

**EXHIBIT 5B - CONSISTENCY WITH THE VENTURA COUNTY NON-COASTAL
ZONING ORDINANCE FOR C&M TOPSOIL SOIL AMENDMENT AND LARGE-
SCALE COMMERCIAL ORGANICS PROCESSING OPERATION CONDITIONAL USE
PERMIT, CASE NO. PL23-0094**

The project would authorize the continued use and expansion of an existing Soil Amendment and Large-Scale Commercial Organics Processing Operation for a 15-year period (Case No. PL23-0094).

Evaluated below is the consistency of the project with the applicable development standards of the Ventura County Non-Coastal Zoning Ordinance (NCZO).

Pursuant to NCZO Section 8105-4, the proposed use is allowed in the AE zone district with the granting of a Conditional Use Permit (CUP). Upon the granting of the CUP, the proposed project will comply with this requirement.

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

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Requirement	Ordinance	Complies?
Minimum Lot Area (Gross)	40 acres		Yes. The lot is 51.85 acres.
Maximum Percentage of Building Coverage	5%		Yes. Building coverage is less than 1%.
Front Setback	20 ft		Yes. The nearest structure is setback approximately 133 feet from Tapo Canyon Road.
Side Setback	10 ft		Yes. The nearest structure is setback approximately 400 feet from the eastern property line.
Rear Setback	15 ft		Yes. The nearest structure is setback approximately 550 feet from the rear property line.
Maximum Structure Height – Principal Structure	25 ft		Yes. The height of the principal structure, the scale house, is 9 feet in height.
Maximum Structure Height – Accessory Structures	15 ft		Yes. The height of all accessory structures are 9 feet in height.

The proposed project is subject to the development standards of NCZO Article 8 – Parking and Loading Requirements. Table 2 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

County of Ventura
Planning Commission Hearing
Case No. PL23-0094
Exhibit 5b – Consistency with the Non-Coastal
Zoning Ordinance (NCZO)

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
<p>Sec. 8108-4.1 Calculation of Required Parking; Sec. 8108-4.7 Table of Parking Space Requirements by Land Use</p> <p>Commercial Land Uses Not Otherwise Listed</p> <p>1 space for 250 sq. ft. of GFA or as determined by decision-making body.</p>	<p>Yes. The proposed project includes 5,136 square feet of gross floor area and requires 21 parking spaces. 21 parking spaces are provided to accommodate the operation's employees and customers. Six overnight truck parking spaces are provided to accommodate trucks used for loading and unloading material.</p>
<p>Sec. 8108-4.2 Motorcycle Parking</p> <p>At least 1 designated space for the parking of motorcycles or other two-wheeled motorized vehicles shall be provided for every 20 automobile parking spaces provided. Every required motorcycle parking space provided shall count toward fulfilling 1 required automobile parking space. Existing parking areas may be converted to take advantage of this provision, provided the converted spaces do not exceed the 1 motorcycle space per 20 automobile space ratio. Land uses that require additional motorcycle parking in excess of this ratio may, with Director approval, convert required automobile parking spaces to motorcycle spaces if the converted automobile spaces are designed and kept available for future conversion back to the automobile spaces.</p>	<p>Yes. The proposed project qualifies for a waiver of the motorcycle parking requirements pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).</p>
<p>Sec. 8108-4.3 – Bicycle Parking</p> <p>A minimum number of bicycle parking spaces shall be provided, as set forth in Section 8108-4.7. Where there are 2 or more separate primary land uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for each of the individual land uses.</p>	<p>Yes. The proposed project qualifies for a waiver of the bike parking requirements pursuant to the criteria set forth in NCZO Section 8108-4.3.1 (See Table 5).</p>
<p>Sec. 8108-4.4 – Accessible Parking for Disabled Persons</p> <p>Accessible parking for disabled persons shall be provided in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act. Accessible parking is included in the total number of motor vehicle parking spaces required by this Article.</p>	<p>Yes. One ADA parking space is provided in accordance with the California Building Standards Code and Americans with Disability Act.</p>
<p>Sec. 8108-4.5 – Carpool Parking</p> <p>The requirement to provide carpool parking spaces is intended to encourage carpooling, but should not result in parking spaces that consistently go unused.</p> <ul style="list-style-type: none">• <u>Number of Spaces.</u> For all land uses, 1 carpool or vanpool parking space shall be provided for every 35 employees employed at the site. Carpool or vanpool parking spaces shall be reserved until 1 hour after the employees' work shift begins, after which they may be	<p>Yes. Since the proposed project will employ nine employees, no carpool parking is required.</p>

¹ NCZO Article 8 (Parking and Loading Requirements) Sections 8108-4.6, 8108-5.4.1, 8108-5.4.2, 8108-5.4.8, 8108-5.5.3, 8108-5.6.2, 8108-5.6.4, 8108-5.6.5, 8108-5.6.6, 8108-5.6.7, 8108-5.6.8, 8108-5.6.9, 8108-5.7, 8108-5.11, 8108-5.14.5, and 8108-5.14.6 were reviewed by the Planning Division and determined to not be applicable to the proposed project.

