

**EXHIBIT 5**  
**DRAFT CONDITIONS OF APPROVAL FOR BOY SCOUTS OF AMERICA**  
**CONDITIONAL USE PERMIT (CUP)**  
**CASE NO. PL20-0125**

**PLANNING DIVISION CONDITIONS**

NOTICE TO PERMIT HOLDER: Failure to abide by and faithfully comply with any conditions for the granting of this Permit shall constitute grounds for enforcement action, including, but not limited to, one or more of the following actions:

- Public reporting of violations to the Planning Commission;
- Suspension of permit operations;
- Modification of permit conditions; and/or
- Revocation of the permit.

1. It is the responsibility of the permittee and any successor in interest to be aware of and to comply with the permit conditions described below and the rules and regulations of all jurisdictions having authority over the use described herein.

Permit Number	Date Granted	Added uses/structures
CUP 3794	1974	Original camp
CUP 3494-1	12-24-74	First Aid Building
CUP 3494-2	03-19-75	Shower Building
CUP 3494-3	06-09-78	Dining Hall
CUP 3494-4	03-27-79	Water reservoir
CUP 3494-5	05-22-80	Camp Vehicle Garage
CUP 3494-6	09-03-80	Camp Office, Trading Post, Latrines
CUP 3494-7	10-25-89	Ranger residence and public restrooms
CUP 3494-8	02-18-97	Extend permit term to February 18, 2017.
CUP 3494-9	06-05-00	Validate existing 2,000 square-foot Fort compound, 43-foot-tall climbing wall, and 800 square-foot garage. Extend permit term to June 5, 2020.

This CUP is based on and limited to compliance with the project description found in this condition below and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the original approval. Project deviations may require Planning Commission approval for changes to the permit and/or CEQA environmental review. Any Project deviation that is implemented without requisite County review and approval(s) constitutes a violation of the conditions of this permit and applicable law.

The Project description is as follows:

A CUP is reinstated authorizing the continued operation of an existing youth camp owned and operated by the Boy Scouts of America for an additional 20-year period. The camp is located at 12260 Boy Scout Camp Road, Lockwood Valley, on a 39.9-acre site and includes the following components:

- Ranger residence
- Camp office
- Headquarters/Trading post
- Restroom buildings
- Dining hall
- First aid building
- Shower building
- Boat house
- Reservoir
- Swimming pool
- Meeting lodge
- Merit Badge shed
- Archery area
- Shotgun area
- Shade structure for shooting sports
- 10 Staff cabins
- Chapel
- 2,000 square-foot Fort compound
- 43-foot-tall climbing wall
- 800 square-foot garage
- 95 vehicular parking spaces

The above-listed components and road locations are delineated on the Project plans. Recreation activities and uses customary and consistent with the continued operation of the youth camp are included in the Project. Attendance at the camp shall continue to be limited to a maximum of 817 persons for daily activities and a maximum of 408 persons for overnight occupancy. Occupancy by guests shall not exceed 30 consecutive days. Transportation to and from the camp will be provided by personal vehicles of attendees. The project site will not include any trails.

This permit does not authorize any activities on the properties located outside of the 39.9-acre project site. Specifically, any activities conducted on the adjoining federal lands within the Los Padres National Forest must be authorized by the U.S. Department of Agriculture, Forest Service.

All previous Planning Division permits and conditions within this permit area are null and void.

2. Permit Expiration/Renewal/Modification:

- a. This Permit is granted for a 20-year period and will expire on November 3, 2042.
- b. If the permittee desires an extension, at least six (6) months prior to the expiration date, the permittee must contact the Planning Division to determine the appropriate type of modification application for such extension.
- c. Upon acceptance of the appropriate modification application as "complete" prior to the expiration date, the Permit may continue in force until action is taken on the modification, and on any appeals.
- d. Failure of the County to notify the permittee of the above dates shall not constitute grounds for continuance of this Permit after expiration.
- e. This Permit shall expire if the use for which it was granted is discontinued for a period of 365 consecutive days or more.
- f. Land uses, facilities, or structures other than those specifically approved by this Permit shall require the filing and approval of an appropriate modification application.

3. Required Improvements for CUP

**Purpose:** To ensure the project site conforms to the plans approved at the Planning Commission 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, paving, parking, and landscaping completed in conformance with the approved plans. 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 use inauguration 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 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.

4. Regulations on Approved Uses:

- a. The days of operation allowed by this Permit are:

Days: Seven (7) days a week

Hours of Operation: 24 Hours/Day

- b. Maximum overnight population shall be 408.  
c. Maximum daily population shall be 817  
d. Maximum occupancy of the camp by guests shall not exceed 30 consecutive days.

