

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) AND PLANNED DEVELOPMENT (PD) PERMIT CASE NO. PL23-0009

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Conditional Use Permit and Planned Development Permit is based on and limited to compliance with the project description stated in this condition below; compliance with Exhibit 1.8, Exhibits 2.6 through 2.8, and Exhibit 4 of the Board Letter for the Board of Supervisors hearing on June 3, 2025; and compliance with the 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 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 permit and applicable law.

The Project description is as follows:

The project is a request for a Conditional Use Permit (CUP) and Planned Development (PD) Permit be granted to legalize the unpermitted construction of 11 structures.¹

Through PD Permit approval, an existing single-family dwelling (SFD) (490 sq. ft.) would be authorized within a surface water feature in the HCWC overlay zone.² The applicant proposes to construct a new single-family dwelling of 1,493 sq. ft.³ and to convert this structure to an accessory dwelling unit (ADU).⁴ The new SFD would be located outside of the surface water feature and can be permitted through Zoning Clearance approval. Therefore, it is outside of the scope of this entitlement.

The PD Permit would also authorize non-habitable structures accessory to the single-family dwelling to exceed a cumulative total of 2,000 sq. ft.⁵ These include a detached garage of 2,780 sq. ft., a shipping container of 160 sq. ft., and two sheds of 88 sq. ft and

¹ The site would involve a total of 14 structures. The proposed SFD and two existing grooming stations are outside of the scope of this CUP and PD Permit, because these structures are permissible with a Zoning Clearance.

² See Table 1, Structure No. 2.

³ See Table 1, Structure No. 1.

⁴ For the purposes of this report, the newly proposed SFD, which is outside the scope of this permit, is referred to as the “SFD,” while the principal SFD, which will be re-designated as an ADU upon construction of the new SFD, is referred to as the “ADU.”

⁵ See Table 1, Structure Nos. 3 through 6.

105 sq. ft. each (total 3,133 sq. ft.). All residential accessory structures are under 15 feet in height except for the garage, which has a height of 21 feet.

The CUP would authorize accessory structures for animal husbandry / keeping to exceed a cumulative total of 2,000 sq. ft. This includes six animal husbandry / keeping structures of 2,352 sq. ft., 1,320 sq. ft., 240 sq. ft., 240 sq. ft., 288 sq. ft., and 288 sq. ft., each (totaling 4,728 sq. ft.).⁶ Two corrals (“grooming stations”) that have temporary shade canopies, each of which cover an area of 208 sq. ft., were also constructed without permits.⁷ Because these grooming stations are comprised of corrals and are only occasionally covered, they are considered “fences” as defined in the NCZO, and are outside the scope of this entitlement. All animal husbandry / keeping accessory structures are under 15 ft. in height except for one (Animal Husbandry Accessory Structure No. 3), which is 19 ft. tall.

The project site is within the Habitat Connectivity and Wildlife Corridor (HCWC) overlay zone. The CUP and PD Permit would also legitimize the unpermitted construction of seven structures within a “surface water feature”: the ADU, garage, one of the sheds, and four of the animal husbandry structures.

Table 1: Structures to Be Permitted

#	E/N	Label on Exhibit 4 Site Plan	Classification	Size (sq. ft.)	SWF	Permit Level
1	(N)	Single-Family Dwelling (SFD) ⁸	SFD	1,493	No	ZC
2	(E)	Accessory Dwelling Unit (ADU) ⁹	ADU	490	Yes	PD
Total Dwelling Area				1,983		
3	(E)	Garage	Building Not for Human Habitation, Accessory to SFD	2,780	Yes	PD
4	(E)	Shed No. 1		88	No	PD
5	(E)	Shed No. 2		105	Yes	PD
6	(E)	Shipping Container		160	No	PD
Total for Non-Habitable SFD Accessory Area				3,133		
7	(E)	Animal Shade Structure No. 1	Animal Husbandry / Keeping Accessory ¹⁰	288	Yes	CUP
8	(E)	Animal Shade Structure No. 2		288	Yes	CUP
9	(E)	Animal Shade Structure No. 3		2,352	No	CUP

⁶ See Table 1, Structure Nos. 7 through 12.

⁷ See Table 1, Structure Nos. 13 and 14.

⁸ The proposed SFD is not subject to CUP or PD Permit approval, as it can be authorized through Zoning Clearance approval (NCZO § 8105-4) and is not located within the designated surface water feature.

⁹ The proposed ADU would function as the principal SFD until the proposed SFD is constructed.