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
<p>open to single-occupancy vehicles. In addition, for professional, vocational, art and craft schools, colleges, universities and the like, 1 out of every 25 student parking spaces on a site shall be reserved for carpool or vanpool parking at all times. This requirement does not preclude designation of more than the minimum required number of carpool spaces.</p> <ul style="list-style-type: none">• <u>Signs</u>. Signs shall be posted clearly indicating carpool and vanpool restrictions.• <u>Planning Director Waivers/Modifications</u>. The Director may modify or waive carpool parking requirements when the applicant demonstrates that the nature of the land use precludes carpooling	
<p>Sec. 8108-5.1 – Parking Plans Applications for land use developments that include parking areas shall include a detailed parking plan(s) with a corresponding preliminary grading and drainage plan. These plans shall be prepared by a California-licensed civil engineer, and shall clearly illustrate compliance with all applicable requirements of this Article. The applicant shall submit these plans to the Public Works Agency Director and the Building and Safety Division Director for their approval prior to issuance of any land use entitlement.</p>	<p>Yes. The proposed project qualifies for a waiver of parking plans pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).</p>
<p>Sec. 8108-5.2 – Stormwater Management Parking area design shall be in compliance with the Division 7 of the California Water Code, and in accordance with conditions and requirements established by Ventura County's National Pollutant Discharge Elimination System (NPDES) Permit and Ventura County Stormwater Quality Management Ordinance No. 4142. Larger parking areas may be required to submit a hydrology and hydraulics report to the Public Works Agency to demonstrate compliance with stormwater management requirements. Parking area design should incorporate methods of accommodating infiltration or filtration of stormwater onsite through use of pervious pavements, vegetated drainage swales, bioretention areas, tree box filters, dry swales, or other means.</p>	<p>Yes. The proposed project was reviewed and conditioned by the Public Works Agency Water Quality Section to ensure compliance with applicable stormwater policies (Exhibit 4, Condition No. 33).</p>
<p>Sec. 8108-5.3 – Location Sec. 8108-5.3.1 through Sec. 8108-5.3.6 includes standards related to the location of off-street parking areas and spaces.</p>	<p>Sec. 8108-5.3.1: Yes. The proposed parking area is located to the side of buildings or land uses.</p> <p>Sec. 8108-5.3.2: Yes. No parking is proposed in a front, rear, or side setback.</p> <p>Sec. 8108-5.3.3: Yes. The proposed project qualifies for a waiver of motorcycle parking pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).</p>

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
	<p>Sec. 8108-5.3.4: Yes. Since the proposed project will employ nine employees, no carpool parking is required.</p> <p>Sec. 8108-5.3.5: Yes. The proposed project qualifies for a waiver of bicycle parking pursuant to the criteria set forth in NCZO Section 8108-4.3.1 (See Table 5).</p> <p>Sec. 8108-5.3.6: Yes. The proposed project is not located within a Federal Emergency Management Agency (FEMA) floodway.</p>
<p>Sec. 8108-5.4.3 – Fire Apparatus Access Approved fire apparatus access roads shall be provided when required by the Ventura County Fire Protection District. Generally, this requirement is triggered when any facility or portion of the exterior walls of the first story of a building is located more than 150 feet from an existing public street or approved fire apparatus access driveway. For the purposes of this requirement, the term facility includes recreational vehicles, mobile home and manufactured housing parks, and sales and storage lots.</p>	<p>Yes. The project is conditioned by the Ventura County Fire Protection District (VCFPD) to require a Fire Permit that ensures the operation is in compliance with VCFPD Standard 516 (Exhibit 4, Condition No. 37). VCFPD Standard 516 Chapter 5.1.6 provides standards for the fire department access roads required at the project site.</p>
<p>Sec. 8108-5.4.4 – Adequate Turning Radii All internal circulation and queuing areas shall be designed to accommodate the turning radii of the vehicles that will be using the site, pursuant to the design criteria of the American Association for State Highway and Transportation Officials (AASHTO) and/or Institute of Transportation Engineers (ITE).</p>	<p>Yes. Internal circulation and queuing is designed to accommodate the turning radii of the vehicles using the site.</p>
<p>Sec. 8108-5.4.5 – Contained Maneuvering Parking areas shall be designed so that motor vehicles will exit onto a public street in a forward direction, unless approved otherwise by the Public Works Agency Transportation Director. Circulation of vehicles among parking spaces shall be accomplished entirely within the parking area.</p>	<p>Yes. The parking area is designed so that vehicles will exit onto a public street (Tapo Canyon Road) in a forward direction. Additionally, the parking area includes sufficient space to accommodate the circulation of vehicles within the parking area.</p>
<p>Sec. 8108-5.4.6 – Short Parking Rows Parking areas should be divided both visually and functionally into smaller parking courts. Interior rows of parking spaces shall be no more than 270 feet in length, inclusive of landscape planters but not including cross aisles or turnarounds. The Director may waive or modify this requirement when the applicant can demonstrate that it is not appropriate to the land use or location.</p>	<p>Yes. The row of parking spaces is approximately 130 feet in length.</p>
<p>Sec. 8108-5.4.7 – Dead Ends Minimized Dead-end drive aisles shall be avoided or otherwise minimized.</p>	<p>Yes. Although the parking area does contain a dead-end drive aisle, there is sufficient room for vehicles to</p>

