f. lot. The proposed project is eligible for a Categorical Exemption pursuant to Section 15303(a) (New Construction or Conversion of Small Structures) of the CEQA

Guidelines based on the limited nature of the proposed project. Therefore, this project is categorically exempt pursuant to Section 15303(a) of the CEQA Guidelines.

Therefore, based on the foregoing information, the project complies with the requirements 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 CZO (Section 8181-3.5.a) states that in order to be approved, a Coastal PD Permit must be found consistent with all applicable policies of the Ventura County Coastal Area Plan.

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

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

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

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

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

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

The CIBCSO will continue to provide water for the property, and sewage disposal service for the use of the subject property. No increase in water usage is

expected with the demolition of the existing single-family dwelling and replacement with the proposed single-family dwelling. Therefore, the proposed project will not significantly impact the quantity or quality of water resources.

The CIBCSD receives treated water from the Port Hueneme Water Agency's central treatment facility. The water supplied to the treatment facility is purchased from United Water Conservation District and Calleguas Municipal Water District. The treated water is required to meet State and local drinking water standards. Furthermore, the CIBCSD submitted a water availability letter to the County that demonstrated that the CIBCSD has sufficient water supply and pressure in the CIBCSD water system to provide water for the proposed project and other existing CIBCSD customers (Jared Bouchard, General Manager of Channel Islands Beach Community Services District, September 21, 2015). Thus, there is an adequate supply of potable water available to the project site that meets the requirements of County and State water regulations. As the proposed project does not include any new development beyond the reconstruction, it will not create any new impacts with regard to stormwater runoff (e.g., increase in pollutant loading or changes to the volume or rate of runoff).

Based on the discussion above, the proposed project is consistent with the Policies discussed above.

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

As stated in this staff report (above), the CIBCSD sewer system will continue to provide sewage disposal services for the residential use of the subject property.

Based on the discussion above, the proposed project will be consistent with Policies 4.4.2-2.

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

Coastal Area Plan Environmentally Sensitive Habitats Coastal Dunes Policy A2: *Activities leading to degradation, erosion or destruction of coastal dunes will not be allowed. This includes but is not limited to, use by off-road vehicles, sand mining, filling, or dumping.*

There are sand dunes located approximately 200 feet to the west of the project site. These sand dunes are mapped as critical habitat for the western snowy plover (*Charadrius nivosus nivosus*), as described in the Final Rule of the Federal Register of Federally Endangered or Threatened Species. However, development activities would not be located on the beach or near the sand dunes. No dune vegetation would be removed. Furthermore, the proposed project will be subject to conditions of approval to ensure that all development activities occur on the subject property (not on the beach or sand dunes) and trash containers used during the construction phase of the project have a lid/cover that must be secured at the end of each working day (Exhibit 4, Conditions Nos. 16 and 5). With this measure to avoid the spreading of refuse, there would be no impact to the dunes as a result of the proposed project.

5. **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 database.*

General Plan Goals, Policies and Programs Resources Policy 1.8.2-5: *During environmental review of discretionary development the reviewing agency shall be responsible for identifying sites having potential archaeological, architectural or historical significance and this information shall be provided to the County Cultural Heritage Board for evaluation.*

Coastal Act Section 30244: *Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Office, reasonable mitigation measures shall be required.*

As stated in Section B of this staff report (above), the site historically has been used for residential purposes. No known archaeological sites are located within proximity to the proposed project site and the project site is mapped in the Resource Management Agency's GIS as not sensitive for archaeological resources. Furthermore, areas to the north, south, and east of the project site have been previously developed with single-family residential development, roads, and other infrastructure, the development of which did not reveal the presence of subsurface archaeological or paleontological resources. Finally, the proposed project does not involve grading activities and, therefore, ground disturbance activities will occur within areas that previously were disturbed as part of the development of the existing single-family dwelling, and will not reach a depth to which paleontological resources are likely to be encountered.

However, the proposed project will be subject to a condition of approval such that in the unlikely event that paleontological or archaeological resources are uncovered during ground disturbance activities, the applicant will be required to cease construction until the find can be evaluated, recovered, and curated. This

condition will cause a temporary cessation of all ground disturbances, notification of the Planning Director, and assessment of the find by a paleontological or archaeological consultant (as needed) (Exhibit 4, Condition Nos. 17 and 18).

