



Planning Director Staff Report Hearing on May 2, 2024

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009 • (805) 654-2478 • www.vcrma.org/divisions/planning

HAZ MED MINOR MODIFICATION OF CONDITIONAL USE PERMIT (CUP), CASE NO. PL24-0015

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) CUP 4826, as modified by LU04-0020 and PL13-0176, to authorize the continued use and operation of a medical waste transfer station for a 20-year period. (Case No. PL24-0015).
2. **Applicant:** Haz-Med, Inc., C/O Roberta Muntzel, P.O. Box 3498, Ventura, CA 93006
3. **Property Owner:** Dan Manzer, 4578 Clubhouse Dr., Somis, CA 93066
4. **Applicant's Representative:** Roberta Muntzel, 1607 Los Angeles Ave., Suite H, Saticoy, CA 93004
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-5 and Section 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested Minor Modification of CUP.
6. **Project Site Size, Location, and Parcel Number:** The project site is located at 1607 Los Angeles Avenue, in the community of Saticoy, near the City of Ventura, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 128-0-030-085 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Industrial
 - b. Saticoy Area Plan Land Use Map Designation: Industrial
 - c. Zoning Designation: M3-10,000 sq ft (General Industrial, 10,000 square feet minimum lot size)

8. Adjacent Zoning and Land Uses/Development (Table 1):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	(M2-10,000 sq ft) Limited Industrial, 10,000 square feet minimum lot size	Industrial
East	(M3-10,000 sq ft) General Industrial, 10,000 square feet minimum lot size	Industrial
South	M3-10,000 sq ft	Industrial
West	M2-10,000 sq ft	Industrial

9. History: The project site is currently developed with a multitenant industrial building and associated parking area. Historical discretionary development within Suite H of the multitenant industrial building includes the following:

- On October 26, 1979, the Planning Director approved a Planned Development Permit (PD 242) for the construction of a 9-unit multitenant industrial building. The PD permit can be modified administratively to approve new uses within the building.
- On February 3, 1994, the Planning Commission approved a Conditional Use Permit (CUP 4826) for the operation of a medical waste transfer station operated by Ventura Waste Management within Suite H of the industrial building for 10 years with an expiration date in 2004.
- On November 8, 2004, the Planning Director approved a Minor Modification of CUP 4826 (Case No. LU04-0020) for the continued use of a medical waste collection facility operated by Ventura Waste Management within Suite H of the industrial building for an additional 10 years with an expiration in 2014.
- On May 2, 2014, the Planning Director approved a Minor Modification of CUP (Case No. PL13-0176) to authorize the continued use of the medical waste collection facility within Suite H of the industrial building for an additional 10 year period with an expiration date of April 22, 2024.
- On February 6, 2024, an application was submitted to the County Planning Division requesting that a Minor Modification of CUP 4826 (Case No. PL24-0015) be granted to authorize the continued use and operation of the medical waste transfer station for 20 years.

10. Project Description: Minor Modification of an existing CUP (CUP 4826; As modified by LU04-0020 and PL13-0176) to authorize the continued operation of a Medical Waste Transfer Facility in a 1,304-square foot tenant space (Suite H)

within an existing multitenant industrial building for a 20-year period (Case No. PL24-0015). The 9-unit industrial building, located at 1607 Los Angeles Avenue, was originally permitted by Planned Development Permit (PD) 242. No operational or physical changes in the collection facility are proposed. Water is provided by Ventura Water, and sewer is provided by the Saticoy Sanitation District.

The facility is a transfer station where medical waste from independent waste generators is unloaded, containerized, and stored temporarily. Waste materials include sharps (needle containers), red bag biohazardous waste, pathological waste, and pharmaceutical waste. The total amount of waste to be held at the site is approximately 1,000 lbs. and is stored in 50-gallon plastic containers and freezers. One van per day is associated with delivery of medical waste to the facility. A disposal company picks up the waste weekly and transports the material to a separate, permitted disposal site. All activities occur indoors. The facility includes an employee bathroom and storage area. Three parking spaces are provided for this unit. 1 employee will be onsite. Hours of Operation are Monday-Friday, 8:00 AM-5:00 PM (Exhibit 3).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. The proposed project involves the continued use of an existing medical waste transfer facility. The project thus qualifies for a Class 1 Categorical Exemption from environmental review pursuant to California Environmental Quality Act under Section 15301 (Existing Facilities) of the CEQA Guidelines. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

C. CONSISTENCY WITH THE GENERAL PLAN / SATICOY AREA PLAN

The proposed project has been analyzed and determined to be consistent with all applicable General Plan and Saticoy Area Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan is included as Exhibit 4 of this Staff Report.

D. ZONING COMPLIANCE

The proposed project is subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County NCZO (Section 8105-5), the proposed use is allowed in the M3-10,000 sq ft zone district with the granting of a CUP. Upon the granting of a minor modification to a CUP permit, the Permittee will be in compliance with the requirements of the Ventura County NCZO.

The proposed project includes the continued use of structures that are subject to the development standards of the Ventura County NCZO (Section 8106-1.2). Table 2 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 2 – Development Standards Consistency Analysis

Sec. 8106-1.2 – Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones		
Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10,000 sq. ft.	Yes, the project is located on an approximately 31,360 sq. ft. lot.
Maximum Percentage of Building Lot Coverage	50%	Yes, buildings cover approximately 44% of the lot area.
Setbacks: From Street	10 ft	Yes, the project is located in an existing building setback approximately 20 feet from Frontage Street.
Setbacks: Each Interior Yard	5 ft if adjacent to an R-zone; otherwise as specified by permit	Yes, the project is located in an existing building permitted under Permit No. DP 242.
Maximum Structure Height	As specified by permit.	Yes, the project is located in an existing building permitted under Permit No. DP 242.
Other NCZO Standards		
Type of Requirement	Zoning Ordinance Requirement	Complies?
Sec. 8108-4.7 Parking Space Requirements by Land Use (Industrial Land Uses Not Listed)	Motor Vehicle Spaces Required: 1 space per 500 square-feet (SF) of Gross Floor Area (GFA).	Yes, the project provides 3 parking spaces for the 1,305 SF Suite H. (1 space per 500 sq. ft. of GFA = 3)
Industrial Performance Standards	Industrial performance standards are the permitted levels of operational characteristics resulting from processes or other uses of property. Continuous compliance with the following performance standards shall be required of all uses, except as otherwise provided for in these regulations:	Yes. a. The operations occur indoors (Exhibit 5, Condition No. 1) and do not involve objectionable air pollution, noise, vibration, pulsations, glare, heat, reflective materials, electrical

Sec. 8106-1.2 – Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones		
Type of Requirement	Zoning Ordinance Requirement	Complies?
	<p>a. Objectionable Factors – The following shall be maintained at levels which are appropriate for the zone and geographic area and are not objectionable at the point of measurement when the use is in normal operation:</p> <ol style="list-style-type: none"> 1. Smoke, odors, vapors, gases, acids, fumes, dust, dirt, fly ash or other forms of air pollution; 2. Noise, vibration, pulsations, or similar phenomena; 3. Glare or heat; 4. Radioactivity or electrical disturbance. The point of measurement for these factors shall be at the lot or ownership line surrounding the use. <p>b. Hazardous Materials – Land or buildings shall not be used or occupied in any manner so as to create any fire, explosive or other hazard. All activities involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local and national safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment in compliance with Ventura</p>	<p>disturbances, or radioactive materials.</p> <p>b. The facility handles hazardous medical waste material. The project is conditioned by the Ventura County Environmental Health Division to ensure that any hazardous materials would be handled pursuant to state and local regulations (Exhibit 5, Condition No. 20), and the Fire Department has conditioned the project to ensure associated hazards are minimized (Exhibit 5, Condition No. 22). No materials are burned or incinerated at the facility.</p> <p>c. The Saticoy Sanitation District provides sewer service for the project. The waste is picked up weekly and transported to offsite disposal locations. Additionally, the project does not involve the discharge of contaminants that are expected to contaminate any watercourse or groundwater supply.</p>