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
	maneuver and turn around to exit the drive aisle (Exhibit 3).
Sec. 8108-5.5.1 – Driveway Width a. Portion Within Right-of-Way: Driveway width shall be the minimum necessary to provide access to the land use consistent with the Ventura County Road Standards, Ventura County Fire Protection District requirements, or the latest edition of Caltrans' Standard Plans, as appropriate. b. Portion Outside Right-of-Way: Driveway widths shall be minimized where possible.	Yes. The proposed project, including the proposed parking area, was reviewed by the Public Works Agency (PWA) Roads and Transportation Division and VCFPD. No conditions were applied to the project by the PWA and VCFPD requiring reconfiguration of existing driveway widths.
Sec. 8108-5.5.2 – Number of Driveways Each site is limited to 1 driveway unless the Public Works Agency Transportation Director determines that more than 1 driveway is required to handle traffic volumes or specific designs, such as residential circular driveways. Additional driveways shall not be allowed if they are determined to be detrimental to traffic flow and the safety of adjacent public streets. Whenever a property has access to more than 1 road, access shall be limited to the lowest traffic-volume road whenever possible.	Yes. The project site includes two driveways that allow for entrance and exit from the project site. The proposed project was reviewed by the PWA Roads and Transportation Division and no conditions were applied to the project by PWA requiring reconfiguration of the existing number of driveways.
Sec. 8108-5.5.4 – Driveways Clearly Designated Parking areas shall be designed to prevent entrance or exit at any point other than driveways. Appropriate barriers and entrance and exit signs shall be provided within parking areas. Stop signs that comply with Manual on Uniform Traffic Control Devices (MUCTD) standards and shall be installed at all exits from parking areas.	Yes. The parking area is designed to ensure entrance and exit from the project site occurs at the designated driveways. Additionally, a stop sign is provided at the exit of the driveway that leads to Tapo Canyon Road.
Sec. 8108-5.6.3 – Standard Spaces Each standard parking space shall be 9 feet wide by 18 feet long, with the following exceptions: a. The length of the parking space may be decreased by 2 feet where parking spaces face into landscape planters so that the concrete curb around the planter functions as the wheel stop, allowing motor vehicles to overhang the landscape planter. Use of such a bumper overhang reduces impervious surfaces and is encouraged. Plant material and irrigation equipment in the outside 2 feet of these landscape planters shall conform to the requirements of Section 8108-5.14. Utilization of a bumper overhang shall not allow a vehicle to extend into or over a pedestrian pathway or drive aisle. b. Required parking space dimensions do not apply if mechanical parking lifts are used to stack cars.	Yes. Each standard space is 9 feet wide by 18 feet long.

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
<ul style="list-style-type: none">c. The width of parking spaces may be reduced to 8 feet on legal lots that are less than 26 feet wide and where 2 or more parking spaces are required.d. The Director may approve an increase to the width or length of parking spaces for land uses that cater to larger vehicles such as trucks, shuttles, or vans.e. Parking space width shall be increased by 6 inches to 9 feet 6 inches (114 inches) if adjacent on 1 side to a wall, fence, hedge, or structure; and by 1 foot 6 inches to 10 feet 6 inches (126 inches) if adjacent on both sides to a wall, fence, hedge, or structure.	
<p>Sec. 8108-5.6.10 – Drive Aisles and Modules</p> <p>Parking area drive aisles and modules shall be designed following the standard dimensions included in the table in Section 8108-5.6.11 and the figure in Section 8108-5.6.12 and as required to meet Section 8108-5.4. The Director may approve wider aisles when appropriate for truck maneuvering. Two-way aisles are permitted in conjunction with 90-degree and parallel spaces only.</p>	<p>Yes. The drive aisles measure 25 feet in width in accordance with the standards set forth in NCZO Sec. 8108-5.6.11 and 8108-5.6.12.</p>
<p>Sec. 8108-5.8 – Slope</p> <p>Accessible parking spaces for disabled persons shall be in compliance with the California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act requirements for slope. All other parking spaces shall slope no more than 5 percent in any direction and no less than 0.5 percent in the direction of drainage. The slope in drive aisle and turnaround areas shall be no more than 10 percent.</p>	<p>Yes. The parking lot meets the accessibility standards of California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act (Exhibit 3).</p>
<p>Sec. 8108-5.9 – Surfaces</p> <ul style="list-style-type: none">a. The surface of all required uncovered off-street motor vehicle parking spaces, aisles, driveways and loading areas shall be constructed and maintained with permanent all-weather, load-bearing pervious or impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. The use of pervious surfaces is encouraged to facilitate on-site infiltration of stormwater. To reduce heat generation from parking area surfaces, the use of light-colored/high-albedo surfaces is encouraged.b. The surface of fire apparatus access driveways shall meet the requirements of the Ventura County Fire Protection District.c. The surface of the portion of driveways in the right-of-way shall meet the requirements of the Ventura County Road Standards or the latest edition of Caltrans' Standard Plans, as appropriate.	<ul style="list-style-type: none">a. Yes. The proposed project qualifies for a waiver of surface standards pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5). However, the required accessible parking space shall be surfaced in accordance with all applicable standards of California Building Standards Code (California Code of Regulations, Title 24) and the Americans with Disabilities Act.b. Yes. The proposed project was reviewed by the VCFPD and no conditions were applied to the project requiring resurfacing of access driveways.

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
	c. The proposed project was reviewed by the PWA Roads and Transportation Division and no conditions were applied to the project changes to the surface portions of driveways.
Sec. 8109-5.10 – Parking Space Marking Parking spaces within parking areas shall be clearly marked with paint striping or another durable, easily distinguishable marking material. Space marking shall be maintained in good condition.	Yes. The proposed project qualifies for a waiver of parking space marking standards pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).
Sec. 8108-5.12 – Lighting Lighting shall be provided for all parking areas in compliance with Section 8106-8.6 and the following: <ul style="list-style-type: none">a. Parking areas that serve night-time users shall be lighted with a minimum 1 foot-candle of light at ground for security.b. All lights in parking areas that serve non-residential land uses, except those required for security per subsection (a) above, shall be extinguished at the end of the working day. Lights may be turned on no sooner than 1 hour before the commencement of working hours.c. Light poles shall be located so as not to interfere with motor vehicle door opening, vehicular movement or accessible paths of travel. To the extent possible light poles shall be located away from existing and planned trees to reduce obstruction of light by tree canopies. Light poles shall be located outside of landscape finger planters, end row planters, and tree wells. Light poles may be located in perimeter planters and continuous planter strips between parking rows.d. Any light fixtures adjacent to a residential land use or residentially zoned lot shall be arranged and shielded so that the light will not directly illuminate the lot or land use. This requirement for shielding applies to all light fixtures, including security lighting.e. In order to direct light downward and minimize the amount of light spilled into the dark night sky, any new lighting fixtures installed to serve above-ground, uncovered parking areas shall be full cut-off fixtures as defined by the Illuminating Engineering Society of North America (IESNA). New lighting fixtures installed for parking area canopies or similar structures shall be recessed or flush-mounted and equipped with flat lenses.	Yes. The proposed project qualifies for a waiver of parking space lighting standards pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).

