



Planning Director Staff Report– Hearing on December 1, 2022

County of Ventura • Resource Management Agency

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • www.vcrma.org/divisions/planning

SANTA CLARA RESOURCES MODIFIED CONDITIONAL USE PERMIT CASE NO. PL14-0049

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) 5042 which authorizes the construction and use of greenhouses exceeding 100,000 square feet (sq. ft.). The applicant requests an additional 20 year CUP term extension (Case No. PL14-0049).
2. **Applicant:** Santa Clara Resources, Fred Van Wingerden, Managing Partner, 3813 Doris Avenue, Oxnard, CA 93030
3. **Property Owner:** Van Wingerden R-J Trust, et al., 3813 Doris Avenue, Oxnard, CA 93030
4. **Applicant's Representative:** Kevin Waldron, Jensen Design and Survey, 1672 Donlon Street. Ventura, CA 93003
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8111-6 et seq.), the Planning Director is the decision-maker for the requested modified CUPs.
6. **Project Site Size, Location, and Parcel Number:** The 40.16-acre property (a legal lot) is located at the intersection of Gonzales Road and Victoria Avenue, near the city of Oxnard, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the property is 138-0-190-510 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Agricultural
 - b. Zoning Designation: AE-40 ac (Agricultural Exclusive, 40 acre minimum parcel size)
8. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-80 ac (Open Space, 80 acre minimum lot size)	Bailard Landfill (owned by Ventura Regional Sanitation District, currently closed)

Location in Relation to the Project Site	Zoning	Land Uses/Development
East	AE-40 ac and residential zoning by the City of Oxnard	Victoria Avenue is contiguous to the eastern property line. A golf course and residential neighborhoods are located east of Victoria Avenue. .
South	AE-40 ac	Open cropland, currently farmed
West	AE-40 ac	Agricultural facility comprised of greenhouses, agricultural related structures, and cropland owned by Cravens Lane Associates, LLC.

9. History: CUP 5042 was granted in 1999 for the construction and operation of agricultural-related structures (in excess of 100,000 sq. ft.) for growing, processing, storing, and shipping of flowers on parcels currently identified as APN 138-0-190-510 and APN 138-0-190-520. While CUP 5042-authorized greenhouses and agricultural related structures have been constructed on the contiguous westerly parcel (APN 138-0-190-520), none have been constructed on the subject property (APN 138-0-190-510). The subject property contains crops that are currently farmed and stormwater detention basins, water tanks, and a pump station shelter structure.

10. Project Description: The applicant requests approval of a Minor Modification of CUP 5042 for the construction and operation of proposed greenhouse structures exceeding 100,000 sq. ft. The proposed greenhouse structures were approved by the granting of CUP 5042 but have not been built to date. The applicant also requests an additional 20 year CUP term extension. In addition, the applicant requests dividing CUP 5042 into two separate modified CUPs resulting in the applicant (Santa Clara Resources) being the Permittee of one modified CUP (Case No. PL14-0049) and another applicant (GroLink) being the Permittee of the other modified CUP (Case No. LU11-0148). Modified CUP Case No. LU11-0148 was approved on March 10, 2022. With the approval of this Minor Modification (Case No. PL14-0049), the CUP 5042 boundary would be reconfigured to match the property line of the applicants' respective legal lots (Exhibit 3).

Modified CUP Case No. PL14-0049 would also authorize the construction and operation of other proposed agricultural related structures and authorize the use of existing accessory structures identified in the table below. This CUP would authorize a maximum of 99 employees at full project buildout. Two lunch rooms would also be provided to address the Transportation Demand and Trip Reduction Measures of NCZO Section 8109-0.7.

Any time that night lighting is used within any of the proposed greenhouse/plant shelter structures, blackout curtains would be deployed. Said curtains shall render the interior lights undetectable from outside the structure. Also, all exterior lighting

and light fixtures shall comply with the current requirements and standards of the NCZO.

The farmworker dwelling would be limited to 8 or fewer permanent residents. An increase to 9 or more permanent residents may require the applicant to apply for a Community Water System permit from the State of California Water Resources Control Board, Division of Drinking Water (DDW).

The following days and hours of operation would be authorized:

- Growing and harvesting: Seven days per week, 24 hours per day. Between the hours of 9:00 p.m. and 7:00 a.m. outdoor activity in any of the designated open yard areas shall be limited to emergency use only. There shall be no outdoor playing of radios, stereos and similar electronic equipment.
- Storage and processing: Seven days per week. Normal operations would occur from 7:00 a.m. to 9:00 p.m., extended operations would occur from 9:00 p.m. to 7:00 a.m. All truck loading and unloading between the hours of 9:00 p.m. and 7:00 a.m. shall be done with hand-operated pallet jacks only (no fork lifts) to minimize noise.
- Shipping (truck arrival & departure times): Seven days per week. Normal operations would occur from 7:00 a.m. to 9:00 p.m., extended operations would occur from 9:00 p.m. to 7:00 a.m. A total of six heavy-duty (18-wheel semi) trucks shall be allowed to enter or exit the premises between the hours of 9:00 p.m. and 7:00 a.m. If truck refrigeration units are to be used, the trucks shall be parked in an area away from Victoria Avenue/Gonzales Road rights-of-way.

Grading for the proposed development would be less than 50 cubic yards. Digging, excavation, and/or trenching would also be required for development of the proposed structures and accessory infrastructure.

Wastewater is and would continue to be collected, treated, and disposed of by existing on-site wastewater treatment systems (septic).

Potable water is supplied to the site by Santa Clara Resources (SCR) Water System, a Non-Transient, Non-Community water system, regulated and permitted by the DDW. The SCR Water System also provides water for fire protection. The applicant reported that water is provided for the project by an active agricultural well with State Well Number (SWN) 02N22W30Q01S. Three other active wells (SWNs 02N22W30P03S, 02N22W30Q02S and 02N22W31B01S) are located within SCR's service area and are used solely for agricultural purposes.

Access to the project site is provided by Gonzales Road.

Table 1 – Project Components

Table 1 Project Component	Quantity	Total Area
(P) Plant shelter A/greenhouse structures (originally authorized by CUP 5042)	1	917,744 sf
(P) Packing/office structure (originally authorized by CUP 5042)	1	43,200 sf
(P) Storage (refrigerated) and boiler structure (originally authorized by CUP 5042)	1	18,240 sf
(P) Maintenance structure (originally authorized by CUP 5042)	1	24,000 sf
(P) Farmworker dwelling unit (manufactured/mobile home) (originally authorized by CUP 5042)	1	1,782 sf
(P) Open shade frames (originally authorized by CUP 5042)	2	139,992 sf (71,592 sf and 68,400 sf)
(P) Employee bathroom (to be removed in later phases of project)	1	60 sf
(E) Water tanks (domestic tank 120,000 gallons, fire protection tank 330,000 gallon) (originally authorized by CUP 5042)	2	NA
(E) Booster pump station structure	1	625 sf
(E) Detention basins (originally authorized by CUP 5042)	2	114,980 sf

E = Existing

P = Proposed (not yet installed/constructed)

NA = Not applicable

sf = square feet

(Exhibit 4).

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.

On March 25, 1999, the Planning Commission adopted a Mitigated Negative Declaration (MND) that evaluated the environmental effects of a proposed greenhouse/plant shelter complex with agricultural shade structures (open shade/hoop house structures) for flower growing, processing, storage, and shipping (Case No. CUP 5042) on APN 138-0-190-510. The agricultural facility evaluated in the adopted MND also included accessory agricultural structures and support structures including but not limited to packing and storage structures, offices, restrooms, farmworker dwelling units, and detention basins. After the adoption of the MND, a modification was made to the agricultural facility to include a sediment/percolation basin and drainage improvements. That modification was found to be exempt from CEQA review. Some of the structures evaluated in the adopted MND and subsequent modification have been constructed and some have not. The structures evaluated in the adopted MND and project modification are included in this proposed modified CUP. The adopted MND is included in Exhibit 5.

The CEQA Guidelines [Section 15164(b)] state that the lead agency shall prepare an addendum to an adopted MND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (Section 15162) calling for the preparation of a subsequent MND have occurred. Exhibit 5 includes a description of the changes or additions that are necessary to the MND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of an Environmental Impact Report or subsequent MND.

Therefore, based on the information provided above and in light of the whole record, there is no substantial evidence to warrant the preparation of a subsequent MND, and the addendum to the adopted MND (Exhibit 5) reflects the County's independent judgment and analysis.

C. CONSISTENCY WITH THE GENERAL PLAN

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

All area plans, specific plans, subdivisions, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, the Ventura County NCZO (§ 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.

Staff evaluation for consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs* is provided in Exhibit 6. This analysis concludes the project is consistent.

D. ZONING /ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the Ventura County NCZO. Pursuant to the Ventura County NCZO (Section 8105-4), the proposed use is allowed in the AE zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project would comply with this requirement.

The proposed project includes the construction and use of structures that are subject to the development standards of the Ventura County NCZO (Section 8106-1.1). 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

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	40 acres	Yes
Maximum Percentage of Building Coverage	5%*	Yes

Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Setback requirement for greenhouses, hothouses, shade structures and similar structures from all property lines (Section 8106-6.4)	20 feet	Yes
Maximum Building Height	Principal structures: 25 feet, but height may be increased above 25 feet (to maximum 35 feet) if each side yard is at least 15 feet or as specified by permit. Accessory structures: 15 feet, but height may exceed 15 feet provided that the accessory structure is set back 20 feet from all property lines. Height shall not exceed the maximum allowed height of the principal structure unless a discretionary permit is issued pursuant to Article 5.	Yes

* Pursuant to 2040 General :Plan policy LU-6.2 Maximum Lot Coverage Exclusions - Agricultural Land Use Designation, the County shall exclude structures used for growing plants such as greenhouses, hothouses, and agricultural shade/mist structures from the Agricultural land use designation maximum lot coverage. This exclusion does not include structures used for preliminary packing, storage and preservation of produce and similar structures.

The project is subject to the special use standards of the Ventura County NCZO Article 7. 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

Special Use Standard	Complies?
<p><u>Section 8107-20.2 - Agricultural Shade/Mist Structures:</u> Said structures shall meet the requirements of the Fire Code, Building Code, and the regulations administered by the Public Works Agency, some of which may be more restrictive than those listed below. Prior to the issuance of a Zoning Clearance, the following standards and requirements shall be met:</p> <ul style="list-style-type: none"> a. There shall be no permanent floor materials. b. Permanent walkways within a structure shall not exceed 10% of the structure's GFA. c. All cover materials shall be of flexible fabric or membrane and not solid rigid materials such as glass, fiberglass, plastic or metal. d. The structure's foundations and supporting members shall be designed and constructed so as to be easily removed. e. There shall be no heating, cooling, or lighting systems in the structures or utilities 	<p>Yes. The proposed open shade frames/hoop houses (158,558 sq. ft.) meet the definition of Agricultural Shade/Mist Structures. The Planning Division intends to condition the project to ensure that such structures comply with the requirements of Section 8107-20.2.</p>

Table 3 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
<p>to the structures except water or electricity for irrigation timers.</p> <p>f. No structure shall exceed 15 feet above grade at its highest point.</p> <p>g. The structures shall be set back at least 20 feet from all property lines as determined by the Planning Director.</p> <p>h. Each structure shall be separated from an adjoining structure by at least 6 feet.</p> <p>i. Documentation, satisfactory to the Planning Director, shall be submitted from the Fire and Building and Safety Departments, and from the Public Works Agency, indicating 1) that the project, as proposed, is capable of meeting the requirements of the respective departments; and 2) whether a specific permit(s) will be required by said department.</p>	
<p><u>Section 8107-26.3 - Farmworker and Animal Caretaker Employment Criteria:</u> Farmworker and animal caretaker dwelling units shall only be rented or provided under the terms of employment to persons who are employed full time (minimum of 32 hours per week) as farmworkers or animal caretakers by the property owner or lessee of the lot upon which the dwelling unit sits, or on other land in Ventura County that is under the same ownership or lease as the property with the dwelling unit. A farmworker or animal caretaker who has been renting or occupying a farmworker or animal caretaker dwelling unit and who subsequently retires or becomes disabled, may continue to reside in the dwelling unit. Members of the farmworker’s or animal caretaker’s household, if any, may also occupy said dwelling unit.</p>	<p>Yes. The Planning Division would condition the project to ensure that the proposed farmworker dwelling (once constructed) is rented and/or occupied in compliance with the requirements of Section 8107-26.3.</p>
<p><u>Section 8107-26.4 - Annual Verification of Farmworker or Animal Caretaker Employment:</u> The owner of the property, or his/her designated agent, must submit all County-required verification fees as established by resolution of the Board of Supervisors and an annual verification report by May 15th of each year to the Planning Director or his or her designee, in a form acceptable to the Planning Director, demonstrating that the farmworker(s) and/or animal caretaker(s) residing in the farmworker and/or animal caretaker dwelling unit(s) meet(s) the employment criteria established in Sec. 8107- 26.3.</p>	<p>Yes. The Planning Division would condition the project to ensure that the necessary documentation is provided to Planning for the occupants of the proposed farmworker dwelling (once constructed) in compliance with the requirements of Section 8107-26.4.</p>
<p><u>Section 8107-26.5 - Enforcement of Farmworker and Animal Caretaker Employment Criteria:</u> Violations of the provisions of Section 8107-26.3 or 8107-26.4 shall be administered in accordance with Article 14 of the Non-Coastal Zoning Ordinance. Any administrative civil penalties collected pursuant to Section 8114-3.7 and as a result of violation of Section 8107-26 et sec shall be deposited in a County</p>	<p>Yes. The Planning Division would condition the project to ensure that Planning has the authority to enforce Section 8107-26.3 or 8107-26.4.</p>

Table 3 – Special Use Standards Consistency Analysis

Special Use Standard	Complies?
farmworker housing fund account for exclusive use by the County or its designee for rehabilitation and/or construction of farmworker housing.	

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a modified CUP pursuant to Section 8111-1.2.1.1 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 8111-1.2.1.1.a].**

Based on the information and analysis presented in the General Plan Consistency Analysis (Exhibit 6) and section D 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 8111-1.2.1.1.b].**

As discussed in the General Plan Consistency Analysis (Exhibit 6) and section D (above), the proposed agricultural project is compatible with the character and zoning of the surrounding development. The subject property and adjacent southern and western properties have been farmed for at least the past 20 years. The applicant's requested modified CUP would not reduce the existing lot size and does not include a request to change the Agricultural designation of the property. Bailard Landfill (currently closed) is located to the north and it does not include any sensitive land uses. Victoria Avenue is contiguous to the eastern property line. Residential neighborhoods and a golf course are located east of Victoria Avenue. The closest off-site dwellings are located approximately 200 feet from the eastern property line. Existing landscape screen trees and the width of Victoria Avenue intervene as a buffer between these dwellings and the existing and proposed agricultural operations on the subject property.

The perimeter landscaping and screening requirements of Section 8108-5.14 et seq. would be addressed by the existence of mature landscape screen trees which are located at the southern and eastern property lines of the lot. The existing perimeter landscape screen trees would be maintained for the life of the CUP and would be irrigated with a system that complies with the water efficiency requirements of the Ventura County Landscape Design Criteria and the California

Department of Water Resources Model Water Efficient Landscape Ordinance (Exhibit 7). The existing, mature landscape screen trees would reduce the visual effects of the proposed parking spaces on the residential land uses which are located across Victoria Avenue (the closest residential land use is 200 feet distant). In accordance with Section 8108-2 of the NCZO, the interior landscaping requirements of NCZO Section 8108-5.14 et seq. would be waived to reduce the amount of agricultural resources (farmland soil) that would be lost by additional landscaping. In accordance with Section 8108-2 of the NCZO, the new tree standards of NCZO Section 8108-5.14 et seq. would be waived because existing mature perimeter screen trees provide sufficient screening and additional new trees would be unnecessary.

The loading areas requirements of NCZO Section 8108-8 would be waived because sufficient undesignated off-street passenger loading areas are available throughout the subject property and because a designated turnout space would reduce agricultural resources (farmland soil).

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 8111-1.2.1.1.c].

As discussed in the General Plan Consistency Analysis (Exhibit 6), no substantial adverse effect has been identified. Agricultural operations occur on the adjacent properties to the south and west, and a closed landfill site is located to the north. Victoria Avenue is contiguous to the eastern property line. Residential neighborhoods and a golf course are located east of Victoria Avenue. The closest off-site dwellings are located approximately 200 feet from the eastern property line. Existing landscape screen trees and the width of Victoria Avenue intervene as a buffer between the dwellings and the existing and proposed agricultural operations on the subject property. During operations, cultivation of plants would be conducted largely inside greenhouses and plant shade structures which would reduce fugitive dust creation. Also, the proposed project would be conditioned to minimize fugitive dust and particulate matter that may result during construction activities (Exhibit 7). The project would be conditioned to ensure that noise-generating construction activities would be limited to the least sensitive daytime hours (Exhibit 7). The proposed on-site farmworker dwelling would be sited and designed so that indoor and outdoor noise levels from roadway (Victoria Avenue and Gonzales Road) traffic noise and on-site agricultural operations do not exceed County noise standards (Exhibit 7).

The Ventura County Public Works—Transportation Department analyzed the proposed project and did not identify any adverse impacts to the level of service of local roads or the Regional Road Network. The Transportation Department would require the existing access driveway to be improved in compliance with County Road Standards (Exhibit 7). The Ventura County Resource Management Agency-

-Environmental Health Division determined the existing OWTSSs are in good working order and consider the project's effect on groundwater quality to be less than significant. The Ventura County Watershed Protection—County Stormwater Program would require the implementation of best management practices during new construction and post-construction for the protection of surface water quality (Exhibit 7). Adequate on-site vehicle parking has been provided and the existing landscape screen trees would be maintained to reduce the project's effects on visual resources (Exhibit 7).

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 8111-1.2.1.1.d].

As discussed in sections E.2 and E.3 (above), the project would not be detrimental to the public interest, health, safety, convenience or welfare. According to the Ventura County Fire Protection District (VCFPD), all existing access roads leading to the project site meet current access standards, and all on-site access roads would be required to meet minimum VCFPD access standards (Exhibit 7). VCFPD would require the project to comply with applicable standards for fire flows and new construction must comply with current fire and building codes (Exhibit 7). The Fox Canyon Groundwater Management Agency approved a transfer of groundwater extraction allocation to the Santa Clara Resources Water System that would supply potable water for the project, and the Water Resources Division determined that no adverse impact on groundwater quantity would occur. The Ventura County Public Works Land Development Services Division and Ventura County Watershed Protection Planning and Permits Division determined flood hazards and impacts to flood control facilities would be less than significant, and that a drainage plan (and hydrologic and hydraulic calculations) would be required for the proposed development (Exhibit 7).

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 8111-1.2.1.1.e].

As discussed in Sections E.2 through E.4 (above), the proposed project would be compatible with the existing and potential land uses in the general area where the project is located.

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

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

The lot on which the project would occur was created legally by Parcel Map Waiver-Large Lot Subdivision (PMW-LLS) No. 1161 which was recorded on December 11, 2003 (recordation no. 20031211-0461249). The subject legal lot is identified as Parcel 3 on Exhibit B of PMW-LLS No. 1161.

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.

In accordance with CEQA Guidelines [Section 15164(b)], the Planning Division (as the lead agency) prepared an addendum to the adopted MND because the changes that are necessary to the MND are not substantial and none of the conditions described in the CEQA Guidelines (Section 15162) calling for the preparation of an Environmental Impact Report or subsequent MND have occurred (Exhibit 5).

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

8. The establishment or maintenance of this use will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area [Section 8111-1.2.1.2.a].

Agricultural operations occur on the adjacent lots to the west and south. The requested modified CUP involves continued crop farming and the construction of proposed agricultural-related structures (greenhouses, plant shade structures, etc.). The applicant's requested modified CUP project would not reduce the existing lot size and does not include a request to change the Agricultural designation of the property. The existing and proposed agricultural structures do not exceed the maximum building coverage limit (of five percent). The Ventura County Agricultural Commissioner's Office reviewed the proposed project and did not identify any concerns or potential conflicts with surrounding agricultural operations. The project would not restrict or adversely affect the agricultural resources in the surrounding area.

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

9. The structures will be sited to minimize conflicts with agriculture, and other uses will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area, where applicable [Section 8111-1.2.1.2.b].

Agricultural activities occur on site and on the adjacent lots to the west and south. The requested modified CUP involves continued crop farming and the construction of proposed agricultural-related structures (greenhouses, plant shade structures, etc.). The applicant's requested modified CUP project would not reduce the existing lot size and does not include a request to change the Agricultural designation of the property. The existing and proposed agricultural structures do

not and would not exceed the maximum building coverage limit (of five percent) and they comply/ would comply with the setback and height standards of the NCZO. Ventura County Agricultural Commissioner's Office reviewed the proposed project and did not identify any concerns or potential conflicts with surrounding agricultural operations. The project would not restrict or adversely affect the agricultural activities in the surrounding area.

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

10. The use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible [Section 8111-1.2.1.2.c].

CUP 5042 was granted in 1999 for the construction and use of the proposed agricultural-related structures (in excess of 100,000 sq. ft.) that the applicant would construct should the requested modified CUP be approved. The proposed agricultural facility would include agricultural structures (greenhouses, shade structures, produce storage, etc.) for growing, packing, preserving, and shipping agricultural products and other structures (e.g., offices, employee break areas, restrooms, etc.) that would provide support for the agricultural production facility. The NCZO allows for a maximum building coverage of five percent. The County 2040 General (policy LU-6.2 Maximum Lot Coverage Exclusions - Agricultural Land Use Designation) exclude certain structures used for growing plants (i.e., greenhouses, hothouses, and agricultural shade/mist structures) from the Agricultural land use designation maximum lot coverage calculation. With the lot coverage exclusion provided in policy LU-6.2, the proposed project would not exceed the five percent building coverage limit of the Agricultural land use designation regulating the subject property.

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 Director hearing in accordance with the Government Code (Section 65091) and Ventura County NCZO (Section 8111-3.1). On November 18, 2022, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On November 18, 2022, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, no public comments were received by Planning staff about the proposed project.

G. 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, including the Addendum to the MND (Exhibit 5), Mitigation Measures and Mitigation Monitoring and Reporting Program (Exhibit 7), and CEQA Findings, and has considered all comments received during the public comment process;
2. **FIND** that none of the conditions have occurred or exist as set forth in Guidelines section 15162 to require the preparation of a subsequent MND, and that the Addendum to the adopted 1999 MND (Exhibit 5) satisfy the environmental review requirements of CEQA;
3. **MAKE** the required findings to grant a modified 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** modified CUP Case No. PL14-0049, subject to the conditions of approval (Exhibit 7).
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 Charles Anthony at (805) 654-3683 or Charles.Anthony@ventura.org.

Prepared by:

Reviewed by:



Charles Anthony, Case Planner
Commercial & Industrial Permit Section
Ventura County Planning Division



Mindy Fogg, Manager
Commercial & Industrial Permit Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 - Maps (Vicinity, Aerial, General Plan and Zoning Designation)
- Exhibit 3 - CUP Boundary Changes
- Exhibit 4 - Plans
- Exhibit 5 - Addendum to adopted 1999 MND (for APN 138-0-190-510); and 1999 MND
- Exhibit 6 - General Plan Consistency Analysis
- Exhibit 7 - Conditions of Approval and Mitigation Monitoring and Reporting Program



site

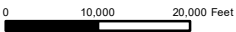
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 10-24-2022



**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 2 - Maps
Vicinity**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map nor does it involve a risk of economic loss or physical injury should be made in reliance thereon.





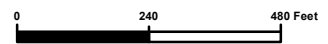
138-0-190-510



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 09-07-2022
 This aerial imagery is under the
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**County of Ventura
 Planning Director Hearing
 Case No. PL14-0049
 Exhibit 2 - Maps
 Aerial Photo**



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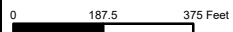
Legend
 PL14-0049
 APN: 138-0-190-510
 General Plan
 Zoning
 Area Plans



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 10-24-2022
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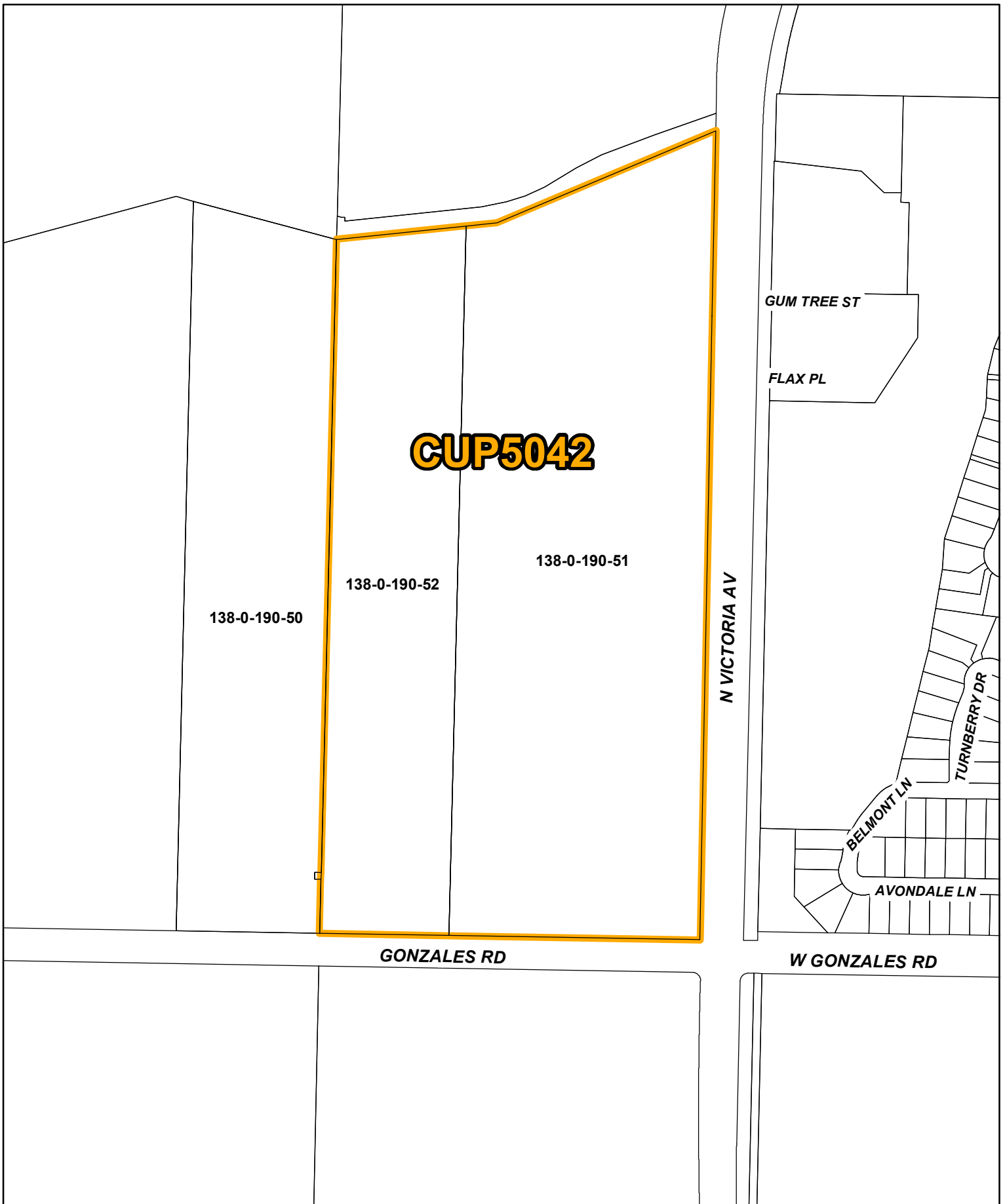


**County of Ventura
 Planning Director Hearing
 Case No. PL14-0049
 Exhibit 2 - Maps
 General Plan and Zoning**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