The existing one-story single-family dwelling was built in 1949 as a typical example of post-war construction. Most of the original windows on three of the elevations have been replaced with vinyl-clad windows within their original openings. The existing single-family dwelling is not known to have played any significant role in the settlement of Hollywood Beach; is not known to be associated with any notable residents of Hollywood Beach; and is not a representative example of an architectural style, period, or type of construction. It is also somewhat altered and exhibits only a moderate level of integrity. Therefore, the existing single-family dwelling is not eligible for listing on the National or California Register. Additionally, the existing, single-family dwelling does not: appear to exemplify or reflect special elements of the County's social, aesthetic, engineering, architectural, or natural history; appear to be significantly associated with the lives of persons important to Ventura County; and embody the distinctive characteristics of a type, period, region, or method of construction, or represent the work of a master or possess high artistic values. Therefore, the existing single-family dwelling is not eligible for designation as a Ventura County Landmark (San Buenaventura Research Associates, 2015).

Based on the discussion above, the proposed project will be consistent with the Policies listed above.

- 6. Coastal Act Section 30211:** *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

The project site is located approximately 300 feet from the closest public access from Ocean Drive to the beach. In addition, the proposed project does not involve development on the public beach located adjacent to the project site. Thus, adequate public access exists within a reasonable distance of the site, and the proposed project does not have the potential to interfere with any existing or potential future public access to the sea.

Based on the discussion above, the proposed project is consistent with Section 30211 of the Coastal Act.

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

The Ventura County Fire Protection District (VCFPD) reviewed the proposed project and determined that adequate access for fire protection and evacuation purposes will be available at the project site.

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

8. Coastal Area Plan Beach Erosion and Shoreline Structures Section 30253:
New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazards.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Coastal Area Plan Hazards Policy 2: *New development shall be sited and designed to minimize risks to life and property in areas of high geologic, flood, and fire hazards.*

The subject property is not located within any high fire hazard areas or near any active geologic faults. The proposed development will not include development beyond the existing boundaries of the subject property. Furthermore, the proposed development will not require the construction of shoreline protective devices. Therefore, the proposed development will not contribute to beach erosion or alteration of natural landforms along the adjacent shoreline or require the construction of shoreline protection devices.

According to the Ventura County Watershed Protection District – Advanced Planning Section, the proposed project is not located in a Federal Emergency Management Agency (FEMA) 1% annual chance (100-year) coastal high hazard floodplain as shown in the effective Digital Flood Insurance Rate Map (DFIRM) 06111C0911E (January 20, 2010). The site is located in an “X Shaded” (500-year flood zone). The nearest floodplain is the Pacific Ocean Coastal High Hazard “Zone VE” which is located approximately 166-feet westerly of the site. A Floodplain Development Permit is not required for the proposed project. Furthermore, the proposed project is the subject of Floodplain Clearance FW15-0055, thereby demonstrating compliance with the flood hazard policies set forth in the Ventura County General Plan. The proposed project will not result in any project-related or cumulative impacts related to flood hazards.

Based on the discussion above, the proposed project will be consistent with the policies stated above.

9. **General Plan Goals, Policies and Programs Hazards Policy 2.12.2-2:** *Discretionary development in areas adjacent to coastal beaches shall be allowed only if the Public Works Agency with technical support from the Ventura County Watershed Protection District, determines from the applicant's submitted Wave Run-up Study that wave action and beach erosion are not hazards to the proposed development, or that the hazard would be mitigated to a less-than-significant level, and that the project would not contribute to beach erosion.*

The Public Works Agency determined that a Wave Run-up Study was not required for the proposed discretionary development because the subject property is not protected by existing shoreline protection structures such as seawalls, and the proposed project will not require alteration of an existing shoreline protection measure or construction of an entirely new shoreline protection structure. Additionally, the subject property is located outside of the 100-year floodplain and approximately 400 feet from the current shoreline. The proposed project does not include any new development beyond alterations to the existing single-family dwelling and, therefore, does not have the potential to contribute to beach erosion by, for example, the construction of a new structure on the beach. As the proposed project does not include any new development beyond the reconstruction, it will not create any new impacts with regard to stormwater runoff (e.g., increase in pollutant loading or changes to the volume or rate of runoff).

Based on the discussion above, the proposed project is consistent with Policy 2.12.2-2.

10. **Hazards Policy 2.16.2-1:** *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors, and shall recommend noise control measures for mitigation adverse impacts.*

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

a. Indoor noise levels in habitable rooms do not exceed CNEL 45.

b. Outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.