Table 2 – Parking and Loading Requirements Analysis¹

Zoning Ordinance Requirement	Complies?
Sec. 8108-5.13 – Trash and Recyclables Receptacles At least 1 trash and 1 recyclables receptacle shall be provided for parking area users for the first 20 motor vehicle parking spaces, and 1 trash and 1 recyclables receptacle for every 80 spaces thereafter. Receptacles shall be enclosed to prevent access by animals and wind, placed in convenient, high-visibility locations, and serviced and maintained appropriately.	Yes. The proposed project qualifies for a waiver of trash and recyclables receptacles pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).
Sec. 8108-5.14.3 Perimeter Landscaping and Screening a. Adjacent to Streets. Where parking areas are not visually screened from any adjacent public or private street by an intervening building or structure, the following requirements apply: (Sec. 8108-5.14.3(a)(1) – (3).)	Yes. The parking area is screened from view at the property line along Tapo Canyon Road with existing trees and vegetation.
Sec. 8108-5.14.4 Interior Landscaping Parking areas shall include interior landscaping as outlined below: (Sec. 8108-5.14.4(a)-(e).)	Yes. The proposed project qualifies for a waiver of interior landscaping standards pursuant to the criteria set forth in NCZO Section 8108-2 (See Table 5).

The proposed Large-Scale Commercial Organics Processing Operation is subject to the special use standards of NCZO Section 8107-36.4 for an organics processing operation. Table 3 lists the applicable special use standard and a description of whether the proposed project complies with the special use standard.

Table 3 – NCZO Sec. 8107-36.4 - Standards Relating to Large-Scale Commercial Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, and Chipping And Grinding) Analysis

Special Use Standard	Complies?
8107-36.4.1.a No organics processing operations, other than those accessory to agricultural activities and on-site composting operations, shall be located in the AE (Agricultural Exclusive) zone on land designated as “Prime”, “Statewide Importance”, “Unique” or “Local Importance” on the California Department of Conservation’s Farmland Mapping and Monitoring Program, Important Farmlands Maps unless it meets one of the following criteria: 1. The Planning Director, in consultation with the Agricultural Commissioner, determines the land upon which the organics processing operation would be located is developed or otherwise unsuitable for agricultural use; 2. The organics processing operation is a commercial	Yes. The project is located in the AE-zone on land of “local importance” designated by the California Department of Conservation’s Farmland Mapping and Monitoring Program. On May 20, 2024, the Ventura County Department of Agriculture/Weights and Measures (AWM) reviewed the project and determined that the land is developed and unsuitable for agricultural uses (Exhibit 9).

Table 3 – NCZO Sec. 8107-36.4 - Standards Relating to Large-Scale Commercial Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, and Chipping And Grinding) Analysis

Special Use Standard	Complies?
<p>organics processing operation that meets all of the following criteria:</p> <ul style="list-style-type: none">i. Development of the commercial organics processing operation will not result, when combined with all other commercial organics processing operations in the unincorporated area of Ventura County, in the cumulative loss in the unincorporated area of more than 200 acres of AE zoned land designated as "Prime", "Statewide Importance", "Unique" or "Local Importance" on the California Department of Conservation's Farmland Mapping and Monitoring Program, Important Farmland Maps.ii. At least 60 percent of the finished products generated by the commercial organics processing operation are used for an agricultural use or an agricultural accessory use in Ventura County, the City of Carpinteria or outside the State of California, with preference given to Ventura County to the extent feasible;iii. All feedstock used to generate the finished products are generated and collected from Ventura County and the City of Carpinteria;iv. The maximum size of a commercial organics processing operation is not larger than 100 acres per lot;v. The applicant demonstrates that all terms and conditions of an applicable Land Conservation Act (LCA) contract will be maintained if a commercial organics processing operation is located on land subject to an LCA contract. The applicant must also demonstrate compliance with the California Land Conservation Act of 1965, Sections 51200 et seq. of the California Government Code; andvi. Upon completion of the commercial organics processing operation, the site is returned to its condition as existing prior to development of the operation.	
<p>8107-36.4.1.b. Prior to issuing a Conditional Use Permit or other discretionary entitlement for an organics processing operation, other than</p>	<p>Yes. The project is not located in the Open Space (OS) zone.</p>