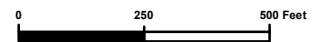




Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 09-20-2021



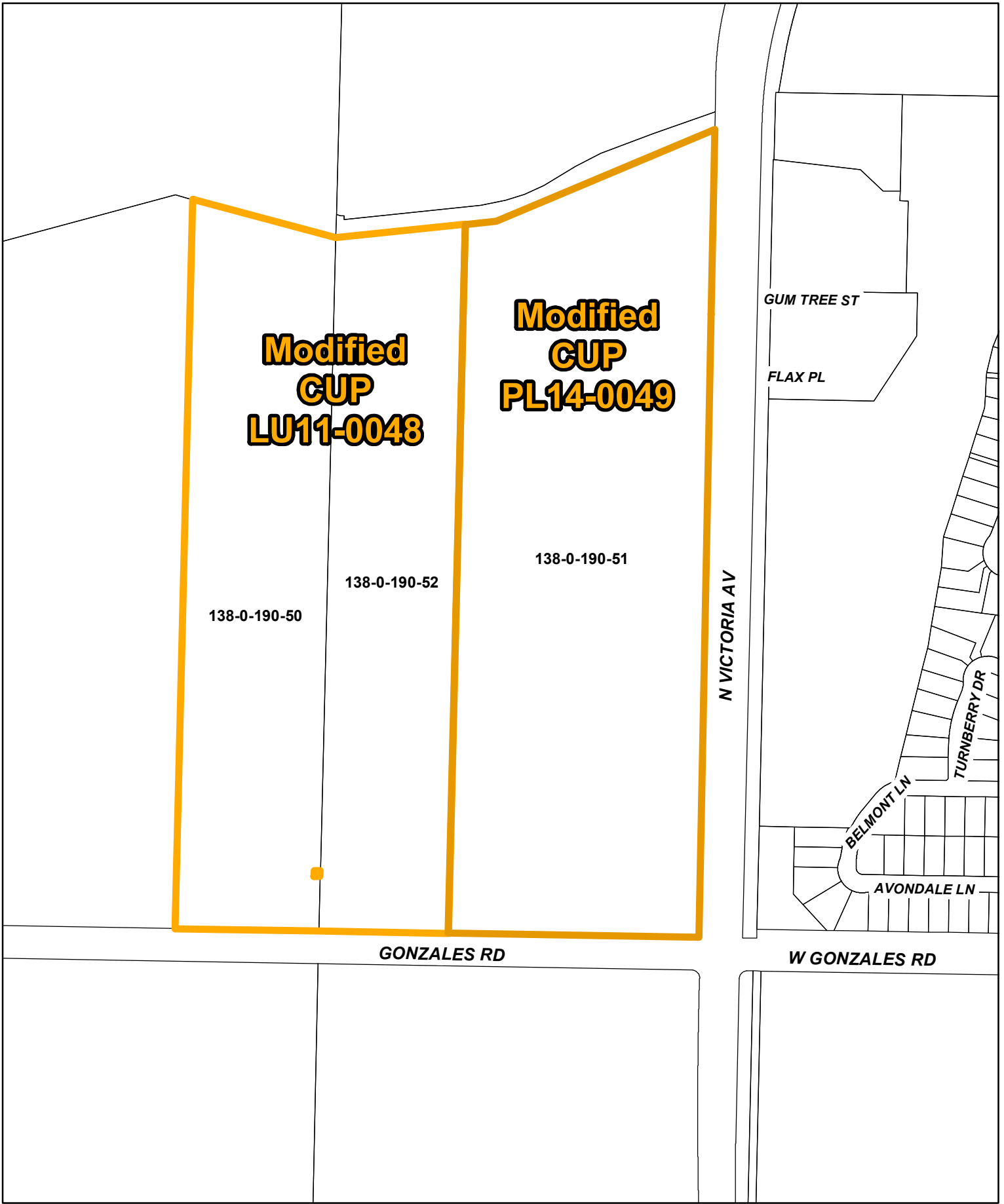
**County of Ventura
 Planning Director Hearing
 Case No. PL14-0049
 Exhibit 3 - CUP Boundary
 Before Modification**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RH



**Modified
CUP
LU11-0048**

**Modified
CUP
PL14-0049**

138-0-190-50

138-0-190-52

138-0-190-51

GUM TREE ST

FLAX PL

N VICTORIA AV

BELMONT LN

TURNBERRY DR

AVONDALE LN

GONZALES RD

W GONZALES RD



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 09-29-2021



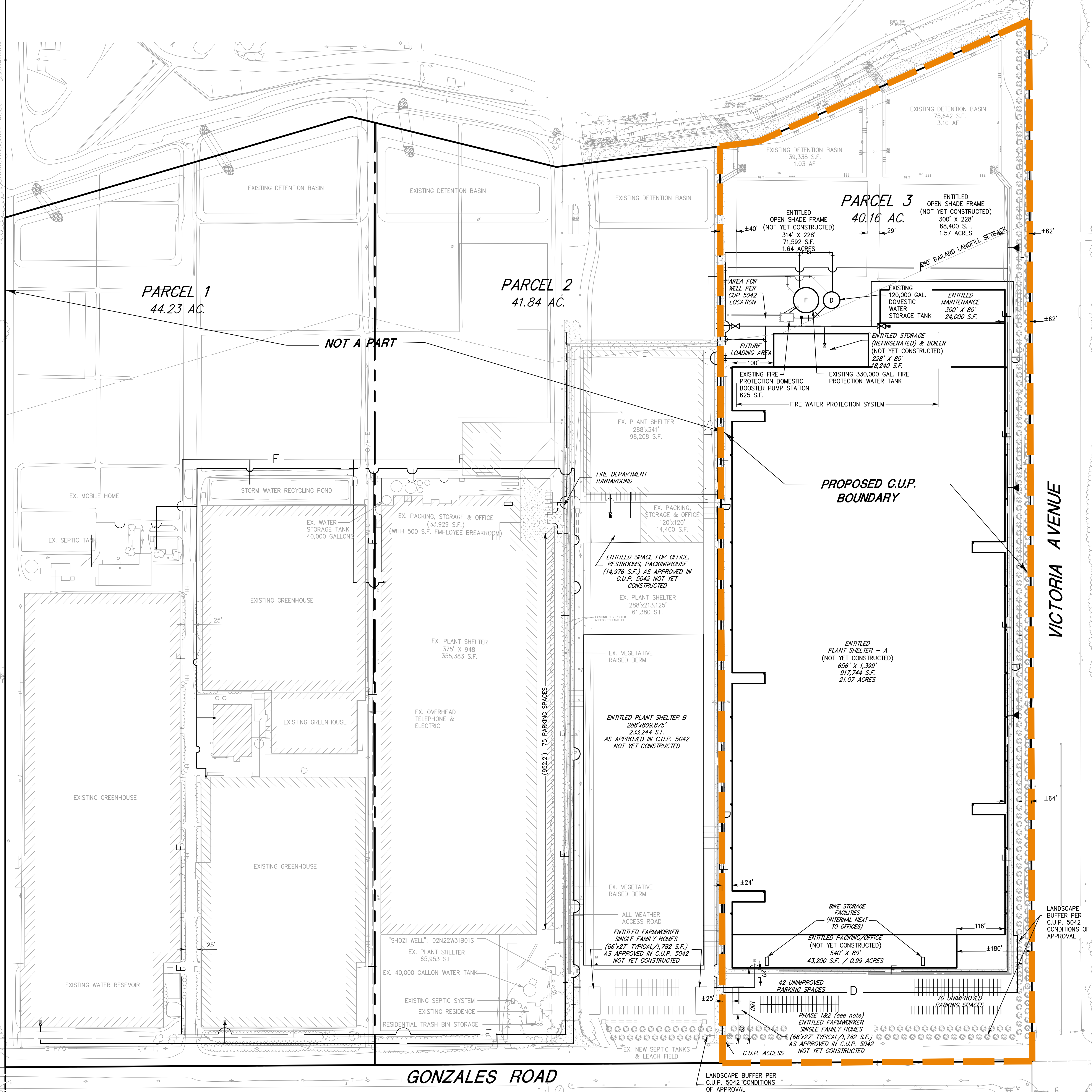
**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 3 - CUP Boundary
After Modification**



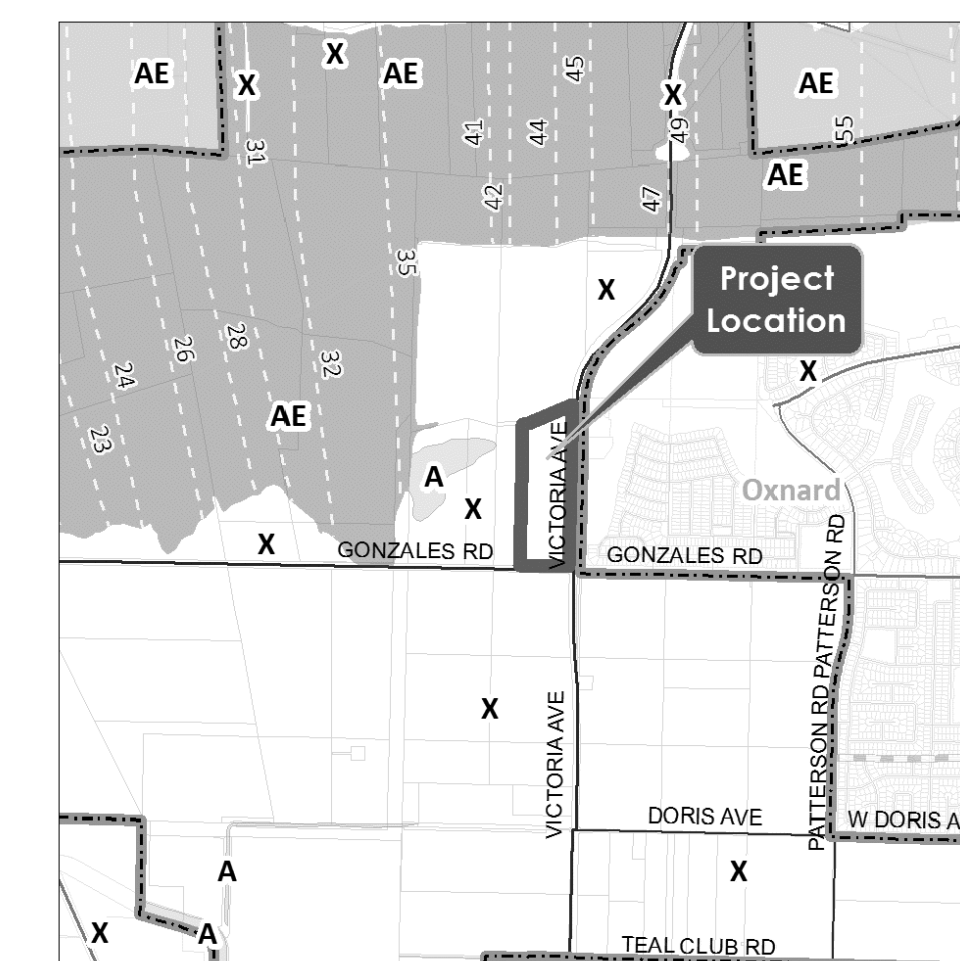
Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



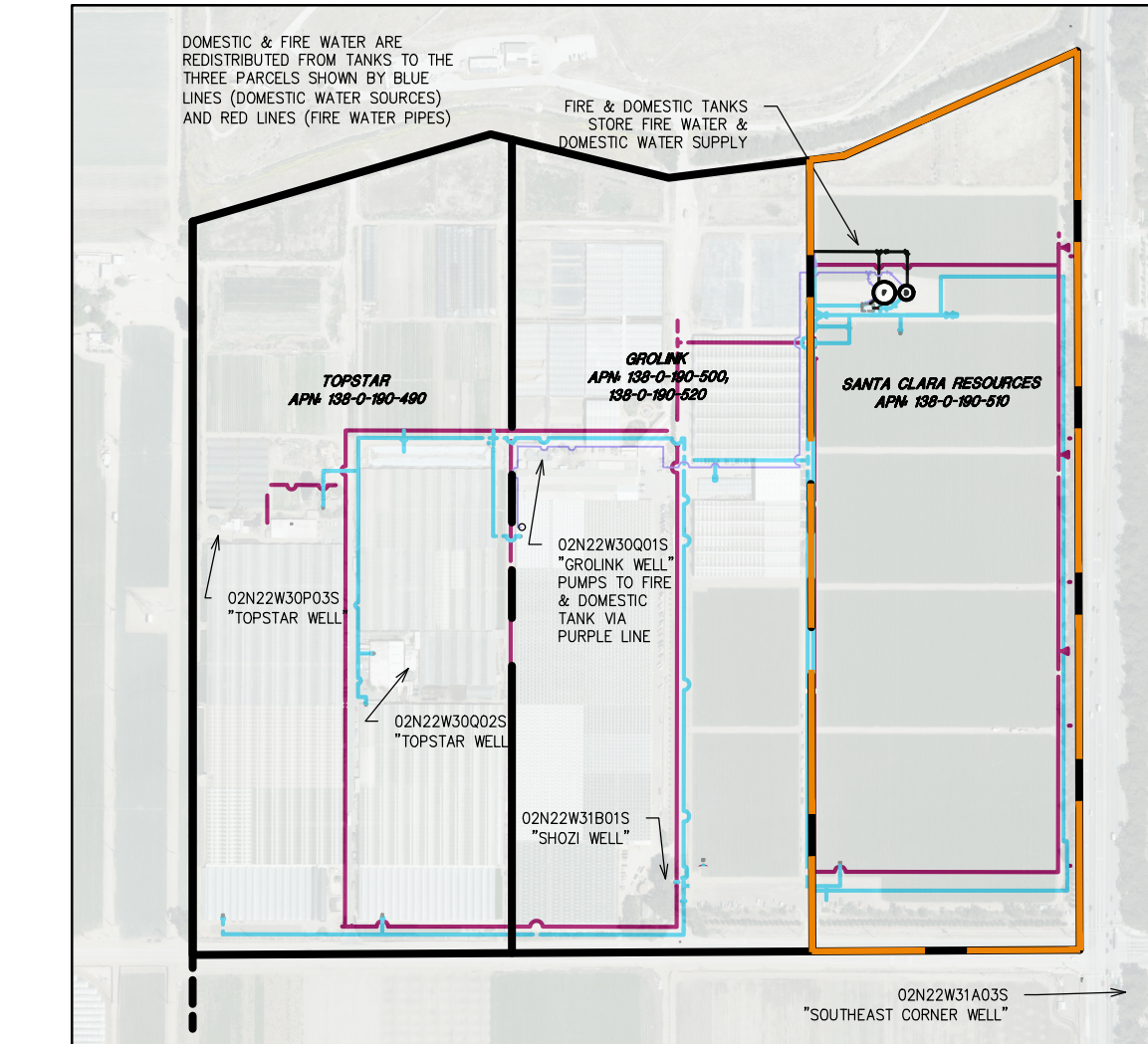
RH



VICINITY MAP & FLOOD MAP NOT TO SCALE



SHARED WATER SYSTEM OVERVIEW NOT TO SCALE



LEGEND

- C.U.P. BOUNDARY
- LEGAL LOT BOUNDARY

LAND USE DATA

<p>PROPERTY INFORMATION:</p> <p>APN: 138-0-190-510</p> <p>ADDRESS: NW CORNER OF GONZALES ROAD & VICTORIA AVENUE</p> <p>ZONING: A-E 40 AC.</p> <p>GENERAL PLAN DESIGNATION: AGRICULTURAL</p> <p>C.U.P. AREA: 40.16 ACRES</p> <p>EXISTING/PROPOSED USE: AGRICULTURAL FACILITY FOR FLOWER GROWING, PROCESSING, STORAGE AND SHIPPING.</p>	<p>APPLICANT/OWNER:</p> <p>ATTN: CASE VAN WINGERDEN C/O SANTA CLARA RESOURCES 6030 CASITAS PASS RD. CARPINTERIA CA 93013</p> <p>PROJECT CONTACT:</p> <p>KEVIN WALDRON JENSEN DESIGN & SURVEY, INC. 1672 DONLON STREET VENTURA, CA 93003 (805) 654-6977</p>
--	--

EXISTING INFRASTRUCTURE	S.F.	ACRES
1. BOOSTER PUMP STATION	625 S.F.	0.01 AC.
2. 120,000 GAL DOMESTIC WATER STORAGE TANK	1,289 S.F.	0.03 AC.
3. 330,000 GAL FIRE PROTECTION TANK	2,957 S.F.	0.06 AC.
TOTAL:	4,871 S.F.	0.11 AC.
% BUILDING COVERAGE:		0.02%

ENTITLED STRUCTURES PER EXISTING CUP 5042:	S.F.	ACRES
1. PLANT SHELTER-A (NOT INCLUDED IN % BUILDING COVERAGE)	917,744 S.F.	21.07 AC.
2. PACKING/OFFICE	43,200 S.F.	0.99 AC.
3. STORAGE (REFRIGERATED) & BOILER	18,240 S.F.	0.42 AC.
4. MAINTENANCE	24,000 S.F.	0.55 AC.
5. FARMWORKER MOBILE HOME	1,782 S.F.	0.04 AC.
6. OPEN SHADE FRAME STRUCTURES (NOT INCLUDED IN % BUILDING COVERAGE)	139,992 S.F.	3.21 AC.
TOTAL:	1,144,958 S.F.	26.28 AC.
% BUILDING COVERAGE:		5.00%

PARKING INFORMATION:	
PARKING REQUIREMENTS	1 SPACE/500 S.F.
PARKING SPACES PROVIDED	112 SPACES

FIRMA DFIRM FLOOD MAPPING INFORMATION:
NOT APPLICABLE - OUTSIDE POTENTIAL FLOOD AREAS

PHASE DEVELOPMENT

PHASE 1 & 2 DEVELOPMENT SCENARIO: INCLUDES OPTION TO CONSTRUCT BATHROOMS - PER ENV. HEALTH AND BUILDING AND SAFETY CODES - TO CONNECT TO EXISTING SEPTIC TANKS, WITH LATER OPTION TO REPLACE BATHROOMS WITH FARMWORKER UNITS AS FIRST APPROVED BY CUP 5042.

PHASE 3 DEVELOPMENT SCENARIO: INCLUDES GREENHOUSE/PLANT STRUCTURES, PACKING AREAS, OFFICES, AND ALL OTHER ASSOCIATED ENTITLED IMPROVEMENTS AS APPROVED IN ORIGINAL CUP 5042.

**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 4 - Plans
Site Plan**

SITE PLAN NOTE:

- NO HAZARDOUS MATERIALS OF WASTES ARE TO BE UTILIZED OR STORED ONSITE INCLUDING FERTILIZERS, INSECTICIDES, AND CHEMICALS UNLESS APPROVED BY ENVIRONMENTAL HEALTH AND WATERSHED PROTECTION DISTRICT W/ PROPER CONTAINMENT AREAS.
- NO PETROLEUM PRODUCTS ARE TO BE STORED ON CUP SITE.
- NO VEHICLE OR MOTORIZED EQUIPMENT REPAIRS, MAINTENANCE, OR REFUELING IS TO OCCUR ON CUP SITE.

**JENSEN
DESIGN
& SURVEY, INC.**

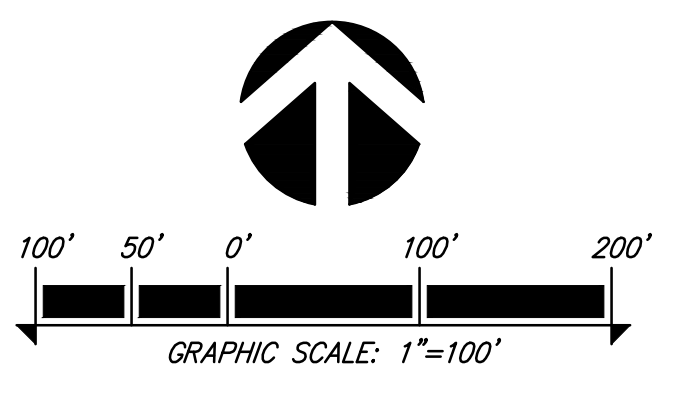
1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/654-6977
FAX 805/654-6979

SCALE: 1"=100'
DATE: 2022-02

J.N.: VAND44993
DWG. NAME: 4993-01_CUP-rec.dwg

**C.U.P. 5042
MINOR MODIFICATION
FOR
SANTA CLARA RESOURCES
NW corner of Gonzales Rd. &
Victoria Ave.**

COUNTY OF VENTURA STATE OF CALIFORNIA



V:\M44993\Planning\CUP\4993-01_CUP-rec.dwg File: 01_2022_2:37pm kwdron



CUP-5042

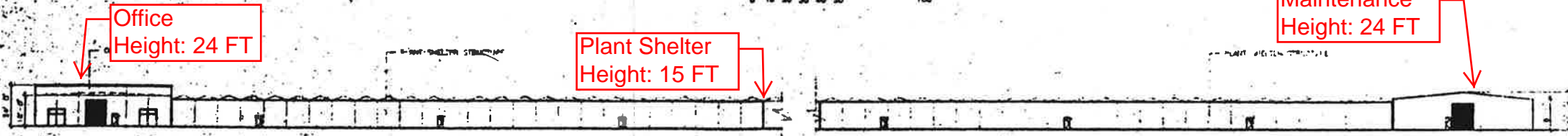
ELEVATION BUILDING "A"

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION
county of ventura



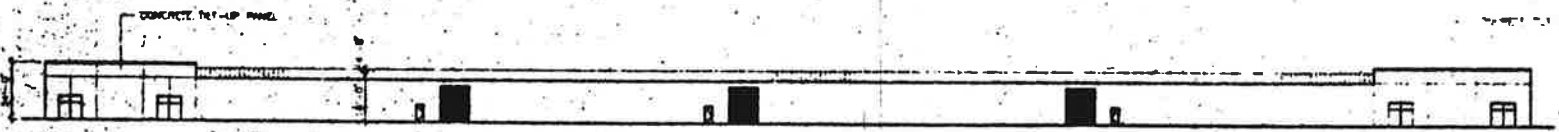
NORTH ELEVATION

SCALE 1" = 30'-0"



EAST ELEVATION

SCALE 1" = 30'-0"



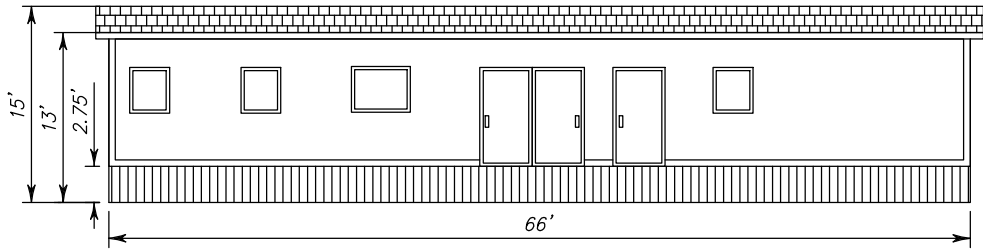
SOUTH ELEVATION (All Office)

SCALE 1" = 30'-0"

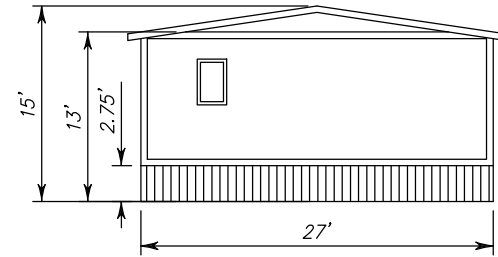


WEST ELEVATION

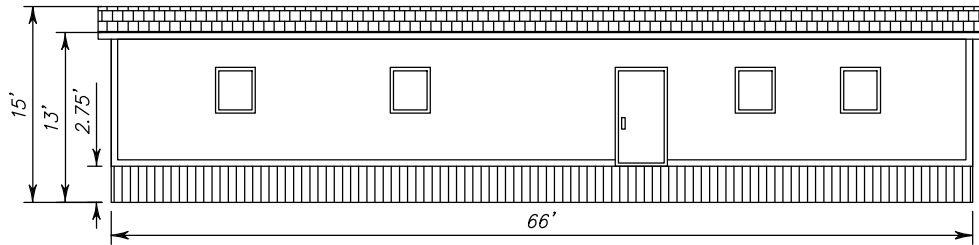
SCALE 1" = 30'-0"



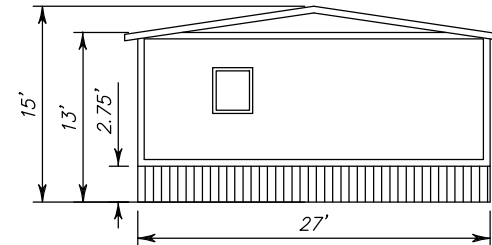
WEST ELEVATION
NOT TO SCALE



NORTH ELEVATION
NOT TO SCALE



EAST ELEVATION
NOT TO SCALE



SOUTH ELEVATION
NOT TO SCALE

NOTE:
ACTUAL ELEVATION DETAILS MAY VARY
SLIGHTLY (I.E. WINDOW SIZE, PLACEMENT,
ETC.).