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

- a. Guidelines (1)a. and (1)b. above are adhered to*
- b. Outdoor noise levels do not exceed L10 of 60 dB(A).*
- (3) Noise sensitive uses proposed to be located near airports:*
 - a. Shall be prohibited if they are in a CNEL 65 or greater, noise contour.*
 - b. Shall be permitted in the CNEL 60 to CNEL 65 noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 or less.*
- (4) Noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - a. Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.*
 - b. Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.*
 - c. Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

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

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

The permitted use is a noise sensitive use but is not located near: highways, truck routes, heavy industrial activities, or other relatively continuous noise sources; railroads; or airports. Additionally, the residential use of the property is not considered a noise generator that will adversely affect any nearby noise sensitive use (e.g., existing residences). However, the proposed project will involve noise-generating construction activities that have the potential to adversely affect surrounding residential uses.

Therefore, pursuant to the requirements of the *Ventura County Construction Noise Threshold Criteria and Control Plan*, the proposed project will be subject to a condition of approval to limit noise-generating activities to the days and times when construction noise is least likely to adversely affect surrounding residential uses (Exhibit 4, Condition No. 15).

Based on the discussion above, the proposed project is consistent with Policy 2.16.2-1.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County CZO (Section 8174-4), the proposed use is allowed in the RBH zone district with the granting of a Coastal PD Permit. Upon the granting of the Coastal PD Permit, the proposed project will comply with this requirement.

The proposed project includes the construction and use of a single-family dwelling and two-car garage that are subject to the development standards of the Ventura County CZO (Section 8175-2). Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 1 – Development Standards Consistency Analysis

| Type of Requirement | Zoning Ordinance Requirement | Complies? |
|---|------------------------------|--|
| Minimum Lot Area (Gross) | 1,750 square feet | Yes, the lot is 2,625 s.f. |
| Maximum Percentage of Building Coverage | 65% | Yes, the approximately 1,400 s.f. building footprint on the 2,625 s.f. lot equates to 54 percent coverage. |
| Front Setback | 20 feet | Yes |
| Side Setback | 3 feet | Yes |
| Rear Setback | 6 feet | Yes |
| Maximum Building Height | 28 feet | Yes |
| Sec. 8178-2.4.b.(1) (Environmentally Sensitive Habitat Areas – Standards for Beaches): <i>An applicant for any coastal development, including shoreline protective devices, must show that the proposal will not cause long-term adverse impacts on beach or intertidal areas...</i> | | Yes, with the imposition of Condition No. 16 (Exhibit 4) that prohibits development on the beach and sand dunes, and requires the applicant to place lids/covers on debris containers, the potential spreading of refuse which could otherwise adversely impact offsite coastal dune habitat and special status species that occupy the dune habit, will be avoided. |

E. PD FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to determine that the proposed project is consistent with the permit approval standards of the Ventura County CZO (Section 8181-3.5 et seq.). The proposed findings and supporting evidence are as follows:

1. The proposed development is consistent with the intent and provisions of the County's Certified Local Coastal Program [Section 8181-3.5.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 Certified Local Coastal Program can be made.

2. The proposed development is compatible with the character of surrounding development [Section 8181-3.5.b].

The proposed project is compatible with the character of the surrounding development. The proposed project would allow the construction of a new three-story single-family dwelling within the RBH zone district within the community of Hollywood Beach. The exterior materials of the proposed contemporary design of the single-family dwelling include stucco, copper flashing, glass, and redwood trim. The proposed design is compatible with the eclectic mix of architectural styles of the existing residential structures surrounding the subject property. The proposed use is not a noise generator that could impact the neighboring residential uses. As discussed in Section C.5 of this staff report (above), with the adoption of the recommended condition of approval to limit the days and times of noise-generating construction activities, the proposed project will not generate noise that is incompatible with surrounding residential and beach uses. Therefore, the demolition of the existing triplex and construction of the proposed single-family dwelling will be consistent with the character of the surrounding, legally established development. (Exhibit 4, Condition No. 15).

Furthermore, the proposed three-story residential structure would be compatible with the scale, massing, and character of the surrounding neighborhood that consists of two and three-story contemporary style residences.

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

3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8181-3.5.d].

As stated in Section D of this staff report (above), the proposed project will be consistent with the development standards established for the RBH zone and the existing residential development on the surrounding properties. Furthermore, as discussed in Section C of this staff report, the proposed project will be subject to several conditions of approval to ensure that it meets fire safety standards. No obnoxious or harmful effects on the neighborhood have been identified for the proposed residential use.

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 8181-3.5.e].

As stated in Section C of this staff report (above), the proposed project will be subject to several conditions of approval to ensure that it meets fire safety standards. The proposed project is located outside the 100-year floodplain and would be reasonably safe from flooding because of the very wide beach and existing drainage paths away from the proposed project. Construction of the proposed project will be in compliance with the requirements of the Ventura County Building Code. The CIBCSO will provide adequate water and sewer service to the project site.