¹⁰ Though these structures are proposed to be used for shade in support of the principal animal husbandry use, these structures cannot be classified as “animal shade structures” under the NCZO,

Table 1: Structures to Be Permitted

#	E/N	Label on Exhibit 4 Site Plan	Classification	Size (sq. ft.)	SWF	Permit Level
10	(E)	Animal Shade Structure No. 4		240	Yes	CUP
11	(E)	Animal Shade Structure No. 5		240	Yes	CUP
12	(E)	Animal Shade Structure No. 6		1,320	No	CUP
Total for Animal Husbandry Accessory				4,728		
13	(E)	Grooming Station No. 1	Fence	208	No	ZC
14	(E)	Grooming Station No. 2		208	No	ZC
Total for Fenced Grooming Stations				416		

Notes

- E/N – Indicates if structures is (E)xisting or (N)ew
- SWF – Indicates if structure is within a Surface Water Feature
- Permit Level – ZC = Zoning Clearance; PD = PD Permit; CUP = Conditional Use Permit

The single-family dwelling and ADU will be within 500 ft. of approximately 16 existing oil wells that are part of CUP No. 15. The nearest well (Ojai Well No. 24) would be approximately 169 ft. southwest of the home and approximately 261 ft. southwest of the ADU; however, this well has been plugged and abandoned.¹¹ The nearest active well (Ojai Well No. 27) would be approximately 267 ft. north of the proposed single-family dwelling and 344 ft. north of the ADU. The applicant has requested a reduced 100-ft. oil well setback pursuant to Non-Coastal Zoning Ordinance (NCZO) § 8106-6.3.

Access to the site is provided by Topa Vista Road, a private road that connects to State Route 150 (Ojai - Santa Paula Road). Sisar Mutual Water Company provides water to the project site. Wastewater will be handled through onsite wastewater treatment systems (OWTS). Earthwork is estimated to be less than 50 cubic yards. No off-site improvements are proposed. (Exhibits 1.3 and 8).

The development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, 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.

because they do not meet the criteria in NCZO § 8107-34. As such, they are classified as accessory structures related to an animal husbandry use.

¹¹ CUP No. 15 remains active until 2028. During that time, an abandoned well could theoretically be redrilled and reactivated; however, because the well is within 500 ft. of the ADU and proposed SFD, this could only occur if the owner and all adult occupants of the affected dwellings grant the mineral rights holder a waiver (NCZO § 8107-5.6.25).

2. Required Improvements for CUP and PD

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 off-site and on-site improvements for the Project, including structures, are completed in conformance with the approved plans stamped as hearing Exhibits 1.3. and 8. The Permittee shall prepare and 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 (e.g., tree protection and landscape plans) 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/or Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to occupancy or final inspection. The Permittee shall maintain the required improvements for the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

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 of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project. Equipment and/or materials shall be stored within the garage or in compliance with the provisions of NCZO §§ 8107-1.6 (Open Storage) and 8109-4.8.3.5 (Surface Water Features – Setbacks and Permitting).

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

4. CUP and PD Modification

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

5. Construction Activities

Prior to release of the Notice of Violation, the applicant shall obtain a Zoning Clearance for construction from the Planning Division and a Building Permit from the Building and Safety Division for all unpermitted structures.

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and PD Permit and/or commencement of construction and/or operations under this CUP and PD Permit shall constitute the Permittee's formal agreement to comply with all conditions of this CUP and PD Permit. Failure to abide by and comply with any condition of this CUP and PD Permit shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP and 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 CUP and PD Permit.

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

7. Time Limits

a. Use inauguration:

- (1) The approval decision for this CUP and PD Permit becomes effective upon the expiration of the 10 day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for construction in order to initiate the land uses set forth in Condition No. 1.
- (2) This CUP and PD Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for construction within one year from the date the approval decision of this CUP and PD becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order to obtain the Zoning Clearance for construction if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- (3) Prior to the issuance of the Zoning Clearance for construction, 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 construction, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP and PD Permit.

Permit Life or Operations Period: The CUP component of this permit affects only the structures that are accessory to the animal husbandry use (i.e., Animal Shade Structure Nos. 1 through 6). The CUP will expire on **March 2, 2045**. The PD Permit, once vested, is not subject to expiration. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after

the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

- (1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to **March 2, 2045**; and
- (2) The County decision-maker grants the requested modification.

Any request for renewal, extension, or modification of the permit term may be made in accordance with the then-existing provisions of the Ventura County NCZO, including any allowance of the CUP to remain in effect after the expiration date if a timely request has been made.

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

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this CUP and 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 CUP and 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 Planning Division staff 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.

9. Notice of CUP and PD Permit Requirements and Retention of CUP and PD Permit Conditions On Site

Purpose: To ensure full and proper notice of these CUP and PD Permit conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP and PD Permit.

Documentation: The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

Timing: Prior to issuance of a Zoning Clearance for construction and throughout the life of the Project.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

10. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a "Notice of Land Use Entitlement" form and the conditions of this CUP and PD Permit with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this CUP and PD Permit.

Requirement: The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a "Notice of Land Use Entitlement" form furnished by the Planning Division and the conditions of this CUP and PD Permit, with the deed of the property that is subject to this CUP and PD Permit.

Documentation: Recorded "Notice of Land Use Entitlement" form and conditions of this CUP and PD Permit.

Timing: The Permittee shall record the "Notice of Land use Entitlement" form and conditions of this CUP and PD Permit prior to issuance of a Zoning Clearance for construction.

Monitoring and Reporting: The Permittee shall return a copy of the recorded "Notice of Land Use Entitlement" form and conditions of this CUP and PD Permit to Planning Division staff to be included in the Project file.