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Special Use Standard	Complies?
those accessory to agricultural activities and on-site composting operations, in the Open Space (OS) zone, the applicable decision-making authority (the Planning Director, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project will not have a significant effect on agricultural soils as defined in the appropriate section of the Ventura County Initial Study Assessment Guidelines.	
8107-36.4.1.c. Prior to issuing a Conditional Use Permit or other discretionary entitlement for an organics processing operation, other than those accessory to agricultural activities and on-site composting operations, the applicable decision-making authority (the Planning Director, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project, as conditioned, is compatible with adjacent agriculture, including but not limited to such factors as water runoff, siltation, erosion, dust, introduction of pests and diseases, and the potential for trespassing, pilferage, or vandalism, as well as conflicts between agricultural and non-agricultural uses including but not limited to vehicular traffic and the application of agricultural chemicals to agricultural property.	Yes. The Ventura County AWM provided a memorandum documenting their review of the proposed project and determined the impacts to have a less than significant impact on Agricultural Resources pursuant to the Ventura County Initial Study Assessment Guidelines. In addressing Item 5b, Land Use Incompatibility, the memorandum, dated May 20, 2024, states, "Given the topography screening parcels 620-0-320-125 and 620-0-320-105, the vegetation screening parcel 620-0-320-045, the lack of invasive pest finds in the area, and continuing nature of the project, the project impacts would be Less Than Significant with no additional conditions of approval" (Exhibit 9). Furthermore, the project is conditioned by the Ventura County Environmental Health Division (EHD) to require a vector control plan (Exhibit 4, Condition No. 28).
8107-36.4.1.d. All organics operations must provide written proof from the Ventura County Water Resources Division that the project is either not sited over the Oxnard Forebay or the North Las Posas Outcrop or that the project has been adequately designed to prevent infiltration into these sensitive areas of groundwater recharge.	Yes. Pursuant to an email dated March 20, 2024, from the PWA Groundwater Quality Section, the project is not located in the Oxnard Forebay or North Las Posas Outcrop (Exhibit 10).
8107-36.4.1.e. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the applicant can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the Planning Director, in consultation with the Agricultural Commissioner, may reduce or waive the setback.	Yes. While there is no active agricultural production within 300 feet of the project site, soils in the immediate vicinity of the project site are designated as Unique and of Local Importance by the Department of Conservation Farmland Mapping and Monitoring Program (FMMP). As such, the Ventura County AWM

Table 3 – NCZO Sec. 8107-36.4 - Standards Relating to Large-Scale Commercial Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, and Chipping And Grinding) Analysis

Special Use Standard	Complies?
	provided a memorandum documenting their review of the proposed project and determined the impacts to have a less than significant impact on Agricultural Resources pursuant to the Ventura County Initial Study Assessment Guidelines. In addressing Item 5b, Land Use Incompatibility, the memorandum, dated May 20, 2024, states, "The proposed project, as an organics processing facility, is not an agricultural use. As such, the threshold distances [set forth in Sec. 5b.C of the Ventura County Initial Study Assessment Guidelines] apply. However, the project is eligible for deviation from the threshold distances under criteria b) existing topography eliminates or reduces any land use conflicts and h) individuals are not continuously present in the proposed structures or use areas" (Exhibit 9).
8107-36.4.1.f. Drainage - Drainage must be controlled so as to prevent any leachate run-off from the site; divert surface water drainage away from all piles of material; and prevent the creation of puddles and standing water in any area where organic materials are stored.	Yes. The project is conditioned by the Ventura County PWA Water Quality Section (WQS) to require that the operation is in compliance with National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000001 (Exhibit 4, Condition No. 33).
8107-36.4.1.g. Dust - Dust must be controlled through watering, use of enclosures and screens, etc.	Yes. The project is conditioned by the EHD to require an Operation Plan that utilizes best management practices to control dust and bioaerosols (Exhibit 4, Condition No. 29).
8107-36.4.1.h. Feedstock Inspection - All incoming materials shall be inspected for contaminants, such as plastic, and all contaminants shall be removed to the greatest extent feasible before processing.	Yes. The project is conditioned by the EHD to require a Health Permit that ensures compliance with California Code of Regulations Title 14. Title 14 Section 17868.5 requires that all feedstock is load checked for contaminants (Exhibit 4, Condition No. 26).
8107-36.4.1.i. Fire Prevention/Suppression – 1. The maximum pile height of all feedstock and actively	Yes. The project is conditioned by the VCFPD to require a Fire Permit that ensures the operation is in

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Special Use Standard	Complies?
<p>decomposing compost is 12 feet, except as allowed by a discretionary permit.</p> <ol style="list-style-type: none"> There shall be a method or system to daily monitor the temperature of all piles or windrows over 6 feet tall, and all temperatures must be kept below 160° F, except as allowed by discretionary permit. All operations must isolate potential heat sources or flammables from piles and windrows. 	<p>compliance with VCFPD Standard 516 (Exhibit 4, Condition No. 37).</p> <ol style="list-style-type: none"> VCFPD Standard 516 Chapter 4.4 allows for a maximum pile height of 12 feet. VCFPD Standard 516 Chapter 3.4 requires the Permittee to operate in compliance with a VCFPD approved Fire Protection Plan that includes monitoring procedures for pile temperatures. VCFPD Standard 516 Chapter 3.3 requires the Permittee to operate in compliance with a VCFPD approved Fire Protection Plan that addresses monitoring for, controlling, and extinguishing fires.
<p>8107-36.4.1.j General Safety - All reasonable effort shall be made to ensure that all end products, excluding discarded wastes, are innocuous and free of particles that could be harmful to human health and safety, or to agricultural production where applicable.</p>	<p>Yes. The project is conditioned by the EHD to require a Health Permit that ensures compliance with California Code of Regulations Title 14. Title 14 Section 17868.1 requires one composite sample for every 5,000 cubic yards of compost produced to be analyzed for contaminants (Exhibit 4, Condition No. 26).</p>
<p>8107-36.4.1.k Litter and Waste - All reasonable effort shall be made to prevent litter, compost, and chipped uncomposted material from migrating off-site. The operator is responsible for keeping the site reasonably free of litter and for the daily collection of all litter that leaves the site.</p>	<p>Yes. The Permittee is required to maintain the site in a neat and orderly manner so as not to create hazardous or unsightly conditions which are visible from outside the project site (Exhibit 4, Condition No. 4).</p>
<p>8107-36.4.1.l Materials Accepted - Only separated organic (originally derived from living organisms) materials shall be accepted at organics processing operations. Asbestos-containing waste material, infectious wastes, or hazardous wastes shall not knowingly be accepted.</p>	<p>Yes. The project is conditioned by the EHD to require a Solid Waste Permit to ensure compliance with state and local regulations. Specifically, the Solid Waste Permit requires that the operation is in compliance with Title 14 of the</p>