No adverse effects on the public interest, health safety, convenience or welfare have been identified for the proposed single-family dwelling.

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 CZO (Section 8181-6.2 et seq.). The Planning Division mailed notice to owners of property within 300 feet, and residents within 100 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.

The project site is located within the City of Oxnard's Sphere of Influence. Therefore, on January 28, 2016, the Planning Division notified the City of Oxnard of the proposed project and requested the City of Oxnard to submit any comments that the City might have on the proposed project. The City of Oxnard responded that they have no comments or requested conditions on this 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 this project is categorically exempt from CEQA pursuant to Section 15303(a) of the CEQA Guidelines;
3. **MAKE** the required findings to grant a Coastal PD Permit pursuant to Section 8181-3.5 of the Ventura County CZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Coastal PD Permit Case No. PL15-0184 subject to the recommended conditions of approval (Exhibit 4); and
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 Coastal PD 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 Nicole Doner at (805) 654-5042 or nicole.doner@ventura.org.

Prepared by:



Nicole Doner, Case Planner
Ventura County Planning Division

Reviewed by:



Daniel Klemann, Manager
Residential Permits Section
Ventura County Planning Division

EXHIBITS

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



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 02-04-2016
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, Jan, 2015



County of Ventura
 Planning Director Hearing
 PL15-0184
**Exhibit 2 – Aerial GP, Zoning & Land
 Use Map**

0 30 60 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 no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RM

Exhibit 3 – Plans


$$1/8'' = 1'-0''$$

ELEVATIONS 1988 NAVD.

1. CENTER LINE OF ADJACENT STREET 13.38', 1988 NAVD
2. APPROVED FLOOD ELEVATION OF THE LOWEST HABITABLE FLOOR IS 14.68' 1988 NAVD.

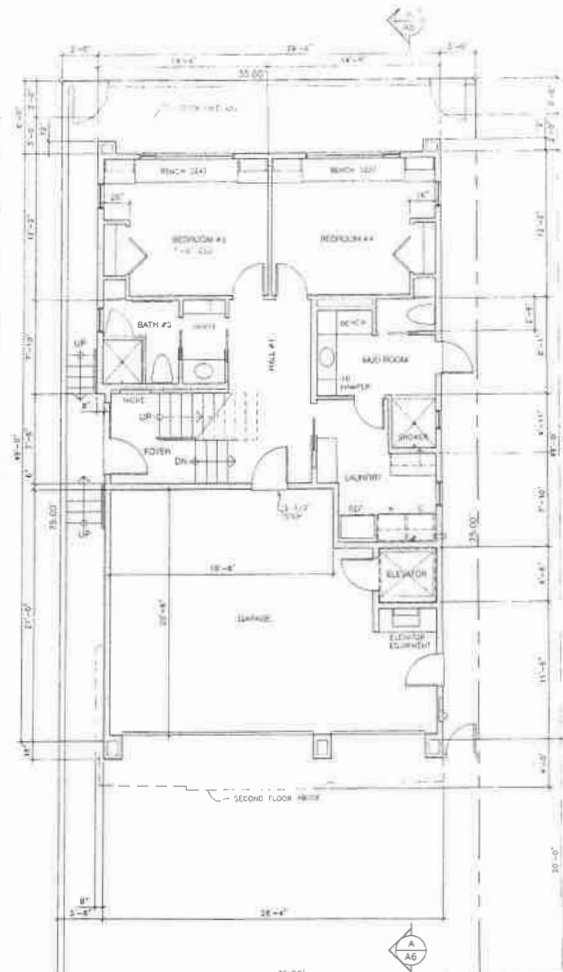
1. REMOVE EXISTING ONE STORY STRUCTURES, SIDEWALKS, DRIVEWAYS, FENCES AND GATES

N.T.S.

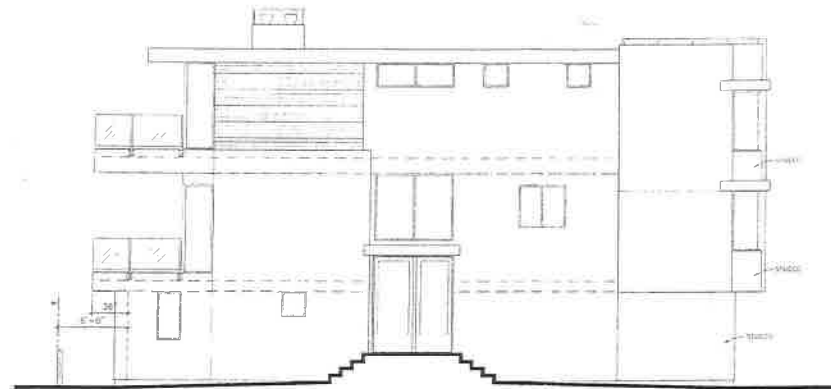
C



SECOND FLOOR
1/8" = 1'-0"

