



## Planning Director Staff Report – Hearing on March 10, 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)

### 2001 OCEAN DRIVE BEACHFRONT REMODEL CASE NO. PL15-0162

#### A. PROJECT INFORMATION

1. **Request:** The applicant requests a Coastal Planned Development (PD) Permit be granted to authorize the rehabilitation of an existing beachfront single-family dwelling and attached non-conforming one-car garage (Case No. PL15-0162).
2. **Applicant/Property Owner:** Richard Greenberg, 11620 Wilshire Boulevard, Ste. 460, Los Angeles, CA 90035
3. **Applicant's Representative:** Finish Carpentry Inc., Attn.: Kevin Estes, 3911 North Ventura Avenue, Ventura, CA 93001
4. **Decision-Making Authority:** Pursuant to the Ventura County Coastal Zoning Ordinance (CZO) (Section 8174-5 and Section 8181-3 et seq.), the Planning Director is the decision-maker for the requested PD Permit.
5. **Project Site Size, Location, and Parcel Number:** The 2,550 square foot property/project site is located at 2001 Ocean Drive, near the intersection of Bardsdale Avenue and Ocean Drive, in the community of Silverstrand Beach, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 206-0-179-280 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations:**
  - a. Countywide General Plan Land Use Map Designation: Existing Community (Exhibit 2)
  - b. Coastal Area Plan Land Use Map Designation: Residential High 6.1-36 dwelling units per acre. (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 dwelling
East	RBH	Single-family dwelling
South	RBH	Beach access and Single-family dwelling
West	COS-10 ac-sdf (Coastal Open Space, 10 acre minimum lot size-slope density formula)	Pacific Ocean

**8. History:** The planning staff researched the permit history of the subject property, which is extremely limited due to the age of the building (circa 1927-1930). The County of Ventura has issued the following building permits for development on the subject property:

- #B15-214: Replace all original windows with aluminum-clad dual-glazed casement windows in 2015;
- #B15-214: Replace exterior wood siding with wood clapboard siding in 2015;
- #B15-214: Replace roof and add seven skylights in 2015;
- #B15-189: Upgrade electrical panel and electrical wiring in 2015;
- #8235: Re-roof residence using asphalt shingles in 1996;
- #0020: Replace electrical service in 1990;
- #013: Firewall installed and foundation repaired in 1969;
- #4468: Replace the copper line to the house in 1969; and
- #B4073: Install four-foot retaining wall in 1966.

**9. Project Description:** The applicant is requesting approval of a Coastal PD Permit to rehabilitate an existing 1,384 square foot single-family dwelling and 184 square foot one-car garage. The proposed project will consist of: raising a portion of the dwelling's roof to install insulation and add head height; adding a fascia board to the eaves; changing the front door overhang and exterior window trim; adding a garage door overhang; adding a rear first floor deck; converting attic space into a 70 square foot storage loft; and replacing a door with a casement window on the southern elevation of the building (Exhibit 3).

The existing parking on the subject property is non-conforming, given that the attached garage provides one, covered parking space, whereas the single-family dwelling requires a minimum of two covered spaces (Ventura County CZO § 8176-2.m) and that the existing garage's interior width is 8 feet 10 inches where a minimum width of 9-feet is required (Ventura County CZO §8176-2.6). The proposed rehabilitation will not include the expansion of, or addition to, the existing structure in any way that would increase the existing non-conforming features of the structure.

The proposed project will not result in an increase in the habitable area of the single-family dwelling. After accounting for the proposed development, the residence will be 16 feet in height at the top of the ridge.

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 proposed project does not include the removal of native vegetation or grading activities.

## **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 proposed project qualifies for a Class 1 Categorical Exemption (Section 15301) of the CEQA Guidelines. The Class 1 exemption applies to projects that involve the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. As stated in Section A.9 of this staff report (above), the proposed project consists of the rehabilitation of an existing single-family dwelling, and will not involve an expansion of residential use of the subject property. Furthermore, none of the exceptions set forth in Section 15300.2 of the CEQA Guidelines that would disallow the use of the Section 15301 Categorical Exemption, apply to the proposed project.

Therefore, this project is 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 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.*

**General Plan Goals, Policies and Programs 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 of this staff report (above), the project's individual impacts and contribution to cumulative impacts on resources have been evaluated in compliance with CEQA. The proposed project is categorically exempt from environmental review pursuant to Section 15301 (Existing Structures) of the CEQA Guidelines, and will not create a significant adverse impact to resources

Based on the discussion above, the proposed project is consistent with Policies 1.1.2-1 and 1.1.2-2.

2. **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.*

As the proposed project does not involve a change in use of the subject property, and will not increase the amount of impervious surfaces on the subject property, it will not create any new impacts with regard to storm-water runoff (e.g., increase in pollutant loading or changes to the volume or rate of runoff). Furthermore, the Channel Islands Beach Community Services District will continue to provide water and sewage disposal service for the residential use of the property.

The County Public Works Agency accepted the CIBCSD's water availability letter 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, May 18, 2015).

The proposed project does not include any new development beyond the remodel nor an expansion of the existing use or building footprint. Therefore, the proposed project will not increase water or sewer demand.

Therefore, the proposed project will not significantly impact the quantity or quality of water resources. Based on the discussion above, the proposed project is consistent with Policy 1.3.2-4.

3. **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 1.2.2-2:**  
*Discretionary developments shall be designed or re-designed to avoid potential impacts to significant paleontological or cultural resources whenever possible. Unavoidable impacts, whenever possible, shall be reduced to a less than significant level and/or shall be mitigated by extracting maximum recoverable data. Determinations of impacts, significance and mitigation shall be made by qualified archaeological (in consultation with recognized local Native American groups), historical or paleontological consultants, depending on the type of resource in question.*

The proposed project does not include grading or other types of ground disturbance and, therefore, does not have the potential to adversely affect subsurface paleontological or archaeological resources that may exist on-site.