11. Financial Responsibility for Compliance Monitoring and Enforcement

- 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, CEQA mitigation 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 CUP and 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 CUP and PD Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP and PD Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP and PD Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County,

and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

- d. Neither the issuance of this CUP and PD Permit, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP and PD Permit serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

13. Invalidation of Condition(s)

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

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

14. Consultant Review of Information and Consultant Work

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP and PD Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be

appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 11 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

15. Relationship of CUP and PD Permit Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project 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 CUP and PD Permit condition contained herein is in conflict with any other CUP and PD Permit condition contained herein, when principles of law do not provide to the contrary, the CUP and PD Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP and 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 approval of this CUP and PD Permit, nor compliance with the conditions of this CUP and PD Permit, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

16. 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 permitted uses of this CUP and PD Permit.

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 Project site.

Timing: Prior to the issuance of a Zoning Clearance for 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 Planning Division staff 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 Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

17. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

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 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 CUP and 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 § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

18. Minimum Setback Between Structures

Purpose: To ensure compliance with § 8106-6.1 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The distance between the exterior walls or other supports of each unattached structure shall be a minimum of six feet. This will require that the shipping container and Shed No. 1 be separated from each other by a minimum of six feet. The applicant shall document this separation by submitting a site plan.

Timing: The site plan showing compliance with NCZO § 8106-6.1 shall be submitted to the Planning Division for review and approval prior to issuance of a Zoning Clearance for construction. The structures shall be physically relocated in compliance with the approved revised site plan prior to final inspections. If the affected structures are exempt from construction permits, the structures shall be physically relocated in compliance with the approved revised site plan within 90 days of Zoning Clearance approval.

Monitoring and Reporting: The Planning Division maintains the approved site plan in the Project file and has the authority to periodically confirm compliance with this standard pursuant to § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

19. Acknowledgment of Reduced Oil / Gas Well Setback

Purpose: To comply with § 8106-6.3 of the Ventura County Non-Coastal Zoning Ordinance and to ensure that future potential purchasers have notice of the reduced oil and gas well setback.

Requirement: The Permittee shall record a statement, in a form acceptable to County Counsel, with the title to the property, acknowledging the presence of well sites within 500 ft. of the single-family dwelling and accessory dwelling unit (ADU). This statement may be recorded as part of the Notice of Land Use Entitlement required by Condition No. 10 (Recorded Notice of Land Use Entitlement). The statement shall further acknowledge that operations associated with these wells, including drilling and redrilling, may disturb the occupants, even though the operations are being conducted in accordance with CUP conditions, best practices, and NCZO standards.

Timing: The acknowledgement shall be recorded prior to issuance of a Zoning Clearance for construction. The recorded acknowledgement shall run with the title of the land.

Monitoring and Reporting: The Permittee shall return a recorded copy of the acknowledgement to the Planning Division for retention in the Project file.

20. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with Section 8109-4.8.2 of the Ventura County Non-Coastal Zoning Ordinance and to ensure the following objectives are met that lighting:

- a. avoids interference with reasonable use of adjoining properties;
- b. avoids conflict with landscape features;
- c. minimizes on-site and eliminates off-site glare;
- d. provides adequate on-site lighting for security;
- e. minimizes impacts to wildlife movement;
- f. minimizes energy consumption; and
- g. includes devices that are compatible with the design of the permitted facility.

- h. complies with the general standards listed in Section 8109-4.8.2.4 for all new and replaced outdoor lighting.

Requirement: The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval prior to implementing such plan. The lighting plan must comply with the following:

- a. The lighting plan shall include manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs) and a graphic or schematic depicting the fixture;
- b. The lighting plan shall identify the purpose, mounting height, lighting color / chromaticity, and maximum output for each light fixture;
- c. For security lighting, the lighting plan shall note the hours of operation and the timing for automatic shut-off.
- d. In order to minimize light and glare on the project property, all lighting must be fully shielded and downward directed, such that the lighting is projected downward onto the property and does not cast light on any natural areas, adjacent properties, or roadways; and
- e. Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.

The Permittee shall bear the total cost of the review and approval of the lighting plan. The Permittee shall install all exterior lighting in accordance with the approved lighting plan.

Documentation: The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval.

Timing: The Permittee shall obtain the Planning Division's approval of the lighting plan prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved lighting plan in the Project file. The Permittee shall ensure that the lighting is installed according to the approved lighting plan prior to occupancy. The Building and Safety Inspector and Planning Division staff have the authority to ensure that the lighting plan is installed according to the approved lighting plan. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this

condition consistent with the requirements of Section 8114-3 of the Non-Coastal Zoning Ordinance.

21. Undergrounding of All Utilities

Purpose: To provide adequate utility services to the site in alignment with Ventura County General Plan Public Facilities, Services, and Infrastructure Element Policy PFS-7.4.

Requirement: The undergrounding of all electric, cable, phone, and gas lines shall be required. The Permittee shall submit proposed grading and building plans denoting utility service lines to the Planning Division for review and approval.