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Special Use Standard	Complies?
	California Code of Regulations that regulates the materials allowed for processing (Exhibit 4, Condition No. 26).
8107-36.4.1.m. Noise - Grinders and other power-driven equipment shall not be operated between the hours of 7:00 p.m. and 7:00 a.m. within 500 feet of property occupied for residential use or other place of overnight habitation, such as hotels or campgrounds. Noise levels near such uses shall not exceed Leq1H of 55 dB (A) or ambient noise levels plus 3 dB (A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.	Yes. The project is conditioned so that operations are limited to Monday through Friday from 7:00 AM to 4:00 PM, Saturday from 7:00 AM to 12:00 PM, and closed on Sundays (Exhibit 4, Condition No. 2). Additionally, the operation occurs in a nearly level canyon bottom surrounded to the north, south, and east by hills that serve as a natural buffer between the project site and closest noise sensitive receptors, residences located approximately 350 feet to the north and 800 feet to the south. While power-driven portable equipment is typically positioned approximately 461 feet to the south of the closest residence (Exhibit 3), noise levels are unlikely to exceed Leq1H of dB (A) or ambient noise levels plus 3dB (A) from 6:00 AM to 7:00 PM. First, the power-driven equipment is sited approximately 75 feet below a hill to the north that serves as an acoustical buffer between the equipment and residence. Second, the project site has been operated as a Soil Amendment and Organics Processing Operation with power-driven equipment since 2005 with no documented noise complaints.
8107-36.4.1.n. Odors - All operations must implement management practices—such as controlling temperature, moisture, and oxygen levels in piles and windrows—to prevent offensive and noxious odors from leaving the site.	Yes. The project is conditioned by the EHD to require an Odor Impact Monitoring Plan (Exhibit 4, Condition No. 27).
8107-36.4.1.o. Pests - All operations must implement management practices to prevent and control vectors, such as flies, rodents and scavenging birds.	Yes. The project is conditioned by the EHD to require a Vector Control Plan (Exhibit 4, Condition No. 28).
8107-36.4.1.p. Throughput - All products (e.g., compost or mulch) must be sold, given away, or beneficially used within 24 months of the facility's acceptance of the raw material. Feedstock materials shall not be	Yes. All products are sold, given away, or beneficially used within 90 days of the acceptance of the raw materials. Feedstock materials shall

Table 3 – NCZO Sec. 8107-36.4 - Standards Relating to Large-Scale Commercial Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, and Chipping And Grinding) Analysis

Special Use Standard	Complies?
accepted at any time when the storage capacity of the site would be exceeded by such delivery.	not be accepted at any time when the storage capacity of the site would be exceeded by such delivery (Exhibit 4, Condition No. 1).
<p>8107-36.4.4.a. The following standards apply to outdoor piles and windrows over 100 cubic yards to facilitate fire control:</p> <ul style="list-style-type: none">• The operator shall at all times maintain an effective firebreak by removing and clearing away flammable vegetation and combustible growth from areas within 100 feet of all windrows and piles (excludes single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from the native growth to the piles or windrows).• A fire lane of 20 feet shall be provided along the perimeter of the area where piles and windrows are located. Windrows shall not exceed 150 feet in length unless separated by a 20-foot fire access road. Twenty-feet must be maintained between all piles and windrows, or 12 feet must be maintained between all piles and windrows alternating with a 20-foot fire access road positioned every 150 feet.	<p>Yes. The project is conditioned by the VCFPD to require a Fire Permit that ensures the operation is in compliance with VCFPD Standard 516 (Exhibit 4, Condition No. 37).</p> <ul style="list-style-type: none">• Chapter 4.8 requires that piles over 200 cubic yards located in a Very High Fire Severity Zone are separated from combustible vegetation by 50-100 feet, as determined by a fire code official. Chapter 4.13 requires that a 20-foot-wide fire department access road is provided along the perimeter of all pile grids.• Chapter 4.4 requires that the maximum length of the piles is 150 feet. Chapter 4.5.2 requires that all piles are separated by a minimum of 15 feet and a minimum 20 feet at the required cross aisles.
<p>8107-36.4.4.b. The minimum parcel size is 5 acres in residential zones, and 4 acres in other zones.</p>	<p>Yes. The project site is located on a 51.85-acre parcel.</p>
<p>8107-36.4.4.c. Dust producing activities shall cease during high wind events. High wind events are defined as wind of such velocity as to cause fugitive dust from within the site to blow off-site. At any point in time, if it is observed that fugitive dust is blowing off-site, additional dust prevention measures shall be initiated. If these measures are insufficient to prevent fugitive dust (i. e. during periods of extreme heat or winds), dust generating activities shall be immediately curtailed until the conditions abate.</p>	<p>The project is conditioned by the EHD to require an Operation Plan that utilizes best management practices to control dust and bioaerosols (Exhibit 4, Condition No. 29).</p>
<p>8107-36.4.4.d. Space shall be provided on-site to accommodate the anticipated peak deliveries, for the circulation of vehicles and the depositing</p>	<p>Yes. The project site includes parking areas and dirt roads to accommodate deliveries and the</p>