San Buenaventura Research Associates (SBRA) conducted a historic resource evaluation of the subject property and evaluated the potential impacts of the proposed project to historical resources ("Report") (August 25, 2015). The applicant retained SBRA to prepare the Report, in order to: (1) assist the Ventura County Cultural Heritage Board (CHB) as a CEQA project reviewer to advise and provide comment to the Planning Division (who functions as the Lead Agency for the proposed project, pursuant to CEQA) on potential historic sites; and (2) advise the Planning Division on whether the proposed project will create a substantial adverse change to the significance of such potential sites pursuant to CEQA. SBRA assessed the historical significance and integrity of the subject property.

In the Report (page 6, fourth paragraph), SBRA states:

*This property may be associated with events that have made a significant contribution to the broad patterns of history, the establishment of Hollywood Beach, Silver Strand and Hollywood-by-the Sea. It appears to be a scarce remaining example of a residence constructed during the early years of the beach in the first few years of development in this area (County Landmark Criterion 2).*

Additionally, the potential eligibility of this site as a historical resource rests (in part) upon the integrity of the existing resource. SBRA determined that the site retained sufficient integrity to be considered a potential historical resource.

At a public hearing held on January 11, 2016, the Ventura County CHB considered the Report and determined that the site was potentially eligible for designation as a County Landmark since it is one of the last, original single-story beach bungalows in the Silverstrand Beach Community. Furthermore, the CHB found that the proposed alterations to the residence and one-car garage conform to the rehabilitation approach recommended by the *Secretary of Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings* (published in 1992).

Thus, the proposed alterations were not considered substantial adverse changes that would impair the essential form and integrity of the potential historic resource. Based on the discussion above, the proposed project is consistent with Policies 1.8.2-1 and 1.8.2-2.

4. **General Plan Goals, Policies and Programs Resources Policy 1.10.2-1:** *Discretionary development which would cause significant impacts to coastal beaches or sand dunes shall be prohibited unless the development is conditioned to mitigate the impacts to less than significant levels.*

**General Plan Goals, Policies and Programs Resources Policy 1.10.2-2:** *Discretionary developments which would result in the removal of dune vegetation shall be conditioned to replace the vegetation.*

**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.*

Sand dunes are 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 will be prohibited on the beach or near the sand dunes (Exhibit 4, Condition No. 5). Furthermore, the proposed project does not involve the removal of dune vegetation, and the applicant will be required to ensure that 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, Condition No. 17). With these measures to avoid development activities on the beach and the spreading of refuse, there would be no impact to the dunes as a result of the proposed project.

Therefore, the proposed project will not cause significant adverse impacts to coastal beaches or result in the removal of dune vegetation. Based on the discussion above, the proposed project is consistent with Policies 1.10.2-1, 1.10.2-2, 1.5.2-1, and A2.

5. **Coastal Area Plan — Shoreline Access 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.*

**Coastal Area Plan — Shoreline Access Section 30212:** *Public access from the nearest public roadway to the shoreline along the coast shall be provided in new development project except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated access way shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the access way.*

Bardsdale Avenue provides public access from Ocean Drive to the nearest public beach, and is located immediately adjacent to the subject property. The proposed development will not increase the habitable area of the existing single-family dwelling, and will not involve development beyond the existing boundaries of the subject property, such that it would impede any shoreline access routes (Exhibit 4, Condition No. 5). Therefore, the proposed development will not interfere with the public's right of access to the sea, will not require the development of new, dedicated access ways to the public beach, and will be consistent with Sections 30211 and 30212 of the California Coastal Act.

**6. 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 hazard.*

*(2) Assure stability and structure 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.*

The subject property is not located within any high fire hazard areas or located within 50 feet of an active geologic fault. Additionally, the subject property is not located within the 100-year flood plain. The proposed development will not increase the size of the existing single-family dwelling, and 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, consistent with Section 30253 of the California Coastal Act.

**7. 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.**

Public Works Agency staff reviewed the proposed project and determined that a Wave Run-up Study was not required for the proposed project because the subject property is neither protected by existing coastal protection measures (e.g., seawalls), nor would the proposed project require alteration of existing coastal protection measures. The subject property is located outside of the 100-year floodplain and approximately 450 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 new structure on the beach or a substantial increase in the size of the existing development.

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



8. **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.*

**Public Facilities and Service 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.*

As stated in this staff report (above), the Channel Islands Beach Community Services District will continue to provide water to the subject property. The County Public Works Agency accepted the CIBCSD's water availability letter 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, May 18, 2015).

The Ventura County Fire Protection District (VCFPD) reviewed the proposed project, and determined that the existing water supply and Bardsdale Avenue are adequate for fire protection purposes. The nearest fulltime fire station to the project site is City of Oxnard Station #6 which is located approximately 2.5 miles away from the project site via Channel Islands Boulevard, Victoria Avenue, Island View Avenue, and Bardsdale Avenue.

Based on the discussion above, the proposed project is consistent with Policy 4.8.2-1 and Policy 2.13.2-1.

#### **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 use of a single-family dwelling and rehabilitation of buildings 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**

<b>Type of Requirement</b>	<b>Zoning Ordinance Requirement</b>	<b>Complies?</b>
Minimum Lot Area (Gross)	1,750 square feet	Yes, the lot is 2,550 square.
Maximum Percentage of Building Coverage	65%	Yes, the building will cover 62% of the subject property.