Documentation: Project plans submitted for the Zoning Clearance shall include an exhibit depicting the location of utility service lines, points of connection, and alignment to the structures. The Permittee shall obtain the Planning Division's stamped approval on the utilities exhibit as part of the Zoning Clearance authorization. The applicant shall submit the stamped exhibit when applying for construction and grading permits.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit to the Planning Division for review and approval final development plans showing that all electric, cable, phone, and gas lines to be undergrounded. Prior to the issuance of a Zoning Clearance for construction, the location of utility service lines shall be noted on all building and grading plans for review and approval by the Planning Division. Prior to final inspection by RMA Building and Safety Division, the project site shall be inspected by the Planning Division to ensure all electric, cable, phone, and gas lines have been undergrounded.

Monitoring and Reporting: The Planning Division has the authority to ensure that all electric, cable, phone, and gas lines have been undergrounded. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of NCZO § 8114-3.

22. Construction Noise

Purpose: In order for this project to comply with the Ventura County General Plan Hazards and Safety Element Policies HAZ-9.1 and HAZ-9.2.

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 location on the Project site, in order so that the sign is visible to the general

public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and construction activities. 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 public. The Permittee shall maintain a "Complaint Log," noting the date, time, complainant's name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the "Complaint Log" to the Planning Division upon the Planning Director's request.

Timing: The Permittee shall install the sign prior to the issuance of a building permit and throughout all grading and construction activities. The Permittee shall maintain the signage on-site until all grading and construction activities are complete. If the Planning Director requests the Permittee to submit the "Complaint Log" to the Planning Division, the Permittee shall submit the "Complaint Log" within one day of receiving the Planning Director's request.

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the "Complaint Log." The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition.

23. Tree Offsets

Purpose: To comply with the County's Tree Protection Regulations (TPR) set forth in Section 8107-25 et seq. of the Ventura County *Non-Coastal Zoning Ordinance* and the *Tree Protection Guidelines* (TPG).

Requirement: The unauthorized removal of protected trees will be considered to be offset to the satisfaction of the Planning Director through the previous planting and maintenance of six introduced coast live oaks referenced in the ISBA prepared by Pax Environmental and dated September 13, 2023.

Documentation: The Permittee shall submit the following documentation prepared by a qualified arborist for review and approval by the Planning Director:

- a) A letter report that identifies tree species, size (i.e., diameter at breast height), and a description of the overall health of the tree.
- b) A site plan indicating the location of the six oak trees.
- c) Photographs of the trees, cross-referenced by number/label to the site plan.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit the documentation noted in this condition to the Planning Director for review and approval.

Monitoring and Reporting: The Planning Division maintains the arborist's documentation and all supporting documentation in the Project file.

Environmental Health Division (EHD) Conditions

24. Existing OWTS General Notice

Purpose: To demonstrate compliance with State and local regulations related to the design and installation of an onsite wastewater treatment system (OWTS). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance may be discharged into the on-site sewage disposal system.

Requirement: Permittee shall maintain all OWTS components in good working order to prevent system failure and creation of a public nuisance. Permittee is required to obtain the approval of the Ventura County Environmental Health Division (EHD) prior to changing and/or modifying the OWTS, repairing components of the OWTS, expanding the footprint of a structure, adding plumbing fixtures, or adding a new structure.

Ongoing Maintenance: Once the OWTS has been installed and finalized by EHD, it is the owner's responsibility to properly maintain the system to prevent OWTS failure or an unauthorized sewage release, and from creating a public nuisance, health concern, or impact the environment. The septic tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County EHD, and all pumping activities shall be reported to EHD. All septage wastes must be disposed of in an approved manner. EHD staff will also receive and respond to any complaints related to OWTS and/or unauthorized sewage releases.

25. General Vector Control – Animal Waste and Mosquito Breeding

Purpose: To ensure site does not contribute to the harborage and/or breeding of potential vectors of disease or create a public nuisance.

Requirement: The storage, handling and disposal of animal wastes shall be in a manner that will not create or promote potential breeding and/or harborage of vectors of disease, such as flies, mosquitoes, and rodents. Ensure animal waste is stored properly and removed as often as needed to prevent fly breeding. Manage standing water onsite, including any stormwater management structures, so it will not create mosquito breeding sources.

Timing: The Permittee shall maintain the Project site so as not to contribute to the harborage and/or breeding of potential vectors of disease, nor the creation of a public nuisance throughout the life of the Project.

Monitoring: Ventura County Environmental Health Division (EHD) staff will receive and respond to vector related complaints at the site. The Division will maintain a record of vector related complaints reported to the Division.

PUBLIC WORKS AGENCY (PWA)

Integrated Waste Management Division (IWMD) Conditions

26. Construction and Demolition Debris Recycling Plan

Purpose: Ventura County Ordinance Code (VCOC) Section 4773 et seq. requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by the Project (e.g., wood, metal, greenwaste, soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage.

Requirement: The Permittee must submit a comprehensive recycling plan to the IWMD for any proposed construction and/or demolition projects that require a building permit, unless otherwise exempt under VCOC Section 4773 4.