Sec. 8106-1.2 – Development Standards for Uses and Structures in Commercial, Industrial, and Special Purpose Zones		
Type of Requirement	Zoning Ordinance Requirement	Complies?
	<p>County Fire Prevention Regulations. The burning of waste materials in open fires without written approval of the Fire Department is prohibited.</p> <p>c. Liquid and Solid Wastes - Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply or interfere with bacterial processes in sewage treatment. The disposal or dumping of solid wastes, such as slag, paper and fiber wastes, or other industrial wastes shall not be permitted on any premises.</p>	
Sec. 8109-3 Standards for Industrial Zones	Sec. 8109-3.2.2: Predominant activities and operations shall be enclosed within buildings, except as otherwise provided in this Chapter. The Planning Director is authorized to determine the reasonable application of this provision in cases of operation hardship or other showing of special circumstances.	Yes, the predominant activities and operations for the project occur within the proposed building (Exhibit 5, Condition No. 1).

The proposed medical waste transfer facility is subject to the special use standards of the Ventura County NCZO (Section 8107-36.3) Table 3 lists the applicable special use standard and a description of whether the proposed project complies with the special use standards.

Table 3 – Special Use Standards Consistency Analysis

Sec. 8107-36.3.1 – Standards Relating to Waste Handling, Waste Disposal and Recycling Facilities, General Standards	
Zoning Ordinance Requirement	Complies?
a. Prior to issuing a Conditional Use Permit or other <i>discretionary entitlement</i> , the	Yes.

Sec. 8107-36.3.1 – Standards Relating to Waste Handling, Waste Disposal and Recycling Facilities, General Standards	
<p>applicable decision-making authority (the <i>Planning Director</i>, Planning Commission, and/or Board of Supervisors) shall make a finding that the proposed project will not have a significant effect on soils designated “Prime,” “Statewide Importance,” “Unique” or “Local Importance” on the California Department of Conservation’s Farmland Mapping and Monitoring Program, Important Farmlands Maps, or on land subject to a Land Conservation Act (LCA) contract, as defined in the appropriate section of the Ventura County Initial Study Assessment Guidelines, unless the <i>Planning Director</i>, in consultation with the Agricultural Commissioner, determines that the land is developed or otherwise unsuitable for agricultural activities.</p> <p>b. The project shall be designed, and all activities shall be conducted so as to minimize their adverse impact on the physical environment. To this end, dust, noise, vibration, noxious odors, intrusive light, vectors, traffic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through appropriate setbacks and other best accepted practices that are applicable to local conditions.</p> <p>c. The site shall be maintained free of litter and the facility operator shall be responsible for daily collection of all litter that leaves the site.</p> <p>d. All residual wastes derived from receiving and processing activities shall be removed from the site within the time frame required by state law.</p> <p>e. Materials shall not be accepted at any time when the storage capacity of the site would be exceeded by such delivery.</p> <p>f. Drainage must be controlled so as to prevent any leachate run-off from the site; divert surface water drainage away from all piles of material; and prevent the creation of puddles</p>	<p>a. The project exists on a site developed for industrial use, and no physical or operational changes are proposed with this permit. The parcel is classified as “Urban and Built-up Land” in Important Farmland Inventory maps, and no LCA contracts exist on the site.</p> <p>b. The operations occur indoors (Exhibit 5, Condition No. 1). This ensures that any adverse impacts to the environment including dust, noise, vibration, noxious odors, intrusive light, vectors, traffic, as well as other factors of nuisance are eliminated or minimized.</p> <p>c. The project operations occur indoors, within a multi-tenant building (Exhibit 5, Condition No. 1) which minimizes offsite litter. Additionally, the project is conditioned to collect and remove medical waste litter that leaves the facility. (Exhibit 5, Condition No. 19)</p> <p>d. The project is required to maintain a Medical Waste Transfer Station permit issued by the California Department of Health which requires removal of sharps and red bag medical waste every seven days, and removal of pathological and pharmaceutical waste every two months. Annual inspections by the State monitor compliance with these requirements, and County Environmental Health Division staff monitor that the Permittee maintains this permit (Exhibit 5, Condition No. 21).</p> <p>e. The project is required to maintain a Medical Waste Transfer Permit issued by the California Department of Health which sets storage limits (Exhibit 5, Condition No. 21). Compliance officers from the Ventura County Planning Division and Environmental Health Division monitor operations throughout the life of the permit.</p> <p>f. The project operations occur indoors and do not generate leachate (Exhibit 5, Condition No. 1).</p>

Sec. 8107-36.3.11 – Standards Relating to Disposal Facilities, Hazardous Waste	
<p>Hazardous waste disposal facilities shall comply with the standards outlined in Sec. 8107-36.3.1, as well as the following standards:</p> <ul style="list-style-type: none"> a. No facilities will be sited within a 100-year flood plain. b. Such facilities shall be set back a minimum of 300 feet from any agricultural production. If the <i>applicant</i> can demonstrate that potential impacts to the agricultural production have been adequately mitigated by design or terrain, the <i>Planning Director</i>, in consultation with the Agricultural Commissioner, may reduce or waive the setback. 	<ul style="list-style-type: none"> a. The project site is not within the 100-year floodplain. b. The project site is not located within 300 feet of an agricultural zoned area.

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 8111-1.2.1.1a of the Ventura County NCZO. The ability to make the required findings is evaluated below.

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 [Section 8111-1.2.1.1a.a].

Based on the information and analysis presented in Section D and Exhibit 4 of this staff report, the finding that 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 can be made.

2. The proposed development is compatible with the character of surrounding, legally established development [Section 8111-1.2.1.1a.b].

The project involves the continued operation of an existing medical waste transfer facility located in Suite H of a multi-tenant industrial building in Saticoy. No operational or physical changes are proposed. The project operations occur indoors (Exhibit 5, Condition 1) and based on the analysis in Section D, are compatible with the standards of the NCZO for the site. Additionally, the project is conditioned to designate a person responsible for the timely resolution to complaints (Condition No. 15), ensure immediate reporting of any major incidents (Condition No. 17), pick up and dispose of any obvious medical waste litter (Condition No. 19). No new effects on the surrounding land uses have been identified.

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

3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8111-1.2.1.1a.c].

The existing medical waste transfer facility complies with the development standards of the NCZO, General Plan, and Saticoy Area Plan, and operations occur indoors (Exhibit 5, Condition 1). Additionally, the project is conditioned to designate a person responsible for the timely resolution to complaints (Condition No. 15), ensure immediate reporting of any major incidents (Condition No. 17), pick up and dispose of any obvious medical waste litter (Condition No. 19), require a Hazardous Materials Business Plan to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste (Condition No. 20), maintain active registration with the California Department of Public Health (Condition 21), and secure fire code permits (Condition 22).