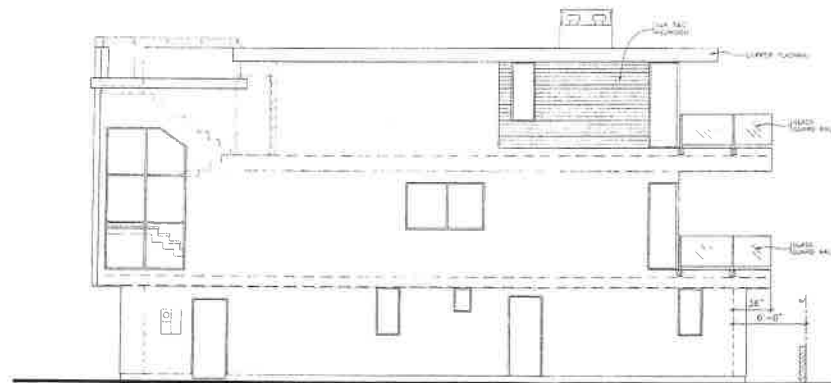


FIRST FLOOR
1/8" = 1'-0"



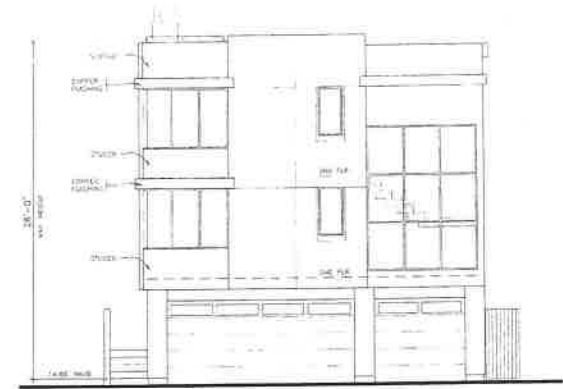
SOUTH ELEVATION

1/4" = 1'-0"



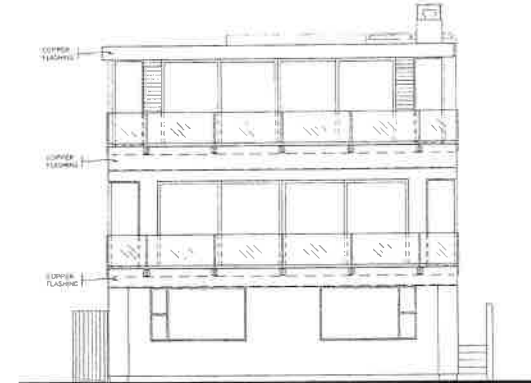
NORTH ELEVATION

1/4" = 1'-0"



EAST ELEVATION

1/4" = 1'-0"



WEST ELEVATION

1/4" = 1'-0"

COASTAL REVIEW

ATTENTION:
This drawing is a preliminary design and is not to be used for construction without the approval of the architect. It is the responsibility of the client to ensure that all necessary permits are obtained and that all construction complies with all applicable codes and regulations.

Integral Design, Inc.
ARCHITECTS
WALT PHILLIPS
VERONA, CALIFORNIA 93023
TEL: 941-5534 (OFFICE) FAX: 941-5534 (FAX)

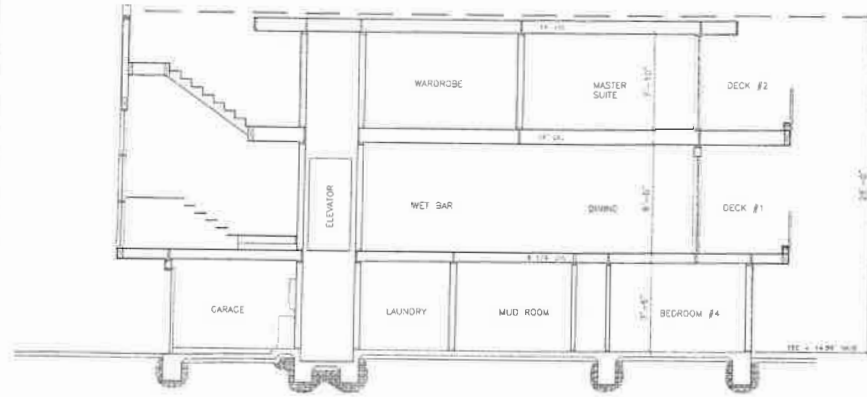
PROPOSED SINGLE FAMILY RESIDENCE FOR:
MR. & MRS. JAMES MASON
4133 OCEAN DRIVE
HOLLYWOOD BEACH TRACT
LOT 36, A.P. NO. 208-00-272-290