5. Parking Area Regulations:

- a. The existing parking areas shall be designed and maintained at all times for safe, convenient, and easy use by vehicles and users of the camp facilities.  
b. A minimum of 85 spaces shall be provided as shown on the site plan.  
c. Accessible parking for disabled persons shall be provided in compliance with the California Building Standards Code and the Americans with Disabilities Act.  
d. No portion of a parking space shall be located within ten (10) feet of a driveway entrance or exit.  
e. The existing access driveway shall be a minimum of 25 feet wide but need not have curb exits.  
f. Existing parking lots shall continue to be surfaced and maintained with asphalt or concrete and shall include log wheel blocks. Striping of spaces is not required.

6. Miscellaneous Property Regulations:

- a. The property area covered by this permit shall be maintained in a neat and orderly manner at all times during the life of the permit.  
b. Trash disposal shall be provided by at least one (1) roll off bin and shall be located on the site such that it is not visible from view of any public roadway. Prior to issuance of the Zoning Clearance for Use Inauguration, the location of the trash bin shall be approved by the Planning Director.  
c. All signs on the property over the life of the permit shall be in accordance with Article 10 of the Zoning Ordinance, and all signs not currently in conformance with Article 10 shall be removed prior to issuance of the Zoning Clearance for Use Inauguration.

- d. Upon expiration of this permit, or abandonment of the use, the premises shall be restored by the permittee to the conditions existing prior to the issuance of the permit, as nearly as practicable. At a minimum, this shall include removal of all buildings and structures, filling in or removal of the pool and reservoir (and obtaining appropriate Building and Safety demolition permits) and (if necessary) grading of the site to its natural contours. Septic systems shall be closed or removed according to Environmental Health Division regulations.

**7. Landscape Requirements:**

If the Planning Director deems it necessary, the site shall be landscaped in a manner consistent with the natural character of the area. If required, Landscaping and Irrigation Plans shall be prepared in accordance with the Ventura County Guide to Landscape Plans and submitted to the Planning Director for approval. The plans shall be accompanied by the then current fee specified by the Board of Supervisors. The applicant shall bear the full cost of plan review and final inspection.

**8. Requirements of Other Agencies:**

This Permit shall not relieve the permittee of the responsibility of securing and complying with any other permit which may be required by other County Ordinances, or State or Federal laws. No condition of this permit for uses allowed by County Ordinance shall be interpreted as permitting or requiring any violation of law, or any lawful rules, regulations, or orders of an authorized governmental agency. In instances when more than one set of rules apply, the stricter ones shall take precedence. Facility design and operations shall comply with all applicable requirements of Federal, State, and Local authorities, and all such requirements shall, by reference, become conditions of this Permit.

**9. Archeological and Paleontological Resources:**

If either archaeological or paleontological resources are uncovered during excavation, excavation shall cease until a qualified archaeologist or paleontologist recommends a plan for disposition of the site. The Planning Director shall provide written concurrence of the disposition.

**10. Acceptance of Conditions:**

Prior to the issuance of the Zoning Clearance for Use Inauguration, the permittee shall provide a written "Acceptance of Conditions" for this permit acceptable to the Planning Director.

**11. Change of Ownership:**

No later than 14 days after any change of property ownership or of operator(s) of the subject use, there shall be filed with the Planning Director by the successor(s), the name(s) and address(es) of the new owner(s) or operator(s), together with a letter from the new owner(s) or operator(s) acknowledging and agreeing to comply with all conditions and exhibits of this permit.

## 12. Recorded Notice of Land Use Entitlement

**Purpose:** The Permittee shall record a “Notice of Land Use Entitlement” form and the conditions of this CUP with the deed for the subject property that notifies the current and future property owner(s) of the conditions of this CUP.

**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, with the deed of the property that is subject to this CUP.

**Documentation:** Recorded “Notice of Land Use Entitlement” form and conditions of this CUP.

**Timing:** The Permittee shall record the “Notice of Land use Entitlement” form and conditions of this CUP, prior to issuance of a Zoning Clearance for use inauguration.

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

## 13. 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 Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP. 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. **Establishment of Revolving Compliance Account:**

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit the following deposit and reimbursement agreement to the Planning Director:

- (1) A payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs associated with condition compliance review, monitoring, and enforcement

activities described in 13.a (above), and any duly imposed civil administrative penalties regarding this. The Permittee shall replenish such account to the above-stated amount within 10 calendar days after receiving notice of the requirement to do so from the Resource Management Agency.