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

4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1a.d].

The existing medical waste transfer facility complies with the development standards of the NCZO, General Plan, and Saticoy Area Plan, and operations occur indoors. County staff in the Planning Division, Environmental Health Division, and Fire Protection District reviewed the project for hazards to public interest, health, safety, convenience, or welfare. Therefore, the proposed project is conditioned to designate a person responsible for the timely resolution to complaints (Exhibit 5, Condition No. 15), ensure immediate reporting of any major incidents (Condition No. 17), pick up and dispose of any obvious medical waste litter (Condition No. 19), require a Hazardous Materials Business Plan to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste (Condition No. 20), maintain active registration with the California Department of Public Health (Condition 21), and secure fire code permits (Condition 22). The Conditions of Approval (Exhibit 5) will ensure that the continued operation of the medical waste transfer facility would not be detrimental to the public interest, health, safety, convenience, or welfare.

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

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 [Section 8111-1.2.1.1a.e].

The existing medical waste transfer facility complies with the development standards of the NCZO, General Plan, and Saticoy Area Plan. The use is allowed in the zoning with the site (M3-General Industrial) with the issuance of a CUP. The facility is located within a multi-tenant industrial building and operations are

conducted indoors. The project does not include any physical or operational changes. Additionally, the project is conditioned to designate a person responsible for the timely resolution of complaints (Exhibit 5, Condition No. 15).

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

6. The proposed development will occur on a legal lot [Section 8111-1.2.1.1a.f].

The subject parcel is one legal lot per Certificate of Compliance No. CC#14-01-880 recorded on March 24, 2014 (document No. 20140324-00037299), in the office of the recorder for the County of Ventura. The Certificate of Compliance is verification that the Ventura County Surveyor has reviewed the information on the creation of this parcel and determined that it is in conformance with the California Subdivision Map Act.

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

7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws [Section 8111-1.2.1.1a.g].

As discussed in Section B (above), the CUP involves the continued use of an existing medical waste transfer facility on the subject property. The project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

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

8. That the proposed hazardous waste collection, treatment and storage facility or hazardous waste disposal facility is consistent with the portions of the County Hazardous Waste Management Plan which identify siting criteria for hazardous waste facilities [Section 8111-1.2.1.5].

The County Hazardous Waste Management Plan, dated February 1989, was superseded with the 2040 General Plan update. Siting criteria for hazardous waste generators is now specifically addressed by policy HAZ-5.8 in lieu of a Hazardous Waste Management Plan. As discussed in Exhibit 4, the project is consistent with the siting criteria of General Plan Policy HAZ-5.8, and is therefore consistent with this finding.

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

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning hearing in accordance with the Government Code (Section 65091), County NCZO (Section 8111-3.1). On April 19, 2024, the Planning Division mailed English language notices to owners of property within 300 feet of the property on which the project site is located. On Monday, April 22, 2024, the Planning Division mailed Spanish language notices to owners of property within 300 feet of the property on which the project site is located. On April 22, 2024, the Planning Division placed a legal ad in the *Ventura County Star*.

On April 1, 2024, the Saticoy Municipal Advisory Committee (MAC) considered the proposed project at a noticed public meeting. Planning Division staff gave a brief presentation to the Saticoy MAC describing the project. The Saticoy MAC accepted public comments regarding the project. The MAC voted 7-0 recommending approval of the project with no proposed changes (Exhibit 6).

The project site is located within the City of Ventura's Sphere of Influence. Therefore, on February 9, 2024 the Planning Division notified the City of Ventura of the proposed project and requested the City of Ventura to submit any comments that the City might have on the proposed project. The City of Ventura had no comments associated with the project.

H. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process.
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 (Existing Facilities) the CEQA Guidelines.
3. **MAKE** the required findings to grant a Minor Modification of a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** Minor Modification of CUP 4826 [Case No. PL24-0015], subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Benjamin Reinert at (805) 654-2466 or benjamin.reinert@ventura.org.

Prepared by:

Benjamin Reinert

Benjamin Reinert, Case Planner
Commercial and Industrial Permits
Ventura County Planning Division

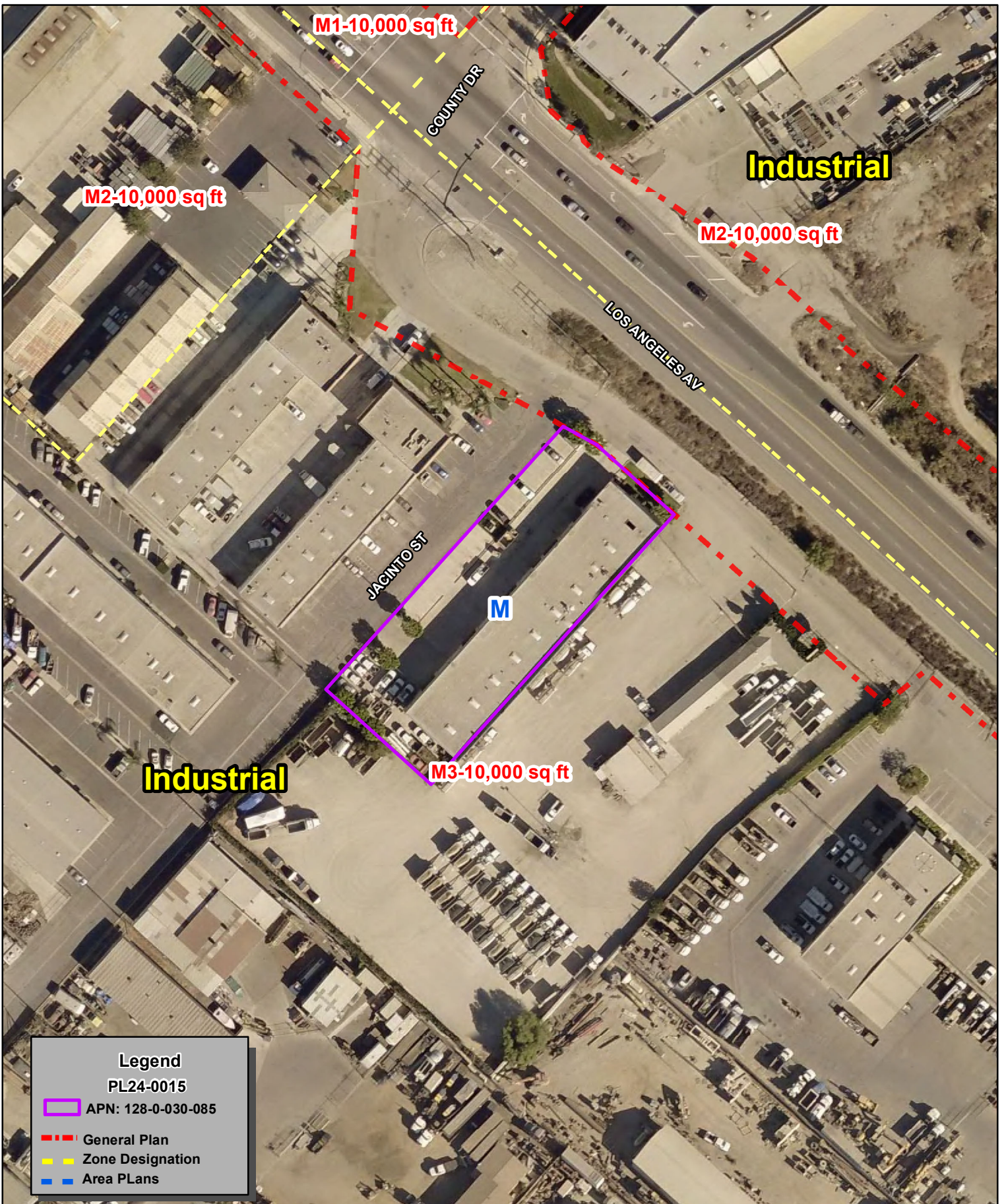
Reviewed by:



John Novi, Manager
Commercial and Industrial Permits
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Site Plans
- Exhibit 4 General Plan Consistency Analysis
- Exhibit 5 Conditions of Approval
- Exhibit 6 Draft Saticoy MAC Meeting Minutes



Legend

PL24-0015

APN: 128-0-030-085

General Plan

Zone Designation

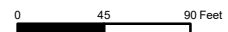
Area Plans



Ventura County California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 02-12-2024
This aerial imagery is under the
Source: Vexcel 2022



County of Ventura
Planning Director Hearing
May 2, 2024
Case No. PL24-0015
Exhibit 2 - Maps



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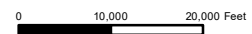
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Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
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County of Ventura
Planning Director Hearing
May 2, 2024
Case No. PL24-0015
Exhibit 2 - Maps
Location



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Ventura County, California
Resource Management Agency
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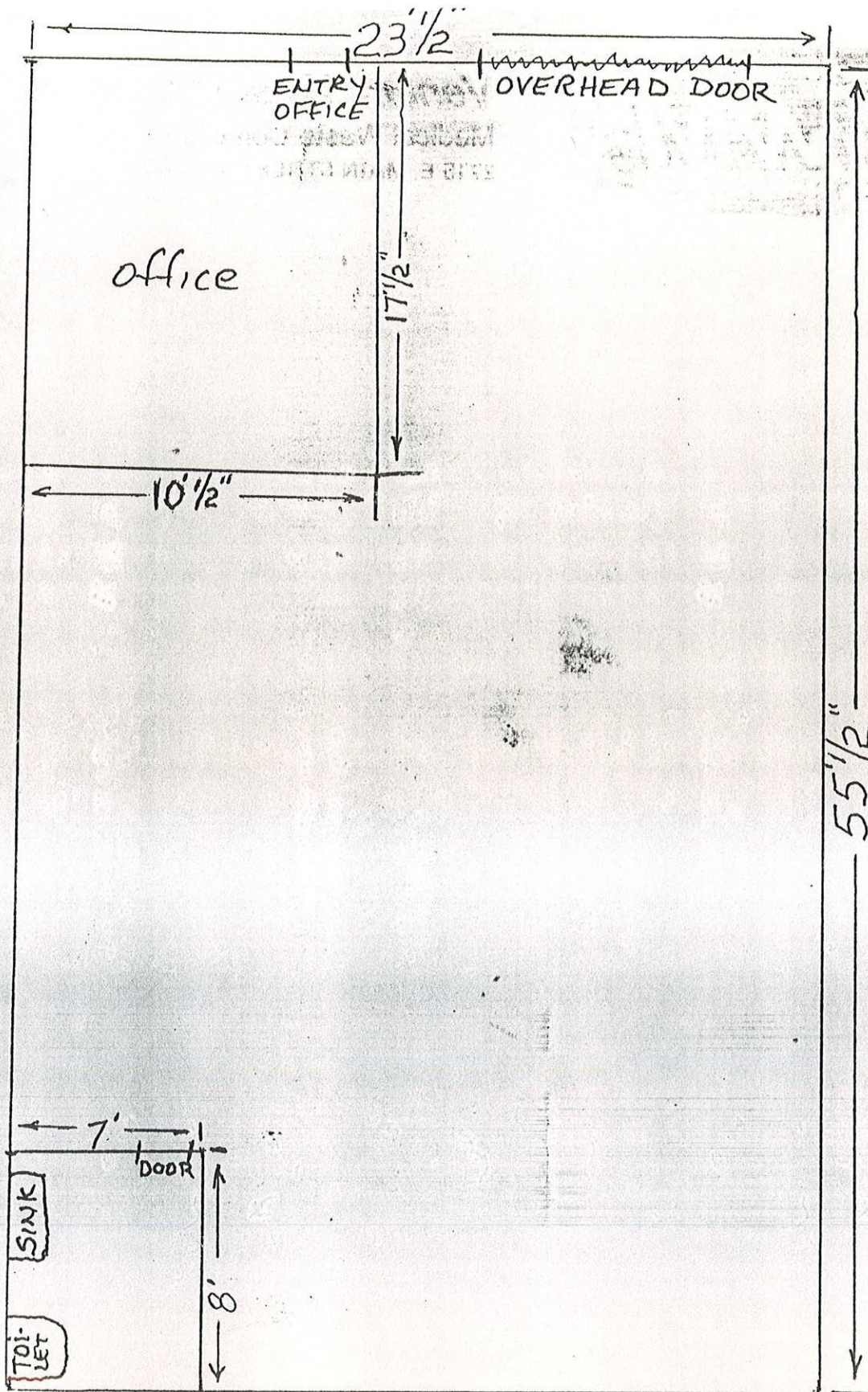
County of Ventura
Planning Director Hearing
May 2, 2024
Case No. PL24-0015
Exhibit 2 - Maps
Aerial Imagery