Documentation: The recycling plan must ensure recyclable C&D debris generated by the Project will be diverted from the landfill by recycling, reuse, or salvage in at least the amount outlined within the current California Green Building Standards Code. More information about requirements for the Construction and Demolition Debris Recycling Program is available at:

<https://www.vcpublicworks.org/wsd/iwmd/construction 2/>

A comprehensive list of permitted recyclers, County franchised haulers, and solid waste & recycling facilities in Ventura County is available at:

<https://www.vcpublicworks.org/wsd/iwmd/businessrecycling/#CollectorsRates>
Agreements

A list of local facilities permitted to recycle soil, wood, and greenwaste is available at:

<https://www.vcpublicworks.org/wsd/iwmd/construction/#solid waste collectors>

Timing: Upon Building and Safety Division's issuance of a building permit for the project, the Permittee must submit a recycling plan to the IWMD for approval.

Monitoring & Reporting: The Permittee is required to keep a notice of their pre-approved recycling plan until Building and Safety Division's issuance of final permit.

27. Construction and Demolition Debris Documentation

Purpose: VCOC Section 4773 et seq. 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.

Requirement: The Permittee must submit original recycling facility receipts and/or documentation to the IWMD for approval prior to issuance of their final Building and Safety Division permit. Instructions are available at

[https://www.vcpublishworks.org/wsd/iwmd/construction 2/](https://www.vcpublishworks.org/wsd/iwmd/construction%20/)

Documentation: The Permittee must submit original recycling facility receipts and/or documentation of reuse to verify recyclable C&D debris generated by their project was diverted from the landfill in at least the amount outlined within the current California Green Building Standards Code.

Timing: Recycling facility receipts and/or documentation or reuse, must be submitted to the IWMD for approval at the time of Building and Safety Division's issuance of final permit.

Monitoring & Reporting: The Permittee is required to keep a notice of their final approval until Building and Safety Division's issuance of final permit.

Transportation Department Conditions

28. Traffic Impact Mitigation Fee (TIMF)

Purpose: To address the cumulative adverse impacts of traffic on the Regional Road Network, County General Plan Policy CTM-1.3 requires that the PWA – Transportation Department collect a TIMF in accordance with the Reciprocal Agreement with the City of Ojai and the County.

Requirement: The Permittee shall deposit with the PWA – Transportation Department a TIMF. The trip generation rate and TIMF will be calculated based on the applicant's information. The Permittee may choose to submit additional information or provide a Traffic Study to supplement the information currently provided to establish the trip generation rate. The TIMF may be adjusted for inflation at the time of deposit in accordance with the latest version of the Engineering News Record Construction Cost Index. The TIMF due to the City of Ojai would be transferred to the City within 30 calendar days in accordance with the reciprocal traffic mitigation agreement between the City of Ojai and the County of Ventura. Based on the applicant's information:

Total TMF is \$731

Single Family Dwelling Unit (SFDU) is 1 SFDU x \$430(3) / SFDU = \$430

Other Housing (Existing 1-Bedroom Dwelling Unit) is 1 Other Housing x \$301(4) / Other Housing = \$301

Documentation: The Permittee shall come to the VCPWA-RT counter, fill out the TIMF form, and pay the TIMF. The Permittee may pay the TIMF remotely via the internet at <https://www.vcpwaworks.org/rt-applications>. Under “Additional Links...” choose and then fill out the TIMF Questionnaire Application and email any inquiries and the form to pwa.transpermits@ventura.org. Upon approval of the fee amount, the Permittee will have the option to pay the fee with a credit card through Accela Citizen Access.

Timing: This condition shall be met prior to the issuance of the Zoning Clearance for construction.

Monitoring and Reporting: The PWA – Transportation Department will review and approve the payment of the TIMF.

29. Notice of Substandard Access Roads

Purpose: The County requires the property owner to record a Notice of Substandard Access Roads (NSSAR) when the project is near a substandard road, which may not be improved to the current County Road Standard in the future.

Requirement: The property owner shall provide recorded notice to successors in interest of the property that the existing road systems in the area are not considered standard; that, although such roads do not create an unreasonable risk of harm when used with due care, in a manner in which it is reasonably foreseeable that they will be used, these roads are of a rural nature with widths, grades, and other road features that would be considered substandard if such roads were being designed or built today, and that the County does not currently and also may not in the future have funds available to improve these roads. The NSSAR shall include the following:

- a) The property is served by existing private road(s) and is nearby additional public roads in Upper Ojai Valley Area that do not meet current County road standards.
- b) The owner shall acknowledge that Sulphur Mountain Road and Topa Vista Road, a private road, in the Upper Ojai Valley Area and access roads connected to these roads do not meet current County Road Standards.
- c) The private portions of these public roads and the private roads, including Topa Vista Road, a private road, are neither County-maintained nor currently eligible for any improvements at County expense.
- d) These roads are of rural nature with widths, grades, and other road features that would be considered substandard if such roads were being designed or built to current standards.

- e) These roads are to be used with due care in a manner in which it is reasonably foreseeable that they will be used.
- f) There are no current funding sources available to construct the improvements on the existing public roads in this area.

Documentation: The property owner shall record the NSSAR with the County Recorder. And provide the PWA - Transportation Department with a copy of the recorded Notice.

Timing: This condition shall be met prior to the issuance of a Building Permit.

Monitoring and Reporting: The PWA - Transportation Department will accept the recorded NSSAR from the Permittee in conformance with the project conditions.