**JENSEN
DESIGN
& SURVEY, INC**

www.jdscivil.com

1672 DONLON STREET
VENTURA, CALIF. 93003
PHONE 805/654-6977
FAX 805/654-6979

FWD ELEVATIONS (TYPICAL)
GROLINK & SANTA CLARA RESOURCES
CUP 4293 & CUP 5042

SHEET
1 OF 1
Feb 01, 2021

Photo Elevation

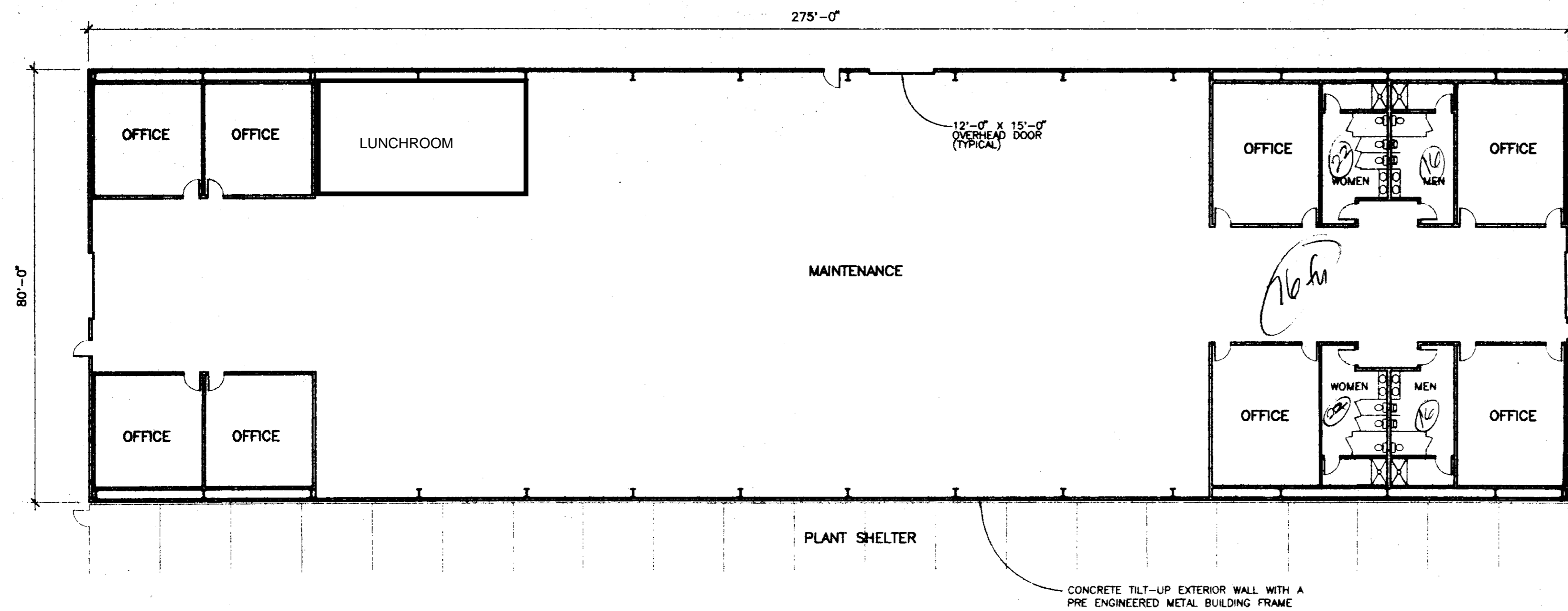
Existing Booster Pump Station and Water Tanks



Google Earth

Image Landsat / Copernicus
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
© 2020 Google

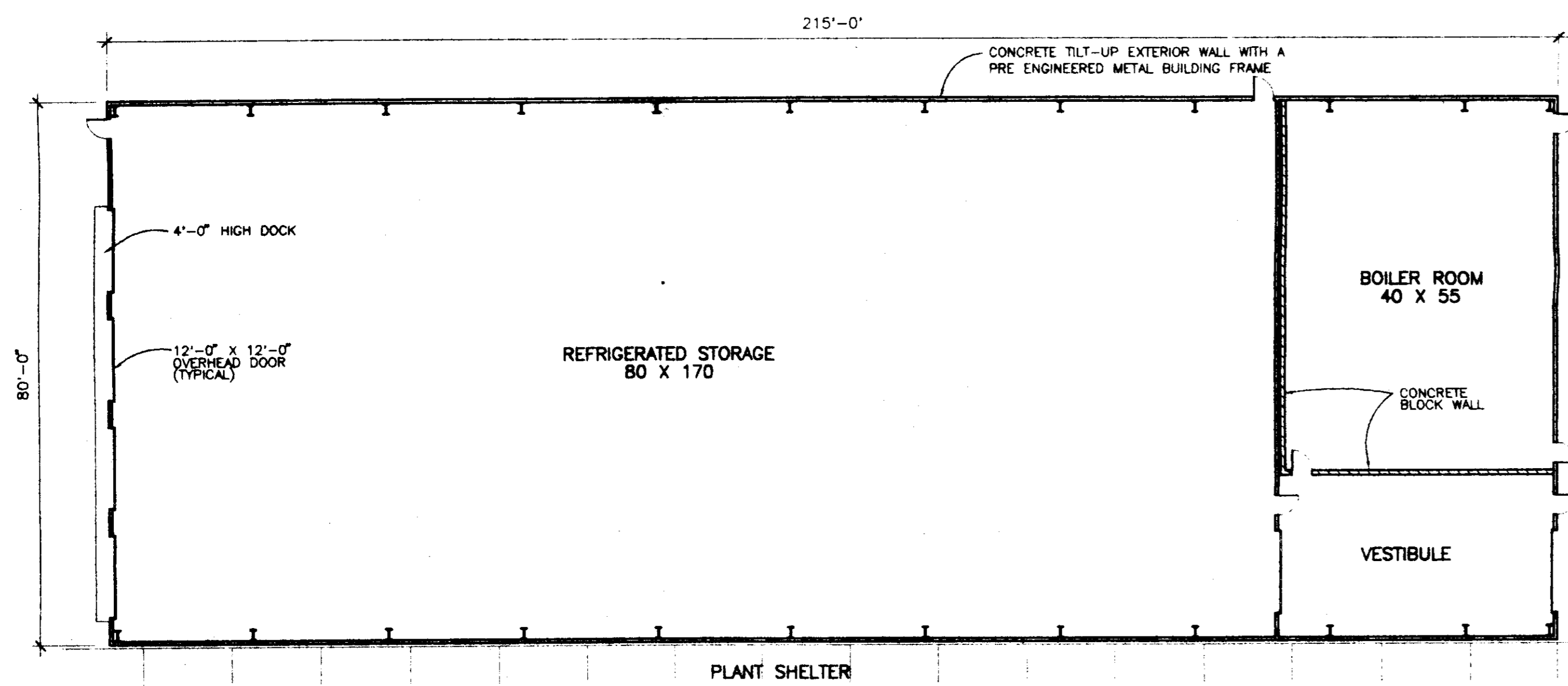
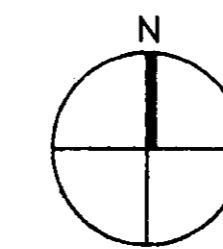
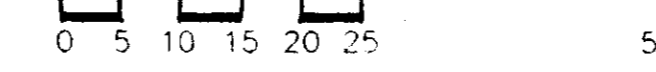




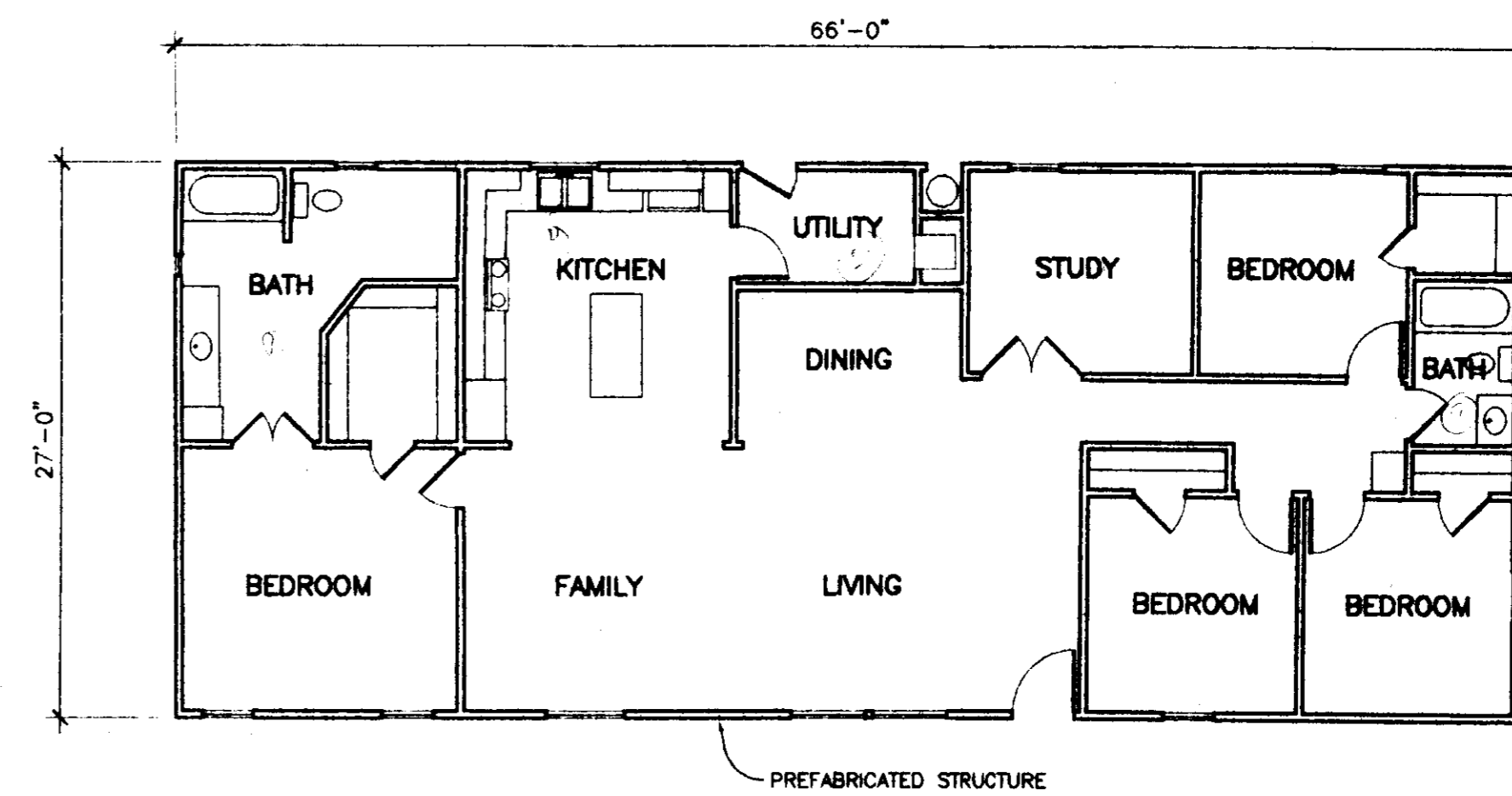
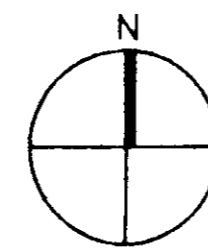
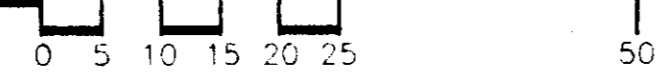
37 employees
 (30 gal - 115 gal) = 1110 gal.
 $37 \times 30 \text{ gal} = 1110 \text{ gal.}$
 $1110 \times 1.5 = 1665 \text{ gal. tank}$

* $76 \text{ gal.} = 3,000 \text{ gal. tank}$

1 MAINTENANCE
 SCALE 1/16" : 1'-0"

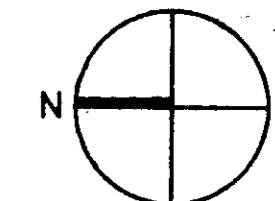
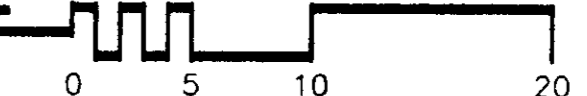


2 REFRIGERATED STORAGE / BOILER ROOM
 SCALE 1/16" : 1'-0"



3 beds
 20 sq ft

3 TYPICAL FARMWORKER RESIDENCE
 SCALE 1/8" : 1'-0"



FLOOR PLANS

SCALE AS SHOWN

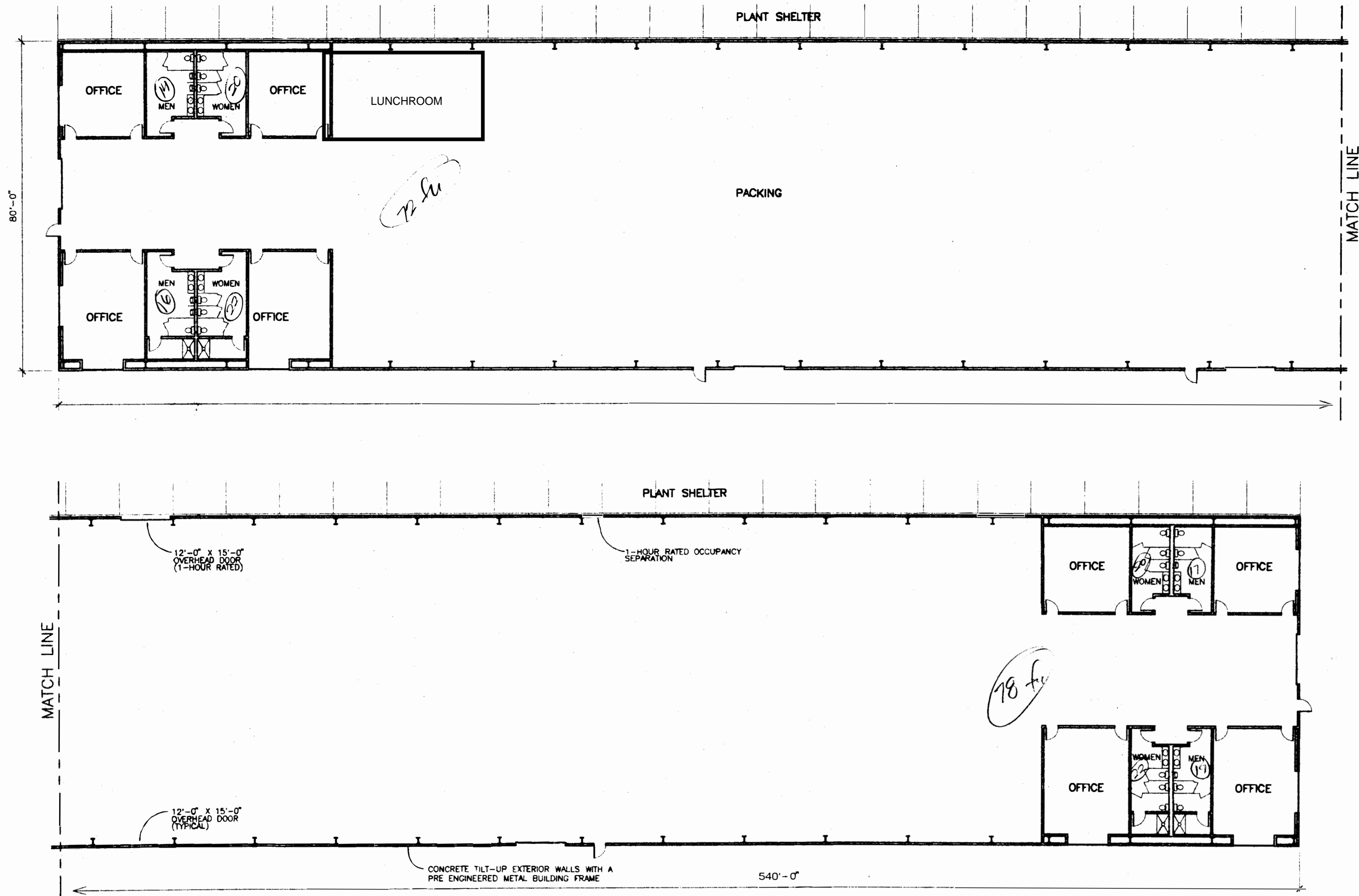
SANTA CLARA RESOURCES PLANT SHELTER PROJECT
 OXNARD, CALIFORNIA.

30 MARCH 1996

RASMUSSEN & ASSOCIATES

Architecture
 Planning
 Interiors

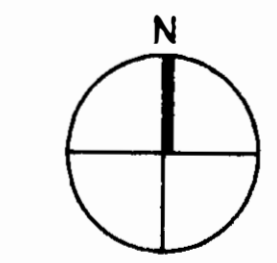
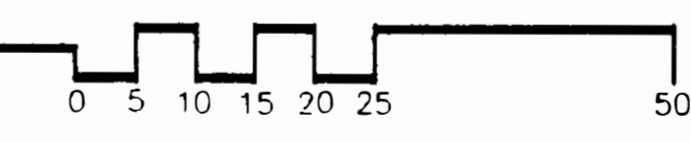
SHEET A4



76 employees total
 (30 side - w/shower)
 $76 \times 30 \text{ gal/d} = 2280 \text{ gal}$
 $2280 \times .75 + 1125 = 2835 \text{ gal tank}$
 1500 gal tank
 ea. side

* $72 \text{ fu} = 3,000 \text{ gal tank}$
 $78 \text{ fu} = 3,000 \text{ gal tank}$

1 PACKING / OFFICE
 SCALE 1/16" : 1'-0"



FLOOR PLAN
 SCALE 1/16" : 1'-0"

SANTA CLARA RESOURCES PLANT SHELTER PROJECT
 OXNARD, CALIFORNIA.

30 MARCH 1998

RASMUSSEN & ASSOCIATES
 Architecture
 Planning
 Interiors



ADDENDUM TO 1999 MITIGATED NEGATIVE DECLARATION (MND)

A. BACKGROUND INFORMATION AND PROJECT DESCRIPTION:

- 1. Entitlement:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) 5042 which authorizes the construction and use of greenhouses exceeding 100,000 square feet (sq. ft.). The applicant requests an additional 20 year CUP term extension (Case No. PL14-0049).
- 2. Applicant:** Santa Clara Resources, represented by Fred Van Wingerden, 3813 Doris Avenue, Oxnard, CA 93030
- 3. Property Owner:** Van Wingerden R-J Trust, et al., 3813 Doris Avenue, Oxnard, CA 93030
- 4. Location:** At the intersection of Gonzales Road and Victoria Avenue, near the city of Oxnard, in the unincorporated area of Ventura County.
- 5. Tax Assessor's Parcel Numbers:** 138-0-190-510.
- 6. APN Size:** 40 acres (approximately)
- 7. General Plan Land Use Designation:** Agricultural
- 8. Zoning Designation:** AE-40 ac (Agricultural Exclusive, 40 acre minimum parcel size)
- 9. Project Description:** The applicant requests approval of a Minor Modification of CUP 5042 for the construction and operation of proposed greenhouse structures exceeding 100,000 sq. ft. The proposed greenhouse structures were approved by the granting of CUP 5042 but have not been built to date. The applicant also requests an additional 20 year CUP term extension. In addition, the applicant requests dividing CUP 5042 into two separate modified CUPs resulting in the applicant (Santa Clara Resources) being the Permittee of one modified CUP (Case No. PL14-0049) and another applicant (GroLink) being the Permittee of the other modified CUP (Case No. LU11-0148). The CUP 5042 boundary would be reconfigured to match the property line of the applicants' respective legal lots (Exhibit 3).

Modified CUP Case No. PL14-0049 would also authorize the construction and operation of other proposed agricultural related structures and authorize the use of existing accessory structures identified in the table below. This CUP would authorize a maximum of 99 employees at full project buildout. Two lunch rooms would also be provided to address the Transportation Demand and Trip Reduction Measures of NCZO Section 8109-0.7.

County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 5 - Addendum to
Adopted 1999 MND

Any time that night lighting is used within any of the proposed greenhouse/plant shelter structures, blackout curtains would be deployed. Said curtains shall render the interior lights undetectable from outside the structure. Also, all exterior lighting and light fixtures shall comply with the current requirements and standards of the NCZO.

The farmworker dwelling would be limited to 8 or fewer permanent residents. An increase to 9 or more permanent residents may require the applicant to apply for a Community Water System permit from the State of California Water Resources Control Board, Division of Drinking Water (DDW).

The following days and hours of operation would be authorized:

- Growing and harvesting: Seven days per week, 24 hours per day. Between the hours of 9:00 p.m. and 7:00 a.m. outdoor activity in any of the designated open yard areas shall be limited to emergency use only. There shall be no outdoor playing of radios, stereos and similar electronic equipment.
- Storage and processing: Seven days per week. Normal operations would occur from 7:00 a.m. to 9:00 p.m., extended operations would occur from 9:00 p.m. to 7:00 a.m. All truck loading and unloading between the hours of 9:00 p.m. and 7:00 a.m. shall be done with hand-operated pallet jacks only (no fork lifts) to minimize noise.
- Shipping (truck arrival & departure times): Seven days per week. Normal operations would occur from 7:00 a.m. to 9:00 p.m., extended operations would occur from 9:00 p.m. to 7:00 a.m. A total of six heavy-duty (18-wheel semi) trucks shall be allowed to enter or exit the premises between the hours of 9:00 p.m. and 7:00 a.m. If truck refrigeration units are to be used, the trucks shall be parked in an area away from Victoria Avenue/Gonzales Road rights-of-way.

Grading for the proposed development would be less than 50 cubic yards. Digging, excavation, and/or trenching would also be required for development of the proposed structures and accessory infrastructure.

Wastewater is and would continue to be collected, treated, and disposed of by existing on-site wastewater treatment systems (septic).

Potable water is supplied to the site by Santa Clara Resources (SCR) Water System, a Non-Transient, Non-Community water system, regulated and permitted by the DDW. The SCR Water System also provides water for fire protection. The applicant reported that water is provided for the project by an active agricultural well with State Well Number (SWN) 02N22W30Q01S. Three other active wells (SWNs 02N22W30P03S, 02N22W30Q02S and 02N22W31B01S) are located within SCR's service area and are used solely for agricultural purposes.

Access to the project site is provided by Gonzales Road.

TABLE 1 – Project Components

Table 1 Project Component	Quantity	Total Area
(P) Plant shelter A/greenhouse structures (originally authorized by CUP 5042)	1	917,744 sf
(P) Packing/office structure (originally authorized by CUP 5042)	1	43,200 sf
(P) Storage (refrigerated) and boiler structure (originally authorized by CUP 5042)	1	18,240 sf
(P) Maintenance structure (originally authorized by CUP 5042)	1	24,000 sf
(P) Farmworker dwelling unit (manufactured/mobile home) (originally authorized by CUP 5042)	1	1,782 sf
(P) Open shade frames (originally authorized by CUP 5042)	2	139,992 sf (71,592 sf and 68,400 sf)
(P) Employee bathroom (to be removed in later phases of project)	1	60 sf
(E) Water tanks (domestic tank 120,000 gallons, fire protection tank 330,000 gallon) (originally authorized by CUP 5042)	2	NA
(E) Booster pump station structure	1	625 sf
(E) Detention basins (originally authorized by CUP 5042)	2	114,980 sf

E = Existing

P = Proposed (not yet installed/constructed)

NA = Not applicable

sf = square feet

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On March 25, 1999, the Planning Commission adopted a Mitigated Negative Declaration (MND, Attachment 1) that evaluated the environmental effects of a proposed greenhouse/plant shelter complex with agricultural shade structures (open shade/hoop house structures) for flower growing, processing, storage, and shipping (Case No. CUP 5042). The agricultural facility evaluated in the adopted MND also included accessory agricultural structures and support structures including but not limited to packing and storage structures, offices, restrooms, farmworker dwelling units, and detention basins. After the adoption of the MND, a modification was made to the agricultural facility to include a sediment/percolation basin and drainage improvements. This modification was found to be exempt from CEQA review. Some of the structures evaluated in the adopted MND and modification have been constructed and some have not. The structures evaluated in the adopted MND and project modification (as they relate to the proposed project site) are/will be within the property identified in the County Assessor's Map as APN 138-0-190-510 (see Attachment 2).

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the lead agency may prepare an addendum to an adopted MND if: (1) only minor technical changes or additions are necessary; and (2) none of the

conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent Environmental Impact Report (EIR) or negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines which require the preparation of an EIR or subsequent negative declaration, are provided below, along with a discussion as to why an EIR or subsequent negative declaration is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].

The proposed project includes the following changes to the adopted MND that were not evaluated under the adopted MND:

- One additional single employee bathroom (60 sq. ft.) is proposed on APN 138-0-190-510. This bathroom will be removed prior to construction of the farmworker dwellings that were evaluated by the adopted MND.
- One additional existing permitted booster pump station structure (625 sq. ft.) has been installed on APN 138-0-190-510. This structure provides shelter for booster pump equipment for the water tanks.

The additional structures (identified above) will provide support to the agricultural facility evaluated by the adopted MND. The additional agriculturally related structures will be conditioned to comply with regulatory requirements. The additional agricultural structures will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

The changes to the adopted MND described in section B.1. (above) do not involve substantial changes or require major revisions to the adopted MND. The additional structures will provide support to the agricultural facility evaluated by the adopted MND. The land area evaluated by the adopted MND continues to be zoned agricultural and remains the site of active agricultural operations. Substantial changes to the circumstances will not occur due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. **New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Planning Commission adopted the previous MND, shows any of the following:**
- a. **The project will have one or more significant effects not discussed in the previous MND [§ 15162(a)(3)(A)].**

Planning staff reviewed the previous MND and the proposed project to identify any new information of substantial importance that was not known and could not have been known at the time the Planning Commission adopted the previous MND. Any new information identified by Planning staff will not have any new significant environmental effects not discussed in the previous MND. The proposed project will include additional agricultural related structures described in section B.1. (above). These additional structures will not result in significant visual impacts to travelers on Gonzales Road and Victoria Avenue because they are/will be screened by existing landscape trees (which must be maintained throughout the life of the proposed modified CUP) along the southern and eastern property lines. No new significant environmental effects will occur.

Therefore, based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this addendum to the adopted MND prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the CEQA Guidelines [§ 15164(c)], this addendum to the MND does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND.

Prepared by:



Charles Anthony, Case Planner
Commercial and Industrial Permit Section

Reviewed by:



Mindy Fogg, Manager
Commercial & Industrial Permit Ventura
County Planning Division Section
Ventura County Planning Division

**FINAL
MITIGATED NEGATIVE DECLARATION**

A. PROJECT DESCRIPTION

1. **Entitlement:** Conditional Use Permit No. CUP-5042
2. **Applicant:** Santa Clara Resources, Inc (Case Van Wingerden, Managing Partner), 1400 Cravens Lane, Carpinteria, CA 93013
3. **Location:** The Northwest corner of Victoria Avenue and Gonzalez Road, In the unincorporated area of Oxnard (Exhibit "A")
4. **Assessor Parcel No:** 138-0-190-250
5. **Parcel Size:** 59 Acres
6. **General Plan Designation:** Agricultural
7. **Existing Zoning:** "A-E" (Agricultural Exclusive)
8. **Project Description:** The applicant is requesting a Conditional Use Permit to develop a plant shelter (greenhouse) complex on a 59-acre parcel. The proposed facilities will be used for flower growing, processing, storage and shipping. The proposal includes the following structures and/or buildings: (as shown on Exhibit "B" – Site Plan and Exhibit "C" – Elevations)

	<u>Item</u>	<u>Quantity</u>	<u>Total Area</u>
A.	Plant Shelters (Greenhouses)	3	30.1 acres
B.	Open Shade Frames	3	5.9 acres
C.	Agricultural Support Buildings (Including offices)	4	2.85 acres
D.	Farmworker Dwellings	3	5,346 sq. ft.
E.	Detention Basins	2	4.13 acres
F.	Employee Parking	127 spaces	

9. **Responsible Agencies:** N/A

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

California State law requires that an Initial Study (environmental analysis) be conducted to determine if this project could significantly affect the environment. Based on the findings contained in the attached Initial Study, it has been determined that this project could have a significant effect on the environment. Therefore, a Mitigated Negative Declaration (MND) has been prepared pursuant to the provisions of the California Environmental Quality Act (Section 15073). The potentially significant effects identified can be reduced to a level less than significant if the proposed Mitigation Measures are adopted as Conditions of Approval.

**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Attachment 1 - Previously
Adopted 1999 MND**

C. **LISTING OF POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED:**

8a. Visual Resources, Scenic Highway

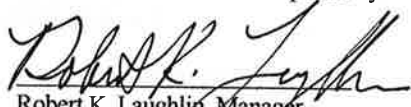
D. **PUBLIC REVIEW:**

1. **Legal Notice Method:** Direct mailing to property owners within 300 feet of the proposed project boundary, and a legal notice in a newspaper of general circulation.
2. **Document Posting Period:** December 14, 1998 to January 4, 1999
3. **Comments:** The public is encouraged to submit written comments regarding this Negative Declaration no later than 5:00 p.m. on the last day of the above listed posting period to the case planner listed below, RMA/Planning, 800 S. Victoria Avenue, Ventura, CA 93009. The Planning Division's FAX number is (805) 654-2509.

E. **CONSIDERATION AND APPROVAL OF THE MITIGATED NEGATIVE DECLARATION:**

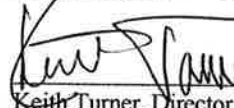
Prior to approving the project, the decision-making body of the Lead Agency must consider this MND and all comments received during the public review period. That body shall approve the MND if it finds that all the significant effects have been identified and that the proposed mitigation measures will reduce those effects to less than significant levels, and the project will not have a significant effect on the environment.