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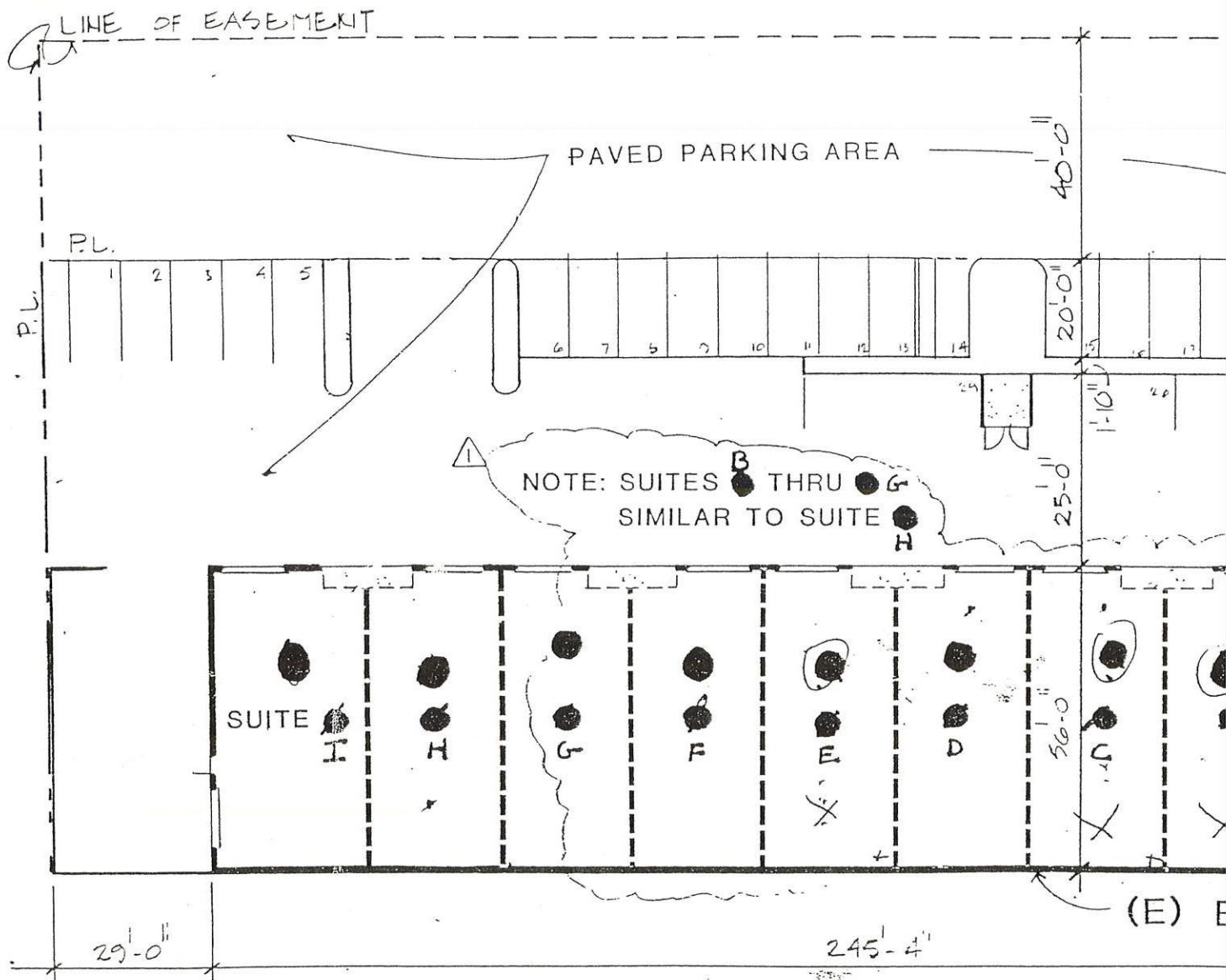


RH



FLOOR PLAN
 1607 LOS ANGELES AVE.
 UNIT H SATILDY, CA.

County of Ventura
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 May 2, 2024
 Case No. PL24-0015
 Exhibit 3 - Site Plan



SITE PLAN

NO SCALE

EXHIBIT 4

CONSISTENCY WITH THE GENERAL PLAN AND SATICOY AREA PLAN FOR HAZ MED (CASE NO. PL24-0015)

The Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

California law requires that every county and city adopt a general plan “for the physical development of the county or city, and of any land outside its boundaries which in the planning agency’s judgment bears relation to its planning.” (Gov. Code, § 65300.) A general plan serves as the jurisdiction’s “constitution” or “blueprint” for future decisions concerning a variety of issues including land use, health and safety, and resource conservation. All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County’s General Plan.

Furthermore, the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

The proposed project would modify Conditional Use Permit (CUP) CUP 4826, as modified by LU04-0020 and PL13-0176, to authorize the continued use, operation, and maintenance of a Medical Waste Collection Facility for a 20-year period (Case No. PL24-0015).

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs*, as well as the Saticoy Area Plan *Goals and Policies*.

General Plan

1. PFS-1.7 Public Facilities, Services, and Infrastructure Availability: *The County shall only approve discretionary development in locations where adequate public facilities, services, and infrastructure are available and functional, under physical construction, or will be available prior to occupancy.*

PFS-1.9 Requirements Inside City Spheres of Influence: *County shall only approve a discretionary development within a city's Sphere of Influence if the required public facilities and infrastructure meets or exceeds those required by the associated city.*

LU-11.2 Applications Within Sphere of Influence: *The County shall direct all applicants for commercial and industrial discretionary development located within a city's Sphere of Influence to that city for possible annexation and processing.*

WR-1.11 Adequate Water for Discretionary Development: *The County shall require all discretionary development to demonstrate an adequate long-term supply of water.*

WR-F Discretionary Development Review for Adequate Water and Wastewater: *The County shall verify that all discretionary development proposals demonstrate an adequate long-term supply of water, adequate methods for sewage disposal, provide adequate drainage to avoid flooding, prevent erosion, and prevent contamination of local water.*

PFS-4.1 Wastewater Connections Requirement: *The County shall require development to connect to an existing wastewater collection and treatment facility if such facilities are available to serve the development. An onsite wastewater treatment system shall only be approved in areas where connection to a wastewater collection and treatment facility is deemed unavailable.*

PFS-5.3 Solid Waste Capacity: *The County shall require evidence that adequate capacity exists within the solid waste system for the processing, recycling, transmission, and disposal of solid waste prior to approving discretionary development.*

Staff Analysis: The proposed project involves an existing facility within the City of Ventura's Sphere of Interest that already has adequate public services and connections. Water supply is provided by the City of Ventura and sewage disposal service is provided by the Saticoy Sanitation District. No changes in operation are proposed, therefore no new service demands will be generated. The renewal of this permitted use does not warrant annexation into the City of Ventura. Planning Division staff provided notice of the proposed project to the City of Ventura who had no comment.

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-1.7, PFS-1.9, LU-11.2, WR-1.11, WR-F, PFS-4.1 and PFS-5.3.

2. HAZ-9.2 Noise Compatibility Standards: *The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:*

1. New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.

2. *New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A).*
3. *New noise sensitive uses proposed to be located near airports:*
 - a. *Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or*
 - b. *Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.*
4. *New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - a. *Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;*
 - b. *Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and*
 - c. *Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m*
5. *Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005)*

Staff Analysis: The proposed project does not involve noise-sensitive use. Under normal operation, the proposed facility does not generate noise that would be perceptible from offsite locations. Some noise will be temporarily generated from one truck delivery per day during normal operating hours of Monday through Friday, between 8:00 AM to 5:00 PM. This temporary noise would not exceed the above standards.

Based on the discussion above, the proposed project is consistent with General Plan Policy HAZ-9.2.

3. **HAZ-5.2 Hazardous Materials and Waste Management Facilities:** *The County shall require discretionary development involving facilities and operations which may potentially utilize, store, and/or generate hazardous materials and/or wastes be located in areas that would not expose the public to a significant risk of injury, loss of life, or property damage and would not disproportionately impact Designated Disadvantaged Communities.*

HAZ-5.8 Siting Criteria for Hazardous Waste Generators: *The County shall require commercial or industrial uses which generate, store, or handle hazardous waste and/or hazardous materials to locate, operate, and maintain hazardous waste and/or hazardous materials in a manner that does not endanger public*

health and safety and is located based on objective criteria that do not disproportionately impact Designated Disadvantaged Communities.

Staff Analysis: The proposed project involves an existing facility that has operated for thirty years and does not involve physical or operational changes. The use is allowed in the zoning for the site (M3 – General Industrial) with the issuance of a CUP. Similar uses surround the site. The use has been found consistent with the applicable industrial performance standards and consistent with the development standards for Waste Handling, Waste Disposal and Recycling Facilities. Furthermore, The Ventura County Environmental Health Division conditioned the project to ensure that associated hazards are minimized, and the operator maintains an active Medical Waste Transfer Station Permit issued by the California Department of Public Health (Exhibit 5, Condition Nos. 20 and 21). Additionally, the project was presented at the Saticoy MAC, within a Designated Disadvantaged Community, where the council unanimously recommended approval.