Watershed Protection District (WPD) Conditions

County Stormwater Program Section

30. Compliance with Stormwater Development Construction Program (CSP)

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permit, No. CAS004002 (Permit), the proposed project will be subject to the construction requirements for surface water quality and storm water runoff, in accordance with Part 4.F., "Development Construction Program", of the Permit.

Requirement: The construction of the proposed project shall meet requirements contained in Part 4.F., "Development Construction Program", of the Permit through the inclusion of an effective combination of construction best management practices (BMPs) during all ground disturbing activities.

Documentation: The Permittee shall submit a completed and signed SW 1 form (Best Management Practices for Construction Less Than One Acre) to the Public Works Agency County Stormwater Program (CSP) for review and approval, a template for which can be found at

[https://www.onestoppermits.vcrma.org/departments/stormwater program](https://www.onestoppermits.vcrma.org/departments/stormwater%20program).

Timing: The above listed item shall be submitted to the CSP for review and approval prior to issuance of a zoning clearance for construction.

Monitoring and Reporting: The CSP will review the submitted materials for consistency with the Permit. Building permit inspectors will conduct inspections during construction to ensure effective installation of the required BMPs.

Groundwater Program Section

31. Manure Management Plan

Purpose: In accordance with the Ventura County General Plan Goals, Policies, and Programs Policies WR-2.1, WR-2.2, WR-2.3, WR-4.2 and WR-4.5., a MMP is required.

Requirement: The Permittee shall prepare and implement a MMP for all animal waste that will be generated within the project area.

Documentation: The MMP shall be prepared in accordance with the Ventura County Watershed Protection District – Groundwater Section Guidelines for Preparing a Manure Management Plan.

Timing: Prior to the Issuance of a Zoning Clearance for use inauguration, the Permittee shall submit the MMP to the WPD for review and approval.

Monitoring and Reporting: A copy of the approved MMP will be maintained in the case file. Upon request, the Permittee shall provide to the WPD copies of all manifested animal waste solids hauled to a legal off site receiving facility if applicable and in accordance with the approved MMP.

32. Water Offsets

Purpose: To ensure compliance with Ojai Valley Area Plan Policy OV-64.2 and to mitigate potentially significant impacts to surface water and groundwater quantity to less-than significant levels.

Requirement: The Permittee shall submit historical water usage quantities and estimated water usage during all phases of construction and at full project build-out to the WPD for review and approval. If water demand for the proposed project will be greater than existing demand, the Permittee shall submit a water offset post-implementation report to the WPD for review and approval prior to the issuance of a Zoning Clearance for construction. The post-implementation report shall include a water savings analysis to offset the total calculated water demand required to service the permitted use within the Sulphur Mountain Pipeline Association or Casitas Municipal Water District service area.

Documentation: Documentation of existing and projected water demand and a copy of the post-implementation water offset report.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall submit water usage quantities and, if necessary, the post-implementation water offset report.

Monitoring and Reporting: The Planning Division maintains copies of the approved water offset plan and post-implementation water offset report.

OTHER VENTURA COUNTY AGENCIES

Ventura County Air Pollution Control District (APCD) Conditions

33. Dust Control for Construction

Purpose: To ensure that fugitive dust and particulate matter that may result from construction activities are minimized to the greatest extent feasible.

Requirement: The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

Documentation: The project applicant shall ensure compliance with the following provisions:

- I. The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust;
- II. Pre grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water should penetrate sufficiently to minimize fugitive dust during grading activities;
- III. All trucks shall cover their loads as required by California Vehicle Code §23114.
- IV. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means (except during and immediately after rainfall). Water shall be applied to all unpaved roads, unpaved parking areas or staging areas, and active portions of the construction site. Environmentally safe dust control agents may be used in lieu of watering.
- V. Graded and/or excavated inactive areas of the construction site shall be monitored at least weekly for dust stabilization. Soil stabilization methods, such as water and roll compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the construction site that are inactive for over four days.
- VI. Signs shall be posted onsite limiting traffic to 15 miles per hour or less.
- VII. All clearing, grading, earth moving, or excavation activities shall cease during periods of high winds (i.e., wind speed sufficient to cause fugitive dust to be a nuisance or hazard to adjacent properties). During periods of high winds, all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite.
- VIII. All off road construction equipment shall have an EPA diesel rating of at least Tier 3.

Timing: Throughout the construction phases of the project.

Reporting and Monitoring: Monitoring and enforcement of dust related provisions shall be conducted by APCD staff and is complaint driven.

Ventura County Fire Protection District (VCFPD) Conditions

NOTICE IS HEREBY PROVIDED THAT THE SUBJECT PROPERTY APN 037-0-080-115 IS WITHIN A VERY HIGH FIRE HAZARD SEVERITY ZONE, AS DESIGNATED BY THE CALIFORNIA STATE FIRE MARSHALL.

Pursuant to General Plan Policy HAZ-1.4, Development in High Fire Hazard Severity Zones and Hazardous Fire Areas, as determined by the Ventura County Fire Protection District or California Department of Forestry and Fire Protection (CAL FIRE), require the recordation of a Notice of Fire Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits). To satisfy this requirement, the above notice, along with the Notice of Land Use Entitlement condition must be included in your conditions of approval document.