1. Prepared by: Paul Merrett, Case Planner, Phone No. (805) 654-2878
2. Reviewed for release to the public by:


Robert K. Laughlin, Manager
Commercial/Industrial Land Use Section

12-14-98

3. Recommended for Approval by the Lead Agency by:


Keith Turner, Director
Planning Division

3-399

Attachments

- Location Map
- Site Plan (Reduced)
- Elevations (Reduced)
- Letter of Comment, City of Oxnard, December 30, 1998
- Letter of Comment, Manuel Lopez, Oxnard Mayor, January 6, 1999
- Response to Comments Letter from Susan K. Lacey, Chair, Ventura County Board of Supervisors, February 22, 1999

SECTION B
 INITIAL STUDY CHECKLIST
 PROJECT NO. CUP-5042

ISSUE	(RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	S	U	N	LS	S	U
GENERAL:	1. <u>GENERAL PLAN ENVIRONMENTAL GOALS AND POLICIES (PLNG.):</u>	X				X			
LAND USE:	2. <u>LAND USE (PLNG.)</u>								
	A. COMMUNITY CHARACTER:	X				X			
	B. HOUSING:	X				X			
	C. GROWTH INDUCEMENT:	X				X			
RESOURCES:	3. <u>AIR QUALITY (APCD)</u>								
	A. REGIONAL		X				X		
	B. LOCAL:		X				X		
	4. <u>WATER RESOURCES (PWA)</u>								
	A. GROUNDWATER QUANTITY:		X				X		
	B. GROUNDWATER QUALITY:		X				X		
	C. SURFACE WATER QUANTITY:		X				X		
	D. SURFACE WATER QUALITY:		X				X		
	5. <u>MINERAL RESOURCES (PLNG.)</u>								
	A. AGGREGATE:	X				X			
	B. PETROLEUM:	X				X			
	6. <u>BIOLOGICAL RESOURCES</u>								
	A. ENDANGERED, THREATENED, OR RARE SPECIES:	X				X			
	B. WETLAND HABITAT:	X				X			
	C. COASTAL HABITAT:	X				X			
	D. MIGRATION CORRIDORS:	X				X			
	E. LOCALLY IMPORTANT SPECIES/COMMUNITIES:	X				X			
	7. <u>AGRICULTURAL RESOURCES (AG. DEPT.)</u>								
	A. SOILS:		X				X		
	B. WATER:		X				X		
	C. AIR QUALITY/MICRO-CLIMATE:		X				X		
	D. PESTS/DISEASES:		X				X		
	E. LAND USE INCOMPATIBILITY:		X				X		
	8. <u>VISUAL RESOURCES</u>								
	A. SCENIC HIGHWAY (PLNG.):			X			X		
	B. SCENIC AREA/FEATURE:			X			X		
	9. <u>PALEONTOLOGICAL RESOURCES:</u>		X				X		
	10. <u>CULTURAL RESOURCES</u>								
	A. ARCHAEOLOGICAL:		X				X		
	B. HISTORICAL (GSA):	X				X			
	C. ETHNIC, SOCIAL OR RELIGIOUS:	X				X			
	11. <u>ENERGY RESOURCES:</u>		X				X		
12. <u>COASTAL BEACHES & SAND DUNES:</u>	X				X				

ISSUE	(RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*				
		N	LS	S	U	N	LS	S	U	
HAZARDS:	13. SEISMIC HAZARDS (PWA)									
	A. FAULT RUPTURE:	X				X				
	B. GROUND SHAKING:		X				X			
	C. TSUNAMI:	X				X				
	D. SEICHE:	X				X				
	E. LIQUEFACTION:		X				X			
	14. GEOLOGIC HAZARDS (PWA)									
	A. SUBSIDENCE:	X				X				
	B. EXPANSIVE SOILS:	X				X				
	C. LANDSLIDES/MUDSLIDES:	X				X				
	15. HYDRAULIC HAZARDS (PWA/FCD)									
	A. EROSION/SILTATION:	X				X				
	B. FLOODING:		X				X			
	16. AVIATION HAZARDS (AIRPORTS):	X				X				
	17. FIRE HAZARDS (FIRE):	X				X				
	18. HAZARDOUS MATERIALS/WASTE									
	A. ABOVE-GROUND HAZARDOUS MTL'S. (FIRE):	X				X				
	B. BELOW-GROUND HAZARDOUS MTL'S. (EH):	X				X				
	C. HAZARDOUS WASTE (EH):	X				X				
	19. NOISE AND VIBRATION:	X				X				
20. GLARE:	X				X					
PUBLIC FACILITIES/SERVICES:	21. TRANSPORTATION/CIRCULATION									
	A. PUBLIC ROADS AND HIGHWAYS									
	(1) LEVEL OF SERVICE (PWA):		X				X			
	(2) SAFETY/DESIGN (PWA):		X				X			
	(3) TACTICAL ACCESS (FIRE):		X				X			
	B. PRIVATE ROADS AND DRIVEWAYS (FIRE)									
	(1) SAFETY/DESIGN:		X				X			
	(2) TACTICAL ACCESS:		X				X			
	C. PEDESTRIAN/BICYCLE									
	(1) PUBLIC FACILITIES (PWA):	X				X				
	(2) PRIVATE FACILITIES:	X				X				
	D. PARKING (PLNG.):	X				X				
	E. BUS TRANSIT:	X				X				
	F. RAILROADS:	X				X				
	G. AIRPORTS (AIRPORTS):	X				X				
	H. HARBORS (GSA):	X				X				
	I. PIPELINES:	X				X				
	22. WATER SUPPLY									
	A. QUALITY (EH):	X				X				
	B. QUANTITY (PWA/EH):		X				X			
C. FIRE FLOW (FIRE):	X				X					

ISSUE	(RESPONSIBLE DEPARTMENT)	PROJECT IMPACT DEGREE OF EFFECT*				CUMULATIVE IMPACT DEGREE OF EFFECT*			
		N	LS	S	U	N	LS	S	U
PUBLIC FACILITIES/ SERVICES (CONT.):	23. WASTE TREATMENT/DISPOSAL								
	A. INDIVIDUAL SEWAGE DISPOSAL SYSTEM (EH):		X				X		
	B. SEWAGE COLLECTION/TREATMENT FACILITIES:		X				X		
	C. SOLID WASTE FACILITIES (SWMD):		X				X		
	24. UTILITIES								
	A. ELECTRIC:		X				X		
	B. GAS:		X				X		
	C. COMMUNICATION:		X				X		
	25. FLOOD CONTROL/DRAINAGE								
	A. FCD FACILITY (FCD):		X				X		
	B. OTHER FACILITIES (PWA):		X				X		
	26. LAW ENFORCEMENT/EMERGENCY SYS. (SHERIFF)								
	A. PERSONNEL/EQUIPMENT:		X				X		
	B. FACILITIES:		X				X		
	27. FIRE PROTECTION (FIRE)								
	A. DISTANCE/RESPONSE TIME:		X				X		
	B. PERSONNEL/EQUIPMENT/FACILITIES:		X				X		
	28. EDUCATION								
	A. SCHOOLS:	X				X			
	B. LIBRARIES (LIB. AGENCY):	X				X			
	29. RECREATION (GSA)								
	A. LOCAL PARKS/FACILITIES:	X				X			
	B. REGIONAL PARKS/FACILITIES:	X				X			
	C. REGIONAL TRAILS/CORRIDORS:	X				X			

***EXPLANATION: DEGREE OF EFFECT**

N = NO EFFECT

LS = LESS THAN SIGNIFICANT EFFECT

S = SIGNIFICANT EFFECT; MND OR EIR REQUIRED.

U = UNKNOWN; EIR REQUIRED.

AGENCIES

APCD - AIR POLLUTION CONTROL DISTRICT

PWA - PUBLIC WORKS AGENCY

PLNG. - PLANNING DIVISION

GSA - GENERAL SERVICES AGENCY

AG. DPT. - AGRICULTURAL DEPARTMENT

FCD - FLOOD CONTROL DISTRICT

AIRPORTS - DEPARTMENT OF AIRPORTS

FIRE - FIRE PROTECTION DISTRICT

SHERIFF - SHERIFF'S DEPARTMENT

EH - ENVIRONMENTAL HEALTH DIVISION

SWMD - SOLID WASTE MANAGEMENT DEPT.

LIB. AGENCY - LIBRARY SERVICES AGENCY

D. MANDATORY FINDINGS OF SIGNIFICANCE		YES/MAYBE	NO
BASED ON THE INFORMATION CONTAINED WITHIN SECTIONS B AND C:			
1.	DOES THE PROJECT HAVE THE POTENTIAL TO SIGNIFICANTLY DEGRADE THE QUALITY OF THE ENVIRONMENT, SUBSTANTIALLY REDUCE THE HABITAT OF A FISH OR WILDLIFE SPECIES, CAUSE A FISH OR WILDLIFE POPULATION TO DROP BELOW SELF-SUSTAINING LEVELS, THREATEN TO ELIMINATE A PLANT OR ANIMAL COMMUNITY, REDUCE THE NUMBER OR RESTRICT THE RANGE OF A RARE OR ENDANGERED PLANT OR ANIMAL, OR ELIMINATE IMPORTANT EXAMPLES OF THE MAJOR PERIODS OF CALIFORNIA HISTORY OR PREHISTORY?		X
2.	DOES THE PROJECT HAVE THE POTENTIAL TO ACHIEVE SHORT-TERM, TO THE DISADVANTAGE OF LONG-TERM, ENVIRONMENTAL GOALS? (A SHORT-TERM IMPACT ON THE ENVIRONMENT IS ONE WHICH OCCURS IN A RELATIVELY BRIEF, DEFINITIVE PERIOD OF TIME WHILE LONG-TERM IMPACTS WILL ENDURE WELL INTO THE FUTURE).		X
3.	DOES THE PROJECT HAVE IMPACTS WHICH ARE INDIVIDUALLY LIMITED, BUT CUMULATIVELY CONSIDERABLE? (SEVERAL PROJECTS MAY HAVE RELATIVELY SMALL INDIVIDUAL IMPACTS ON TWO OR MORE RESOURCES, BUT THE TOTAL OF THOSE IMPACTS ON THE ENVIRONMENT IS SIGNIFICANT).		X
4.	DOES THE PROJECT HAVE ENVIRONMENTAL EFFECTS WHICH WILL CAUSE SUBSTANTIAL ADVERSE EFFECTS ON HUMAN BEINGS, EITHER DIRECTLY OR INDIRECTLY?	X	

E. DETERMINATION OF ENVIRONMENTAL DOCUMENT	
ON THE BASIS OF THIS INITIAL EVALUATION:	
<input type="checkbox"/>	I FIND THE PROPOSED PROJECT COULD NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, AND A NEGATIVE DECLARATION SHOULD BE PREPARED.
<input checked="" type="checkbox"/>	I FIND THAT ALTHOUGH THE PROPOSED PROJECT COULD HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT, THERE WILL NOT BE A SIGNIFICANT EFFECT IN THIS CASE BECAUSE THE MITIGATION MEASURE(S) DESCRIBED IN SECTION C OF THE INITIAL STUDY WILL BE APPLIED TO THE PROJECT. A MITIGATED NEGATIVE DECLARATION SHOULD BE PREPARED.
<input type="checkbox"/>	I FIND THE PROPOSED PROJECT, INDIVIDUALLY AND/OR CUMULATIVELY, MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED.*


 SIGNATURE OF PERSON RESPONSIBLE
 FOR ADMINISTERING THE PROJECT

DECEMBER 10, 1998
 DATE

*EIR ISSUES OF FOCUS:

PM:nf

COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY
800 SOUTH VICTORIA AVENUE
VENTURA, CALIFORNIA 93009

CONSENT AGREEMENT FOR PROPOSED MITIGATION
MEASURES WITH MITIGATED NEGATIVE DECLARATION

COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY

ENTITLEMENT NO.: CUP-5042

I, Case Van Wingerden, the applicant, hereby agree to implement the mitigation measures described below which have been developed in conjunction with the preparation of a Mitigated Negative Declaration for my proposed project. I understand that these mitigation measures or substantially similar measures must be adopted as conditions of approval with this permit request in order to reduce identified potential environmental impacts to an acceptable level.

The potentially significant environmental issues and mitigation measures are as follows:

8a. Visual Resources, Scenic Highway (CUP specific)

Mitigation: The project will be conditioned to require (1) an extensive landscape screen along the north (Bailard Landfill), east (Victoria Avenue) and south (Gonzalez Road) property lines. The landscape screen will provide total visual screening of the structures, both in height and length. (2) The required landscape-screening program will be planted early and will provide at least 75% screening of height and length of structures prior to the construction phase involving the most easterly greenhouse (identified on the site plan as being 21.07 acres in size). (3) The permittee will be required to maintain all buildings and structures in a manner that does not present an unsightly appearance during the life of the permit. (4) One year prior to the expiration of the permit, or immediately upon abandonment or relinquishment of the permit, the permittee shall be required to submit to the Planning Director a **Site Restoration Plan**.

20. Glare (CUP specific)

Mitigation: As an integral part of the project description, at any time plant species requiring nighttime lighting are grown, the project will utilize opaque blackout curtains which render such lighting non-visible from outside the greenhouses. Such curtains will also be required as a condition of approval to institutionalize their use requirement.

Case Van Wingerden
(Applicant's Signature)
Managing Partner, Santa Clara Resource
1400 Craven's Lane
(Applicant's Address)
Carpinteria, CA 93013

12-10-98

CUP-5042/CONSAGR

**SECTION C
TO INITIAL STUDY CHECKLIST
DISCUSSION OF RESPONSES
CONDITIONAL USE PERMIT NO. CUP-5042**

GENERAL

1. General Plan Environmental Goals and Policies:

The project as conditioned will not conflict with any environmental goal, policy or program of the General Plan; hence no impacts are anticipated.

2. Land Use:

a. Community Character:

The project is consistent with the General Plan designation of Agricultural. The existing zoning designation of "A-E" (Agricultural Exclusive) is compatible with the Use Matrix of the General Plan. Therefore no significant impacts are anticipated.

b. Housing:

The proposed project is agricultural in nature and as such will have no impacts on existing housing nor create a significant demand for additional housing, as the project description includes three farmworker dwellings to house project workers.

c. Growth Inducement:

The proposed project, an agricultural plant shelter/greenhouse project, will require no new roads, water, sewers or utilities, nor is any proposed. Therefore, the project is not considered growth inducing.

RESOURCES:

3. Air Quality:

a. Regional Ambient Air Quality Impacts:

Based on the criteria in Ventura County's *Guideline for the Preparation of Air Quality Impact Analysis*, and information contained in the project application, the project will not have a significant impact on regional air quality.

b. Local Air Quality Impacts:

Based on information in the project application, the project will generate local air quality impacts, but those impacts are not likely to be significant.

4. Water Resources:

a. Groundwater - Quantity:

The Public Works Agency comments that this item is Less than Significant because water use will decrease. Project water will irrigate 36 acres of crops at 5 acre-feet per acre (180 acre-feet/ year), compared with the present 56 acres of field crops at 4 acre-feet per acre (224 acre-feet/year) saving 44 acre-feet per year. Also, per-acre evapotranspiration is reduced in an enclosed area.

b., Groundwater Quality

This item has been determined to be less than significant because a clay cap protects useable groundwater. Also, fewer chemicals are needed to grow plants in an enclosed greenhouse environment than in an open field.

c. Surface Water Quantity

The impacts of this project have been determined to be less than significant because a detention basin has been incorporated which is designed per drainage calculations of July 1998 (as amended by an October 28, 1998 submittal) to control project runoff.

d. Surface Water Quality:

The Public Works Agency (Flood Control) comments that surface water quality impacts will be less than significant because the project design has been designed to meet National Pollutant Discharge Elimination Systems (NPDES) Best Management Practices (BMP) including detention basin design for low flow storm water reuse and silt sack inserts on all catch basins. Therefore, no chemicals, silt or crop debris will be carried away by storm water runoff.

5. Mineral Resources:

a. Aggregate and b. Petroleum:

The project will not have a significant impact on mineral resources because there is a sufficient amount of aggregate resources to meet local demand for the next 50 years. The site is not designated by the State as a Mineral Resource Zone (MRZ). Furthermore, oil resources are considered a worldwide, national and statewide resource, which is beyond the scope of local governments to effectively manage or control. No oil/gas Conditional Use Permits (CUP) are located on this site or in the immediate area.

6. Biological Resources:

a. Endangered, Threatened, or Rare Species:

The proposed project is for the further agricultural development of an existing, highly disturbed agricultural area. The project site is located in a substantially disturbed agricultural setting and, according to available data, contains no sensitive or endangered species. Therefore, no project impacts to any such species are anticipated.

b. Wetland Habitat:

Wetlands do not occur on the site or in the vicinity of the proposed greenhouse. Therefore, the project is not anticipated to adversely impact wetlands.

c. Coastal Habitat:

Coastal resources do not occur on the site or in the vicinity. In addition, the fact that the proposed project calls for crop/plant production within an enclosed greenhouse allowing the containment of any potential contaminants, and onsite detention

measures, would further reduce any potential drainage impacts. Therefore, the project is not anticipated to adversely impact the Santa Clara river or downstream coastal resources.

d. Migration Corridors:

Due the abundance of open space in the immediate vicinity of the project site migration is not anticipated to be confined to discrete corridors. Therefore there would be no impacts to wildlife migration.

e. Locally Important Species/Communities:

Locally important communities do not occur on the proposed site. Therefore, there would be no impacts.

7. Agricultural Resources:

a. Soils, b. Water, c. Air Quality/Micro-Climate, d. Pests/Disease, e. Land Use Incompatibility:

Based on the Planning Division's Unified Mapping System (Important Farmland Inventory), The proposed project is located in an area identified as agricultural. The proposed project, (twenty-one acre greenhouse) may minimally impact the condition of soils on the site by the placement of the foundations for the greenhouses. However, any impacts would be at a level considered less than significant due to the relative size of the foundations when compared to the overall site. Furthermore, this project will not preclude or detrimentally impact any surrounding agricultural lands. Few residences are located nearby. Therefore, any impacts to agricultural resources will be less than significant and no land use incompatibilities are anticipated.

8. Visual Resources:

a. Scenic Highway:

The proposed project is located at the intersection of Victoria Avenue and Gonzalez Road, both identified in the General Plan Resources Appendix as "Eligible" County Scenic Highways. Because the proposed structures are of considerable size covering approximately 43 acres of the 59-acre parcel, they will block what is now seen by passing motorists on both arterials as an open field/vista. Some people may consider this impact potentially significant. In order to reduce this potential impact to a less-than-significant level, the following mitigation measures have been proposed by both the applicant and the County:

- A. An extensive landscape-screening program will be created along both Victoria Avenue and Gonzalez Road. This landscaping will provide total visual screening of the structures, both in height and length.
- B. The above listed landscape-screening program will be planted early and will provide at least 75% screening of height and length of structures prior to the construction phase involving the most easterly greenhouse (identified on the site plan as 21.07 acres in size).

- C. The permittee shall be required to maintain all buildings and structures so that they do not present an unsightly appearance during the life of the permit.
- D. One (1) year prior to the expiration of this permit, or immediately upon abandonment or relinquishment of the permit, the permittee shall be required to submit to the Planning Director a **Site Restoration Plan**. That plan shall include the following:
 - (1). Identification of each building and structure that then exists and it's respective size.
 - (2). A clear description of the method of demolition or removal of each building and a timetable for that removal.
 - (3). An estimate by a General Contractor, or similar qualified person experienced in demolition, of the cost of removal of the three principal greenhouses, assuming the relative value of all recyclable materials.
 - (4). A financial surety, sufficient to cover the full cost of removal of the three principal greenhouses, may be required by the Planning Director,. The surety, if required, shall be retained by the Planning Director and returned or exonerated upon total successful site restoration as deemed complete by the Planning Director.

Therefore, there would be no significant scenic highway impacts.

b. Scenic Area/Features:

The site does not contain any unique scenic features or areas. However, the City of Oxnard considers Victoria Avenue to be an important entry corridor to the City and expressed concerns as to the impact of the proposed project on visitors using that entryway. For that reason, the Mitigation Measures are proposed in "a" above, along with nighttime blackout curtains to eliminate glare and light pollution. Therefore, scenic areas/features impacts would be less than significant.

9. Paleontological Resources:

Based on the Planning Division's current Unified Mapping System (Paleontological Resources) and available data, the project area is located in an area of "low" paleontological significance. Therefore, coupled with the fact that minimal grading is proposed the likelihood of significant paleontological impacts associated with this project would be less than significant.

10 Cultural Resources:

a. Archaeological:

This project is located in an agricultural area that is designated as "negative" on the archaeological survey maps. Because of the highly disturbed soil condition, and available data which indicate no recorded sites on the project site or in the immediate vicinity, no significant archaeological impacts are anticipated to occur.

b. Historical:

The project site contains no historical landmarks, historic structures, features or County landmarks, based on available data. Therefore, no significant impacts are anticipated.

c. Ethnic, Social or Religious:

Based on the project's location in an agricultural area with no structures or buildings of ethnic or religious use, there would be no impacts on ethnic, social or religious resources.

11. Energy Resources:

The project, alone and cumulatively, will have no impact on the renewable resources of solar, wind, and hydraulic power. However, the project will slightly increase the use of petroleum products (oil and gas) for heating purposes during cold weather. All structures will be required to meet the energy efficiency standards of the Uniform Building Code (UBC). Therefore, the energy used in heating the structures will not be used in a wasteful manner. The individual and cumulative impacts of the periodic heating requirements of the greenhouse structures will have a less than significant impact due to the conservation measures imposed by the UBC.

12. Coastal Beaches and Sand Dunes:

This project is not located within the Coastal Zone of the County's Local Coastal Program, nor are there any sand dunes located on the project site. Therefore, this project has no impact on the coastal beaches and/or sand dunes.

HAZARDS

13. Seismic Hazards:

a. Fault Rupture:

The Public Works Agency comments that pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.2.1b, no indications of faulting were identified on the proposed project site. As no known active or potentially active faults project into or appear to cross through the property, the potential for fault rupture on the proposed project site is considered very low. Therefore, there would be no adverse impacts relating to fault rupture

b. Ground Shaking:

The Public Works Agency comments that the primary geologic hazard relative to site development is ground shaking from earthquakes originating outside of the site area. The site is located within an active seismic area where past earthquakes have caused considerable ground shaking. Based on the low probability of shaking occurring during the economic life of the structures, and the type of construction anticipated it is recommended that the Uniform Building Code (UBC) guidelines for structural design be followed or considered as minimum requirements.

c. Tsunamis, and d. Seiches:

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.6, the proposed project is not located in a tsunami and/or seiches area. Therefore, there would be no adverse impacts relating to tsunamis and seiches.

e. Liquefaction:

The Public Works Agency comments that, pursuant to the *Geotechnical Study* prepared by **Padre and Associates**, dated August, 1998, groundwater was encountered at a depth of 8 to 9 feet. Thus the area may be subject to liquefaction. The potentially liquifiable layer is 1.5 to 3 feet in thickness and should liquefaction occur within this layer, surface disruption is minimal. The effects of liquefaction will be taken into consideration at the building design phase and will provide appropriate recommendations to reduce the adverse effects of liquefaction. Therefore, the adverse impacts, relating to liquefaction, would be considered to be less than significant.

14. Geologic Hazards:

a. Subsidence and b. Expansive Soils:

The Public Works Agency comments that if subsidence is to take place the majority of settlement would occur during construction and be minimal. During the commencement of construction, the expansive nature of the soils would be taken into consideration for the design of the structure and foundation. Therefore, there would be no adverse impact relation to subsidence and expansion.

c. Landslides/Mudslides:

Pursuant to the Countywide General Plan, Hazards Appendix, Figure 2.9, the proposed project is not located in a landslide and/or mudslide area. Therefore, there would be no adverse impacts relating to landslides/mudslides.

15. Hydraulic Hazards:

a. Erosion/Siltation:

Pursuant to the Ventura County Building Code, when construction is completed the proposed project will have no erosion or siltation. During grading, erosion and increased siltation will occur, but the UBC requires storm damage prevention measures to reduce this potential adverse impact. Therefore, there would be no adverse impacts relating to erosion or siltation.

b. Flooding:

The Public Works Agency comments that based on the *Drainage Study*, prepared by **Penfield and Smith**, dated July, 1998, the proposed project is not located within the 100 year frequency storm zone as represented on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). Therefore, the adverse impact, relative to flooding, would be considered to be less than significant.

16. Aviation Hazards:

The project is located within the general flight path for the Oxnard Airport. Since the proposed buildings (greenhouses) are low profile with a non-critical glare angle, no aviation impacts are anticipated. Therefore, the proposed structure would have no impact on the operations of that facility.

17. Fire Hazards:

The proposed project is located in an agricultural area, which is not high hazard. Therefore, there will be no impacts relative to fire hazard.

18. Hazardous Materials/Wastes:

a. Above Ground Hazardous Materials

The proposed project does not propose storage or use of large amounts of hazardous material. Therefore there will be no impacts relative to hazardous materials.

b. Below-Ground Hazardous Materials:

The proposed project modification will not utilize any underground hazardous materials storage tanks. Therefore, the project modification will not have any impacts relative to underground tanks.

c. Hazardous Wastes:

The proposed project is not considered to be a producer of hazardous waste. Therefore, the project will not create any adverse environmental impacts relative to hazardous wastes.

19. Noise and Vibration:

The proposed project is agricultural in nature and such projects typically involve equipment and procedures that periodically produce noise and vibration. However, due to the size of the project and location within an enclosed structure, there will be no significant impacts due to noise and vibration.

20. Glare:

The proposed project (greenhouses) is typically a low-impact daylight use only. Any lighting associated with the project will be for short periods during the growing cycle of certain species such as chrysanthemums. When such lighting is employed, the project description calls for the use of blackout curtains. Such curtains have proved to be highly effective in eliminating any off-site light impacts, in similar projects, in the Carpinteria area. Additionally, this project will result in a net reduction in the amount and duration of artificial nighttime lighting due to the fact that in an enclosed, heated environment, lightbulbs can be turned on and off more frequently and for shorter periods. At the present time, lights are employed in open fields, but are not turned on and off with the same frequency because of an increased burnout rate due to temperature shock to the lightbulbs, associated with the outdoor, unheated setting. Therefore, there will be no impacts from the project due to glare.

PUBLIC FACILITIES/SERVICES

21. Transportation/Circulation:

a. Public Roads and Highways:

(1) Level of Service and (2) Safety/Design

The proposed project will generate additional traffic on the local public road, Gonzalez Road.

To address the cumulative adverse impacts of traffic on the Regional Road Network, both the Ventura County Traffic Impact Mitigation Fee Ordinance 4071 and General Plan Amendment 94-3 require that the Transportation Department of the Public Works Agency collect a Traffic Mitigation Fee from the developer. This development is subject to this Ordinance. With payment of the Traffic Impact Mitigation Fee(s), consequently, the Level of Service and safety of the existing road will remain consistent with the County's General Plan. Therefore, the adverse impacts, relative to level of service and safety/design, would be less than significant.

(3) Tactical Access

Fire Department review reveals that offsite access meets public road requirements for tactical access.

b. Private Roads and Driveways:

(1) Safety/Design and (2) Tactical Access

Private roads must conform to the County's Private Road Guidelines for width, grade and curve radius. Therefore, impacts pertaining to access will be less than significant.

c. Pedestrian/Bicycle:

(1) Public Facilities and (2) Private Facilities

The existing road, Gonzalez Road, in the proximity of the proposed project site has adequately provided facilities pursuant to the County's Road Standards. Therefore, there would be no adverse impacts relative to pedestrian/bicycle facilities.

d. Parking:

This project will provide adequate on-site parking. Therefore, there will be no impacts from parking on public rights-of-way.

e. Bus Transit:

This project will have no impact on bus transit facilities for this area.

f. Railroads, g. Airports, h. Harbors and i. Pipelines:

This project will have no impact on railroads, harbors or pipelines due to its location, which is far removed from any such facilities. Potential impacts to airports were discussed in Section 16.

22. Water Supply:

a. Quality:

The State Department of Health Services regulates the public water system that serves domestic water to this project. The quality of domestic water must be in compliance with applicable State drinking water standards. Design and construction of the proposed project must conform with applicable State and Building Code requirements pertaining to water systems. Therefore, the project will not adversely impact the quality of water supplied by the public water system.

b. Quantity:

The Public Works Agency comments that this item would be less than significant because irrigation water will be provided by the same wells as are currently used, but less water will be used.

c. Fire Flow:

Onsite water storage facilities will provide adequate fireflow for the project. Greenhouses are classified as low hazard occupancies. Therefore, there will be no significant adverse impacts from fire flow.

23. Waste Treatment/Disposal:

a., Individual Sewage Disposal Systems and b. Sewage Collection/Treatment Facilities:

The proposed project includes three additional structures that contain domestic plumbing fixtures. Also an adjacent support structure will contain a restroom available to employees associated with the greenhouse project. Onsite individual sewage disposal systems (septic systems) will be utilized for sewage disposal. The soils report provided for review adequately demonstrates septic system feasibility for the subject project. Compliance with applicable regulations in the County Building Code and County Sewer Policy with respect to the design and installation of septic systems will reduce potential impacts attributable to direct human contact with sewage from on-site sewage disposal, to a level considered less than significant.

c. Solid Waste Facilities:

The amount of solid waste generated by this agricultural project will not result in any net increase in the amount of solid waste generated. Therefore, impacts relative to solid waste facilities are considered less than significant.

24. Utilities:

- a. Electric b. Gas and c. Communication:

The proposed project site is located in an area already served by existing facilities. Therefore, the impact of this project will be less than significant.

25. Flood Control/Drainage:

- a., FCD Facility :

The Public Works Agency comments that the proposed project site is subject to flooding from a Q 100 storm, according to the Ventura County Flood Insurance Rate Maps. Consequently, the project development will come under the requirements of the Flood Control District's Floodplain Management Ordinance No. 3841. Mitigation will not be required beyond the provisions of the ordinance. Therefore, adverse impacts relative to flood control facilities would be less than significant.

- b., Other Facilities:

The Public Works Agency comments that pursuant to the aforementioned Hydrology/Hydraulic Study, the proposed development will increase the storm water runoff. The proposed project description identifies the use of an on-site storage tank, which would intercept runoff from the greenhouse structure roof area for use in the greenhouse growing operation. Therefore, as an alternative to an on-site storage pond, 100-year storm peak flow detention can be obtained with two detention basins. Therefore, adverse impacts, relative to drainage facilities, would be less than significant.

26. Law Enforcement/Emergency Services:

- a. Personnel/Equipment, and b. Facilities:

The Sheriff's Department has determined that the project will have a less than significant impact on personnel/equipment or facilities due to the project's relative size, nature, design, roads and location.

27. Fire Protection:

- a. Distance/Response Time and b. Personnel/Equipment/Facilities:

The City of Oxnard through mutual response agreement provides emergency response to the project site. The nearest station is approximately 7 miles from the project site and has adequate personnel to serve the project. Additional staffing will be sent as is determined to be necessary. Therefore, this project would have a less than significant impact on existing personnel and equipment.