OWNER:
MR. & MRS. JAMES MASON
4133 OCEAN DR
HOLLYWOOD BEACH TR
OXFORD, CA
915-389-6094

SHEET TITLE
ELEVATIONS

DATE
09/18/15
SHEET NO.

A5



SECTION A
1/4" = 1'-0"

COASTAL REVUE
ARCHITECTS
4133 OCEAN DRIVE
HOLLYWOOD BEACH, FL 33441
TEL: 813-961-1111
FAX: 813-961-1112
WWW.COASTALREVUE.COM

Integral Design, Inc.
AND CONSTRUCTION
WALT PHILIPP
15000 W. BAYVIEW BLVD. SUITE 116
VENICE, CALIFORNIA 90003
805 / 844-5584 (OFFICE) 805 / 834-8355 (CELL)

PROPOSED SINGLE FAMILY RESIDENCE FOR:
MR. & MRS. JAMES MASON
4133 OCEAN DRIVE
HOLLYWOOD BEACH TRACT
HOLLYWOOD BEACH, FL 33441
TEL: 813-961-1111
FAX: 813-961-1112
WWW.COASTALREVUE.COM

OWNER
MR. & MRS. JAMES MASON
4133 OCEAN DR.
HOLLYWOOD BEACH TR.
ORLANDO, CA
818-389-8094

DATE/TITLE
SECTION

DATE
09/18/15
SHEET NO.

A6

**DRAFT CONDITIONS OF APPROVAL
FOR PLANNED DEVELOPMENT (PD) PERMIT
CASE NO. PL15-0184**

RESOURCE MANAGEMENT AGENCY

Planning Division (PL) Conditions

1. **Project Description**

This PD Permit is based on and limited to compliance with the project description stated in this condition below, all County land use hearing exhibits in support of the project marked Exhibits 1, 2, and 3, dated September 18, 2015, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the PD Permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this PD Permit and applicable law.

The Project description is as follows:

The Project consists of the: (1) demolition of an existing 930 square foot (s.f.) single-family dwelling and attached one-car garage; and (2) construction of a new three-story 3,333 s.f. single-family dwelling, 217 s.f. second floor deck, 217 s.f. third floor deck, a 257 s.f. roof deck, and a 508 s.f. attached two-car garage (Exhibit 3).

The Channel Islands Beach Community Services District will continue to provide water and sewage disposal service for the continued residential use of the property. Ocean Drive will continue to provide access to the site. The Project does not involve the removal of native vegetation or grading activities.

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

2. **Required Improvements for PD Permit**

Purpose: To ensure the Project site conforms to the plans approved at the Planning Director hearing in support of the Project.

Requirement: The Permittee shall ensure that all required on-site improvements for the Project are completed in conformance with the approved plans stamped as Exhibit 3 of the Planning Director hearing on September 18, 2015. The Permittee shall submit all final building and site plans for the County's review and approval in accordance with the approved plans.

Documentation: The Permittee shall obtain Planning Division staff's stamped approval on the Project plans and submit them to the County for inclusion in the Project file. The Permittee shall submit additional plans to the Planning Division for review and stamped approval for inclusion in the Project file as necessary.

Timing: Prior to the issuance of a Zoning Clearance for construction the Permittee shall submit all final development plans to the Planning Division for review and approval. Unless the Planning Director and Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to occupancy. The Permittee shall maintain the required improvements for the life of the PD Permit.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff have the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the *Ventura County Coastal Zoning Ordinance*. (PL-3)

3. Site Maintenance

Purpose: To ensure that the Project site 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 Project site.

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

Documentation: Pursuant to Condition No. 1 (Project Description), the PD Permit and any amendments thereto.

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

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff have the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8183-5 of the *Ventura County Coastal Zoning Ordinance*. (PL-4)

4. PD Permit Modification

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

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

5. Construction Activities

Prior to any demolition or construction activities (whichever occurs first), the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division.