**Table 1 – Development Standards Consistency Analysis**

<b>Type of Requirement</b>	<b>Zoning Ordinance Requirement</b>	<b>Complies?</b>
Front Setback	20 ft	Yes, the building will have a setback of 20 ft from the front lot line.
Side Setback	3 ft	Yes, the building will have a setback of 3 ft from the side lot lines.
Rear Setback	6 ft	Yes, the building will have a setback of 8 ft from the rear lot line.
Maximum Building Height	28 ft	Yes, the building will be 16 ft in height.
Covered Parking	Two covered parking spaces 18 feet in width by 20 feet in depth	No, the existing one-car garage does not meet the minimum two covered parking space requirement nor does the garage's interior width meet the minimum 9-foot width requirement. However, pursuant to Ventura County CZO (§ 8182-6.3.1), expansions of, or alterations to, the existing structure are permissible if they do not expand the non-conforming aspects of the existing single-family dwelling.

#### **E. COASTAL PD PERMIT 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 consists of a request to allow the rehabilitation of an existing single-family dwelling and attached one-car garage in the Silver Strand Beach area. The proposed project does not include a change in use of the single-family dwelling and attached garage. The surrounding parcels to the north, east, and south support similar single-family dwellings, whereas to the west of the project site is the beach. As stated in Section D of this staff report (above), the proposed project will comply with the maximum building coverage, building setback, and building height regulations of the RBH zone, which also apply to surrounding residential development. Therefore, the proposed development will be similar in size and scale to surrounding development. Furthermore, as stated in Section C of this staff report, the proposed project will not involve any development on the beach, and will be subject to a condition of approval to limit noise-generating construction activities to the days and times that are least likely to adversely affect surrounding residential development.

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

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

As stated in Sections D and E.2 of this staff report (above), the subject property will be rehabilitated consistent with the development standards established for the RBH zone and the existing development on the surrounding properties. The character of this residential beach harbor community will not be substantially altered with the proposed changes to the existing residence. Furthermore, as stated in Section C of this staff report, the proposed project will be subject to conditions of approval to ensure that: the development complies with the County's building requirements; all construction activities occur on the subject property; and noise-generating construction activities are limited to the days and times that are least likely to adversely affect surrounding residential development.

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, with the adoption of the recommended conditions of approval, the proposed project will comply the VCFPD's requirements for water, access, and response times. The proposed project will conform to the requirements of the Ventura County Building and Safety Division and the VCFPD.

Furthermore, the proposed project does not involve an expansion of, and will not otherwise change, the existing residential use of the property and, therefore, will not increase traffic on public roadways, increase water demand, or adversely affect the Channel Island Beach Community Services District's sewage disposal system.

The proposed project does not involve an expansion of impervious surfaces on-site and, thus, does not have the potential to create adverse drainage conditions offsite. The proposed project also will be subject to conditions of approval to prohibit construction activities on the public beach and limit noise-generating construction activities to the days and times that are least likely to adversely affect surrounding residential development.

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 comments have been received.

The project site is located within the City of Oxnard Area of Interest. Therefore, on December 17, 2015, 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 staff stated that they have no comments or recommended conditions of approval for 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 Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines;
3. **MAKE** the required findings to grant a 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. PL15-0162, subject to the 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 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.

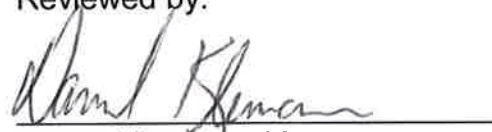
If you have any questions concerning the information presented above, please contact Nicole Doner at (805) 654-5042 or [nicole.doner@ventura.org](mailto:nicole.doner@ventura.org).

Prepared by:



Nicole Doner, Case Planner  
Residential Permits Section  
Ventura County Planning Division

Reviewed by:

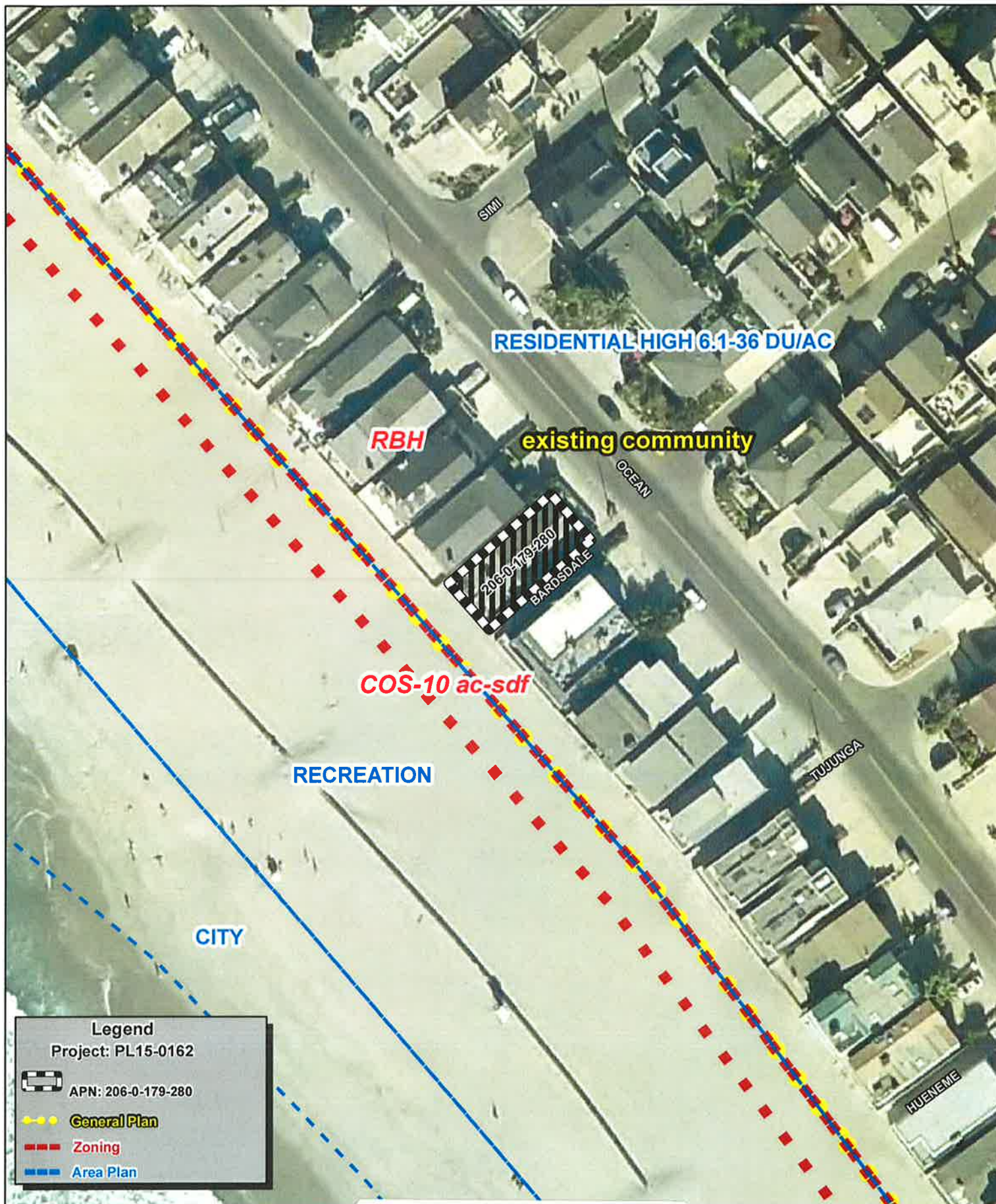


Daniel Klemann, Manager  
Residential Permits Section  
Ventura County Planning Division

#### 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



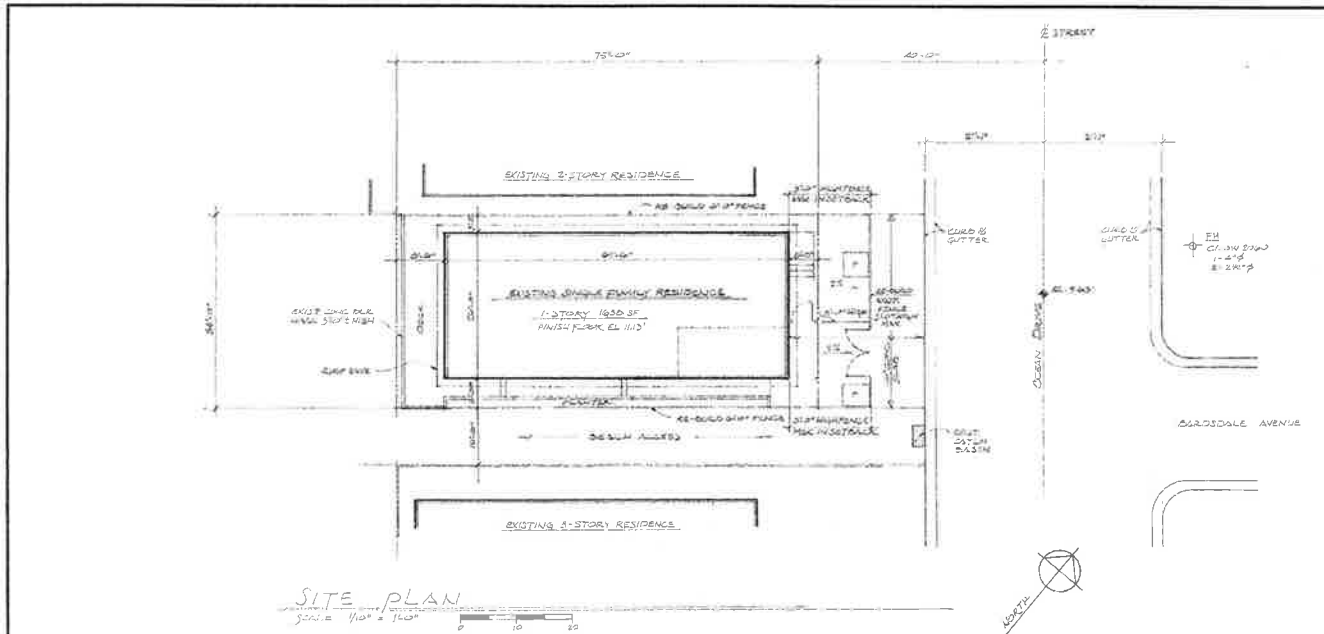
County of Ventura  
Planning Director Hearing  
PL15-0162  
**Exhibit 2 – Aerial Location Map**

0 30 60 Feet

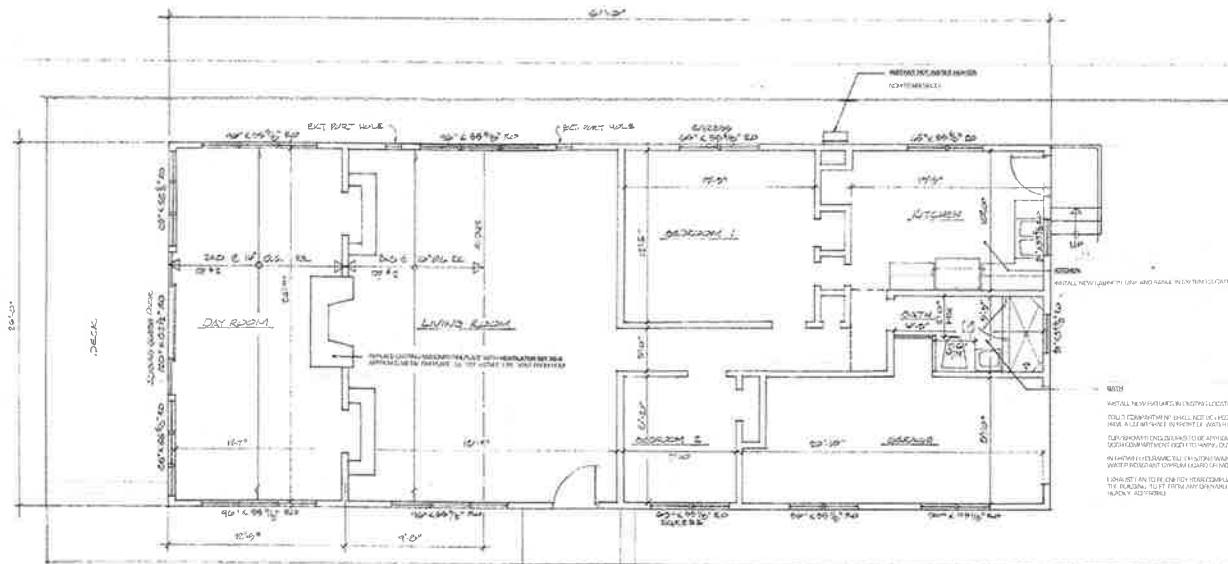
Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic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