28. Education:

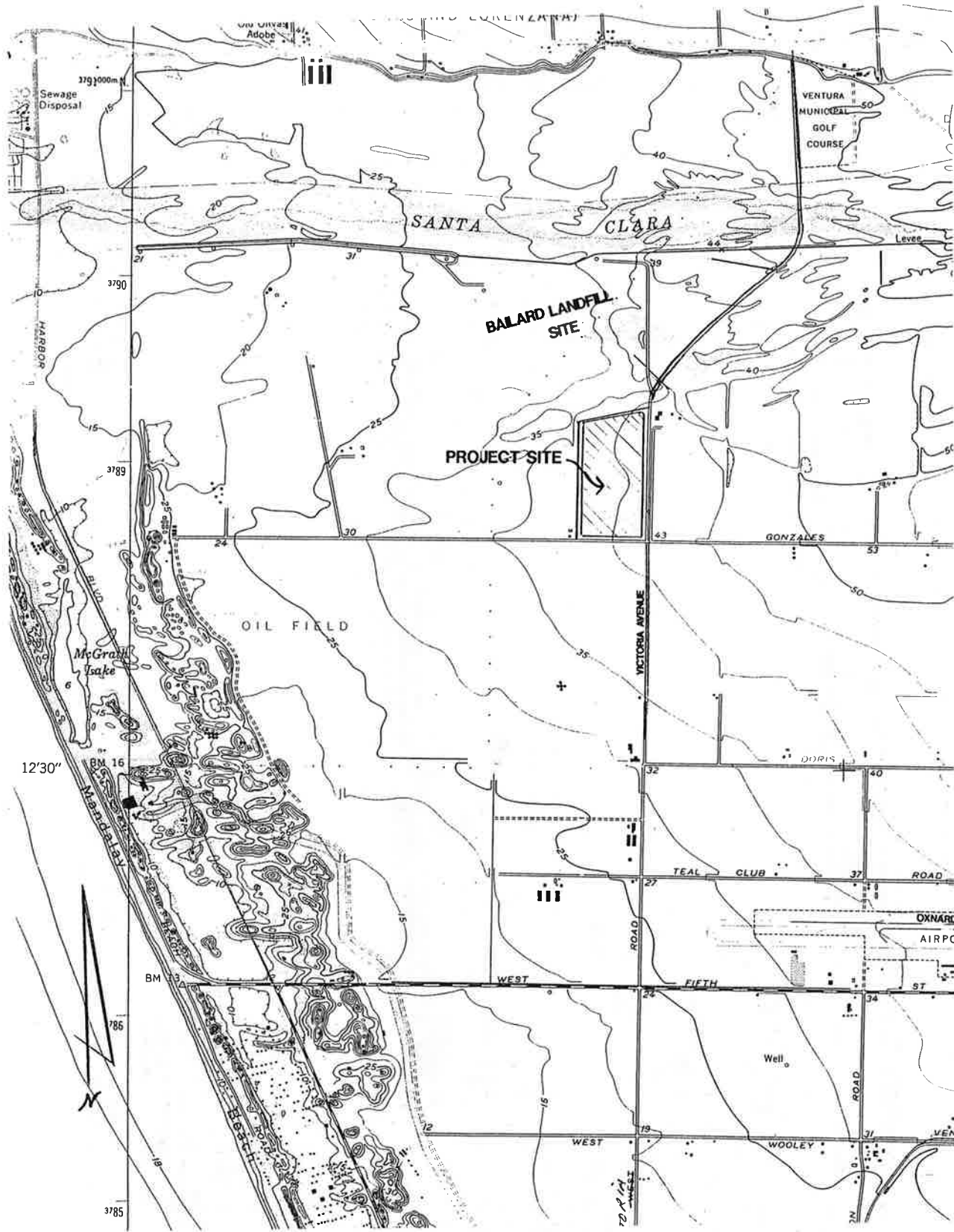
- a. Schools and b. Libraries:


Because of the nature of the proposed project, low-impact agricultural, there would be no significant impact on schools and libraries in the project vicinity.

29. Recreation:

a. Local Parks/Facilities, b. Regional Parks/Facilities and c. Regional Trails:

The proposed project site provides an access easement to the now closed Bailard Landfill. That closed facility is currently proposed as the site of a passive recreational park. The access easement will remain, either as a primary or secondary emergency access. In addition, the applicant will be required, under Ventura County Ordinance Code Section 8297-4 et seq., to pay appropriate fees to the General Services Agency prior to issuance of building permits. Therefore, there will be no significant impact on those facilities.

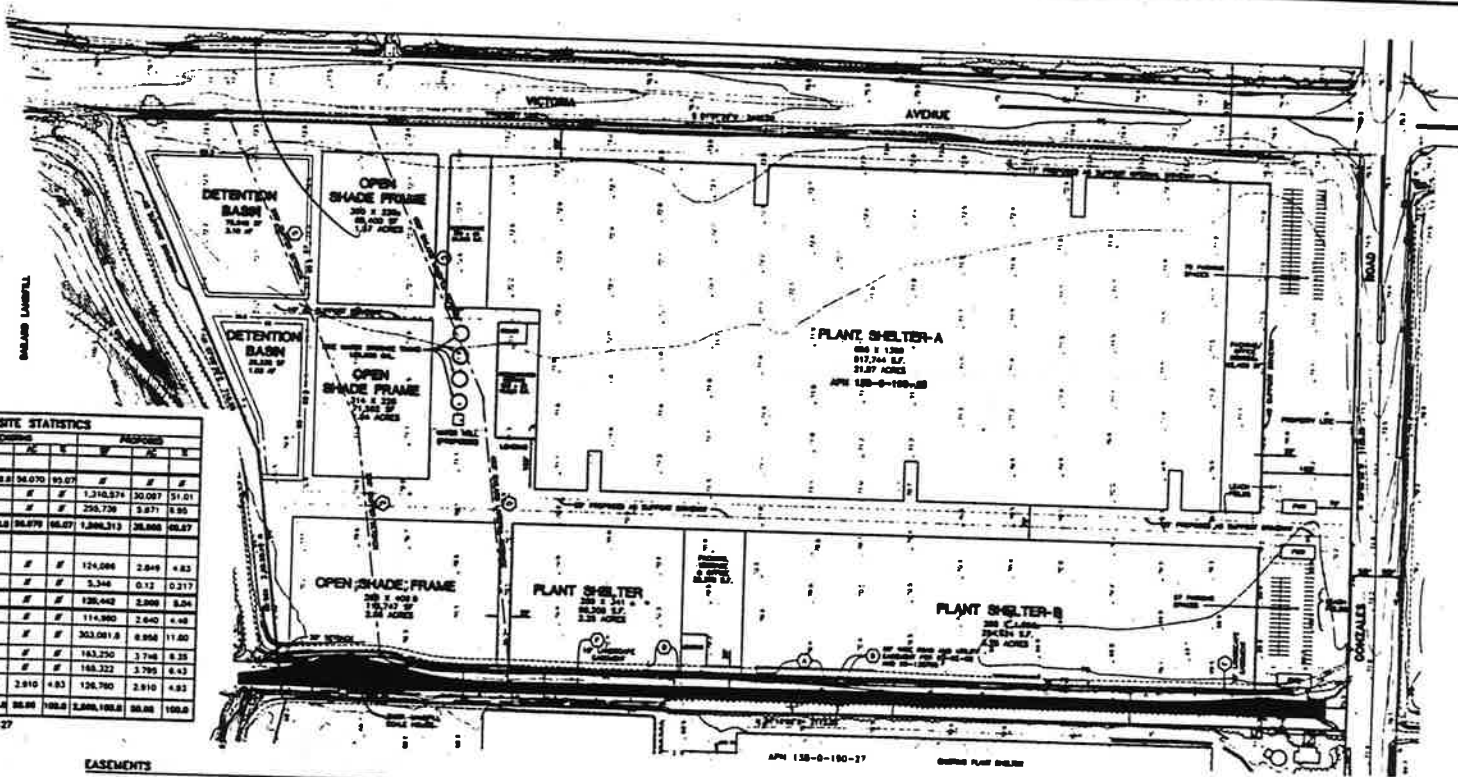


<p>Ventura County Resource Management Agency</p>	<p>CUP-5042 MND</p> <p>SANTA CLARA RESOURCES</p> <p>LOCATION MAP</p>	
		<p>Exhibit "A"</p>



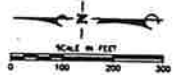
CUP-5042 MND
 SANTA CLARA RESOURCES
 SITE PLAN (Reduced)

Ventura County
 Resource
 Management
 Agency



LAND USE SITE STATISTICS	CHANGES		RESPONSE	
	W	AS	W	AS
AGRICULTURAL PRODUCTION				
ROW CROPS	2,442,388.8	26,070	93.67	0
PLANT SHELTERS	#	#	1,316,874	30,067
OPEN SHADE FRAMES	#	#	258,728	3,271
SUBTOTAL	2,442,388.8	26,070	1,582,672	33,338
AGRICULTURAL STORAGE/ENGINEERING				
PACKING OFFICE STORAGE AND RELATED	#	#	124,086	2,849
TANK WORKER RESIDENCES	#	#	3,344	0.12
SUBTOTAL	#	#	127,430	2,969
DETENTION SHEDS	#	#	114,880	2,640
PARKING AND AGRICULTURAL SUPPORT DRIVERS	#	#	303,081.8	6,858
LANDSCAPING	#	#	143,230	3,246
OTHER OPEN SPACE	#	#	148,322	3,295
CONTROLLED ACCESS CEMENT TO BULKING LANDFILL	126,780	2,910	4.83	0.10
TOTAL	2,890,168.6	30,980	2,890,168.6	38,886

TOTAL PARKING SPACES PROVIDED: 127



EASEMENTS:
 FIRST AMERICAN TITLE COMPANY INSURANCE PRO FORMA REPORT NUMBER 40-17001884 DATED JULY, 1988

BOUNDARY:
 COMPAILED FROM RECORD OF SURVEY BOOK 16, PAGES 18 & 19 AND UN-RECORDED SUBDIVISION ELEVATION DE 97-02

BENCHMARK:
 2" BENCH MARK MONUMENT MARKED "1-1" IN-1, 1988 IN TOP OF HEADWALL 42' NORTH OF THE CENTERLINE OF GONZALES ROAD AND EASTWARD OF BULKING LANDFILL ACCESS APPROXIMATELY 150' EAST OF STATION 88+26.54 P.C.T. ON GONZALES ROAD ELEVATION: 70.73 DATE: NOV 1929

- EASEMENTS**
- THE EASEMENT AND LOAD AFFIDAVIT IS BORNE HEREIN IS COMPAILED FROM RECORD INFORMATION FOR FIRST AMERICAN TITLE INSURANCE COMPANY ON 08, AND THE LOAD TO BULKING COMPANY AND BOOK 16, PAGE 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 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997, 998, 999, 1000.

SANTA CLARA RESOURCES PLANT SHELTER PROJECT 18 AUGUST 1988

SITE PLAN
 CONDITIONAL USE PERMIT #
 AEROSOL'S PROJECT NUMBER 138-0-100-25
 COUNTY OF VENTURA - CALIFORNIA
 SCALE: 1" = 100'
 SHEET C1 OF 3

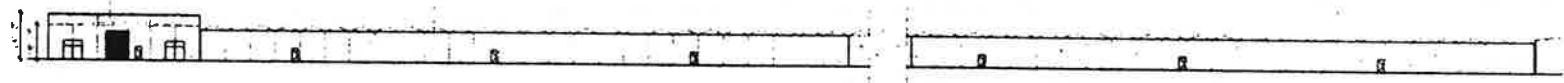
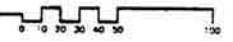
Pennington & Smith
 ENGINEERS & SURVEYORS
 111 E. WILSON ST. SANTA BARBARA, CALIF. 93101
 (805) 962-8822 CUP 5042
 UNLAW NUMBER: P.O. BOX 58 (54152)



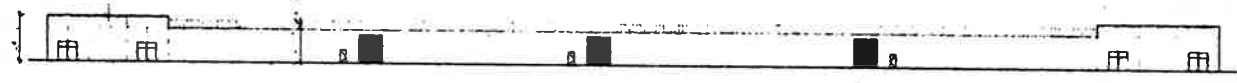
Exhibit "C1"



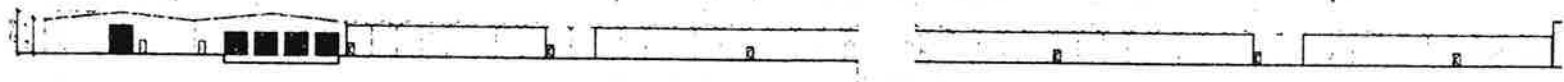
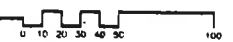
NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION



CUP-5042

SANTA CLARA RESOURCES

ELEVATIONS (Reduced)

Ventura County
Resource
Management
Agency

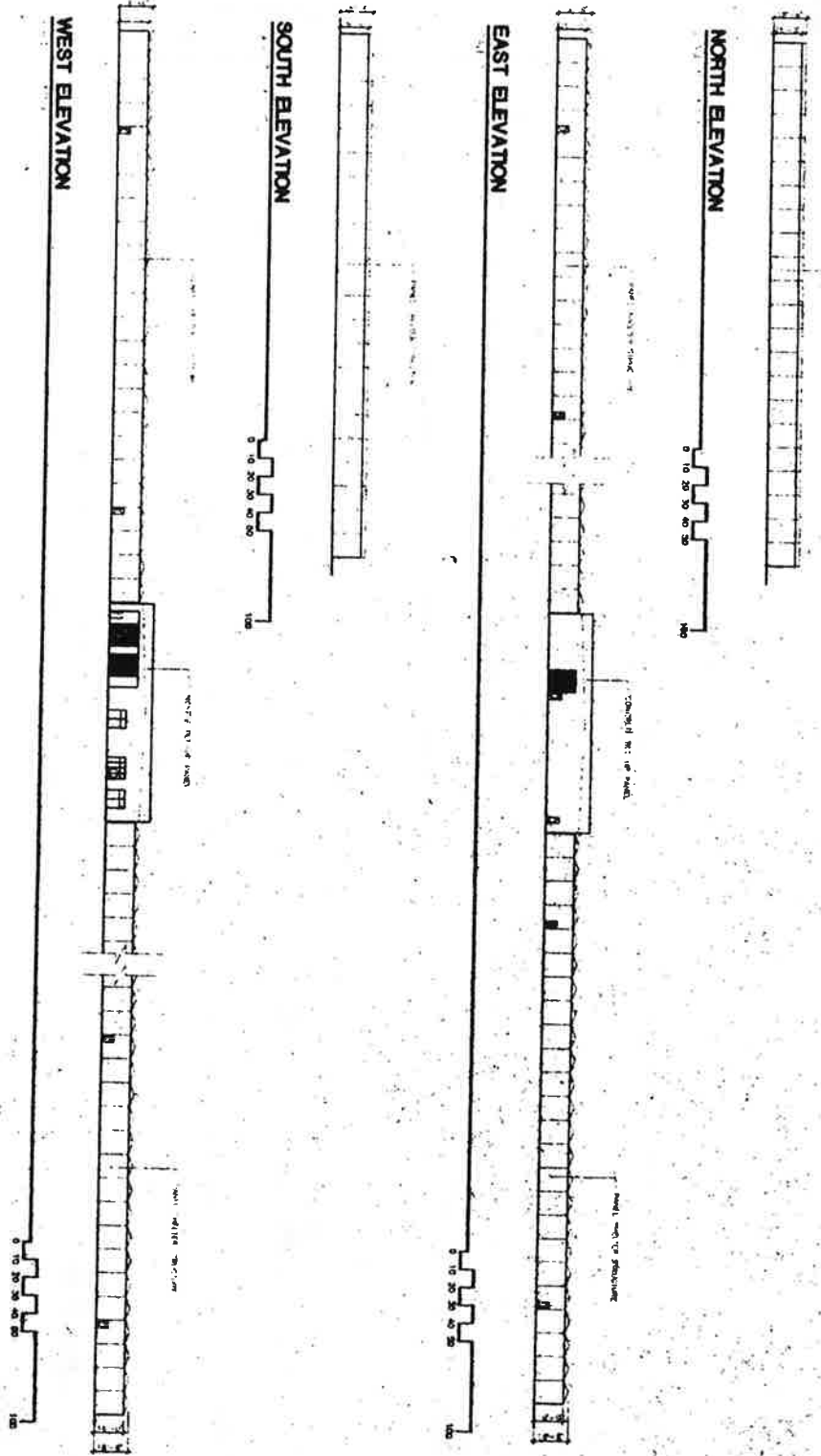
BUILDING-A EXTERIOR ELEVATIONS

SANTA CLARA RESOURCES PLANT SHELTER PROJECT

20 JAN 1988

RASMUS

BUILDING-B EXTERIOR ELEVATIONS
SCALE: 1/8" = 1'-0"
SANTA CLARA RESOURCES PLANT SHELTER PROJECT



Ventura County
 Resource
 Management
 Agency

CUP-5042
 SANTA CLARA RESOURCES

ELEVATIONS (Reduced)



Exhibit "C2"



December 30, 1998

Robert K. Laughlin, Manager
Commercial/Industrial Land Use Section
Resource Management Agency, Planning Division
800 South Victoria Avenue
Ventura, CA 93009

Subject: Comments on *Draft Mitigated Negative Declaration (MND)* for Proposed Greenhouses at Victoria Avenue and Gonzales Road (CUP-5042)—Recommendation for Focused EIR

Dear Mr. Laughlin:

Thank you for sending a copy of the Draft MND to the City for review. From the City's viewpoint, it is felt that we are currently being overwhelmed with greenhouse proposals and that no assessment has been made to date of the cumulative impacts that might result if the current trend of establishing millions of square feet of covered area per year continues. Potential issues and cumulative effects that we currently foresee are as follows:

1. Change in visual character of the City's perimeter

West Side—2.5 million square feet proposed along Victoria Avenue and the west side of the City.

East Side—220,000 square feet proposed in one application; 700,000 square feet proposed in another application for over 920,000 proposed square feet.

Total of covered area proposed for the east and west sides of the City is approximately 3.2 million square feet!

2. Increase precipitation runoff next to critical intersections due to increases in covered area—the relatively small retention basins may be inadequate and the runoff from just average rainfall could flood adjacent intersections. As you are aware last season's rainfall varied from two-to-three times that of an average year.

Planning & Environmental Services
305 West Third Street • Oxnard, CA 93030 • (805) 385-7858 • Fax (805) 385-7417

CUP-5042 FINAL MND

Comment Letter From City of Oxnard

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION
county of ventura



Robert K. Laughlin, Manager
December 30, 1998
Page 2

3. Tens of thousands of square feet of permanent warehouse buildings that are initially intended for processing and storing flowers, but really represent the intrusion of large-scale permanent quasi-industrial types of uses into open agricultural areas that formerly had a minimum of structures.
4. A significant increase in the area subject to nighttime lighting.
5. No one knows the cumulative effect of what is existing plus what is proposed. Cumulative effect issues include:
 - Changes in visual character of the area
 - Increased runoff from over 3 million square feet of newly covered area
 - Potential flooding of principal intersections in the major arterial road network

With respect to the Draft MND, it was found after reviewing the section on Transportation/Circulation (Section B, No. 21) that the traffic impacts on City streets stemming from the proposed project and the dollar amount of mitigation payable to the City under the City-County traffic impact mitigation agreement were not identified. With respect to the concerns that were raised earlier about visual impacts, the provisions of the *Consent Agreement* signed by the applicant (Mr. Case Van Wingerden) on December 10 seem satisfactory.

Looking forward to a general solution to the issues identified above, it is requested that an EIR be prepared that focuses on the cumulative impacts. Also, I would like to let you know that the Mayor will be sending a letter to the Chair of the Board of Supervisors requesting that the impacts of large scale greenhouse proposals be evaluated in an environmental impact report and that they also be reviewed for consistency with the intent of Measure "A" which is principally concerned with establishing growth boundaries, preserving farmland, and open space and scenic vistas, etc.

Sincerely,



Joyce Parker-Bozylinski
Planning and Environmental Services Manager

cc: Edmund F. Sotelo, City Manager
Keith Turner, County Planning Director
Paul Merrett, County Planner



JAN 14 1999

DR. MANUEL M. LOPEZ
Mayor

January 6, 1999

Ms. Susan K. Lacey, Chair
Ventura County Board of Supervisors
800 South Victoria Avenue
Ventura, CA 93009

Dear Ms. Lacey:

Over the past several months the City has become increasingly concerned about the total amount of area being proposed for construction of greenhouses on both the west and east sides of the City of Oxnard. As of this time approximately 3.2 million square feet are proposed and we are concerned that this will result in rapidly changing the visual character of the area, increased potential of flooding, and adding tens of thousands of square feet of permanent warehouse buildings that represent an intrusion of large-scale quasi-industrial types of uses into open agricultural areas that formerly had a minimum of structures. A more detailed presentation of our concerns is included in the enclosed letter of December 30 to the staff of Ventura County Planning Division.

With respect to the proposed increase in area devoted to greenhouses, processing facilities, and warehouses, we are concerned about cumulative effects including:

- Changes in visual character of the open space area
- Increased runoff from over 3 million square feet of newly covered area
- Potential flooding of principal intersections in the major arterial road network
- A significant increase in truck traffic

With respect to cumulative impacts, the time to identify and hopefully quantify them is before significant impacts occur that could become very difficult or extremely costly to mitigate. In this regard, an EIR focused on cumulative impacts should be prepared before any of the current applications are approved.

While the use of greenhouses as an agricultural tool may be appropriate in some locations, we are concerned about the potential development of millions of square feet of structures on the County's open agricultural areas. In this regard, we question the coverage of open areas with

Office of the Mayor
300 West Third Street • Oxnard, CA 93030
Phone (805) 385-7428 • (805) 385-7430 • Fax (805) 385-7595

CUP-5042 Final MND

Comment Letter From Manuel Lopez,

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION
county of ventura

Mayor of Oxnard



Ms. Susan K. Lacey
January 6, 1999
Page 2

permanent greenhouse structures and whether this would be consistent with the vision that residents had in mind when they approved *Measure "A"* and other open space initiatives last November. We understand that the Agricultural Department's Agricultural Policy Advisory Committee is currently reviewing allowable land uses in the agricultural and open space zones. Perhaps the Advisory Committee could evaluate appropriate standards for greenhouses including, but not limited to, allowable lot coverage in designated green belt areas, height, screening, setbacks, retention of runoff, and associated quasi-industrial buildings for processing and storage of greenhouse products.

Sincerely,



Dr. Manuel M. Lopez
Mayor

Enclosure: Letter of December 30, 1998

cc: Members of the Oxnard City Council
Edmund F. Sotelo, City Manager

139a8.1



**BOARD OF SUPERVISORS
COUNTY OF VENTURA**
GOVERNMENT CENTER, HALL OF ADMINISTRATION, L #1900
800 SOUTH VICTORIA AVENUE, VENTURA, CALIFORNIA 93009

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(VENTURA & OJAI VALLEY AREAS) (805) 654-2703
(OXNARD) TOLL FREE: (805) 654-5000 EXT. 2703
FAX (805) 654-2226

February 22, 1999

Dr. Mantiel M. Lopez, Mayor
City of Oxnard
305 West Third Street
Oxnard, CA 93030

SUBJECT: Greenhouse Proposals near the City of Oxnard

Dear Mayor Lopez:

Thank you for your letter of January 6, 1999 expressing the City's concerns in regard to the development of several greenhouse projects on the east and west sides of the City. This response letter will address your concerns in a general manner in the order they were raised.

At this time the County has three CUP applications on file or approved that are near the city limits or within the City's Area of Interest. These applications are as follows:

Permit	Location	Structure Size(s) Approximate	Status
CUP-5023	Doris Avenue, west of Victoria Avenue	650,000 SF	Approved by Planning Commission on 11/19/98
CUP-5042	Intersection of Gonzales Road and Victoria Avenue	1,695,755 SF	Pending Planning Commission Public Hearing
CUP-5049	North of Intersection of Wooley Road and Rice Avenue	653,400 SF <hr/> 2,999,155 SF	Initial Study Underway

As you are aware, all such applications are subject to an environmental review under CEQA and are referred to the City staff for review and comment, both at the draft environmental document stage and at public hearing. These three projects were not found to result in cumulatively significant impacts under CEQA due to their separation in distance (CUP-5049 is five miles from the other two sites) and because none of the impact areas actually combined together to create a larger or more intense effect. To a limited extent each of these projects' effects will be discussed in the topics you raised.

70-2 FEB 25 1999



CUP-5042 FINAL MND

RESPONSE TO COMMENT LETTER FROM

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION
county of ventura

SUSAN LACEY



- Greenhouses vs. permanent warehouse buildings

It may be useful to first describe an actual greenhouse project. In the case of CUP-5042 (the largest project), the 1.7 million square feet of structures actually constitutes these use components:

- * 1,566,313 SF of structures for growing only (92.3%)
- * 124,096 SF for packing, refrigerated storing, and office (7.3%)
- * 5,346 SF for farmworker residences (0.4%)

None of these structures (except the refrigeration and storage of flowers) constitutes "permanent warehouse buildings" as alluded to in your letter. Conditions of Approval on greenhouse projects prevent these structures from becoming permanent warehouses through 1) time limits on the permit; 2) restrictions to agricultural growing, processing, storage, and shipment only; and 3) requirements for removal of the structures once the permit expires.

- Changes in visual character of the open space area

In all three cases, the sites are both zoned and designated in the General Plan as "agriculture" as opposed to "open space". The proposed greenhouses clearly fall within the land uses allowed for an agricultural zone.

As you correctly note, the proposed development of these greenhouse structures is a "change" in visual character from land that is currently open in nature and planted with various types of crops, to land that will similarly be producing agricultural crops, but now so within structures. The question of visual impact appropriately arises, and is required to be analyzed under CEQA, in a project's Initial Study. Significance thresholds for visual impact have historically been "qualitative" in nature and somehow defy a numerical/quantitative type analysis that is used for other environmental factors such as traffic or runoff. In the judgement of County staff (and in the case of CUP-5023 approved by the Planning Commission) visual impact was not deemed "significant" because the greenhouses were to be located behind existing structures and at a distance from Victoria Avenue. In the case of CUP-5042, County staff concluded that without mitigation the impact might be "significant" for both visual effect and for potential glare at night. Both of these issues may have required a project EIR, however, adequate mitigation measures addressing both of these potential impacts have allowed preparation of a Mitigated Negative Declaration. That document must ultimately be agreed to and adopted by the Planning Commission, and possibly by the Board if their decision is appealed. The proposed mitigation includes 1) the use of opaque blackout curtains inside the structures that result in "0" light emanation, 2) proposed landscaping with a double row of dense cypress-type trees that will totally screen the 18' high greenhouse structures from view of motorists traveling Gonzales Road and from both directions along Victoria Avenue. Those trees must reach 75% screening before the County will allow construction of the greenhouse nearest to Victoria Avenue, and 3) a bonding mechanism to ensure these structures are removed from the site should the business fail or the permit not be extended.

Dr. Manuel M. Lopez, Mayor
February 22, 1999
Page 3

- Increased runoff from three million square feet of newly covered area

Each project has been reviewed and analyzed by the County Flood Control District as to appropriate and adequate drainage facilities. The proposed method of handling drainage for each of these cases is as follows:

1. CUP-5023 – 100 year on-site runoff will flow to the newly enlarged Doris Avenue drain which has sufficient capacity to accommodate this increase.
2. CUP-5042 – 100 year on-site runoff naturally flows to the north and west away from both Gonzales Road and Victoria Avenue. Drainage from this site will ultimately flow to the Santa Clara River. An on-site collection and detention system is proposed that will prevent runoff from leaving the site to either the south or east.
3. CUP-5049 – 100 year runoff retained on site with a detention basin.

- Potential flooding of principal intersections in the major arterial network

Based upon the on-site retention of runoff discussed above, these projects are not expected to cause flooding at major intersections.

- A significant increase in truck traffic

Relatively speaking, truck traffic generated by greenhouse operations is small compared to other commercial or industrial uses that similarly use trucks. For example, CUP-5042 proposed at Gonzales Road and Victoria Avenue will not generate more than approximately 25 truck trips per day (including light, medium, and heavy trucks). CUP-5023, approved by the Planning Commission, had no increase in trucks over existing on-site flower growing and packing operations. A traffic Study prepared by a State-licensed traffic engineer was submitted with CUP-5042 (which has approximately 70% of the proposed greenhouse area). That study conducted both a project and cumulative traffic analysis using the City of Oxnard's Traffic Model (OTM). That analysis indicates that no roadway level-of-service (LOS) will fall to below acceptable levels (in the County's Initial Study Guidelines). Therefore, no significant project or cumulative traffic impact from this permit will result. Also, each permit will be required to pay appropriate traffic mitigation fees for cumulative impacts under the County's Traffic Mitigation Fee Ordinance, and if required also under the "Reciprocal Traffic Mitigation Agreement" with the City.