- (2) An executed reimbursement agreement, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.
- c. **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. The Permittee shall have the right to challenge any charge or penalty prior to payment.

#### **14. 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. 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, 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, 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 serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

## **ENVIRONMENTAL HEALTH DIVISION CONDITIONS**

### **15. General Vector Control – 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:** Manage standing water onsite 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 mosquitos, nor the creation of a public nuisance throughout the life of the Project.

**Monitoring and Reporting:** Ventura County Environmental Health Division (EHD) staff respond to, and maintain records of, any complaints received which relate to mosquito breeding at the site.

### **16. Resident Camp Food Facilities- Existing Facility**

**Purpose:** To ensure that food facilities are designed, constructed, and operated in compliance with all applicable State and local EHD requirements.

**Requirement:** The Permittee shall maintain an active Permit to Operate from Ventura County EHD, Community Services Section for the food service operations.

**Timing:** The Permittee shall comply with all applicable codes and regulations related to the construction and operation of a food facility at all times.

**Monitoring and Reporting:** Routine site inspections to ensure ongoing compliance with regulations related to food facilities, shall be conducted by Ventura County EHD, Community Services staff.

### **17. Commercial Swimming Pool – Existing Operation**

**Purpose:** To ensure that public swimming pools are designed, constructed, and operated in compliance with all applicable State and local EHD requirements, including California Health and Safety Code, California Code of Regulations Title 22, and California Code of Regulations Title 24, chapter 31B.

**Requirement:** The Permittee shall maintain an active Permit to Operate from Ventura County EHD, Community Services Section for the swimming pool.



**Timing:** The Permittee shall comply with all applicable codes and regulations related to the construction and operation of a commercial swimming pool at all times.

**Monitoring and Reporting:** Routine site inspections to ensure ongoing compliance with regulations related to commercial swimming pools, shall be conducted by Ventura County EHD, Community Services staff.

#### 18. Organized Camps

**Purpose:** To ensure that organized camps are designed, constructed and operated in compliance with all applicable State and local EHD requirements, including California Health and Safety Code and California Code of Regulations Title 17, Title 22, and Title 24.

**Requirement:** The Permittee shall obtain and maintain a Permit to Operate from the Ventura County EHD, Community Services Section for the organized camp, swimming pool and/or food facilities.

**Documentation:** Submit the required application and plans to the Ventura County EHD, Community Services Section for review and approval.

**Timing:** Permittee shall obtain all applicable building permits prior to construction. Permittee shall obtain final construction approval and a Permit to Operate prior to use of organized camp facilities.

**Monitoring and Reporting:** Plan review and construction inspections, as well as routine site inspections to ensure ongoing compliance with regulations related to organized camps, shall be conducted by Ventura County EHD, Community Services staff.

#### 19. Portable Toilets

**Purpose:** To ensure the public is provided with toilet facilities which are clean and sanitary, and to prevent a public health concern. To ensure septage from portable toilets is disposed of in accordance with California Health and Safety Code sections 117400 and 117450.

**Requirement:** Sanitary facilities, consisting of an adequate number of toilets and hand washing facilities with potable water from an approved source shall be available. Septage from portable toilets must be removed by a Ventura County EHD permitted chemical pumper truck and must be properly disposed of at an approved septage disposal site.

**Timing:** These requirements apply anytime portable toilets are in use on the subject property.

**Monitoring and Reporting:** EHD staff ensures chemical pumper truck companies are under permit and that septage from portable toilets is properly disposed of at an approved septage disposal site.

**VENTURA COUNTY FIRE PROTECTION DISTRICT CONDITIONS**

20. Prior to combustible construction, a "most weather" access road/driveway shall be installed. This access road shall be a minimum of 15 feet wide and shall extend to all structures.
21. Approved turnaround areas or easements for fire apparatus shall be provided where the access road is 150 feet or farther from the main thoroughfare. A turnaround shall be provided at fort to Ventura County Fire District (VCFD) Standards and shall be most weather.
22. The access road shall be of sufficient width to allow for a 40-foot turning radius at all sharp turns in the road.
23. Applicant shall obtain VCFD Form #126 "Requirements for Construction" prior to obtaining a building permit for any new structures or additions to existing structures.
24. Provide a "DRAFTING FIRE HYDRANT" sign to Fire Department specifications at the entrance drive to 12260 Boy Scout Camp Road and a "FIRE USE ONLY" sign above drafting connection on tank. A 2½" fire department connection shall be provided at the bottom of tank.
25. Fort compound and rooms shall not be used as sleeping areas.