RH



SCOPE OF WORK		REVISIONS	BY																						
<p><b>SCOPE OF WORK</b></p> <ol style="list-style-type: none"> <li>1. Replace existing porch on south side of lot, 75'-11" long x 5'-0" x high each side.</li> <li>2. Remove existing asphalt paving, install pavers, 1300 sq. ft. and new Asphalt Shingles, Gutter, 1300 sq. ft. and new Asphalt Shingles, Gutter, 1300 sq. ft.</li> <li>3. Replace existing windows in existing openings. Material: 1300 sq. ft.</li> <li>4. Add Skylight: Vinyl, 1300 sq. ft.</li> <li>5. Insulate existing walls with R-15 batt insulation.</li> </ol> <p><b>ADDED TO PERMIT</b></p> <ol style="list-style-type: none"> <li>6. Replace existing porch: Install new concrete, 1300 sq. ft.</li> <li>7. Replace existing porch: Install new concrete, 1300 sq. ft.</li> <li>8. Install new Insulation: 1300 sq. ft.</li> <li>9. Replace existing Wood Siding with matching Wood Siding over Waterproof Membrane: 1300 sq. ft.</li> <li>10. Replace existing masonry fireplace with approved Insulation Metal Fireplace.</li> <li>11. Add new additional Skylight, same specification as above.</li> <li>12. Increase roof slope at 1/2" per 12" of Run.</li> <li>13. Install new HVAC system.</li> <li>14. Replace house and up grade outdoor switches and light fixtures.</li> <li>15. Add gable over garage door.</li> </ol>		<p>12-1-2015</p> <p>12-1-2015</p>	<p>1</p> <p>2</p>																						
<p><b>ASSESSOR'S MAP</b></p>		<p><b>2001 OCEAN DRIVE</b> <b>OXNARD, CALIFORNIA 93035</b></p>																							
<p><b>VICINITY MAP</b></p>		<p><b>TITLE BLOCK</b></p> <p><b>SITE AND BUILDING ANALYSIS</b></p> <table border="1"> <tbody> <tr> <td>APN: 206-0-179 / 80</td> <td>ZONE: RMH</td> </tr> <tr> <td>ADDRESS: 2001 Ocean Drive, Oxnard, California 93035</td> <td>PARCEL SIZE: 1550 SF / 0.035 acre</td> </tr> <tr> <td>EXISTING RESIDENCE: HOUSE: 1384 SF</td> <td>OCCUPANCY: R3 / U1</td> </tr> <tr> <td>LOFT: 70 SF</td> <td>CONSTRUCTION TYPE: VN</td> </tr> <tr> <td>GARAGE: 184 SF</td> <td>LOT COVERAGE: 62.5%</td> </tr> <tr> <td>TOTAL (GROSS AREA): 1638 SF</td> <td>ENTRY PORCH / WALKING DECK: 373 SF</td> </tr> <tr> <td>REAR DECK: 345 SF</td> <td></td> </tr> <tr> <td>OBSERVATION DECK: 221 SF</td> <td></td> </tr> <tr> <td>OWNER: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316</td> <td>APPLICANT: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316</td> </tr> <tr> <td>CONTACT: Kevin Felix, P.O. Box 3818, Ventura, California 93005, 805 947-6558</td> <td>ARCHITECT: Gene Barry Robles, 4500 Regents Court, Westlake Village, California 91361, 818 991-4216</td> </tr> <tr> <td>HISTORIC RESOURCES CONSULTANT: Salt Resources, 1313 Woodland Drive, Santa Paula, California 93060</td> <td></td> </tr> </tbody> </table>		APN: 206-0-179 / 80	ZONE: RMH	ADDRESS: 2001 Ocean Drive, Oxnard, California 93035	PARCEL SIZE: 1550 SF / 0.035 acre	EXISTING RESIDENCE: HOUSE: 1384 SF	OCCUPANCY: R3 / U1	LOFT: 70 SF	CONSTRUCTION TYPE: VN	GARAGE: 184 SF	LOT COVERAGE: 62.5%	TOTAL (GROSS AREA): 1638 SF	ENTRY PORCH / WALKING DECK: 373 SF	REAR DECK: 345 SF		OBSERVATION DECK: 221 SF		OWNER: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316	APPLICANT: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316	CONTACT: Kevin Felix, P.O. Box 3818, Ventura, California 93005, 805 947-6558	ARCHITECT: Gene Barry Robles, 4500 Regents Court, Westlake Village, California 91361, 818 991-4216	HISTORIC RESOURCES CONSULTANT: Salt Resources, 1313 Woodland Drive, Santa Paula, California 93060	
APN: 206-0-179 / 80	ZONE: RMH																								
ADDRESS: 2001 Ocean Drive, Oxnard, California 93035	PARCEL SIZE: 1550 SF / 0.035 acre																								
EXISTING RESIDENCE: HOUSE: 1384 SF	OCCUPANCY: R3 / U1																								
LOFT: 70 SF	CONSTRUCTION TYPE: VN																								
GARAGE: 184 SF	LOT COVERAGE: 62.5%																								
TOTAL (GROSS AREA): 1638 SF	ENTRY PORCH / WALKING DECK: 373 SF																								
REAR DECK: 345 SF																									
OBSERVATION DECK: 221 SF																									
OWNER: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316	APPLICANT: Richard Greenberg, 2001 Ocean Drive, Oxnard, California 93035, 310 733-7316																								
CONTACT: Kevin Felix, P.O. Box 3818, Ventura, California 93005, 805 947-6558	ARCHITECT: Gene Barry Robles, 4500 Regents Court, Westlake Village, California 91361, 818 991-4216																								
HISTORIC RESOURCES CONSULTANT: Salt Resources, 1313 Woodland Drive, Santa Paula, California 93060																									