34. Private Access Road Design

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

Requirement: The Permittee shall design all new private roads in accordance with Public Road Standards and any additional design requirements outlined in the conditions of approval for the project below, unless modified by the Fire District. All required Fire Access Roads and Driveways, along with cross section(s), shall be shown on the final map or parcel map

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit a copy of the proposed access plan to the Fire Prevention Bureau for approval before issuance of building permits. All required access shall be installed before the start of combustible construction.

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

35. Vertical Clearance

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

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches (13'-6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

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

36. Turning Radius

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

Requirement: The Permittee shall provide a minimum 40-foot inside turning radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

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

37. Turnarounds

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

Requirement: The Permittee shall provide an approved turnaround area for fire apparatus where dead-end Fire Department access roads / driveways exceed 150 feet. Required turnaround areas shall be designed such:

- a. Does not exceed a 5% cross-slope in any direction.

- b. Located within 150 feet of the end of the access road / driveway
- c. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards.
- d. Kept free of obstructions at all times.
- e. Located within a common lot or easement that is 5 feet wider than the required driveway and turnaround area widths (2 ½ feet on each side)

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit access plans to the Fire Prevention Bureau for approval before issuance of building permits. The plans shall indicate all access road/driveway locations and proposed turnaround location and design. All required turnarounds shall be installed before the start of combustible construction.

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

38. Turnouts

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

Requirement: The Permittee shall provide approved turnouts along the access road(s) at locations as required by the Ventura County Fire Protection District. Required turnouts shall be designed such:

- a. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards
- b. Kept free of obstructions at all times
- c. Located within the right-of-way, a common lot or easement

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit access plans to the Fire Prevention Bureau for approval before issuance of building permits. The plans shall indicate all access road/driveway locations and proposed turnout locations and design. All required turnouts shall be installed before the start of combustible construction.

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

39. Access Road Improvements, Existing Legal Lots for Single-Family Dwellings

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

Requirement: The Permittee shall design access road(s)/driveway(s) in accordance with Fire District access standards. On-site access road/driveway serving one (1) lot shall have a minimum width of 12 feet (minimum 15 feet wide in Hazardous Fire Areas and Wildland Urban Interface Areas). Access road/driveways serving two (2)- four (4) lots shall have a minimum paved width of 15 feet plus 2.5 foot graded and compacted (95%) shoulders each side for a total minimum width of 20 feet.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before occupancy.

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

40. Access Road Improvement

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

Requirement: The Permittee shall provide a minimum 20-foot wide paved (asphalt or concrete) access road, in accordance with the requirements of Ventura County Fire Protection District Ordinance No. 29, Section 4.2.1. All access road improvements shall be within the recorded access easements or upon this parcel or within newly created and recorded access easements. Parking is prohibited on the required access road.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan and proof of recorded access easements to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before occupancy.

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

41. Access Road Gates

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

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

Documentation: A stamped copy of the approved gate plans.

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

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

42. Fire Flow

Purpose: To ensure that adequate water supply is available to the project for firefighting purposes.

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). The minimum flow per VCFD Standard shall be provided from any one hydrant.

Documentation: A signed copy of the water purveyor's fire flow certification.

Timing: Prior to map recordation, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow.

If there is no map recordation, the Permittee shall submit a signed copy of the water purveyor's certification to the Fire Prevention Bureau for approval before the issuance of building permits.

Monitoring and Reporting: A copy of the fire flow certification shall be kept on file with the Fire Prevention Bureau.

43. Fire Hydrant(s)

Purpose: To provide fire hydrants capable of meeting the required fire flow and duration.

Requirement: The Permittee shall provide fire hydrant(s) per the current adopted edition of the Ventura County Fire Code, Appendix C. Design and installation shall conform to the minimum standard of the Ventura County Water Works Manual.

Documentation: A stamped copy of the approved fire hydrant location plan.

Timing: The Permittee shall submit a site plan to the Fire Prevention Bureau for fire hydrant placement and approval before the issuance of building permits. The plans shall indicate all existing fire hydrants located within 500 feet of the project site, the type of hydrant (i.e. wet or dry barrel) and the number and size of outlets. All required fire hydrants shall be installed per the approved plans and in-service before the start of construction.

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

44. Fire Sprinklers

Purpose: To comply with current California Codes and Ventura County Fire Protection District Ordinance.

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

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

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

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

45. Address Numbers (Single-Family Homes)

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

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

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

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

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

46. Hazardous Fire Area

Purpose: To advise the Permittee that the project is located within a Hazardous Fire Area and ensure compliance with California Building and Fire Codes.

Requirement: The Permittee shall construct all structures to meet hazardous fire area building code requirements.

Documentation: A stamped copy of the approved building plans to be retained by the Building Department.

Timing: The Permittee shall submit building plans to the Building Department for approval before the issuance of building permits.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area building code requirements. Unless a modification is approved by the Fire Prevention

Bureau, the Permittee, and their successors in interest, shall maintain the approved construction for the life of the structure.