Based on the discussion above, the proposed project is consistent with General Plan Policies HAZ-5.2 and HAZ-5.8.

- 4. WR-1.2 Watershed Planning:** *The County shall consider the location of a discretionary project within a watershed to determine whether or not it could negatively impact a water source. As part of discretionary project review, the County shall also consider local watershed management plans when considering land use development.*

WR-1.12 and WR-2.2 Water Quality Protection for Discretionary Development: *The County shall evaluate the potential for discretionary development to cause deposition and discharge of sediment, debris, waste and other pollutants into surface runoff, drainage systems, surface water bodies, and groundwater. The County shall require discretionary development to minimize potential deposition and discharge through point source controls, storm water treatment, runoff reduction measures, best management practices, and low impact development.*

Staff Analysis: The proposed project would permit the continued operation of an existing medical waste transfer facility and does not include any physical modification to the structure or site and therefore poses no potential impact to water resources. No additional impervious area or physical changes are proposed. No increase in usage is anticipated.

Based on the discussion above, the proposed project is consistent with General Plan Policies WR-1.2, WR-1.12, and WR-2.2.

- 5. PFS-11.1 Emergency Response Policy:** *The County shall maintain adequate staffing, equipment, and facilities to provide timely and effective responses to emergencies.*

Staff Analysis: The proposed project will be subject to conditions of approval that the Ventura County Fire Protection District recommended (Exhibit 5, Condition No. 22) to obtain fire permits and ensure the facilities are in accordance with fire standards.

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-11.1.

- 6. CTM-4.2 Alternative Transportation:** *The County shall encourage bicycling, walking, public transportation, and other forms of alternative transportation to reduce Vehicle Miles Traveled (VMT), traffic congestion, and greenhouse gas emissions.*

Staff Analysis: The proposed project involves an existing facility with no new physical development or operational changes. No new trips will be generated; therefore, the project will not create demand for multimodal transportation facilities. The project will not affect railroad facilities or operations.

Based on the discussion above, the proposed project is consistent with General Plan Policy CTM-4.2.

- 7. LU-16.1 Community Character and Quality of Life:** *The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses.*

Staff Analysis: The proposed project involves an existing facility that has operated in Saticoy for thirty years and does not involve physical or operational changes that would place additional demand on services or facilities. The use is allowed in the zoning for the site (M3 – General Industrial) with the issuance of a CUP. Similar uses surround the site. Additionally, the use has been found consistent with the applicable industrial performance standards and consistency with the development standards for Waste Handling, Waste Disposal and Recycling Facilities.

Based on the discussion above, the proposed project is consistent with General Plan Policy LU-16-1.

- 8. LU-17.2 Siting of Uses:** *Within designated disadvantaged communities, the County shall consider environmental justice issues as they relate to potential health impacts associated with land use decisions to reduce the adverse health*

effects of hazardous materials, industrial activities, and other uses that may negatively impact health or quality of life for affected county residents.

LU-17.6 Negative Impacts from Potential Hazards: *Within designated disadvantaged communities, the County shall work to reduce or prevent negative impacts associated with environmental hazards, including industrial and roadway generated pollution, to people who are living and working in close proximity to these uses.*

Staff Analysis: The proposed project involves the transfer of medical waste. The project site is located in Saticoy, which is a designated disadvantaged community. County staff in the Environmental Health Division and Fire Protection District reviewed the project for hazards to the public interest, health, safety, convenience, or welfare, and conditioned the project (Exhibit 5, Condition Nos. 20, 21, and 22) to control these impacts. Furthermore, the project operates on a site permitted under a separate Planned Development (Permit No. DP 242) which is conditioned to ensure compatibility with adjacent uses.

Based on the discussion above, the proposed project is consistent with General Plan Policies LU-17.2 and LU-17.6.

- 9. LU-18.2 Input on Proposed Planning Activities:** *Within designated disadvantaged communities, the County shall facilitate opportunities for community members and stakeholders to provide meaningful and effective input on proposed planning activities early on and continuously throughout the public review process.*

LU-18.4 Variety of Public Communication Methods: *Within designated disadvantaged communities, the County shall continue to share public information across a variety of media, technological, and traditional platforms, and languages based on the demographics of the community.*

Staff Analysis: The project site is located within the designated disadvantaged community of Saticoy. On Monday, April 1st, 2024, the project application and plans were reviewed by the Saticoy Municipal Advisory Council (MAC) at a noticed public meeting. Planning Division staff gave a brief presentation to the Saticoy MAC describing the project. The Saticoy MAC accepted public comments regarding the project and voted 7-0 recommending approval of the project with no proposed changes. Additionally, postcards providing notice of the Planning Director hearing were sent to property owners within 900 feet of the project site. These notices were provided in English and Spanish. The Spanish version included contact information for Planning Division Spanish-speaking staff who can provide information on the project or instructions on how to participate in the Planning Commission hearing, including the option to request interpretive services for the hearing.

Based on the discussion above, the proposed project is consistent with General Plan Policies LU-18.2 and LU-18.4.

Saticoy Area Plan

1. **MOB-1.4:** *In order to maximize safety and traffic flow on SR 118, direct access to the SR 118 shall be prohibited when access to private property can be attained from local roads. If direct access to private property is not feasible from local roads, then consolidated, shared driveways or other methods shall be used to minimize access points to SR 118.*

Staff Analysis: The project site is a suite within a multi-tenant building that connects to SR 118 via Frontage Road at a signalized intersection.

Based on the discussion above, the proposed project is consistent with General Plan Policy MOB-1.4.

2. **RES-4.4:** *Off-site advertising signs, such as billboards, shall be prohibited within the viewshed of SR 118.*

Staff Analysis: The project is an existing medical waste transfer facility within the viewshed of SR 118. No advertising signs are proposed.

Based on the discussion above, the proposed project is consistent with General Plan Policy RES-4.4.

EXHIBIT 5

DRAFT CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) 4826 AS MODIFIED BY MINOR MODIFICATION CASE NO. LU04-0020, MINOR MODIFICATION CASE NO. PL13-0176, AND MINOR MODIFICATION CASE NO. PL24-0015

THESE CONDITIONS SUPERSEDE ALL PREVIOUSLY APPROVED CONDITIONS

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

Planning Division Conditions

1. Project Description

This Conditional Use Permit (CUP) is based on and limited to compliance with the project description stated in this condition below, Exhibits 2 through 4, of the Planning Director hearing on May 2, 2024, and conditions of approval set forth below. Together, these conditions and documents describe the "Project." Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the 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:

Minor Modification of an existing CUP (CUP 4826; As modified by LU04-0020 and PL13-0176) to authorize the continued operation of a Medical Waste Transfer Facility in a 1,304-square foot tenant space (Suite H) within an existing multitenant industrial building for a 20-year period (Case No. PL24-0015). The 9-unit industrial building, located at 1607 Los Angeles Avenue, was originally permitted by Planned Development Permit (PD) 242. No operational or physical changes in the collection facility are proposed. Water is provided by Ventura Water, and sewer is provided by the Saticoy Sanitation District.