**EXISTING FLOOR PLAN**  
PROPOSED NEW WINDOWS INSTALLED IN EXISTING OPENINGS  
SCALE: 1/8" = 1'-0"



**EXISTING LOFT PLAN**  
SCALE: 1/8" = 1'-0"

**NOTES:**  
INSTALL 1/2" MEX. SKYLIGHTS (1" FACTOR 0.48 R-40) (SEE PLAN)  
LOCATIONS DETERMINED BY OWNER

EXTERIOR WALLS  
R-15 INSULATION

**OWNER**  
RICHARD GREENBERG  
2001 OCEAN DRIVE  
OXNARD, CALIFORNIA 93035

## TITLE BLOCK

### SITE AND BUILDING ANALYSIS

<b>APN:</b> 706-0-175-280	<b>ZONE:</b> R6H
<b>ADDRESS:</b> 2001 Ocean Drive Oxnard, California 93035	<b>PARCEL SIZE:</b> 2550 SF / .05 acre
<b>EXISTING RESIDENCE:</b> HOUSE: 1384 SF LOFT: 70 SF GARAGE: 184 SF	<b>OCCUPANCY:</b> R3 / U1
<b>TOTAL (GROSS AREA):</b> 1638 SF	<b>CONSTRUCTION TYPE:</b> VM
<b>REAR DECK:</b> 246 SF	<b>LOT COVERAGE:</b> 62.3%
<b>OBSERVATION DECK:</b> 221 SF	<b>ENTRY PORCH / WALKING DECK:</b> 373 SF
<b>OWNER:</b> Richard Greenberg 2001 Ocean Drive Oxnard, California 93035 310 713-7316	<b>APPLICANT:</b> Richard Greenberg 2001 Ocean Drive Oxnard, California 93035 310 713-7316
<b>CONTACT:</b> Gene Estes P.O. Box 5857 Ventura, California 93005 805 947-6558	<b>ARCHITECT:</b> Gene Barry Robles 4500 Regency Court Westlake Village, California 91361 818 995-4316
<b>HISTORIC RESOURCES CONSULTANT:</b> San Buenaventura Research Associates 1328 Woodland Drive Santa Paula, California 93060	

REVISIONS	BY

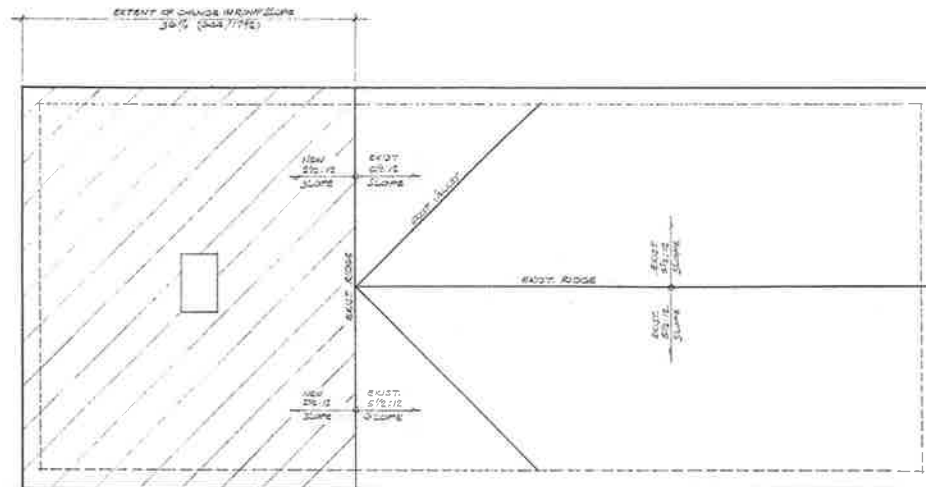
Barry Robles AIA Architect  
4500 Regency Court  
Westlake Village, California 91361

2001 OCEAN DRIVE  
OXNARD, CALIFORNIA 93035

FLOOR PLANS

Date: SEPT. 16, 2015  
Scale: 1/8" = 1'-0"  
Drawn: G.R.  
Job:  
Sheet: 2  
Of 4 Sheets





ROOF PLAN  
Scale: 1/8" = 1'-0"

# DEBROS

Current Trade Professional CSES 899-1380 3253 hrs/yr  
 CTRC is a CORBACONT Asphalt Shingle  
 Agard Star Insulation 10  
 Thermal Envelope 20  
 New ground Shading  
 1530 Rigid insulation between 2 x 4 Sheeps 4 24" o.c.