Table 3 – NCZO Sec. 8107-36.4 - Standards Relating to Large-Scale Commercial Organics Processing Operations (Includes Biosolids, Composting, Vermicomposting, and Chipping And Grinding) Analysis

Special Use Standard	Complies?
of organic materials.	circulation of vehicles.
<p>8107-36.4.4.e. All operations must deposit with the Planning Division a compliance review fee, and shall maintain such deposit with the Planning Division during the term of the land use, and shall make the site available for inspection twice a year. The inspection frequency may be increased or decreased at the discretion of the Planning Director, based on such factors as performance, scale of operation or neighboring uses.</p>	<p>Yes. The project is conditioned by the Resource Management Agency Planning Division to require a Condition Compliance Account (Exhibit 4, Condition No. 11). Additionally, the Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with all conditions of approval for the project consistent with the requirements of Sec. 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.</p>
<p>8107-36.4.4.f. All outdoor processing areas shall meet the setback standards listed below. However, if the applicant can demonstrate, supported by substantial evidence in the record, that potential impacts to water resources and surrounding properties, uses or roads have been adequately mitigated by design or terrain, the Planning Director may waive all or portions of this requirement.</p> <ul style="list-style-type: none"> • 300 feet from any off-site residence or public facility; • 100 feet from an adjoining property line; • 100 feet from any dedicated public street or highway; • 100 feet from any surface water, including springs, seeps, wetlands, and intermittent streams; and/or • 200 feet from wells or other water supplies. 	<p>Yes.</p> <p>Pursuant to the Site Plan, the processing areas are (Exhibit 3):</p> <ul style="list-style-type: none"> • 351 feet from the closest off-site dwelling. There are no public facilities in the area. • 132 feet from the adjoining property line. • 153 feet from Tapo Canyon Road, the closet public street or highway. • 218 feet from the Gillibrand Creek, the closest surface water feature. • 202 feet from the closest well.

The proposed project is located within the Habitat Connectivity and Wildlife Corridors Overlay Zone and, therefore, is subject to the standards of NCZO Section 8109-4.8. Table 4 lists the applicable overlay zone standards and a description of whether the proposed project complies with those standards.

Table 4 – Habitat Connectivity and Wildlife Corridors Overlay Zone Standard Consistency Analysis

Special Use Standard	Complies?
<p>8109-4.8.3.8.a. Permit applications shall include, among all other information required by the Planning Division pursuant to Sec. 8111-2.1 and 8111-2.3, documentation, prepared by a qualified biologist, identifying all surface water features, wildlife crossing structures, landscape features such as riparian corridors and ridgelines,</p>	<p>Yes.</p> <p>An Initial Study Biological Assessment (ISBA) was prepared by Padre Associates on November 6, 2023, and determined the proposed project would have no impact on Biological Resources pursuant to the criteria</p>

Table 4 – Habitat Connectivity and Wildlife Corridors Overlay Zone Standard Consistency Analysis

Special Use Standard	Complies?
undeveloped areas, and other areas and features on the lot that could support functional connectivity and wildlife movement, or that could block or hinder functional connectivity and wildlife movement such as roads, structures, and fences. The permit application and supporting documentation shall also address the proposed development's consistency with the development guidelines stated in subsection b below. Additional information and study may be required in order to review a proposed development under the California Environmental Quality Act or other applicable law.	set forth in the Ventura County Initial Study Assessment Guidelines (Section 4 – Biological Resources) (Exhibit 12). Specifically, the ISBA concluded that specific wildlife movement or connectivity features or barriers were not found within the Survey Area. This ISBA was peer reviewed by Rincon Consultants, and, pursuant to a memo dated December 20, 2023, the methodology, analysis, and conclusions of the ISBA were deemed adequate (Exhibit 13).
<p>Sec. 8109-4.8.3.8.b. Development, including any resulting fuel modification required by Ventura County Fire Protection District (VCFPD) pursuant to VCPFD Ordinance 30, as may be amended, should comply with the following applicable development guidelines to the extent feasible:</p> <ol style="list-style-type: none">1. Development should be sited and conducted outside the applicable setback areas set forth in Sec. 8109-4.8.3.4 and 8109-4.8.3.5 to the extent feasible;2. Development should be sited and conducted to minimize the removal and disturbance of biological resources, landscape features and undeveloped areas that have the potential to support functional connectivity and wildlife movement;3. Development should be sited and conducted to provide the largest possible contiguous undeveloped portion of land; and4. Wildlife impermeable fencing should be sited and designed to minimize potential impacts to wildlife movement.	<p>Yes.</p> <ol style="list-style-type: none">1) Since there are no wildlife crossing structures on the project site, the setback requirements set forth in Sec. 8109-4.8.3.4 are not applicable to the proposed project. A portion of the project site is located within the setback area of the Gillibrand Creek, a surface water feature. As such, the proposed development, including the installation and use of portables hiping containers and portable restrooms are sited outside of the setback area set forth in Sec. 8109-4.8.3.5 (Exhibit 3). While a portion of the portable truck scale is located in the setback area, the scale is considered portable equipment and not subject to the setback standards of Sec. 8109-4.8.3.5.2) The proposed development, including the installation and use of portable shipping containers and portable restrooms, are sited on previously disturbed areas of the project site. Additionally, no biological resources will be disturbed or removed as part of this project.3) Large contiguous portions of land are located to the north and south of the project site to allow for wildlife movement.