The facility is a transfer station where medical waste from independent waste generators is unloaded, containerized, and stored temporarily. Waste materials include sharps (needle containers), red bag biohazardous waste, pathological waste, and pharmaceutical waste. The total amount of waste to be held at the site is approximately 1,000 lbs. and is stored in 50-gallon plastic containers and freezers. One van per day is associated with delivery of medical waste to the facility. A disposal company picks up the waste weekly and transports the material to a separate, permitted disposal site. All activities occur indoors. The facility

includes an employee bathroom and storage area. Three parking spaces are provided for this unit. 1 employee will be onsite. Hours of Operation are Monday-Friday, 8:00 AM-5:00 PM.

The development, use, and maintenance of the property shall conform to the project description above, Exhibits 1-4 of the Planning Director hearing on May 2, 2024, and remaining conditions of approval below.

2. Days and Hours of Operation

Purpose: In order to ensure compatibility with surrounding uses, it is necessary to limit the days and hours of operation of the approved use.

Requirement: The operation of the Medical Waste Transfer Facility shall be limited to the hours of 8:00 AM to 5:00 PM from Monday through Friday. The Permittee shall post the hours of operation in an obvious location that can be seen by users. The signage must be made of weatherproof and permanent material, and comply with the Ventura County Non-Coastal Zoning Ordinance (Article 10).

Documentation: The Permittee shall provide the Planning Division with photographic documentation that the hours of operation have been posted as required pursuant to this condition.

Timing: The Permittee shall post the hours of operation prior to the issuance of Zoning Clearance for use inauguration and the Permittee shall maintain the posted hours of operation for the life of the permit.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance by the Permittee 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.

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 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. 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 modification is required. If a CUP 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. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP 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 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.

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

6. Time Limits

a. Use inauguration:

- (1) The approval decision for this CUP 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 Use Inauguration in order to initiate the land uses set forth in Condition No. 1.
- (2) This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for Use Inauguration within one year from the date the approval decision of this CUP becomes effective (Ventura County Non-Coastal Zoning Ordinance § 8111-4.7). The Planning Director may grant a one-year extension of time to the Permittee in order to obtain the Zoning Clearance for Use Inauguration 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 Use Inauguration, 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 Use Inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Life or Operations Period: This CUP will expire on [20 years from the approval date]. 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 prior to [20 years from the approval date]; and
- (2) The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

7. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

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.

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) 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 Use Inauguration or as dictated by the respective agency.

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.

8. Notice of CUP Requirements and Retention of CUP Conditions On Site

Purpose: To ensure full and proper notice of these CUP 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.

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 Use Inauguration 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.

9. 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 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.

10. 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:**

Pursuant to the requirements of CUP 4826, the Resource Management Agency created Condition Compliance Case No. CC09-0013 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP 4826. The Planning Division will continue to use Condition Compliance Case No. CC09-0013 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 10.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC09-0013, 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.

11. 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.

12. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP 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 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, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP 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, at the discretion of the Planning Director, the Planning Commission may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Commission shall make the determination of adequacy. If the Planning Commission 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 may be revoked.

13. 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, 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. 10 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.

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

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

The Permittee shall obtain a business tax certificate and regulatory licenses for the operation of the medical waste transfer facility.

15. 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.

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 Use Inauguration, 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.

16. Resolution of Complaints

The following process shall be used to resolve complaints related to the Project:

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about a use as it is occurring may directly contact the Contact Person;
- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and
- c. If, following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

17. Reporting of Major Incidents

Purpose: To ensure that the Planning Director is notified of major incidents associated with, or resulting from, the Project.

Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or

slope failures) that could pose a hazard to life or property inside or outside the Project Site.

Documentation: Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include, but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and the steps taken to prevent a recurrence of the incident.

Timing: The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of receiving the request.

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the Project file.

18. 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.

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.

19. Litter

Purpose: To ensure that the CUP area is maintained in a manner that prevents hazardous or unsightly conditions associated with medical waste litter.

Requirement: The Permittee will monitor and pick up obvious medical waste litter on the property. Pursuant to Condition No. 15, the Permittee shall establish a contact person who neighboring operators may contact if any substantial medical waste litter is found.

Documentation: Pursuant to Condition No. 1, the CUP and any amendments thereto.

Timing: For the life of the CUP.

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.

Environmental Health Division (EHD) Conditions

20. Hazardous Materials/Waste Management

Purpose: To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

Requirement: The Permittee shall submit a Hazardous Materials Business Plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid). If hazardous wastes are generated, an EPA ID number issued by the California Department of Toxic Substances Control must be obtained and maintained in active status. Wastes identified as "non-hazardous" may require waste determination analysis to confirm if wastes are listed hazardous wastes, exhibits a hazardous characteristic through testing, or application of general knowledge.

Documentation: A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System (CERS). Maintain all records of hazardous waste determination testing and disposal and make available for review by this Ventura CUPA staff upon request.

Timing: HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials. EPA ID number must be renewed annually.

Monitoring and Reporting: Verification of hazardous materials inventory as well as

ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff. Additional information on the storage and handling requirements for hazardous materials and wastes may be found on the Ventura County Environmental Health Division/Certified Unified Program Agency website: <https://vcrma.org/cupa>

21. Medical Waste Management – California Department of Public Health Registered Medical Waste Management Program

Purpose: To ensure compliance with the California Department of Public Health (CDPH) and the California Medical Waste Management Act regarding medical waste transfer stations and/or transporters.

Requirement: All medical waste transfer stations and transporters doing business in California are required to register with CDPH. Please contact CDPH directly at 916/449-5671 for more information regarding medical waste management program. Further information can be found on their website: <https://www.cdph.ca.gov/Programs/CEH/DRSEM/Pages/EMB/MedicalWaste/Transporters.aspx>.

Monitoring and Reporting: EHD staff shall verify the operator maintains an active registration with CDPH.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

22. Fire Code Permits

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits.

Documentation: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

Timing: Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

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 area installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and her successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.



SATICOY MUNICIPAL ADVISORY COUNCIL

Serving the Unincorporated Area of Saticoy

Boundary Sections

*Wason Barranca, Brown Barranca, Aster Street, Campanula Avenue,
Rosal Lane, Los Angeles Avenue*

DRAFT Summary of Minutes

**The meeting took place in person at the José Flores Community Center
on Monday, April 1, 2024**

Monday, April 1, 2024, at 6:00 PM

José Flores Community Center, 11168 Violeta Street

Persons who require accommodation for any audio, visual, or other disability to review an agenda, or to participate in a meeting of the Saticoy Municipal Advisory Council, per the American Disabilities Act (ADA), may obtain assistance by requesting such accommodation in writing addressed to County Supervisor Matt LaVere at 800 S. Victoria Avenue # L1900, Ventura, CA 93009-1740 or by calling (805) 654- 2703. Any accommodation requests should be made at least *48 hours* before the meeting for which assistance is requested.

YOU MAY PROVIDE PUBLIC COMMENT AT TIME OF THE MEETING OR SEND AN EMAIL to
SATICOYMAC@VENTURA.ORG.

YOU MAY PROVIDE PUBLIC COMMENT By 5:00 P.M. on the Day of the Meeting to Lourdes Solorzano
via
Phone: 1-(805)-654-2703 or Email: LOURDES.SOLORZANO@VENTURA.ORG.