## TITLE BLOCK

### SITE AND BUILDING ANALYSIS

APN: 206-0-179-280	ZONE: RBH
ADDRESS: 2001 Ocean Drive Oxnard, California 93035	PARCEL SIZE: 2550 SF / .05 acre
EXISTING RESIDENCE: HOUSE: 1384 SF LOFT: 70 SF GARAGE: 184 SF	OCCUPANCY: R3 / U1
TOTAL (GROSS AREA) 1638 SF	CONSTRUCTION TYPE: VN
REAR DECK: 246 SF	LOT COVERAGE: 62.5%
OBSERVATION DECK: 221 SF	ENTRY PORCH / WALKING DECK: 373 SF
OWNER: Richard Greenberg 2001 Ocean Drive Oxnard, California 93035 710 713-7316	APPLICANT: Richard Greenberg 2001 Ocean Drive Oxnard, California 93035 310 713-7316
CONTACT: Kevin Espas P.O. Box 9697 Ventura, California 93005 805 947-6958	ARCHITECT: Gene Barry Robles: C9746 4500 Regents Court Westlake Village, California 91361 818 991-4216
HISTORIC RESOURCES CONSULTANT: San Buenaventura Research Associates 1328 Woodland Drive Santa Paula, California 93060	

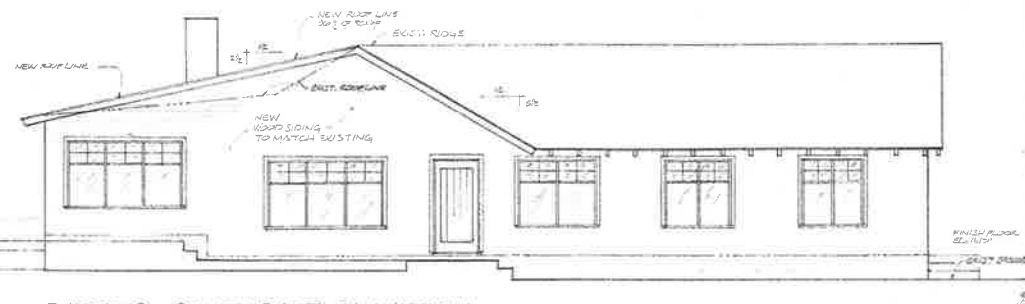
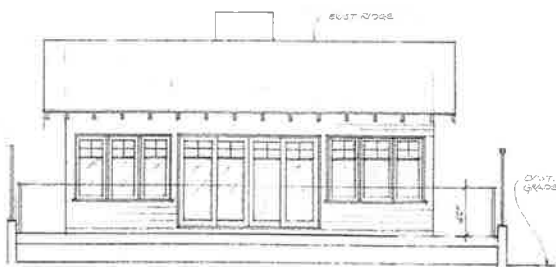
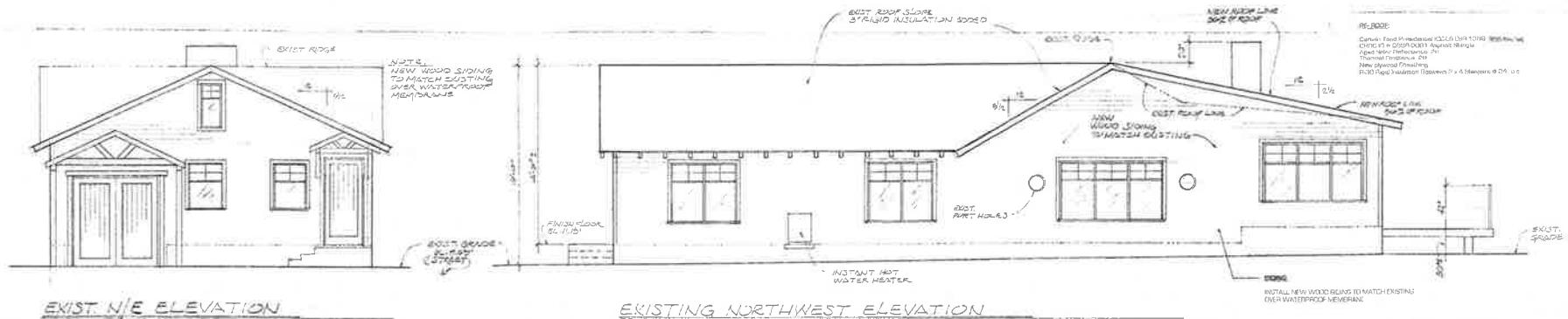
REVISIONS	BY

Barry Robles AIA Architect  
 4500 Regents Court  
 Westlake Village, California 91361

2001 OCEAN DRIVE  
 OXNARD, CALIFORNIA 93035

ROOF PLAN

Date: 5/27/2015
Scale: 1/8" = 1'-0"
Drawn:
Job:
Sheet:
Of:



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

## SITE AND BUILDING ANALYSIS

APN 206-0-179-280

ZONE: RBH

ADDRESS: 3002 Ocean Drive  
Oxnard, California 93035

PARCEL SIZE: 2350 SF / .05 acre

**EXISTING RESIDENCE:** HOUSE 1384 SF  
LOFT: 70 SF  
GARAGE 184 SF

OCCUPANCY: R3 / U1

CONSTRUCTION TYPE: VN

TOTAL (GROSS AREA)	1638 SF
--------------------	---------

LOT COVERAGE: 62.5%

REAR DECK: 246 SF

ENTRY PORCH / WALKING DECK: 373 SF

OBSERVATION DATE: 22.58

**OWNER:** Richard Greenberg  
2001 Ocean Drive  
Oxnard, California 93025  
310 713-7316

APPLICANT: Richard Greenberg  
2001 Ocean Drive  
Oxnard, California 93035  
310 713-7316

**CONTACT:** Kevin Estes  
P.O. Box 5897  
Ventura, California 93005  
805-947-6958

**ARCHITECT:** Gene Barry Robles CS746  
4500 Regents Court  
Westlake Village, California 91361  
818 993-4216

**HISTORIC RESOURCES CONSULTANT:**  
 San Buenaventura  
 Research Associates  
 1328 Woodland Drive  
 Santa Paula, California 93060