For the above-stated reasons, County staff considers the environmental documents prepared for these greenhouse projects to be appropriate. Your letter and my reply will be provided to the Planning Commission when they consider the next two permit requests. I have been advised by staff that City and County staff have had considerable coordination and meetings on these permits. However, City staff have not made any specific recommendations or proposals regarding the standards and issues raised in your letter. At this date, County staff will be releasing a draft set of permit conditions for the larger project (CUP-5042) to the applicant for a three week review prior to a tentative public hearing in late March. It is their intention to also

Dr. Manuel M. Lopez, Mayor
February 22, 1999
Page 4

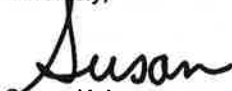
provide this set to Ms. Parker-Bozylinski. I would encourage City staff to provide any specific recommendations it deems appropriate so those can be either incorporated or provided to the Planning Commission along with their staff report.

Policy Implications

Lastly, at this time, it is not known whether the Agricultural Policy Advisory Committee (APAC) will specifically review greenhouses for the various standards you suggested. The Agricultural Commissioner may decide on his own professional judgement to refer this item to APAC, or possibly the Board, as a whole, may do so in the future. Your letter and this reply will be provided to each Board member so if sufficient interest exists it can be discussed in session. I have not conferred with other members of the Board so I cannot commit them to a course of action. However, I have concerns regarding subjecting a very specialized portion of the agricultural industry to additional zoning ordinance regulations and standards that would apply Countywide. I will end by noting for your general information that greenhouses are currently allowed by right, without a discretionary permit when located in the A-E or O-S zones if their size is less than 20,000 SF. For projects over that size in those zones, a discretionary permit is needed. Historically, greenhouse permits have been few in numbers and have not been problems or subject to much citizen interest at public hearings, unlike some communities to the north that have located greenhouses next to residential areas without landscaping or shielding of night glare.

Please contact Keith Turner at (805) 654-2481 if you have any further questions on this subject.

Sincerely,



Susan K. Lacey, Chair
Ventura County Board of Supervisors

C: Members of the Board
M. L. Koester, CAO
Earl McPhail, Agricultural Commissioner
Joyce Parker-Bozylinski
Carl Hetrick – CUP-5049 Representative



City of

MAR 8 '99 PM 4:56

March 3, 1999

Robert K. Laughlin, Manager
Commercial/Industrial Land Use Section
Resource Management Agency, Planning Division
800 South Victoria Avenue
Ventura, CA 93009

Subject: Comments on *Draft Conditions* for CUP-5042 Santa Clara Resources—*Proposed Greenhouses at Victoria Avenue and Gonzales Road*

Dear Mr. Laughlin:

After reviewing the *Draft Conditions* dated February 17 and received February 22, City staff presented some questions to Mr. Paul Merrett of your staff concerning apparent incongruities in the text of conditions 1 and 5. In response, Mr. Merrett informed us that the conditions referring to height of landscaping that would have to be obtained, before a Zoning Clearance for the construction of the structure could be issued, had been changed from 75 percent and $\frac{2}{3}$ to $13\frac{1}{2}$ feet. In addition, Mr. Merrett informed us that Condition Number 32 pertaining to Transportation/Circulation only identified the amount of the fee due to the County and not to adjacent cities. Please amend Condition Number 32 or add a new condition to require that prior to the issuance of a Building Permit, a letter must be presented from each adjacent city (i.e., Oxnard and Ventura) to the effect that the applicant for the proposed development has paid the amount due to the City under the reciprocal City-County Traffic Impact Mitigation Agreement.

Sincerely,

Joyce Parker-Bozylinski
Planning and Environmental Services Manager

cc: Edmund F. Sotelo, City Manager
Matthew G. Winegar, Public Services Director
Keith Turner, County Planning Director
Paul Merrett, County Planner

139c8.2

Planning & Environmental Services
305 West Third Street • Oxnard, CA 93030 • (805) 385-7858 • Fax (805) 385-7417

CUP-5042

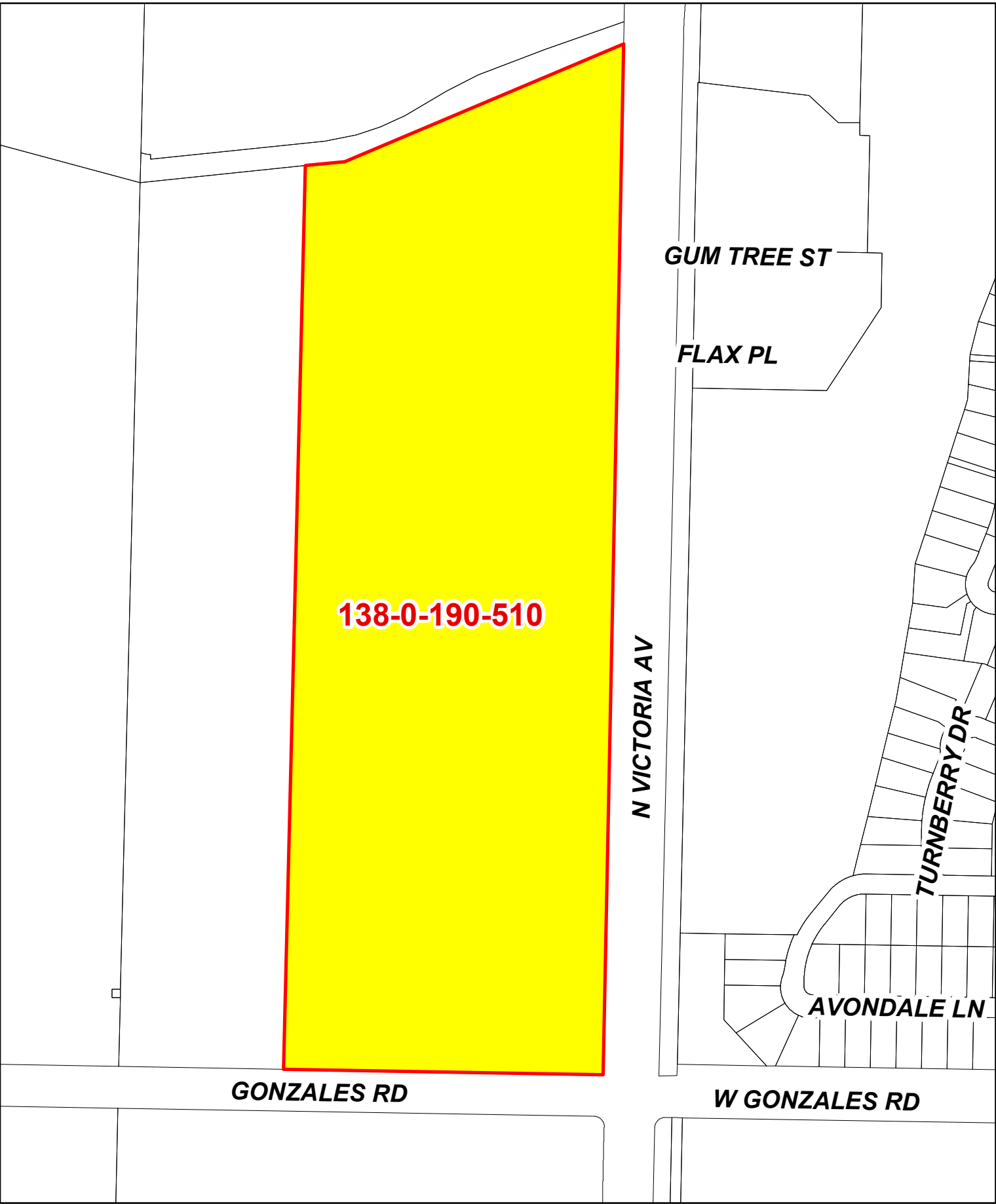
LETTER FROM JOYCE PARKER-BOZYLINSKI,

CITY OF OXNARD

RESOURCE MANAGEMENT AGENCY
PLANNING DIVISION
county of ventura



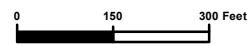
Exhibit "9"



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 10-26-2021



**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Attachment 2 - Map
APN 138-0-190-510**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.



RH

EXHIBIT 6
General Plan Consistency Analysis

The 2040 Ventura County General Plan Goals, Policies and Programs (2020, page 1-1) states:

All area plans, specific plans, subdivisions, 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 8111-1.2.1.1a.a states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

This exhibit provides an evaluation of the consistency of the proposed project with the applicable policies of the General Plan Goals, Policies and Programs.

LU-8.5 Farmworker Housing: *The County shall support the development of safe and quality farmworker housing that facilitates a reliable labor force and promotes efficient agricultural operations. Housing units shall include a variety of housing types, including group quarters and larger dwelling units that can accommodate a family.*

Staff Analysis: Three proposed farmworker dwelling units (detached single-family dwellings) were included in the project authorized by Conditional Use Permit (CUP) 5042 in 1999. At that time Planning staff identified the proposed farmworker dwellings as a measure to address the project's potential effect on housing. One of the farmworker dwellings would be constructed under the proposed project (the other two dwellings would be constructed under modified CUP Case No. LU11-0148).

Based on the above discussion, the proposed project is consistent with this policy.

LU-8.2 Land Uses Appropriate for the Agricultural Land Use Designation: *The County shall ensure that land designated as Agricultural is used for the production of food, fiber, and ornamentals; animal husbandry and care; uses accessory to agriculture; and limited temporary or public uses which are consistent with agricultural or agriculturally related uses.*

LU-8.3 Minimal Parcel Size for the Agricultural Land Use Designation: *The County shall ensure that the smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. The County may require larger minimum parcel sizes based on the zone classification.*

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.*

County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 6 - General Plan
Consistency Analysis

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.*

AG-1.2 Agricultural Land Use Designation: *The County shall ensure that discretionary development located on land designated as Agricultural on the General Plan Land Use Diagram and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory is planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.*

Staff Analysis: The applicant requests approval of a modified CUP to authorize the construction and use of greenhouses exceeding 100,000 sq. ft. for growing, processing, storing, and shipping of agricultural products. The modified CUP would also authorize the construction of plant shade structures, agricultural produce packing, processing, and storage structures, and agriculturally related structures (a farmworker housing unit, offices, employee break areas, restrooms, etc.). The property on which the project would be located is designated as Agricultural on the General Plan Land Use Diagram and most of the property is identified as Prime Farmland on the State's Important Farmland Inventory. The entire property is used for agricultural production and to support agricultural production.

According to the Ventura County Resource Management Agency – Geographic Information System (RMA GIS) Viewer, the subject property and southern and western properties have been farmed for the past 20 years. (These properties have likely been farmed for a longer period of time, but Planning staff could not confirm this because of the limited image quality of earlier aerial photos in the RMA GIS Viewer.) The Ventura County Agricultural Commissioner's Office reviewed the proposed project and did not identify any concerns or potential conflicts with surrounding agricultural operations. Bailard Landfill (operated by Ventura Regional Sanitation District) is located to the north of the project site. Bailard landfill is currently closed. Victoria Avenue is contiguous to the eastern property line. A golf course and residential neighborhoods are located east of Victoria Avenue. The proposed agricultural project would maintain the distinctive character of the existing area.

The subject lot is 40.16 acres which meets the 40 acre minimum lot size requirement of the AE-40 acre zone in which the lot is located. The proposed structures are agriculturally related and would be principal or accessory to the existing agricultural operations. The structures would not exceed the maximum building coverage standard of five percent.

Water (domestic and fire protection) is supplied to the site by the SCR Water System (which utilizes water wells). Private wastewater disposal (existing on-site wastewater

treatment systems) would continue to be available to serve the project. Access to the subject property is provided by a driveway connected to Gonzales Road.

Based on the above discussion, the proposed project is consistent with these policies.

COS-1.12 Discretionary Development and Landscaping: *The County shall require landscaping associated with discretionary development, or subject to the California Water Efficient Landscape Ordinance (WELo), to be water-efficient and include native, pollinator-friendly plants consistent with WELo guidelines, as applicable. The planting of invasive and watch list plants as inventoried by the California Invasive Plant Council shall be prohibited, unless planted as a commercial agricultural crop or grown as commercial nursery stock.*

COS-3.1 Scenic Roadways: *The County shall protect the visual character of scenic resources visible from state or County designated scenic roadways.*

COS-3.6 Open Space Character: *The County shall require discretionary development outside of Existing Communities be planned and designed to maintain the scenic open space character of the surrounding area, including view corridors from highways. Discretionary development should integrate design, construction, and maintenance techniques that minimize the visibility of structures from public viewing locations within scenic vistas.*

Staff Analysis: The project site is located adjacent to Victoria Avenue which is an Eligible County Scenic Highway. While the project site is not within the Scenic Resource Protection Overlay Zone and does not contain any scenic resources, it is located within and adjacent to farmland. To the south of the project site are large, open lots of cropland which are visible to travelers on Victoria Avenue and Gonzales Road. A 40 acre lot of cropland, greenhouses, and other agricultural related structures are located to the west. Bailard Landfill is located to the north. Victoria Avenue is contiguous to the eastern property line. A golf course and residential neighborhoods are located east of Victoria Avenue

Existing, mature landscape screen trees are located at the southern and eastern property lines of the lot. When the Planning Commission granted CUP 5042 in 1999, the landscape screen trees were the required mitigation measure to reduce the visual impacts of the proposed structures on passing motorists traveling on Victoria Avenue and Gonzales Road. The existing, mature landscape trees would reduce visual impacts of the proposed structures on travelers along the Victoria Avenue and Gonzales Road corridors. The screen trees also support the open space character in this area.

The applicant would be required to provide an updated landscaping and screening plan which ensures the existing landscape screen trees would be maintained. The updated plan would include an irrigation system that complies with the water efficiency requirements of the Ventura County Landscape Design Criteria and the California

Department of Water Resources Model Water Efficient Landscape Ordinance. Invasive trees and plants would be prohibited. In addition, any landscape screen trees or plants that fail to provide total screening of the proposed structures from Victoria Avenue and Gonzales Road would be replaced with non-invasive trees or plants of sufficient height and width to ensure sufficient screening.

Based on the above discussion, the proposed project is consistent with these policies.

PFS-11.4 Emergency Vehicle Access: *The County shall require all discretionary development to provide, and existing development to maintain, adequate access for emergency vehicles, including two points of access for subdivisions and multifamily developments.*

PFS-12.3 Adequate Water Supply, Access, and Response Times for Firefighting Purposes: *The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes.*

PFS-12.4 Consistent Fire Protection Standards for New Development: *The County, in coordination with local water agencies and the Fire Protection District, shall require new discretionary development to comply with applicable standards for fire flows and fire protection.*

CTM-2.28 Emergency Access: *The County shall ensure that all new discretionary projects are fully evaluated for potential impacts to emergency access. Mitigation of these impacts shall be handled on a project-by project basis to guarantee continued emergency service operations and service levels.*

Staff Analysis: The project site is not located within an area designated as a Very High or High Fire Hazard Severity Zone by the Ventura County Fire Protection District (VCFPD) or the California Department of Forestry and Fire Protection. According to the VCFPD, all existing access roads leading to the project site meet current access standards, and all on-site access roads would be required to meet minimum VCFPD access standards. The applicant would be required to verify that the water purveyor can provide the required fire flow. The VCFPD states that the project site is located within five miles of the nearest fire station and that no new fire stations or personnel would be required to provide fire protection service to the proposed project. The Fire Prevention Bureau would conduct final on-site inspections of new construction to ensure compliance with all applicable VCFPD conditions, codes, and ordinances.

Based on the above discussion, the proposed project is consistent with these policies.

HAZ-9.1 Limiting Unwanted Noise: *The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be*

reduced to meet the standards prescribed in Policy Haz-9.2. This policy does not apply to noise generated during the construction phase of a project.

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.

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).

HAZ-9.3 Development Along Travel Routes: *The County shall evaluate discretionary development for noise generated by project-related traffic along the travel route to the nearest intersection which allows for movement of traffic in multiple directions. In all cases, the evaluation of project-related roadway noise shall be evaluated along the travel route(s) within 1,600 feet of the project site.*

HAZ-9.4 Acoustical Analysis Required: *The County shall require an acoustical analysis by a qualified acoustical engineer for discretionary development involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors and shall recommend noise control measures for mitigating adverse impacts.*

HAZ-9.5 Site and Building Design: *The County shall require discretionary development and County-initiated projects to comply with adopted noise standards through proper site and building design features, such as building location and orientation, setbacks, natural*

barriers and vegetation, and building construction. The County shall only consider sound walls if noise mitigation measures have been evaluated or integrated into the project and found infeasible.

HAZ-9.8 Implement Noise Control Measures for Traffic Noise: *The County shall require noise control measures to be implemented along roadways for new discretionary development generating traffic noise if either of the following circumstances would exist:*

- *The discretionary development would result in traffic noise levels above a County noise compatibility standard stated in Policy HAZ 9.2 in an area where traffic noise levels, under existing conditions, do not exceed the County noise compatibility standard; or,*
- *The discretionary development would result in an increase in traffic noise levels of 3 dBA or greater in an area where traffic noise levels under existing conditions exceed a County noise compatibility standard stated in Policy HAZ 9.2.*

Noise control measures may include increased vegetation, roadway pavement improvements and maintenance, and site and building design features. If such measures are not sufficient to reduce a new discretionary development's fair-share of traffic-generated noise at sensitive receptors, a sound wall barrier may be constructed. All feasible¹ noise reduction measures shall be implemented to ensure the development's fair-share of traffic-generated noise is reduced, consistent with Policy HAZ 9.2.

Staff Analysis: Based on information provided by the applicant's representative, the proposed project would generate a maximum total of approximately 197 average daily vehicle trips. The 197 trips would be distributed along Gonzales Road and Victoria Avenue.

Within 1,600 feet of the project site, existing noise sensitive receptors (i.e., dwellings) are located near Gonzales Road and Victoria Avenue. The dwellings closest to Gonzales and Victoria are located within the modeled existing 60 CNEL [dB(A)] traffic noise contour (Table 11-8, Background Report for the Ventura County General Plan Update, September 2020). The existing 60 CNEL [dB(A)] traffic noise level of the Gonzales Road and Victoria Avenue road areas exceed the noise standard of 55dB(A) (Leq 1 hour) stated in Policy HAZ 9.2.

According to information from the US Department of Transportation—Federal Highway Administration, a doubling of the number of vehicles increases the hourly equivalent sound level (Leq) by approximately 3 decibels (dB), which is usually the smallest change that people can detect without specifically listening for the change (Techniques for Reviewing Noise Analyses and Associated Noise Reports, June 1, 2018). The 197 average daily vehicle trips generated by the proposed project would not double the number of existing daily trips on Gonzales Road (which has approximately 4,000 vehicle trips per day) or Victoria Avenue (which has approximately 45,000 vehicle trips per day) within 1,600 feet of the project site. Because the proposed project would not double the

total number of vehicles on the Gonzales and Victoria road segments within 1,600 feet of the project site, the sound generated by the additional vehicles would be less than 3 dB. Therefore, no new noise control measures are required.

The proposed farmworker dwelling unit (a new noise sensitive use) within the boundary of the modified CUP would be located within the Community Noise Equivalent Level (CNEL) 60 dB(A) noise contour (associated with Gonzales Road and Victoria Avenue) and within the site of an existing commercial agricultural operation which generates noise (e.g., truck deliveries, vehicles with back up warning beepers, operation of farm equipment, voices of employees, etc.). The applicant would be required to provide documentation (e.g., acoustical analysis, letter, report, specifications, modeling, etc., that is consistent with General Plan noise policy HAZ-9.4) from a qualified acoustical engineer to the Planning Division for review and approval which evaluates the indoor and outdoor noise levels of the proposed on-site farmworker dwelling unit. If outdoor or indoor noise levels at or in the proposed farmworker dwelling unit would exceed the noise standards of General Plan noise policy HAZ-9.2-1., the applicant would design and/or site the proposed farmworker unit so that outdoor and indoor noise levels do not exceed County noise standards.

The proposed development would involve new construction of agricultural related structures. During the construction phase of the project, some noise is expected to be generated which could affect existing off-site noise sensitive uses (the closest existing off-site sensitive uses are residential units located approximately 200 feet from the eastern property line). However, the construction phase would be temporary. Also, by restricting construction noise-generating activities to the days and times during which residential uses are not "noise-sensitive," noise impacts would be less than significant. To ensure this, the applicant would be required to limit noise-generating construction and ground disturbance activities to the daytime (i.e., 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 7:00 p.m., Saturday, Sunday, and local holidays), which is the time during which residential uses typically are not noise sensitive (County of Ventura Construction Noise Threshold Criteria and Control Plan, July 2010, page 5, Figure 3).

Based on the above discussion, the proposed project is consistent with these policies.

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

WR-3.2 Water Use Efficiency for Discretionary Development: *The County shall require the use of water conservation techniques for discretionary development, as*

appropriate. Such techniques include low-flow plumbing fixtures in new construction that meet or exceed the California Plumbing Code, use of graywater or reclaimed water for landscaping, retention of stormwater runoff for direct use and/or groundwater recharge, and landscape water efficiency standards that meet or exceed the standards in the California Model Water Efficiency Landscape Ordinance.

Staff Analysis: Surface water is not proposed to be used for this project. The project site overlies the Santa Clara River Valley – Oxnard Subbasin, designated as high-priority and critically over drafted and within the boundaries of the Fox Canyon Groundwater Management Agency (FCGMA). Potable water is supplied to the site by the SCR Water System, a Non-Transient, Non-Community water system. The applicant reported that water is provided for the project by an active on-site well (State well number 02N22W30Q01S). Three other active wells are located within SCR’s service area and are used solely for agricultural purposes. According to the Ventura County Watershed Protection – Water Resources Division, the proposed project would require an additional groundwater quantity of seven acre-feet per year (AFY). On February 11, 2022, the FCGMA approved a groundwater extraction allocation transfer to the SCR Water System which meets the anticipated additional demand of seven AFY. The County also requires a fully-accepted Water Availability Letter from Ventura County Public Works and executed Will Serve Letters from SCR. The applicant would be required to provide the fully-accepted Water Availability Letter and Will Serve Letters to the Water Resources Division prior to inaugurating the use of the project. Therefore, the Water Resources Division has determined that the proposed project would not decrease, either individually or cumulatively, the net quantity of groundwater supply in the Santa Clara River Valley – Oxnard Subbasin.

The applicant would be required to provide an updated landscaping and screening plan to the Planning Division which includes an irrigation system that complies with the water efficiency requirements of the California Department of Water Resources Model Water Efficient Landscape Ordinance. All proposed development must comply with current Ventura County Building Code water conservation and efficiency standards (e.g., low-flow plumbing fixtures in new construction).

Based on the above discussion, the proposed project is consistent with these policies.

WR-1.12 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.*

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 contaminants into surface runoff, drainage systems, surface water bodies, and groundwater. In addition, the County shall evaluate the potential for discretionary development to limit or otherwise impair later reuse or reclamation of wastewater or stormwater. 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.*

PFS-4.2 Onsite Wastewater Treatment Systems: *The County may allow the use of onsite wastewater treatment systems that meet the state Water Resources Control Board Onsite Wastewater Treatment System Policy, Ventura County Sewer Policy, Ventura County Building Code, and other applicable County standards and requirements.*

HAZ-4.5 Soil Erosion and Pollution Prevention: *The County shall require discretionary development be designed to prevent soil erosion and downstream sedimentation and pollution.*

Staff Analysis: The subject property includes existing onsite wastewater treatment systems (OWTSs) for domestic wastewater disposal. The existing OWTSs consist of septic tanks with leach lines. Ventura County Environmental Health Division (EHD) reviewed the septic tank pumping reports and determined that the OWTSs were in proper working order. When new plumbing fixtures or bedroom equivalents are to be added by the applicant, a full review and certification by EHD would be required. EHD stated that conformance with the Ventura County Building Code, State OWTS policy, and EHD guidelines, as well as proper routine maintenance of OWTSs, would reduce any potential impacts to a level considered less than significant.

The Water Resources Division reviewed the proposed project for potential impacts to groundwater quality. The site plan notes state that no petroleum products are to be stored and no vehicle or motorized equipment repairs, maintenance or refueling are to occur on the CUP site. Water Resources Division considered the project's effect on groundwater quality to be less than significant.

Ventura County Watershed Protection – County Stormwater Program analyzed and conditioned the project for its potential effects on surface water quality. During construction activities, implementation of an effective combination of erosion and sediment loss control Best Management Practices (BMPs) would be required. After construction, the applicant would be required to design and maintain post-construction stormwater BMPs to treat the project's new impervious surface runoff to ensure the water quality of downstream surface waters is not degraded. In addition, on-going agricultural activities are subject to compliance with the Conditional Waiver of Waste Discharge Requirements for Discharges from Irrigated Agriculture Lands within the Los Angeles

Region (Order No. R 2010 0186). Therefore, the proposed project would not have a significant impact on surface water quality.

Based on the above discussion, the proposed project is consistent with these policies.

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-5.6 Hazardous Materials – County Regulatory Oversight: *The County shall continue to provide regulatory oversight for all facilities or activities that store, use, or handle hazardous materials.*

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: According to the site plan provided by the applicant, no hazardous materials or wastes are to be utilized or stored on site including fertilizers, insecticides, and chemicals unless approved by EHD and the Water Resources Division. Also, the site plans indicate that no petroleum products are to be stored on site, and that no vehicle or motorized equipment repairs, maintenance, or refueling would occur on site.

EHD stated that if hazardous materials such as pesticides, fertilizers or other such chemicals are stored in amounts at or above reporting thresholds (55 gallons liquid, 500 pounds solid, 200 cubic feet gas), EHD requires the applicant to submit a Hazardous Materials Business Plan to the California Environmental Reporting System annually, and a permit may be required from EHD/Certified Unified Program Agency (Ventura CUPA). The proposed project would not generate hazardous wastes which require a Ventura CUPA permit. Compliance with applicable state and local regulations would reduce potential project-specific and cumulative impacts to a level considered less than significant.

The project site is not located within a designated disadvantaged community.

Based on the above discussion, the proposed project is consistent with these policies.

HAZ-10.15 Health Risk Assessments for Sensitive Land Uses Near Heavily Traveled Transportation Corridors: *The County shall require discretionary development for land uses that include sensitive receptors be located at least 1,000 feet from any road with traffic volumes that exceed 50,000 vehicles per day. New sensitive receptor structures can be located within 1,000 feet from a new or existing road with traffic volumes that exceed 50,000 vehicles per day only if a project applicant first prepares a qualified, site-specific health risk assessment (HRA). The HRA shall be conducted in accordance with guidance from VCAPCD and approved by VCAPCD. If the HRA determines that a nearby sensitive receptor would be exposed to an incremental increase in cancer risk greater than 10 in 1 million, then design measures shall be incorporated to reduce the level of risk exposure to less than 10 in 1 million. No further action shall be required if an HRA demonstrates that the level of cancer risk would be less than 10 in 1 million...*

Staff Analysis: The proposed farmworker dwelling unit approved under CUP 5042 would be located approximately 100 feet from Gonzales Road and approximately 700 feet from Victoria Avenue. Based on information obtained by Planning staff, traffic volumes on Gonzales Road and Victoria Avenue do not exceed 50,000 vehicles per day.

Based on the above discussion, the proposed project is consistent with this policy.

HAZ-4.3 Structural Design: *The County shall require that all structures designed for human occupancy incorporate engineering measures to reduce the risk of and mitigate against collapse from ground shaking.*

HAZ-4.8 Seismic Hazards: *The County shall not allow development of habitable structures or hazardous materials storage facilities within areas prone to the effects of strong ground shaking, such as liquefaction, landslides, or other ground failures, unless a geotechnical engineering investigation is performed and appropriate and sufficient safeguards, based on this investigation, are incorporated into the project design.*

Staff Analysis: According to the RMA GIS Viewer, the project site is not located within an Earthquake Fault Hazard Zone. According to Ventura County Public Works Agency – Land Development Services Division, the subject property would be subject to moderate to strong ground shaking from seismic events on local and regional fault systems. The current Building Code requires structures to be designed to withstand ground shaking. Compliance with the requirements of the Building Code would reduce the effects of ground shaking to a level considered to be less than significant.

According to the RMA GIS Viewer and Land Development Services, the project site is located within a potential liquefaction zone. A site specific study was conducted by Padre and Associates in 1998 which is contained in an updated report by Earth Systems (dated December 13, 2011). The Padre report indicates a potential for liquefaction exists within the lot. The report further concludes that the potential for liquefaction is limited to the very near surface soils and should liquefaction occur, surface disruption would be minimal

(Padre, page 10). In addition, the current Building Code requires structures to be designed and engineered to withstand seismic events. Land Development Services considers potential impacts from liquefaction hazard to be less than significant.