PLEASE NOTE THE MEETING WILL BEGIN AT 6:00 PM

I. *Call to Order*

TIME called to order by Chair Sunner at 6:04 PM

II. *Roll Call*

Present

Chair – Sky Sunner

Members of the Council

Joshua Addison

Laura Dunbar

Jacqueline Flores

Miguel Hernandez

Terri Hernandez

Alternate Member: Dan Feliz

Absent: Vice Chair – Marianne Parra

County of Ventura Planning Director Hearing May 2, 2024 Case No. PL24-0015 Exhibit 6 - Saticoy MAC Draft Meeting Minutes
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III. **Pledge of Allegiance**

Led by Council Member Josh Addison

IV. **Inspirational**

*Chair Sky Sunner invited the public and council members to share inspirational words. Alternate Councilmember Dan Feliz shared a couple of inspirational words to the audience, and Chair Sunner shared a quote: **The reward of our work is not what we get, but what we become**, Paulo Coelho (Brazilian Lyricist and novelist).*

V. **Approval of Draft Minutes of the Meeting Held Monday, March 11, 2024**

- 1. March 11, reviewed by council. No comments.*
- 2. Motion to approve minutes as written by Council Member Jacqueline Flores and. Seconded by Council Member Laura Dunbar.*
- 3. All in Favor, Motion Carried.*

VI. **Public Comments on Items Not on the Agenda**

- ❖ Sierra Dohr: Asked for the staff from County Supervisor LaVere's Office, District 1 to update the council quarterly on any progress and/or of any completed projects in Saticoy.*

VII. **Community/Government Reports and Announcements**

- 1. Beat Report from California Highway Patrol in Ventura County*
 - CHP Ventura Officers introduced themselves and stated they are part of a community effort and engagement program from CHP Ventura to ensure communication with constituencies in their jurisdictions in and around Ventura County. They reported on several efforts made by their colleagues to ensure traffic safety, reduce speeding, and address parking violations.*
 - For any non-emergency concerns regarding speeding, RV parking, and other traffic concerns or questions regarding any violations please contact CHP Ventura by email at 765_COPS@CHP.ca.gov or call their office at 805-662-2640. Additional information: Address: 4656 Valentine Road Ventura, CA 93003-5740 Hours: Monday - Thursday: 8:00 AM – 5:00 PM.*
- 2. Beat Report from County of Ventura Sheriff's Office*
 - Deputy Officer Ricardo Turrubiarres reported no increase in violations and thanked County Parks for the lighting at Saticoy Park, stating that it has helped with their patrol of the park and the reduction of suspicious activity.*
 - For non-emergency concerns regarding suspicious activity please contact Deputy Officer Ricardo Turrubiarres at 1-805-654-9154 or via email at Ricardo.Turrubiarres@ventura.org*

3. *Presentation by OPAC (Oxnard Performing Arts Center Nonprofit Corporation) on a Proposed "Fence-installation: Weekend Weaving Project" at the Saticoy Train Depot from Carolyn Mullin, OPAC's Executive Director.*
 - *Carolyn Mullin, OPAC Executive Director gave a presentation regarding the proposal of a "Fence Installation" Art Project at the Saticoy Train Depot. The introduction of the project allowed the council to discuss further setting up a community workshop to decide on an art piece that the community would like to view. As proposed by Carolyn Mullin, the OPAC Executive Director, the council agreed that the train depot needs positive attention.*
 - *For more information on the Fence – Installation project or ways to participate in art activities at the OPAC please contact Carolyn Mullin at Caroly@TheOPAC.org or visit the OPAC website at www.TheOPAC.org*

4. *Presentation by the City of Ventura Active Transportation Plan and Ventura County Transportation Commission regarding the City of Ventura's Santa Paula Branch Line Trail "Rails with Trails."*
 - *Breanne Dunn and Eric Berg, lead consultants of the City of Ventura's Santa Paula Branch Line Trail "Rails with Trails" project presented the council with an update on the conceptual design near and around the Saticoy Train Depot. A community meeting is set for May at the Jose Flores Community Center. More details of the meeting and flyers in English and Spanish will be distributed throughout the neighborhood in the coming weeks.*
 - *For more information about the Santa Paula Branch Line Project in Saticoy please visit: <https://www.cityofventura.ca.gov/2584/Santa-Paula-Branch-Line> or contact Breanne Dunn at breanne@pc-ld.com*

VIII. Council Action Items

1. *Project PL24-0015 – Minor Modifications of Conditional Use Permit to Continue Operation of a Medical Waste Transfer Facility: Industrial (Ojai Area Plan) Located at 1607 Los Angeles Avenue, Suite H, Ventura CA 93004 (APN: 128-0-030-085). Presented by Resource Management Agency Commercial and Industrial Permitting Planner, Benjamin Reinert.*

Description: The Applicant is requesting a renewal of a Conditional Use Permit (CUP) for a medical waste transfer facility within an existing industrial building.

Resource Management Agency Commercial and Industrial Permitting Planner, Benjamin Reinert presented to the council as titled above of the CUP for the continual operation of a medical waste transfer facility located at 1607 Los Angeles Avenue, Suite H, Ventura Ca in the unincorporated area of Ventura County known as Saticoy.

- *The council reviewed the CUP process, and a public question was heard regarding flooding that did not apply to the project.*
- *The motion to approve the CUP for Project PL24-0015, as written after discussion by the council was motioned by Council Member Josh Addison and seconded by Alternate Council Member Dan Feliz.*
- *All in Favor, Motion Carried*

2. *Project PL23-0026 – Application for a Planned Development Permit for the continued operation of and new construction at the Fence Factory site located at 1606 Los Angeles Avenue, Ventura CA 93004, presented by Resource Management Agency Senior Planner, Charles Anthony.*

Resource Management Agency Senior Planner Charles Anthony presented Project PL23-0026 Planned Development Permit for the continued operation of and new construction at the Fence Factory located at 1606 Los Angeles Avenue in the unincorporated area of Ventura County known as Saticoy.

- *The council reviewed the Planned Development Permit for the continued operation of and new construction at the Fence Factory located at 1606 Los Angeles Avenue in the unincorporated area of Ventura County known as Saticoy. The new construction of the project was discussed by the council, and it was softly recommended that the Planning Director review the project with **landscape screening fencing** of the operation on the side of the site abutting an empty parcel on Los Angeles Avenue.*
- *The motion to approve the Planned Development Permit for the continued operation of and new construction at the Fence Factory Project PL23-0026, as written after discussion by the council was motioned by Alternate Council Member Dan Feliz and seconded by Council Member Terry Hernandez.*
- *All in Favor, Motion Carried*

IX. Future MAC Agenda Items and/or Events: *The chair will give an update on various items as shown below:*

1. *City of Ventura Clean Water Presentation: Representatives from the City of Ventura, and the County of Ventura*
 - *Chair Sunner updated the council on the progress of the process to increase water services to the community in Saticoy. The City of Ventura Council is scheduled to hear the item on April 23rd. An invitation to the council and audience was mentioned.*
 - *The weed abatement at the 3 parcels owned by the County and the Beautification event were mentioned. The weed abatement by Ventura County Public Works Agency will begin in April, and the Beautification Event by EJ Harrison is programmed for Saturday, August 3rd from 9 AM to 1 PM.*

X. Adjourn

The meeting was adjourned by Chair Sunner at 7:55 PM. Announcing to the public in attendance that the next meeting will be held Monday, May 6th in person at 6 PM at the Jose Flores Community Center.

-End