The Permittee shall not store or locate vehicles, equipment, or materials used during demolition or construction activities, outside the subject property or in any way that blocks access to public rights of way, driveways, sidewalks, or the public beach. (PL-6)

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this PD Permit and/or commencement of construction and/or operations under this PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this PD Permit. Failure to abide by and comply with any condition of this PD Permit shall constitute grounds for enforcement action provided in the *Ventura County Coastal Zoning Ordinance* (Article 13), which shall include, but is not limited to, the following:

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

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

7. Time Limits

At the conclusion of the local appeal period set forth in the *Ventura County Coastal Zoning Ordinance* (§ 8181-9.2), or following a final decision on a filed appeal, the Planning Division shall send a Notice of Final Decision to the California Coastal Commission (CCC). The CCC may set another appeal period pursuant to terms and conditions set forth in the California Coastal Act (Pub. Res. Code, § 30000 et seq.). Following the expiration of the CCC's appeal period, and if no appeals are filed, the decision regarding the PD Permit will be considered "effective." Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for demolition and construction in order to initiate the development set forth in Condition No. 1 (Project Description).

This PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for demolition or construction (whichever occurs first) within one year from the granting or approval of this PD Permit (*Ventura County Coastal Zoning Ordinance* § 8181-7.7). The Planning Director may grant a one year extension of time to the Permittee in order to obtain the first Zoning Clearance (albeit for demolition or construction) if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to initiate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.

Prior to the issuance of the Zoning Clearance for demolition or construction (whichever occurs first), 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 demolition or construction (whichever occurs first), any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this PD Permit.

8. Documentation Verifying Compliance with Other Agencies' Requirements Related to this PD Permit

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 PD Permit.

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 PD Permit) 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 construction.

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

9. Condition Enforcement Cost Recovery

- a. Cost Responsibilities: The Permittee shall bear the full costs of all County staff time, materials and County-retained consultants associated with condition compliance review and monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the *Ventura County Coastal Zoning Ordinance* (§ 8183-5) related to this PD Permit. Such condition compliance review, monitoring and enforcement activities may include but are not limited to: periodic site inspections; preparation, review and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.
- b. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this PD Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment. (PL-12)

10. Contact Person

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

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the demolition and construction activities that are the subject of this PD Permit. The designated contact person shall be available, via telecommunication, 24 hours a day, during the period when demolition and construction activities occur.

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 PD site. The Permittee shall post a sign stating the contact information of the person who controls activities on the jobsite, for use for complaints from the affected public.

Timing: Prior to the issuance of a Zoning Clearance for demolition and construction, 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 § 8183-5 of the *Ventura County Coastal Zoning Ordinance*. (PL-17)

11. Defense and Indemnity

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

- a. Defend, at the Permittee's sole expense, against any claim, action or proceeding brought against the County by a third party challenging either the County's decision to issue this PD Permit, or the manner in which the County is interpreting or enforcing the conditions of this PD Permit. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any claim, action or proceeding described in Condition 11.a (above). Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a

court to pay as a result of any such claim, action, or proceeding the Permittee defended pursuant to Condition 11.a (above). The County may, at its sole discretion, participate in the defense of any such claim, action or proceeding through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

- c. Except with respect to claims arising from the County's sole negligence or intentional misconduct, the Permittee shall also indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, actions, proceedings, demands, costs, and expenses, including attorney's fees, judgments, fines, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Project Description), as it may be subsequently modified pursuant to the conditions of this PD Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense. The County may, at its sole discretion, participate in the defense of any such legal action through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
- d. Neither the issuance of this PD Permit, 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 PD Permit serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property. (PL-13)

12. Invalidation of Conditions

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

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

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

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

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

14. Change of Owner and/or Permittee

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

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

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

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

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8183-5 of the *Ventura County Coastal Zoning Ordinance*. (PL-20)

15. Construction Noise

Purpose: In order for this Project to comply with the Ventura County General Plan *Goals, Policies and Programs* (2015) Noise Policy 2.16.2-1(5) and the County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010).

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

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous on-site location visible to the general public. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the affected public. (See Condition No. 10, above.)

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

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

16. Trash Containers During Construction

Purpose: In order to comply with § 8178-2.4.b (2) of the *Ventura County Coastal Zoning Ordinance* and to avert long-term adverse impacts on beach or intertidal areas.

Requirement: The Permittee shall ensure that all trash containers used during the demolition and construction phase of the Project have a lid/cover that must be secured at the end of each working day. Trash and debris shall be collected and placed in the designated trash bins at the end of each working day. Trash enclosures shall not restrict access to public right of ways, driveways, or sidewalks along Ocean Drive.

Timing: Prior to the issuance of a Zoning Clearance for demolition or construction (whichever occurs first), the Permittee shall illustrate the enclosures on all development plans for the Planning Division's review and approval.