REVISIONS	BY
-----------	----

**Barrey Robles AIA Architect**  
4500 Regents Court  
Westlake Village, California 91361

2001 OCEAN DRIVE  
OXNARD, CALIFORNIA 93035

## ELEVATIONS

Date SEPT. 29, 2015

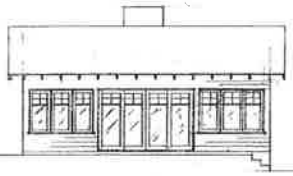
 $\text{Waste } \frac{1}{2}^{\circ} = 1.5^{\circ}$ 

Page 52

地

30	
31	

Street 



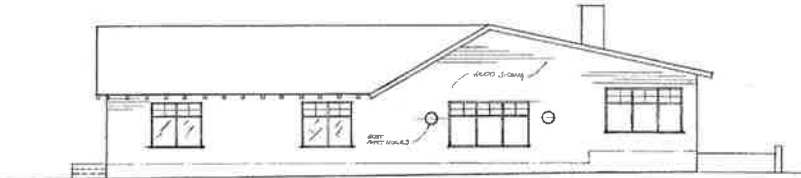
EXIST. SW ELEVATION



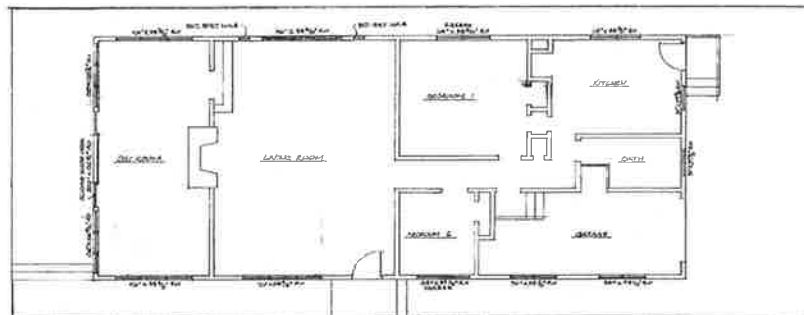
EXISTING SOUTHEAST ELEVATION



EXIST. NW ELEVATION



EXISTING NORTHWEST ELEVATION



EXISTING FLOOR PLAN

REPLACED NEW WINDOWS INSTALLED IN EXISTING OPENINGS

OWNER  
RICHARD J. JOHNSON  
3001 OCEAN DRIVE  
OAKLAND, CALIFORNIA 94612



Barry Robles AIA Architect  
10000  
Woodside Village, California 94061

2001 OCEAN DRIVE  
OAKLAND, CALIFORNIA 94612

WINDOW REPLACEMENT

DATE: 3-11-2010  
SCALE: 1/8"=1'-0"  
PROJECT: 10000  
SHEET: 10000  
BY: [Signature]  
CHECKED: [Signature]  
DATE: 3-11-2010

**DRAFT CONDITIONS OF APPROVAL FOR  
PLANNED DEVELOPMENT (PD) PERMIT**

**CASE NO. PL15-0162**

**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 December 8, 2015 (site plan) and September 18, 2015 (floor and elevation plans), 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 rehabilitation of an existing 1,384 square foot single family dwelling and 184 square foot one-car garage. More specifically, the project will include: raising a portion of the single-family dwelling's roof to install insulation and add head height; adding a fascia board to the eaves; changing the front door overhang and exterior window trim; adding a garage door overhang; adding a rear first floor deck; converting attic space into a 70 square foot storage loft; and replacing a door with a window on the southern elevation of the single-family dwelling (Exhibit 3).

The existing parking on the subject property is non-conforming, given that the attached garage provides one, covered parking space, whereas the single-family dwelling requires a minimum of two covered spaces (*Ventura County Coastal Zoning Ordinance*, § 8176-2.m).

The Project will not result in an increase the habitable area of the single-family dwelling. After accounting for the new development, the residence will be 16 feet in height at the top of the ridge.

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 include 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 December 8, 2015 (site plan) and September 18, 2015 (floor and elevation plans). 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 construction, 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 construction of the single-family dwelling 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 land uses provided 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. Invalidation of Condition(s)

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

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the Code of Civil Procedures (§ 1094.6), or other applicable law, this PD Permit 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 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)

11. Defense and Indemnify

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. 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)

### 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.

**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. Advisory for Remodeling of Non-Conforming Structures

**Purpose:** To ensure that the Permittee acknowledges that should the remodel of the existing, non-conforming structure result in 50% or greater removal or destruction of the roof or floor, the entire structure must be brought into conformance.

**Requirement:** The Permittee shall provide a copy of the "Advisory Notice Regarding Remodeling of Structures" signed by the: (1) property owner; and (2) architect or designer.

**Documentation:** The Permittee shall provide the signed "Advisory Notice Regarding Remodeling of Structures" to the County Planning Division to be included in the Planning Division Project file.

**Timing:** The Permittee shall provide a copy of the "Advisory Notice Regarding Remodeling of Structures," signed by the property owner and architect or designer, to the Planning Division prior to the issuance of a Zoning Clearance for demolition or construction (whichever occurs first).

**Monitoring and Reporting:** The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that 50% or greater of the roof or floor of the non-conforming structure is destroyed or removed constituting new construction, the property owner must obtain a new PD Permit for the development of the new structure.

17. 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*.

## **PUBLIC WORKS AGENCY (PWA)**

### **Integrated Waste Management Division (IWMD) Conditions**

#### **18. 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](http://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](http://www.wasteless.org/construction&demolitionrecyclingresources).

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

19. 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](http://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](http://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](http://www.wasteless.org/construction&demolitionrecyclingresources).

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

20. 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](http://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](http://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)