Based on the above discussion, the proposed project is consistent with these policies.

CTM-1.4 Level of Service (LOS) Evaluation: *County General Plan land use designation changes and zone changes shall be evaluated for their individual (i.e., project-specific) and cumulative effects, and discretionary developments shall be evaluated for their individual effects, on Level of Service (LOS) on existing and future roads, to determine whether the project:*

- a. Would cause existing roads within the Regional Road Network or County-maintained roadways that are currently functioning at an acceptable LOS to function below an acceptable LOS;*
- b. Would add traffic to existing roads within the Regional Road Network or County-maintained roadways that are currently functioning below an acceptable LOS; and*
- c. Could cause future roads planned for addition to the Regional Road Network or County maintained roadways to function below an acceptable LOS.*
- d. The Level of Service (LOS) evaluation shall be conducted based on methods established by the County.*

CTM-1.7 Pro Rata Share of Improvements: *The County shall require discretionary development that would generate additional traffic pays its pro rata share of the cost of added vehicle trips and the costs of necessary improvements to the Regional Road Network pursuant to the County's Traffic Impact Mitigation Fee Ordinance.*

CTM-2.3 County Road Access: *The County shall require discretionary development with access onto a County road to have the access point(s) designed and built to County standards.*

CTM-2.27 Discretionary Development and Conditions of Approval to Minimize Traffic Impacts: *The County shall require that discretionary development be subject to permit conditions of approval, where feasible, to minimize traffic impacts by incorporating pedestrian and bicycle pathways, bicycle racks and lockers, ridesharing programs, transit improvements (bus turnouts, shelters, benches), and/or transit subsidies for employees or residents of the proposed development.*

CTM-3.10 Bike Storage Facilities: *The County shall require adequate bicycle storage facilities (e.g., bicycle racks, lockers) for discretionary development as determined by allowable land uses at a given site.*

Staff Analysis. The project site has direct access to Gonzales Road which is a County-maintained road. The Ventura County Public Works Agency – Roads & Transportation Department would require the applicant to improve the existing access driveway in

compliance with County Road Standards (Exhibit 7). Both Gonzales Road and nearby Victoria Avenue are part of the Regional Road Network.

The Roads & Transportation Department reviewed and analyzed vehicle trip information related to the proposed project. The number of trips generated by the proposed project would not exceed the number of trips (average daily trip and peak hour trips) analyzed and permitted under CUP 5042. Also, no Traffic Impact Mitigation Fee (TIMF) is required for the proposed project as the TIMF was paid previously to address total trip generation under CUP 5042. In addition, the Transportation Department did not identify any adverse impacts from the proposed project to the level of service of existing or future roads.

According to the Ventura County 2040 General Plan (Figure 4.7), Victoria Avenue includes an existing Class I bikeway and Gonzales Road includes an existing Class II bikeway. In compliance with Article 8 of the NCZO, the applicant would provide two long-term bicycle parking facilities which would be covered and secured. Gold Coast Transit provides bus transit stops with benches (uncovered) at the intersection of Victoria Avenue and Gonzales Road and another bus transit stop with a bench (covered) at the intersection of Victoria Avenue and Gum Tree Street (approximately 1,800 sq. ft. from the intersection of Victoria Avenue and Gonzales Road).

Based on the above discussion, the proposed project is consistent with these policies.

CTM-5.5 Airport Land Use Compatibility: *Discretionary development that would endanger the efficient, safe operation of an airport or would result in significant land use incompatibility impact with an airport shall be prohibited.*

HAZ-6.3 Airspace Protection: *The County shall use the current Ventura County Airport Comprehensive Land Use Plan (ACLUP) and Federal Aviation Administration (FAA) airport design standards and Part 77 surfaces to keep the airspace surrounding each airport or airfield free of objects affecting navigable airspace where required by the FAA or shall limit the height of objects as required by the FAA. The County shall also ensure obstruction clearance is provided for all enroute and terminal (airport) instrument procedures as per the United States Standard for Terminal Instrument Procedures (TERPS) to avert modifications to any planned or published instrument approach or instrument departure procedures at the affected airport or airfield.*

Staff Analysis: While the project site is not located within an Airport Safety Zone, the site is located within Oxnard Airport's Sphere of Influence. New construction or alterations would be required to comply with Federal Aviation Administration height regulations. Also, the applicant would be required to record an Avigation Easement with the property deed. The Avigation Easement grants aircraft the right to operate above the subject property and prohibits the use of the property in such manner as to create electrical or electronic interference with radio or other communication or radar operation between Oxnard Airport and aircraft.

Based on the above discussion, the proposed project is consistent with these policies.

PFS-6.1 Flood Control and Drainage Facilities Required for Discretionary Development: *The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund improvements to existing flood control facilities necessitated by or required by the development.*

HAZ-2.6 Recordation of a Notice of Dam Inundation Hazard: *The County shall require the recordation of a Notice of Dam Inundation Hazard with the County Recorder for new discretionary entitlements (including subdivisions and land use permits) within areas subject to flooding from a dam breach as identified by the California Department of Water Resources Dam Inundation Maps. Evidence of a federally held flowage easement can be used as well. (RDR)*

Staff Analysis: According to the RMA GIS Viewer and Ventura County Public Works – Watershed Protection Planning and Permits, the subject property is located outside the 100 year (one percent annual chance) floodplain. The applicant would be required to submit a Floodplain Clearance to the Ventura County Public Works Floodplain Manager which verifies that specified development is located outside the mapped boundaries of the 100 year floodplain.

Existing detention basins are located within the northern area of the property. No direct drainage connections to jurisdictional red line channels are proposed. Land Development Services would require the applicant to submit a drainage plan and hydrologic and hydraulic calculations for review and approval for the proposed development. The drainage plan and calculations must demonstrate that drainage would be adequately managed including the requirement that runoff rate would be released at no greater than the existing flow rate to prevent an adverse impact downstream. The proposed project would be designed and constructed according to current County Building Code and local and state standards. Land Development Services and Watershed Protection Planning and Permits determined flood hazards and impacts to flood control facilities to be less than significant.

The project site is located within an area subject to flooding from a dam breach as identified by the California Department of Water Resources Dam Inundation Maps. The Planning Division would impose a condition requiring the applicant to record a Notice of Dam Inundation Hazard with the County Recorder to inform existing and future owners of the subject property that the site is subject to flooding from a dam breach.

Based on the above discussion, the proposed project is consistent with these policies.

HAZ-10.2 Air Quality Management Plan Consistency: *The County shall prohibit discretionary development that is inconsistent with the most recent adopted Air Quality Management Plan (AQMP), unless the Board of Supervisors adopts a statement of overriding considerations.*

HAZ-10.14 Fugitive Dust Best Management Practices: *The County shall ensure that discretionary development which will generate fugitive dust emissions during construction activities will, to the extent feasible, incorporate appropriate BMPs to reduce emissions to be less than applicable thresholds.*

Staff Analysis: The Ventura County Air Pollution Control District (APCD) analyzed the project's potential impacts on air quality. Regional air quality impacts from the project would be less than significant and below the 25 pounds per day (lbs./day) significance threshold for reactive organic compounds (ROC) and oxides of nitrogen (NOx) for the Oxnard Non-Growth Area. The proposed project must also address consistency with the Air Quality Management Plan (AQMP) if estimated operational emissions exceed 2 lbs./day or greater for ROC or NOx, as described in the Ventura County Air Quality Assessment Guidelines. The proposed project's operational emissions do not exceed 2 lbs./day for either ROC or NOx. Therefore, the project would not conflict or obstruct with implementation of the most recent adopted AQMP and would have a less than significant impact.

Local air quality impact analysis includes a qualitative analysis for project-generated dust, odors, and other emissions. During operations, growing of plants would be conducted largely inside greenhouses or plant shelters which would reduce fugitive dust creation. To ensure compliance with APCD rules, a standard condition would be imposed for the reduction of fugitive dust generated during construction. Also, the project is not expected to generate odorous emissions in such quantities as to be a nuisance to nearby land uses as defined by APCD rules and the California Health and Safety Code. Based on information provided by the applicant, the APCD determined that the project would generate less than significant local air quality impacts.

The APCD utilized an air emissions modeling program (CalEEMod Version 2020.4.0) to estimate the project's metric tons carbon dioxide equivalent per year (MT CO₂e/Yr). Based on project information provided by the applicant, the model estimated 0.26 MT CO₂e/Yr (operational plus construction amortized over 20 years) which is below the 3,000 MT CO₂e/Yr threshold utilized by the APCD for this project. Therefore, greenhouse gas emission impacts would be less than significant.

Based on the above discussion, the proposed project is consistent with these policies.

**CONDITIONS OF APPROVAL AND MITIGATION MONITORING
AND REPORTING PROGRAM FOR
MODIFIED CONDITIONAL USE PERMIT (CUP) CASE NO. PL14-0049**

RESOURCE MANAGEMENT AGENCY (RMA)

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, Exhibit 4 (site plans) of the Planning Director hearing on December 1, 2022, 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:

This modified CUP is granted for the construction and operation of proposed greenhouse structures exceeding 100,000 sq. ft. for a 20 year term. CUP 5042 (which was the original CUP) has been divided into two separate modified CUPs resulting in this modified CUP (Case No. PL14-0049), of which Santa Clara Resources is the Permittee, and another modified CUP (Case No. LU11-0148), held by another Permittee.

This modified CUP also authorizes the construction and operation of other proposed agricultural related structures and authorizes the use of existing accessory structures identified in the table below. This modified CUP authorizes a maximum of 99 employees at full project buildout. Two lunch rooms will also be provided to address the Transportation Demand and Trip Reduction Measures of NCZO Section 8109-0.7.

Any time that night lighting is used within any of the proposed greenhouse/plant shelter structures, blackout curtains must be deployed. Said curtains shall render the interior lights undetectable from outside the structure. Also, all exterior lighting and light fixtures shall comply with the current requirements and standards of the NCZO.

The proposed farmworker dwelling is limited to 8 or fewer permanent residents. An increase to 9 or more permanent residents may require the applicant to apply for a Community Water System permit from the State of California Water Resources Control Board, Division of Drinking Water (DDW).

The following days and hours of operation are authorized:

**County of Ventura
Planning Director Hearing
Case No. PL14-0049
Exhibit 7 - Conditions of Approval &
Mitigation Monitoring and Reporting Program**

- Growing and harvesting: Seven days per week, 24 hours per day. Between the hours of 9:00 p.m. and 7:00 a.m. outdoor activity in any of the designated open yard areas shall be limited to emergency use only. There shall be no outdoor playing of radios, stereos and similar electronic equipment.
- Storage and processing: Seven days per week. Normal operations will occur from 7:00 a.m. to 9:00 p.m., extended operations may occur from 9:00 p.m. to 7:00 a.m. All truck loading and unloading between the hours of 9:00 p.m. and 7:00 a.m. shall be done with hand-operated pallet jacks only (no fork lifts) to minimize noise.
- Shipping (truck arrival & departure times): Seven days per week. Normal operations will occur from 7:00 a.m. to 9:00 p.m., extended operations would occur from 9:00 p.m. to 7:00 a.m. A total of six heavy-duty (18-wheel semi) trucks shall be allowed to enter or exit the premises between the hours of 9:00 p.m. and 7:00 a.m. If truck refrigeration units are to be used, the trucks shall be parked in an area away from Victoria Avenue/Gonzales Road rights-of-way.

Grading for the proposed development is limited to less than 50 cubic yards. Digging, excavation, and/or trenching are allowed for development of the proposed structures and accessory infrastructure.

Wastewater is and will continue to be collected, treated, and disposed of by existing on-site wastewater treatment systems (septic).

Potable water is supplied to the site by Santa Clara Resources (SCR) Water System, a Non-Transient, Non-Community water system, regulated and permitted by the DDW. The SCR Water System also provides water for fire protection. The applicant reported that water is provided for the project by an active agricultural well with State Well Number (SWN) 02N22W30Q01S. Three other active wells (SWNs 02N22W30P03S, 02N22W30Q02S and 02N22W31B01S) are located within SCR's service area and are used solely for agricultural purposes.

Access to the project site is provided by Gonzales Road.

TABLE 1 – Project Components

Table 1 Project Component	Quantity	Total Area
(P) Plant shelter A/greenhouse structures (originally authorized by CUP 5042)	1	917,744 sf
(P) Packing/office structure (originally authorized by CUP 5042)	1	43,200 sf
(P) Storage (refrigerated) and boiler structure (originally authorized by CUP 5042)	1	18,240 sf
(P) Maintenance structure (originally authorized by CUP 5042)	1	24,000 sf
(P) Farmworker dwelling unit (manufactured/mobile home) (originally authorized by CUP 5042)	1	1,782 sf
(P) Open shade frames (originally authorized by CUP 5042)	2	139,992 sf (71,592 sf and 68,400 sf)

(P) Employee bathroom (to be removed in later phases of project)	1	60 sf
(E) Water tanks (domestic tank 120,000 gallons, fire protection tank 330,000 gallon) (originally authorized by CUP 5042)	2	NA
(E) Booster pump station structure	1	625 sf
(E) Detention basins (originally authorized by CUP 5042)	2	114,980 sf

E = Existing
P = Proposed (not yet installed/constructed)
NA = Not applicable
sf = square feet

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

2. Required Improvements for CUP

Purpose: To ensure the project site conforms to the plans approved at the Planning Director hearing in support of the project.

Requirement: The Permittee shall ensure that all required improvements for the Project, including structures, parking, and landscaping, are completed in conformance with the approved plans stamped as hearing Exhibit 4. 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., landscape plans) for inclusion in the Project file, as necessary.

Timing: Prior to the issuance of a Zoning Clearance for construction the Permittee shall submit all final development plans to the Planning Division for review and approval. Unless the Planning Director and/or Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to occupancy or final inspection (depending on the project structure being constructed at that time). The Permittee shall maintain the required improvements for the life of the Project.

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

3. Site Maintenance

Purpose: To ensure that the Project site is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the Project site.

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

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. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to any grading, the Permittee shall obtain a Grading Permit from the Public Works Agency if the Public Works Agency determines a Grading Permit is required.

6. 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.

7. 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/date on which the Planning Director rendered the decision on the Project, 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. As the Permittee will construct project components identified in Condition No. 1 at different times, Zoning Clearances for construction will be required prior to construction of the project components and in compliance with the requirements of the conditions of this modified CUP.
- (2) This modified 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 modified CUP. 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(s) for construction or 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 construction or use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

- (4) This CUP shall expire and become null and void if the Permittee fails to obtain the Zoning Clearance(s) for Use Inauguration for applicable project components prior to final sign off from Ventura County Resource Management Agency - Building and Safety Division.
- b. Permit Life or Operations Period: This CUP will expire on **EXPIRATION 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 Ordinance prior to **EXPIRATION 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.

8. 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 and Mitigation and Monitoring Reporting Program.

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.

9. 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 provide a copy of a letter that notifies all relevant parties of the applicability of the CUP to the subject operation and facility. This letter shall also specify the location of the copy of the CUP conditions to be retained onsite.

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 NCZO §8114-3.

10. Recorded Notice of Land Use Entitlement

Purpose: The Permittee shall record a "Notice of Land Use Entitlement" form and the conditions of this CUP 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.

11. Financial Responsibility for Compliance Monitoring and Enforcement

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Coastal Zoning Ordinance (§ 8183-5) related to this CUP. 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 11.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.

12. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings

against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. 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.

13. 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

14. Consultant Review of Information and Consultant Work

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

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

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

15. Relationship of CUP 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.

16. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

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 Zoning Clearance, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

17. Change of Permittee

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

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

18. Sign Plan

Purpose: To ensure signage on the property complies with Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance.

Requirement: The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for use inauguration. The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval. The Permittee also shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to ensure that the signage for the Project continues to comply with the approved sign plan.

Documentation: A stamped copy of the approved sign plan.

Timing: The Permittee shall submit the sign plan to the Planning Division for review and approval prior to the issuance of the Use Inauguration Zoning Clearance.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved sign plan in the Project file. 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.

19. Availability of Parking Spaces

Purpose: To ensure compliance with NCZO § 8108-3.

Requirement: The Permittee shall ensure that the required motor vehicle parking spaces (including accessible spaces) remain continuously available for their intended parking use and are not used for merchandise display, storage, vehicle repair, or any other unauthorized use. The Permittee shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes, but is not limited to, the number of parking spaces, curbs, directional markings, accessible parking symbols, overflow parking, bus parking, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and/or trash and recyclables enclosures.

Documentation: A stamped copy of the approved site plan.

Timing: The Permittee shall mark and/or install all components of the required parking areas as indicated on the approved site plan prior to issuance of the Construction Zoning Clearance for new structures and shall maintain the required parking area as illustrated on the approved site plan for the life of the Project.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the Project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to occupancy. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of NCZO § 8114-3

20. Paleontological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:

- a. Cease operations and assure the preservation of the area in which the discovery was made;
- b. Notify the Planning Director in writing, within three days of the discovery;
- c. Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide a report that assesses the resources and sets forth recommendations on the proper disposition of the site;
- d. Obtain the Planning Director's written concurrence with the recommended disposition of the site before resuming development; and
- e. Implement the agreed upon recommendations.

Documentation: The Permittee shall submit the paleontologist's or geologist's reports. Additional documentation may be required to demonstrate that the Permittee has implemented the recommendations set forth in the paleontological report.

Timing: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the paleontological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the paleontological report to the Planning Division to be made part of the Project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director. The paleontologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the paleontological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the paleontological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

21. Archaeological Resources Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:

- (1) Cease operations and assure the preservation of the area in which the discovery was made;
- (2) Notify the Planning Director in writing, within three days of the discovery;
- (3) Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development; and
- (5) Implement the agreed upon recommendations.

b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:

- (1) Cease operations and assure the preservation of the area in which the discovery was made;
- (2) Immediately notify the County Coroner and the Planning Director;
- (3) Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and provide recommendations on the proper disposition of the site in a written report format;
- (4) Obtain the Planning Director's written concurrence of the recommended disposition of the site before resuming development on-site; and
- (5) Implement the agreed upon recommendations.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologist's report.

Timing: If any archaeological remains are uncovered during ground disturbance or construction activities, the Permittee shall provide the written notification to the Planning Director within three days of the discovery. The Permittee shall submit the archaeological report to the Planning Division immediately upon completion of the report.

Monitoring and Reporting: The Permittee shall provide the archaeological report to the Planning Division to be made part of the Project file. The Permittee shall implement

any recommendations made in the archaeological report to the satisfaction of the Planning Director. The archaeologist shall monitor all ground disturbance activities within the area in which the discovery was made, in order to ensure the successful implementation of the recommendations made in the archaeological report. The Planning Division has the authority to conduct site inspections to ensure that the Permittee implements the recommendations set forth in the archaeological report, consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

22. Construction Noise

Purpose: In order for this project to comply with the *Ventura County 2040 General Plan Noise Policy HAZ-9.2-5. – Noise Compatibility Standards* and the *Ventura County of Ventura Construction Noise Threshold Criteria and Control Plan (Amended 2010)*.

Requirement: The Permittee shall limit construction activity for site preparation and development to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday, and from 9:00 a.m. to 7:00 p.m. Saturday, Sunday, and State holidays. Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Documentation: The Permittee shall post a sign stating these restrictions in a conspicuous location on the Project site, in order so that the sign is visible to the general public. The Permittee shall provide photo documentation showing posting of the required signage to the Planning Division, prior to the commencement of grading and construction activities. The sign must provide a telephone number of the site foreman, or other person who controls activities on the jobsite, for use for complaints from the public. The Permittee shall maintain a “Complaint Log,” noting the date, time, complainant’s name, complaint, and any corrective action taken, in the event that the Permittee receives noise complaints. The Permittee must submit the “Complaint Log” to the Planning Division upon the Planning Director’s request.

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

Monitoring and Reporting: The Planning Division reviews, and maintains in the Project file, the photo documentation of the sign and the “Complaint Log.” The Planning Division has the authority to conduct site inspections and take enforcement actions to ensure that the Permittee conducts grading and construction activities in compliance with this condition, consistent with the requirements of NCZO § 8114-3.

23. Farmworker Dwelling Units and Compliance with Housing & Community Development Requirements

Purpose: Based on information provided to the Planning Division and reviewed by the California State Housing and Community Development (HCD), the proposed farmworker dwelling unit are manufactured homes. As such, manufactured farmworker dwellings are subject to HCD reviews, inspections, and approvals for building and construction of the dwellings. As the Local Enforcement Agency, the Ventura County Planning Division has the authority to approve the CUP for the proposed farmworker dwellings.

Requirement: The HCD Department considers the proposed manufactured farmworker dwelling units to be employee housing which is regulated by the HCD. The Permittee shall submit a completed application for constructing the proposed farmworker dwelling to the HCD for review and approval. The Permittee shall comply with all applicable HCD requirements and standards.

During and after construction, the farmworker dwelling shall be subject to HCD standards, codes, and regulations.

Documentation: The Permittee shall submit a completed application to HCD for review and approval prior to constructing the proposed manufactured farmworker dwelling unit. The Permittee should contact HCD at 916-263-3271 to obtain an application and comply with all documentation requirements.

Timing: Prior to issuance of the Zoning Clearance for construction of the proposed manufactured farmworker dwelling unit, the Permittee shall provide proof to Planning staff that HCD staff have received the Permittee's application for the dwelling and provide the name of the HCD staff person with whom Planning staff will coordinate during the development phase of the project. In addition, Planning staff must receive HCD staff's consent for commencement of construction prior to issuance of construction Zoning Clearance for the farmworker dwelling units. The Permittee shall ensure compliance with HCD requirements for the life of the permit.

Monitoring and Reporting: During the construction phase and once the farmworker dwelling unit is built and occupied, the farmworker dwelling is subject to HCD regulations which may include inspections, compliance monitoring, enforcement actions, etc., as allowed by law.

24. Farmworker Dwelling Unit and Noise

Purpose: The proposed farmworker dwelling unit within the boundary of the modified CUP will be located within the Community Noise Equivalent Level (CNEL) 60 dB(A) noise contour (from Gonzales Road and Victoria Avenue) and within an existing commercial agricultural operation which generates noise (e.g., truck deliveries, vehicles with back up warning beepers, operation of farm equipment, voices of employees, etc.). This condition is imposed to ensure indoor noise levels within the proposed farmworker dwelling unit and outdoor noise levels at the proposed farmworker unit does not exceed the noise standards of Ventura County (VC) 2040 General Plan Noise Policy HAZ-9.2-1. and adversely impact the farmworker residents.

Requirement: In accordance with General Plan noise policy HAZ-9.5, the proposed farmworker dwelling unit shall be designed and sited to comply with the County's noise standards:

- a. Indoor noise levels in habitable rooms do not exceed CNEL 45 (General Plan noise policy HAZ-9.2-1); and,
- b. Outdoor noise levels at the farmworker unit does not exceed CNEL 60 or Leq 1H of 65 dB(A) during any hour (General Plan noise policy HAZ-9.2-1).

The Permittee will utilize necessary measures for the proposed farmworker dwelling unit such as location and orientation, setbacks, natural barriers and vegetation, and/or building construction to ensure indoor and outdoor noise levels comply with the standards of General Plan noise policy HAZ-9.2-1. The Planning Division will consider sound walls only if the above sound reduction measures have been evaluated or integrated into the project and found infeasible. Also, the noise reduction measures must be consistent with the plans and conditions of this modified CUP. In addition, the building design, siting, and/or noise reduction measures shall be evaluated by a qualified acoustical engineer to ensure compliance with the above County noise standards.

If the County's noise standards should change prior to installation of the proposed farmworker unit, the permittee will be required to meet the noise standards in effect at the time of installation.

Documentation: The Permittee shall provide documentation (e.g., acoustical analysis, letter, report, specifications, modeling, etc., that is consistent with General Plan Noise Policy HAZ-9.4 – Acoustical Analysis Required) from a qualified acoustical engineer to the Planning Division for review and approval which evaluates the indoor and outdoor noise levels of the new onsite farmworker dwelling unit. The documentation must include the qualifications of the acoustical engineer. Any documentation must state that noise reduction measures, if necessary, will result in indoor and outdoor noise levels that do not exceed the current noise standards of VC 2040 General Plan Noise Policy HAZ-9.2-1. If the County's noise standards should change prior to installation of the unit, the permittee will be required to meet the noise standards in effect at the time of installation.

Timing: Prior to issuance of the Zoning Clearance for construction of the proposed farmworker dwelling unit, the Permittee shall submit the required documentation (described in the Documentation section above) to the Planning Division staff for review and approval.

Monitoring and Reporting: The Permittee shall maintain noise reduction measures (if required) for the farmworker unit in accordance with the indoor noise standards of VC 2040 General Plan Noise Policy HAZ-9.2-1. (or with the noise standards in effect at that time unit is installed) throughout the life of the CUP. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to NCZO § 8114-3.

25. Annual Verification for Residents in the Farmworker Dwelling Unit

Purpose: In order to comply with NCZO § 8107-26.3 through § 8107-26.5.

Requirement: The Permittee shall submit an annual Employment Verification Declaration for the constructed farmworker dwelling unit, in the form made available by the Planning Director, in order to demonstrate that the farmworkers residing in the farmworker dwelling unit meet the farmworker employment criteria established in NCZO § 8107-26.3 or by other NCZO farmworker employment criteria currently in effect.

Documentation: The Permittee must submit an annual “Employment Verification Declaration” form for the farmworker dwelling unit in the form made available by the Planning Director. Pursuant to Section 8107-26.4, all County-required verification fees as established by resolution of the Board of Supervisors must also be submitted along with the employment verification documentation.

Timing: The Permittee shall submit the “Employment Verification Declaration” form and supporting documents by May 15th of each year to the Planning Division.

Monitoring and Reporting: The Planning Division maintains the annual declarations provided by the Permittee in the Project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to NCZO § 8114-3.

26. Avigation Easement

Purpose: To comply with the Ventura County Department of Airports’ requirement to grant and convey to the County of Ventura an easement and right of way for the benefit of Oxnard Airport for the unobstructed use and passage of aircraft in and through the airspace above property owner’s property.

Requirement: The property owners shall grant and convey unto the County of Ventura, California, an easement and right of way, appurtenant to and for the benefit of Oxnard Airport for the unobstructed use and passage of all types of aircraft, in and through the airspace above property owner’s property. The granting of the easement and right of way shall be executed in the form of Ventura County Department of Airports’ Grant of Avigation Easement and Covenants Running with the Land document (Avigation Easement). The Avigation Easement also prohibits the use of the property in such manner as to create electrical or electronic interference with radio or other communication or radar operation between Oxnard Airport and aircraft. Please refer to the Avigation Easement for a complete explanation of the easement, right of way, and covenants.

The property owners shall complete, sign, and notarize the Avigation Easement pursuant to the Documentation and Timing sections (below).

Documentation: The Planning Division shall provide the Avigation Easement document (Grant of Avigation Easement and Covenants Running with the Land) to the property owner for completion. The property owner shall complete and sign the Avigation

Easement, have his/her signature notarized, attach a legal description of the parcel (as Exhibit A) to the Avigation Easement, and attach a map of the parcel (as Exhibit B) to the Avigation Easement. The signed and notarized Avigation Easement and exhibits shall be delivered by the property owner to Erin Powers, Project Manager, Ventura County Department of Airports, 555 Airport Way, Suite "B", Camarillo, CA 93010. The Ventura County Department of Airports will manage the acceptance signature on the Avigation Easement document, record the document, and return a copy of the recorded document to the property owner.

Timing: The property owner shall provide a copy of the completed signed, notarized, and recorded Avigation Easement document to the Planning Division for review and acceptance prior to issuance of the Use Inauguration Zoning Clearance.

Monitoring and Reporting: The Ventura County Department of Airports and Planning Division staff will maintain copies of the completed and recorded Avigation Easement document. The Ventura County Department of Airports will provide a copy of the recorded document to the property owner.

27. Agricultural Shade or Agricultural Mist Structures

Purpose: To comply with Ventura County NCZO Section 8107-20.2 – Agricultural Shade/Mist Structures.