Documentation: A copy of the approved site plan.

Monitoring and Reporting: The Planning Division maintains a copy of the approved site plan in the Project file. The Planning Division has the authority to inspect the site to ensure that the enclosures are constructed as illustrated on the approved plans, prior to occupancy. The Planning Division has the authority to periodically inspect the site to ensure that the trash enclosures are maintained consistent with the requirements of § 8183-5 of the *Ventura County Coastal Zoning Ordinance*.

17. Paleontological Resources Inadvertently Discovered During Development

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

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

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

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

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

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

18. Archaeological Resources Inadvertently Discovered During Development

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

Requirement: The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Notify the Planning Director in writing, within three days of the discovery;
 3. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 4. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
 5. Implement the agreed upon recommendations.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
 1. Cease operations and assure the preservation of the area in which the discovery was made;
 2. Immediately notify the County Coroner and the Planning Director;
 3. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
 4. Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
 5. Implement the agreed upon recommendations.

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

Timing: The Permittee shall provide the archaeologist's report to the Planning Division, immediately upon completion.

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

PUBLIC WORKS AGENCY (PWA)

Integrated Waste Management Division (IWMD) Conditions

19. Waste Diversion & Recycling Requirement

Purpose: Ordinance 4308 requires the Permittee to divert recyclable materials (e.g., paper, cardboard, wood, metal, greenwaste, soil, concrete, plastic containers, beverage containers, tires, etc.) generated by their project from local landfills through recycling, reuse, or salvage. Review Ordinance 4308 at: www.wasteless.org/ord4308. For a comprehensive list of permitted recyclers, County-franchised haulers, and solid waste & recycling facilities in Ventura County, see:

www.wasteless.org/construction&demolitionrecyclingresources.

A list of facilities permitted to recycle soil, wood, and greenwaste is available at: www.wasteless.org/greenwasterecyclingfacilities.

Requirement: The Permittee must work with a County-franchised solid waste hauler to determine the level of service required to divert recyclables generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to: www.wasteless.org/commercialhaulers.

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

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

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

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

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

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

Documentation: The *Form B – Recycling Plan* must ensure a minimum of 60% of the recyclable C&D debris generated by the project will be diverted from the landfill by recycling, reuse, or salvage. A copy of *Form B* is available at: www.wasteless.org/recycling/greenbuildingCD. A comprehensive list of permitted recyclers, County-franchised haulers, and solid waste & recycling facilities in Ventura County is available at: www.wasteless.org/construction&demolitionrecyclingresources.

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

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

Monitoring and Reporting: The Permittee is required to keep a copy of their approved *Form B – Recycling Plan* until the project's final zoning clearance is issued. (IWMD-2)

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

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

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

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

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

Monitoring and Reporting: The Permittee is required to keep a copy of their approved *Form C – Reporting Form* until the project's final zoning clearance is issued. (IWMD-3)

OTHER VENTURA COUNTY AGENCIES CONDITIONS

Ventura County Fire Protection District (VCFPD)

22. Address Numbers (Single Family Homes)

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

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

Documentation: A stamped copy of an approved addressing plan or a signed copy of the VCFPD's Form #126 "Requirements for Construction."

Timing: The Permittee shall install approved address numbers before final occupancy.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the VCFPD's Form #126 "Requirements for Construction" shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all structures are addressed according to the approved plans/form.

23. Fire Sprinklers

Purpose: To comply with current California Codes and VCFPD Ordinance.

Requirement: The Permittee shall be responsible to have an automatic fire sprinkler system installed in all structures as required by the VCFPD. The fire sprinkler system shall be designed and installed by a properly licensed contractor under California state law.

Documentation: A stamped copy of the approved fire sprinkler plans.

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

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

24. VCFPD Clearance

Purpose: To provide the Permittee a list of all applicable VCFPD requirements for the Project.

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

Documentation: A signed copy of the VCFPD's Form #126 "Requirements for Construction."

Timing: The Permittee shall submit VCFPD Form #126 Application to the Fire Prevention Bureau for approval before issuance of building permits.

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final on-site inspection of the Project site to ensure compliance with all conditions and applicable codes/ordinances. (VCFPD-51)

25. Fire Code Permits

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

Requirement: The Permittee shall obtain all applicable Fire Code permits.

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

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval before final occupancy, installation, and/or use of any item/system requiring a Fire Code permit.

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 the Permittee's successors-in-interest, shall maintain the conditions of the Fire Code permit for the life of the development. (VCFPD-53)