Notice: For purposes of these conditions and application of Building and Fire Codes, the term “Hazardous Fire Area” includes the following as referenced in the CBC and VCFPD Ordinance: State SRA - Fire Hazard Severity Zone, Local Agency - Very-High Fire Hazard Severity Zone, Local Agency - Wildland-Urban Interface Fire Area (WUI Area), Local Agency - Hazardous Fire Area.

47. Fire Department Clearance

Purpose: To provide the Permittee a list of all applicable fire department requirements for their project.

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

Documentation: A signed copy of the Ventura County Fire Protection District’s Form #126 “Requirements for Construction.”

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

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

48. Fire Code Permits

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

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

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

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

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

the Permittee, and their successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

49. Prefabricated Sea Cargo / Metal Containers

Purpose: To ensure a reasonable degree of life and property protection is provided.

Requirement: The Permittee shall comply with Ventura County Building Department and Ventura County Fire Protection District Standards or shall meet requirements as a new building under the Building and Fire Codes.

Documentation: A signed copy of the project plans with Fire Prevention Bureau's approval

Timing: The Permittee shall submit documentation indicating that the proposed containers met the requirements of Ventura County Fire Protection District standards to the Fire Prevention Bureau for approval before use of any container.

Monitoring and Reporting: A copy of the approval shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the prefabricated sea cargo/metal storage containers are installed according to the approval. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the approved use and installation of the prefabricated sea cargo/metal storage containers for the life of the project.

50. Inspection Authority

Purpose: To ensure on-going compliance with all applicable codes, ordinances and project conditions.

Requirement: The Permittee, by accepting these project conditions of approval, shall acknowledge that the fire code official (Fire District) is authorized to enter at all reasonable times and examine any building, structure or premises subject to this project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of the approved entitlement conditions.

Timing: The Permittee shall allow on-going inspections by the fire code official (Fire District) for the life of the project.

Monitoring and Reporting: A copy of the approved entitlement conditions shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall ensure ongoing compliance with this condition through on-site inspections.

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

51. Avoidance of Nesting Birds

Purpose: In order to prevent impacts to birds protected under the Migratory Bird Treaty Act, land clearing and construction activities shall be regulated.

Requirement: The Permittee shall conduct all demolition, tree removal/trimming, vegetation clearing, and grading activities (collectively, "land clearing activities"), and construction in such a way as to avoid nesting native birds. This can be accomplished by implementing one of the following options:

- a. Timing of land clearing or construction: Prohibit land clearing or construction activities during the breeding and nesting season (February 1 – September 1), in which case the following surveys are not required; or
- b. Surveys and avoidance of occupied nests: Conduct site-specific surveys prior to land clearing or construction activities during the breeding and nesting season (February 1 – September 1) and avoid occupied bird nests. A County-approved biologist shall conduct surveys to identify any occupied (active) bird nests in the area proposed for disturbance. Occupied nests shall be avoided until juvenile birds have vacated the nest.

The County-approved biologist shall conduct an initial breeding and nesting bird survey 30 days prior to the initiation of land clearing or construction activities. The County-approved biologist shall continue to survey the Project site on a weekly basis, with the last survey completed no more than 3 days prior to the initiation of land clearing activities. The nesting bird survey must cover the development footprint and 300 feet from the development footprint. If occupied (active) nests are found, land clearing activities within a setback area surrounding the nest shall be postponed or halted. Land clearing activities may commence in the setback area when the nest is vacated (juveniles have fledged) provided that there is no evidence of a second attempt at nesting, as determined by the County-approved biologist. Land clearing activities can also occur outside of the setback areas. Pursuant to the recommendations of the California Department of Fish and Wildlife, the required setback is 300 feet for most birds and 500 feet for raptors. This setback can be increased or decreased based on the recommendation of the County-approved biologist and approval from the Planning Division.

Documentation: The Permittee shall provide to the Planning Division a Survey Report from a County-approved biologist documenting the results of the initial nesting bird survey and a plan for continued surveys and avoidance of nests in accordance with the requirements set forth in this condition (above). Along with the Survey Report, the

Permittee shall provide a copy of a signed contract (financial information redacted) with a County-approved biologist responsible for the surveys, monitoring of any occupied nests discovered, and establishment of mandatory setback areas. The Permittee shall submit to the Planning Division a Mitigation Monitoring Report from a County-approved biologist following land clearing activities documenting actions taken to avoid nesting birds and results.

Timing: If land clearing or construction activities will occur between February 1 – September 1, the County-approved biologist shall conduct the nesting bird surveys 30 days prior to initiation of land clearing or construction activities, and weekly thereafter. The last survey for nesting birds shall be conducted no more than 3 days prior to initiation of land clearing or construction activities. The Permittee shall submit the Survey Report documenting the results of the first nesting bird survey and the signed contract to the Planning Division prior to issuance of a zoning clearance for construction. The Permittee shall submit the Mitigation Monitoring Report within 14 days of completion of the land clearing or construction activities.

Monitoring and Reporting: The Planning Division reviews the Survey Report and signed contract for adequacy prior to issuance of a Zoning Clearance for construction. The Planning Division maintains copies of the signed contract, Survey Report, and Mitigation Monitoring Report in the Project file.