Table 4 – Habitat Connectivity and Wildlife Corridors Overlay Zone Standard Consistency Analysis

Special Use Standard	Complies?
	4) Not applicable. No wildlife impermeable fencing is proposed with this project.
Sec. 8109-4.8.3.8.c In addition to meeting all other applicable permit approval standards set forth in Sec. 8111-1.2, the following additional permit approval finding must be made or be capable of being made with reasonable conditions and limitations being placed on the proposed development: The development, including any resulting fuel modification required by VCFPD pursuant to VCPFD Ordinance 30, as may be amended, is sited and conducted in a manner that is consistent with the development guidelines set forth in Sec. 8109-4.8.3.8.b to the extent feasible.	Yes. The proposed project is subject to a condition of approval that requires the Permittee to obtain a Fire Permit that complies with Standard 516 (Exhibit 4, Condition No. 37). Standard 516, Chapter 4.8 requires that piles over 200 cubic yards located in a Very High Fire Severity Zone are separated from combustible vegetation by 50-100 feet, as determined by a fire code official. While the required fuel modification may occur within the surface water buffer area for the Gillibrand Creek, the fuel modification would be exempt from the provisions of the HCWC pursuant to NCZO Sec. 8109-4.8.3.2(k)(2) Vegetation Modification.

The proposed project qualifies for a waiver of Parking and Loading Requirements detailed in Article 8 of the NCZO. Table 5 lists the applicable NCZO parking standards and a description of whether the proposed project meets the criteria for the Planning Commission to authorize this waiver.

Table 5 – Waiver of Parking Development Standards Analysis

Zoning Ordinance Requirement	Analysis
Sec. 8108-2: Authority of Planning Director to Modify or Waive Requirements The Planning Director (Director) may waive or modify the requirements of this Article as indicated, but only if such modifications or waivers are supported by written findings of fact in the final project approval letter showing how the modification or waiver of parking or loading requirements for the particular project meets all of the following: <ul style="list-style-type: none"> Is consistent with the purposes of this Article and Section 8101-4.10 regarding Director interpretation of requirements and standards; and Will not adversely affect existing or potential land uses adjoining, or in the general vicinity of, the project site; and 	The proposed project qualifies for a waiver of the following sections of Article 8: Parking and Loading Requirements. <ul style="list-style-type: none"> Sec. 8108-4.2: Motorcycle Parking Sec. 8108-5.1: Parking Plans Sec. 8108-5.9 – Surfaces Sec. 8108-5.10 – Parking Space Marking Sec. 8108-5.12 – Lighting Sec. 8108-5.13 – Trash and Recyclable Receptacles Sec. 8108-5.14.4 – Interior Landscaping and Screening The proposed parking area is designed and developed like other parking areas approved for similar Organics Processing Operations in Ventura County; a dirt lot with unstriped parking spaces.

Table 5 – Waiver of Parking Development Standards Analysis

<ul style="list-style-type: none">Is supported by substantial evidence in light of the whole record before the Director.	<p>Sec. 8108-4.2: Since the proposed project involves the sale of soil products, it is unlikely that customers will arrive to the site via motorcycle. If employees arrive by motorcycle, the project site has sufficient space to accommodate informal motorcycle parking within the existing vehicle parking spaces.</p> <p>Sec. 8108-5.1: Since the proposed project relies on an existing unpaved dirt parking area, parking plans are not required. Parking spaces and parking entrances are depicted on the site plan (Exhibit 3).</p> <p>Sec. 8108-5.9 and Sec. 8108-5.10: The proposed project relies on an existing unpaved dirt parking lot that is consistent with parking areas approved for similar Organics Processing Operations in Ventura County. Furthermore, the entire site is unpaved and does not contain pervious or impervious surfaces needed for processing organic material. Therefore, the unpaved parking area is consistent with the physical features of the entire lot. Parking space marking cannot be completed on dirt surface due to the impermanence of this marking when exposed to inclement weather. Therefore, paving and space marking is not required.</p> <p>Sec. 8108-5.12: Lighting is not required as the project is conditioned so that operations are limited to daylight hours; Monday through Friday from 7:00 AM to 4:00 PM, Saturday from 7:00 AM to 12:00 PM, and closed on Sundays (Exhibit 4, Condition No. 2).</p> <p>Sec. 8108-5.13: The proposed project has trash receptacles located at the scale house for collection of trash and recycling for users of the parking lot.</p> <p>Sec. 8108-5.14.4: The parking area is screened from Tapo Canyon Road with existing landscaping and vegetation. The parking area is located adjacent to this landscaping. The purpose and function of this use does not require interior landscape screening to reduce potential negative effects of the parking areas on adjacent land uses.</p> <p>In summary, the requested waiver of standards cited above will not adversely affect existing or potential land uses adjoining, or in the general vicinity of, the project site.</p>
Sec. 8108-4.3.1 – Planning Director Waivers / Modifications to Bicycle Parking Requirements	The proposed project qualifies for a waiver of the bicycle parking requirements pursuant to NCZO Section 8108-4.3.1. Since the proposed project involves the sale of soil products, it is unlikely that customers will arrive to the site via bicycle. Furthermore, if employees arrive by bicycle,

Table 5 – Waiver of Parking Development Standards Analysis

<p>The Director may reduce the number of required bicycle parking spaces when the applicant demonstrates that providing the otherwise required bicycle parking spaces is not practical because of the remote project location, or because the nature of the land use precludes the use of bicycle parking spaces. The Director may also defer the requirement to provide bicycle parking spaces, but only if the subject permit includes an enforceable commitment by the property owner to supply such deferred bicycle parking spaces as may be needed in the future.</p>	<p>the project site has space to accommodate informal bicycle parking. Finally, the project site is located in a remote and hilly area that is difficult to access via bicycle.</p>
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