



# Planning Commission Resolution

County of Ventura • Resource Management Agency • Planning Division

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**RESOLUTION 20-05 FOR PL19-0039 DENYING THE APPLICATION OF CRESTVIEW MUTUAL WATER COMPANY FOR A MODIFICATION TO CONDITIONAL USE PERMIT (CUP) NO. 4858 TO AUTHORIZE THE ABANDONMENT AND REMOVAL OF AN EXISTING WATER PRODUCTION, STORAGE, TRANSMISSION, AND DISTRIBUTION FACILITY AT ONE WELL SITE LOCATION, AND TO CONSTRUCT ONE REPLACEMENT WATER PRODUCTION, STORAGE, TRANSMISSION, AND DISTRIBUTION FACILITY AT A NEW SEPARATE WELL SITE LOCATION.**

**WHEREAS**, a legally noticed public hearing on this application for modified CUP Case No. PL19-0039 was held by the Planning Commission of Ventura County in Ventura, California on June 25, 2020;

**WHEREAS**, the Planning Commission considered all written and oral testimony from County staff and the public on this matter;

**WHEREAS**, in order for the Planning Commission to grant the application for a modified CUP, at least three Commissioners must find that the Applicant has met its burden of proving that all of the following standards for permit approval set forth in Ventura County Non-Coastal Zoning Ordinance ("NCZO") section 8111-1.2.1.1a have been met:

1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code;
2. The proposed development is compatible with the character of surrounding, legally established development;
3. The proposed development would not be obnoxious or harmful or impair the utility of neighboring property or uses;
4. The proposed development would not be detrimental to the public interest, health, safety, convenience or welfare;
5. The proposed development, if allowed by a conditional use permit, is compatible with existing and potential land uses in the general area where the development is to be located;
6. The proposed development will occur on a legal lot; and
7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws;

**WHEREAS**, after the close of the public hearing, Planning Commissioner McPhail moved to include Exhibits 37, 38, 39, D, E, F, G, H and I into the record, but deny modified CUP Case No. PL19-0039 based on the finding that the Applicant had failed to carry its burden of proving to the satisfaction of the Planning Commission that the proposed development meets four of the required standards for approval set forth in NCZO section 8111-1.2.1.1a: (2) the proposed development is compatible with the character of surrounding, legally established development; (3) the proposed development would not be obnoxious or harmful or impair the utility of neighboring property or uses; (4) the proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare; and (5) the proposed development is compatible with existing and potential land uses in the general area where the development is to be located.

The specific facts supporting this finding are as follows:

Well Site No. 5 is located at 602 North Valley Vista Drive in the unincorporated area of Ventura County. Existing development within the vicinity of this site includes single family dwellings. The component of the Project that would occur on this site includes decommissioning and abandoning an existing water well (Well No. 5). The existing permitted filtration system and tanks would remain on the site.

Well Site No. 7 is located at 191 Alviso Drive in the unincorporated area of Ventura County. The component of the Project that would occur on this site includes the construction of a replacement water well with ancillary equipment for well operations to be enclosed within an approximately 1,000-square-foot pump house, along with installation of landscaping, an emergency back-up generator, and irrigation tank. Existing development within the vicinity of this site includes single family dwellings.

The proposed land use and structures for Well No. 7 are inconsistent with established covenants, conditions and restrictions of the Las Posas Hills Homeowner's Association.

Adjacent property owners with existing septic systems within 200 feet of the proposed Well No. 7 would be burdened with the preparation of additional technical studies subject to County review and determination at the time their affected septic systems would need future repair and or replacement. This issue was addressed in the hydrogeologic Review of Crestview Mutual Water Company's "Well No. 7" Camarillo Hills, Ventura County, California by Kear Groundwater, dated June 22, 2020 (Exhibit 35 of the Planning Commission staff report).

Temporary 24-hour construction and ongoing operational noise of Well No. 7 would be a nuisance to neighboring properties.

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The proposed periodic delivery and indoor storage of chlorine for Well No. 7 lacks technical information from the Applicant, including information regarding chemical delivery and operational odors to ensure compatibility with the surrounding existing residential development.

Nuisance to the community for the proposed grading activities, volume, and truck trips for construction of Well No. 7.

Based on these factual findings, the Applicant has not met its burden of proving that the proposed new development is compatible with surrounding development, would not be harmful to neighboring uses, would not be detrimental to the public health, and is compatible with existing and potential land uses in the general area.

**WHEREAS**, the motion carried 5-0; and,

**NOW, THEREFORE, BE IT RESOLVED** that the recommended actions of staff are not adopted and that modified CUP Case No. PL19-0039 is **DENIED**.

This is to verify that the foregoing is a full, true and correct copy of the resolution reflecting the actions taken by the Ventura County Planning Commission at its June 25, 2020 public hearing regarding the above-described matter.



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Dave Ward, Secretary to the  
Ventura County Planning Commission