Requirement: Existing and/or proposed agricultural shade and/or agricultural mist structures shall meet the requirements of the Fire Code, Building Code, and the regulations administered by the Public Works Agency, some of which may be more restrictive than those listed below. The following standards and requirements shall be met:

- a. There shall be no permanent floor materials.
- b. Permanent walkways within a structure shall not exceed 10% of the structure's GFA.
- c. All cover materials shall be of flexible fabric or membrane and not solid rigid materials such as glass, fiberglass, plastic or metal.
- d. The structure's foundations and supporting members shall be designed and constructed so as to be easily removed.
- e. There shall be no heating, cooling, or lighting systems in the structures or utilities to the structures except water or electricity for irrigation timers.
- f. No structure shall exceed 15 feet above grade at its highest point.
- g. The structures shall be set back at least 20 feet from all property lines as determined by the Planning Director.
- h. Each structure shall be separated from an adjoining structure by at least 6 feet.
- i. Documentation, satisfactory to the Planning Director, shall be submitted from the Fire and Building and Safety Departments, and from the Public Works Agency, indicating 1) that the project, as proposed, is capable of meeting the requirements of the respective departments; and 2) whether a specific permit(s) will be required by said department.

Documentation: In addition to the documentation identified in item i. (above), the Permittee shall obtain any necessary Construction or Demolition Zoning Clearances from the Planning Division when such Zoning Clearances are required by the Planning Division and/or other agencies to ensure compliance with Section 8107-20.2. If determined necessary, the Permittee shall obtain the necessary permits or approvals from the Ventura County Resource Management Agency – Building & Safety Division (e.g., building permit, electrical permit, plumbing permit, etc.), the Ventura County Fire Department, and/or the Ventura County Public Works Agency.

Timing: Agricultural shade and/or agricultural mist structures shall be maintained in compliance with the requirements of Section 8107-20.2 (identified above) at all times. If and when any existing agricultural shade and/or agricultural mist structures are identified as non-compliant, the Permittee shall immediately make the structures compliant and obtain the required Zoning Clearance(s) and/or permits (identified above) to make such structures compliant. For any proposed agricultural shade and/or agricultural mist structures, the Permittee shall obtain the required Zoning Clearance(s) and/or permits (identified above) prior to development/construction.

Monitoring and Reporting: Approval, installation verification, monitoring activities, and enforcement activities shall occur according to § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. The Planning Division shall maintain copies of the documentation in the Project file and has the authority to conduct site inspections to ensure that the Permittee maintains all approved structures in accordance with the requirements of this condition and with the requirements of § 8114-3 of the Non-Coastal Zoning Ordinance.

28. Notice of Dam Inundation Hazard

Purpose: To comply with the 2040 Ventura County General Plan Policy HAZ-2.6 to inform existing and future owners of the subject property that the site, in whole or in part, is currently mapped by California Department of Water Resources (DWR) as being within a dam failure inundation area and subject to potential flooding hazard (<https://fmds.water.ca.gov/maps/damim/>).

Requirement: The Subdivider shall, with the assistance of the Ventura County Resource Management Agency (RMA) Planning Division, record a Notice of Dam Inundation Hazard with the County Recorder.

Documentation: A Notice of Dam Inundation Hazard will be prepared by the Planning Division and provided to the Subdivider. The Subdivider shall record the Notice with the County Recorder.

Timing: The Notice of Dam Inundation Hazard shall be recorded with the County Recorder prior to issuance of the Use Inauguration Zoning Clearance.

Monitoring and Reporting: The Notice of Dam Inundation Hazard shall be maintained in the files of the County Recorder and a copy shall be provided to the Planning Division by the Subdivider and maintained in the case file.

29. Visual Resources: Landscaping and Screening Mitigation Measure and Monitoring Program Condition

Purpose: This condition incorporates the environmental mitigation measure to reduce the cumulative and/or project specific visual impacts of the existing and proposed structures on passing motorists traveling on Victoria Avenue (an Eligible County Scenic Highway) and Gonzales Road. This condition was derived from the mitigation measure and environmental analysis discussed in the adopted final Mitigated Negative Declaration prepared for CUP 5042 in 1999.

Requirement: The existing landscape screen trees and plants (at the southern and eastern property lines of APN 138-0-190-510) shall totally screen all existing and proposed structures from Victoria Avenue and Gonzales Road. Total screening of the proposed structures from Victoria Avenue and Gonzales Road shall be the standard of success. The existing landscape screen shall be allowed to grow to sufficient size (height and width) and maintained to totally screen all existing and proposed structures from Victoria Avenue and Gonzales Road.

Irrigation: The existing landscape screen and any replacement landscaping shall utilize minimal amounts of water and use required water efficiently, in accordance with the water efficiency requirements of the Ventura County Landscape Design Criteria and the California Department of Water Resources Model Water Efficient Landscape Ordinance.

Contingency: Any landscape screen trees or plants that fail to provide total screening of the existing and proposed structures from Victoria Avenue and Gonzales Road, as determined by the Planning Director, shall be replaced with non-invasive trees or plants by the Permittee of sufficient height and width to ensure total screening. If an alternative species are proposed, the Landscape Architect, in consultation with the Planning Director, shall determine the appropriate non-invasive tree or plant type and size that have similar growth and screening characteristics to provide total screening of the existing and proposed structures from Victoria Avenue and Gonzales Road.

Documentation: The Permittee shall submit three sets of a new landscape and irrigation plan to the Planning Division for review and approval. A California registered landscape architect (or other qualified individual as approved by the Planning Director) shall prepare the landscape plan, demonstrating compliance with the requirements set forth in this condition and the *Ventura County Landscape Design Criteria* (or equivalent). The landscape architect responsible for the work shall stamp the plan.

The new, updated landscape and irrigation plan shall include the following:

- The location of existing landscape screen trees and plants that provide the existing visual screen from Victoria Avenue and Gonzales Road.

- Photos of existing trees and plants that provide the existing visual screen.
- The type (species) of the existing trees and plants that provide the existing visual screen.
- The maintenance program describing how the existing landscape screen trees and plants will be maintained in a healthy condition and comply with the requirements of this condition.
- Reference to the contingency requirement identified in this condition in the event any landscape screen trees or plants should fail to provide total screening of the existing and proposed structures from Victoria Avenue and Gonzales Road

Timing: The new, updated landscape and irrigation plans shall be submitted to the Planning Division for review and approval prior to issuance of the Use Inauguration Zoning Clearance. The existing landscape screen trees and plants shall be maintained in the present location (see Requirement section above and approved landscape and irrigation plans) throughout the life of the modified CUP and during any term extensions to the modified CUP.

Site inspections will be conducted bi-annually (or as needed, if determined by the Planning Director) by Planning staff to ensure the Permittee maintains the landscaping in accordance with this condition, the approved landscape and irrigation plans for this modified CUP, and the maintenance program described in the approved landscape and irrigation plans. Site inspections will be conducted for the life of the modified CUP and during any subsequent term extensions to the modified CUP.

Monitoring and Reporting: Monitoring inspections, enforcement activities, and civil administrative penalties for noncompliance with this condition-mitigation measure shall occur according to the procedures set forth in Section 8114-3 of the Non-Coastal Zoning Ordinance. The Planning Division will maintain the landscape and irrigation plans in the Project file.

30. Removal of Structures upon Discontinued Use

Purpose: Consistent with § 8111-8.1 of the Ventura County Non-Coastal Zoning Ordinance and in order to ensure that the use of the subject property remains compatible with existing and potential uses of other property within the general area, the approved structures identified in Condition No. 1 (except for the detention basins, farmworker dwelling unit, water pump equipment and pump station structure, and water tanks) shall be removed upon the expiration, abandonment, or relinquishment of this CUP.

Requirement: The approved structures identified in Condition No. 1 (except for the detention basins, farmworker dwelling unit, water pump equipment and pump station structure, and water tanks) shall be removed upon the expiration, abandonment, or relinquishment of this CUP. (This requirement does not apply if the Permittee obtains a CUP renewal/extension extending the life of this CUP or obtains a new CUP for the structures identified in Condition No. 1.) In the event that this CUP expires, is abandoned, or is relinquished, the Permittee shall:

- a. notify the Planning Division that said structures will be removed from the project site; and,
- b. restore the premises to the conditions existing prior to the approval of CUP 5042, to the extent feasible as determined by the Planning Director.

Documentation: The Permittee shall submit a schedule of removal procedures and apply for a demolition permit to the Ventura County Planning Division and Building and Safety Division. The Permittee shall provide photos of the site to the Planning Division after the removal of the structures is completed demonstrating that the project site has been restored to the conditions existing prior to the approval of CUP 5042 (with the exception that the detention basins, farmworker dwelling unit, water pump equipment and pump station structure, and water tanks may be allowed to remain).

Timing: Six months prior to the expiration of this CUP, or upon the abandonment or relinquishment of this CUP, the Permittee shall submit a schedule of removal procedures and apply for a demolition permit to the Ventura County Planning Division and Building and Safety Division for removal of the approved structures identified in Condition No. 1 (except for the detention basins, farmworker dwelling unit, water pump equipment and pump station structure, and water tanks). The Permittee shall complete the removal of said structures and restoration activities within six months of submitting the schedule of removal procedures and demolition application. The Planning Director has the authority to grant additional time to the Permittee to remove said structures and restore the site.

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

31. Two Long-Term Bicycle Spaces

Purpose: To ensure that two long-term bicycle spaces are installed and/or constructed in compliance with NCZO Section 8108-6 (Bicycle Parking Design Standards).

Requirement: Two long-term bicycle spaces shall be installed and/or constructed in compliance with NCZO Section 8108-6 (Bicycle Parking Design Standards) and the Ventura County Building Code.

Documentation: The Permittee shall provide plans and/or other documentation for the two long-term bicycle spaces to Planning staff for review and approval. If required, the Permittee shall obtain a construction Zoning Clearance from the Planning Division and/or provide copies of final building permits (structural, electrical, plumbing, or other) from the Building & Safety Division to Planning Division staff.

Timing: Prior to issuance of the first Construction Zoning Clearance, the Permittee shall provide plans and/or other documentation for the two long-term bicycle spaces to Planning staff for review and approval. Once the bicycle spaces plans are approved by Planning staff, the two-long term bicycle spaces shall be installed and/or constructed according to the approved plans.

Monitoring and Reporting: Approval, installation verification, monitoring activities, and enforcement activities shall occur according to § 8114-3 of the Ventura County NCZO. The Planning Division shall maintain copies of the documentation in the Project file and has the authority to conduct site inspections to ensure that the Permittee maintains all approved structures in accordance with the requirements of this condition and with the requirements of § 8114-3 of the Ventura County NCZO.

32. Transportation Demand and Trip Reduction Measures—Non-Residential Development Standards

Purpose: To ensure that transportation demand and trip reduction measures for non-residential development serving 40 or more employees are provided in compliance with Ventura County Non-Coastal Zoning Ordinance Section 8109-0.7(a)(1).

Requirements: When 40 or more employees are employed in the operation of the Project, the Permittee shall prepare plans of a bulletin board, display case, or kiosk displaying transportation information located where it will be visible to the greatest number of employees. The plan information for display shall include, but not be limited to, the following:

- (i) Current maps, routes and schedules for public transit routes serving the site;
- (ii) Ridesharing promotional material supplied by commuter-oriented organizations;
- (iii) Telephone numbers for referrals on transportation information including numbers for the regional ridesharing agency, Dial-A-Route, and local transit operators;
- (iv) Bicycle route and facility information, including regional/local bicycle maps and bicycle safety information;
- (v) A listing of facilities and services available at the site for carpoolers, vanpoolers, bicyclists, transit riders and pedestrians.

The plans shall demonstrate that the location and height of the bulletin board, display case, or kiosk will comply with the applicable development standards Ventura County Non-Coastal Zoning Ordinance. If determined necessary by Ventura County Resource Management Agency - Building and Safety Division, a building permit will be obtained for the bulletin board, display case, or kiosk.

The Permittee shall provide said plans to Planning staff for review and approval.

Documentation: Plans and descriptive information that address the requirements of this condition are required. Plans and descriptive information may include but is not limited to site plans, elevations, written information, brochures or pamphlets, transit routes and maps, and/or photographs.

Timing: The required documentation shall be provided to Planning staff for review and approval when 40 or more employees are employed in the operation of the Project. The Transportation Demand and Trip Reduction Measures shall be installed in accordance with the approved plans/documentation within 90 days of Planning staff's review and

approval. The Planning Director may grant a 90 day extension of time to the Permittee in order to install the Transportation Demand and Trip Reduction Measures if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project.

Monitoring and Reporting: The Planning Division maintains a copy of the approved plan in the Project file. The Permittee shall ensure that the Transportation Demand and Trip Reduction Measures are maintained according to the approved plans throughout the term of the CUP/PD Permit. Planning Division staff has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of Section 8114-3 of the Non-Coastal Zoning Ordinance.

Environmental Health Division (EHD) Conditions

33. Hazardous Materials/Waste Management (General Notice)

Purpose: To ensure the storage, handling, and disposal of any potentially hazardous material complies with applicable State and local regulations.

Requirement: If hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid) are stored onsite, or any hazardous wastes are generated, additional permitting, monitoring, and reporting requirements would apply. Used batteries must be properly disposed of or recycled in accordance with state and local regulations. 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>

Monitoring: When applicable, the Ventura County Environmental Health Division/Certified Unified Program Agency issues hazardous material and hazardous waste permits and conducts site inspections.

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

PUBLIC WORKS AGENCY (PWA)

Land Development Services Conditions

35. Grading Permit

Purpose: In order to ensure the Permittee performs all grading in compliance with Appendix J of the current Ventura County Building Code.

Requirement: The Permittee shall submit a grading plan showing existing and proposed elevations to the Public Works Agency's Development and Inspection Services Division for review. If a grading permit is required, a State licensed civil engineer must prepare and submit the grading plans to Development and Inspection Services Division for review and approval. The Permittee must post sufficient surety in order to ensure proper completion of the proposed grading.

Documentation: If a grading permit is required, all materials, as detailed on Public Works Agency Form DS-37 and/or DS-44, must be submitted to Development and Inspection Services Division for review and approval.

Timing: All documentation must be submitted to Public Works prior to issuance of a Zoning Clearance for construction.

Monitoring and Reporting: Public Works Agency engineers will review grading plans and reports for compliance with Ventura County codes, ordinances and standards, as well as state and federal laws. Public Works Agency inspectors will monitor the proposed grading to verify that the work is done in compliance with the approved plans and reports.

36. Drainage Plan

Purpose: To ensure runoff is discharged in accordance with Ventura County Building Code, Ventura County Public Works Agency, Watershed Protection District, national and State standards.

Requirement: The Permittee shall submit updated drainage plans and hydrologic and hydraulic calculations, which are prepared by a registered civil engineer, to the Public Works Agency's Development and Inspection Services Division for review and approval. The Permittee shall post sufficient surety in order to ensure proper completion of the drainage plan.

Documentation: Drainage plans and hydrologic and hydraulic calculations shall address the following: quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps, debris basins, detention facilities, and drainage courses and mitigation measures devised to manage the drainage. The hydrologic and hydraulic calculations shall be in compliance with the Ventura County Watershed Protection District's hydrology and design manuals. The

hydrologic and hydraulic calculations shall include evidence that all the buildable sites in the proposed project will be protected from flooding based on a 1% annual chance storm.

Timing: All documentation must be submitted to Public Works prior to issuance of a Zoning Clearance for construction.

Monitoring and Reporting: Public Works Agency engineers will review drainage plans and hydrologic and hydraulic calculations for compliance with state and federal laws, as well as Ventura County codes, ordinances and standards. Public Works Agency inspectors will monitor the construction to verify that the work is done in compliance with the approved plans and reports.

37. Existing On-Site Detention Basins

The existing detention basins must be maintained/cleaned as necessary to preserve their intended function.

Integrated Waste Management Division (IWMD) Conditions

38. Waste Diversion and Recycling Requirement

Purpose: To ensure the project complies with Ordinance No. 4445. Ordinance 4445 pertains to the diversion of recyclable materials generated by this project (e.g., paper, cardboard, wood, metal, green waste, soil, concrete, plastic containers, beverage containers) from local landfills through recycling, reuse, or salvage. Ordinance 4445 can be reviewed at <https://www.vcpbublicworks.org/wsd/iwmd/businessrecycling/#GreenWasteProcessing>

Requirement: Ordinance 4445, Sec 4770-2.2, requires the Permittee to work with a County-franchised solid waste hauler who will determine the level of service required to divert recyclables generated by their project from local landfills. For a complete list of County-franchised solid waste haulers, go to: <https://www.vcpbublicworks.org/wsd/iwmd/construction/#solid-waste-collectors>.

Documentation: The Permittee must maintain copies of bi-monthly solid waste billing statements for a minimum of one year. The address on the billing statement must match the address of the permitted business.

Timing: Upon request, the Permittee must provide the IWMD with a copy of a current solid waste billing statement to verify compliance with this condition.

Monitoring and Reporting: Upon request, the Permittee shall allow IWMD staff to perform a free, on-site, waste audit to verify recyclable materials generated by their business are being diverted from the landfill.

39. Construction & Demolition Debris Recycling Plan (Form B)

Purpose: Ordinance 4421 requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, greenwaste,

soil, concrete, asphalt, paper, cardboard, etc.) from local landfills through recycling, reuse, or salvage. Review Ordinance 4421 at: <https://www.vcpublishworks.org/wsd/iwmd/businessrecycling/#GreenWasteProcessing>
Further, the 2016 California Green Building Code Sections 4.408 and 5.408 require a minimum of 65% diversion of construction and demolition materials from landfill disposal.

Requirement: The Permittee must submit a comprehensive recycling plan (Form B – Recycling Plan) to the IWMD for any proposed construction and/or demolition projects that require a building permit.

Documentation: The Form B – Recycling Plan must ensure a minimum of 65% of the recyclable C&D debris generated by the project will be diverted from the landfill by recycling, reuse, or salvage. A copy of Form B is available at: http://onestop.vcpublishworks.org/integrated_waste_management_forms.

A comprehensive list of permitted recyclers, County franchised haulers, and solid waste & recycling facilities in Ventura County is available at: <http://onestoppermit.ventura.org/>. A list of local facilities permitted to recycle soil, wood, and greenwaste is available at: <https://www.vcpublishworks.org/wsd/iwmd/businessrecycling/#GreenWasteProcessing>. A complete list of County franchised solid waste haulers is available at: https://www.vcpublishworks.org/wsd/iwmd/construction/#solid_waste_collectors

Timing: Upon Building and Safety Division's issuance of a building permit for the project, the Permittee must submit a Form B – Recycling Plan to the IWMD for approval.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Form B - Recycling Plan until Building and Safety Division's issuance of final permit.

40. Construction & Demolition Debris Reporting Form (Form C)

Purpose: Ordinance 4421 requires the Permittee to divert recyclable construction and demolition (C&D) materials generated by their project (e.g., wood, metal, greenwaste, soil, concrete, paper, cardboard, plastic containers, etc.) from local landfills through recycling, reuse, or salvage. Review Ordinance 4421 at: http://onestop.vcpublishworks.org/integrated_waste_management_laws_ordinances. The 2016 California Green Building Code Sections 4.408 and 5.408 require a minimum of 65% diversion of construction and demolition materials from landfill disposal.

Requirement: The Permittee must submit a Form C – Reporting Form to the IWMD for approval upon issuance of their final Building and Safety Division permit. A copy of Form C – Reporting Form is available at <https://www.vcpublishworks.org/wsd/iwmd/businessrecycling/#GreenWasteProcessing>

Documentation: The Permittee must submit original recycling facility receipts and/or documentation of reuse with their Form C – Reporting Form to verify a minimum of 65% of the recyclable C&D debris generated by their project was diverted from the landfill.

Timing: A completed Form C – Reporting Form, with required recycling facility receipts and/or documentation or reuse, must be submitted to the IWMD for approval at the time of Building and Safety Division’s issuance of final permit.

Monitoring & Reporting: The Permittee is required to keep a copy of their approved Form C – Reporting Form until Building and Safety Division’s issuance of final permit.

41. Collection and Loading Areas for Refuse and Recyclables

Requirement: The Permittee shall adhere to the County’s Space Allocation Guidelines which include minimum space requirements for refuse and recycling bins and recommend aesthetic, gated, trash enclosures. Please review the County’s Space Allocation Guidelines at: http://onestop.vcpublishworks.org/integrated_waste_management_guidelines_standards.

Documentation: The Permittee shall submit a site plan to the IWMD indicating the location of a trash enclosure or a designated area with sufficient space to accommodate refuse and recycling bins necessary to meet the needs of the project.

Timing: Prior to Issuance of a Zoning Clearance for Construction or Use Inauguration, the Permittee must submit a site plan to the IWMD for approval indicating the location of a trash enclosure or designated area on the property for refuse and recycling bins.

Monitoring & Reporting: Upon request, the Permittee shall allow IWMD staff to verify a trash enclosure area has been constructed on the premises..

Transportation Department Conditions

42. Driveway Access

Purpose: Driveway access shall be in accordance with the County Road Standards, the Driveways and Curb Cuts Brochure, and the County’s Access Policies.

Requirement: The applicant/permittee shall obtain an Encroachment Permit (EP) from VCPWA-RT Permits Section. Contact the VCPWA-RT Permits Section, by phone at (805) 654-2055 or by e-mail at pwa.transpermits@ventura.org, for the requirements of the EP. The EP form is available on the internet. Improvement plans and supporting documentation shall be provided to the Permits Section. The applicant/permittee shall provide calculations showing that there is adequate sight distance on both sides of the driveway.

The driveway shall be constructed per County Road Standard Plate E-2a (Commercial Driveway) and E-6 (Rural Driveway with ADT over 1,000), or as modified and approved by the VCPWA-RT’s Permit Engineer.

Documentation: The VCPWA-RT will review the improvement plans and supporting documentation.

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

Monitoring and Reporting: The VCPWA-RT will review the improvement plans and VCPWA-RT Inspectors will monitor construction and verify that the work is performed, and completed, in accordance with the Encroachment Permit.

43. Encroachment Permit

Purpose: The current right-of-way width on Gonzales Road is 100 feet wide along the front of this parcel. An Encroachment Permit is required for any work conducted within the County road right-of-way, for example but not limited to, driveways, road improvements, utility installation, planter walls, and landscaping and any construction related storage in the County road right-of-way.

Requirement: The applicant/permittee shall contact the Permits Division at (805) 654-2055 for requirements of the permit.

An Encroachment Permit (EP) is required for any work and construction related storage conducted within the County right-of-way. Contact the VCPWA-RT Permits Section, by phone at (805) 654-2055 or by e-mail at pwa.transpermits@ventura.org, for the requirements of the EP. The application shall be submitted to the VCPWA-RT. (TD – 9, RMA – 143)

Documentation: The application shall be submitted to the VCPWA-RT. When applying for the permit, the applicant/permittee shall provide sufficient documentation, including, but not limited to, a (1) Resource Management Agency (RMA) Project Number (for discretionary projects), (2) a copy of the Roads & Transportation Conditions of Approval, (3) a sketch or map showing the work to be accomplished, project, project parcel, Assessor Parcel Number (APN), address and street name. Permit applications without sufficient documentation for processing may not be accepted for processing.

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

Monitoring and Reporting: The VCPWA-RT will review the application and supporting documentation. VCPWA-RT Inspectors will monitor construction and verify that the work is performed, and completed, in accordance with the Encroachment Permit.

Watershed Protection District (WPD) Conditions

Advanced Planning Section

44. Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and applicable 2040 General Plan policies.

Requirement: The Permittee shall obtain a Floodplain Clearance from the County Public

Works Agency Floodplain Manager. Clearances will be verified by the County Public Works Agency Floodplain Manager that the proposed development is located outside the mapped boundaries of the 1% annual chance (100-year) floodplain as determined from the latest available Digital Flood Insurance Rate Map (DFIRM) provided by the Federal Emergency Management Agency (FEMA).

Documentation: Floodplain Clearances issued by the County Public Works Agency Floodplain Manager.

Timing: Floodplain Clearances shall be obtained prior to the issuance of a Zoning Clearance for construction.

Monitoring and Reporting: Copies of the approved Floodplain Clearances shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

County Stormwater Program Section

45. Post-construction Stormwater Management Plan (PCSMP)

Purpose: To ensure runoff from new impervious surfaces does not contribute pollutants or degrade water quality of downstream surface waters resulting in further exceedances of water quality objectives contained in the Los Angeles Region Basin Plan.

Requirement: The Permittee shall include post-construction stormwater best management practices (BMPs) to treat the new impervious surface runoff to the maximum extent practicable and a Maintenance Plan and annual verification of ongoing maintenance.

Documentation: The Permittee shall submit the following items to the Watershed Protection District - Surface Water Quality Section (SWQS) for review and approval:

- a. A complete site plan prepared and stamped by a California licensed civil engineer or land surveyor that accurately delineates the location of the proposed development, existing and proposed impervious surfaces, storm drain system elements, general drainage patterns, the location and sizes of detention basins, and the proposed site-specific Post-Construction Stormwater Management Plan (PCSMP). Include drawing detail prepared and stamped by a California licensed civil engineer or architect verifying that the installation of the PCSMP will meet performance criteria defined in Section III of the Part 4.E of the Permit and the 2011 Technical Guidance Manual, to the maximum extent practicable.
- b. Maintenance Plan (Exhibit "C" of the County's "Covenant for Maintenance of Post-Construction Stormwater Management Control System" form available at <http://onestoppermit.ventura.org>) for the detention basins shall be prepared in accordance with Section 7 and Appendix I of the 2011 Technical Guidance Manual (TGM). The plan shall include but not limited to the following:
 - 1) the location of each device;

- 2) the maintenance processes and procedures necessary to provide for continued operation and optimum performance;
 - 3) a timeline for all maintenance activities; and
 - 4) any technical information that may be applicable to ensure the proper functionality of this device.
- c. Maintenance Agreement (County's "Covenant for Maintenance of Post-Construction Stormwater Management Control System" form is available at <http://onestoppermit.ventura.org>) signed by the Property Owner including a signed statement accepting responsibility for maintenance of the detention basins. The statement must include written verification that the detention basins will be properly maintained. At a minimum, this statement shall include the following:
- 1) written conditions in the sales or lease agreement, which require the Property Owner or tenant to assume responsibility for PCSMP maintenance and annual maintenance inspection;
 - 2) written text in project covenants, or
 - 3) any other legally enforceable agreement or mechanism that assigns PCSMP maintenance responsibility.
- d. Completed and signed Annual Maintenance Verification Report (Exhibit "D" of the County's "Covenant for Maintenance of Post-Construction Stormwater Management Control System" form available under the Surface Water Quality Section tab at <http://onestoppermit.ventura.org>).

Timing: The above listed items (a, b and c) shall be submitted to the SWQS for review and approval prior to issuance of approval for Zoning Clearance for Construction. In addition, the Annual Maintenance Verification Report (d) shall be submitted to SWQS annually prior to September 15th after signing off for occupancy and issuing the Certificate of Occupancy.

Monitoring and Reporting: SWQS staff will review the submitted materials to ensure the project does not contribute to exceedances of water quality objectives in downstream receiving waters. Maintenance Plan shall be kept on-site for periodic review by SWQS staff.

46. Compliance with Stormwater Development Construction Program

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

Requirement: The construction of the proposed project shall meet requirements contained in Part 4.F. "Development Construction Program" of the Permit through the inclusion of effective implementation of the Construction BMPs during all ground disturbing activities.

Documentation: The Permittee shall prepare and submit the following items to the

Watershed Protection District, Surface Water Quality Section (SWQS) for review upon request:

- Complete SW-2 form (Best Management Practices for Construction One Acre and Larger), which can be found at <http://onestoppermit.ventura.org/>.

Timing: The above listed item shall be submitted to the SWQS for review and approval prior to issuance of a Zoning Clearance for Construction.

Monitoring and Reporting: SWQS will review the submitted materials for consistency with the NPDES Municipal Stormwater Permit. Grading Permit Inspectors will conduct inspections during construction to ensure effective installation of the required BMPs.

47. State General Construction Stormwater Permit No. CAS000002 Requirements

Purpose: To ensure compliance with all water quality provisions in NPDES State General Construction Stormwater Permit No. CAS000002, Waste Discharge Requirements for Discharges of Stormwater Runoff Associated with Construction Activities.

Requirement: Proper filing of all compliance documents required under the General Construction Permit No. CAS000002.

Documentation: The Permittee shall submit the following items to the Watershed Protection District - Surface Water Quality Section (SWQS) staff for review:

- a. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the General Construction Stormwater Permit (No. CAS000002);
- b. Current Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board requirements under the General Construction Permit; and
- c. If applicable, Change of Information (COI) form and a copy of modified SWPPP at any time a transfer of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going.

Timing: The above listed items (a and b) shall be submitted to the SWQS staff for review prior to Zoning Clearance for Construction. In addition, if applicable, the COI form and a copy of modified SWPPP (item c) shall be submitted to Grading Permit staff anytime during project duration.

Monitoring and Reporting: SWQS staff will review the submitted materials for consistency with the General Construction Permit. Up-to-date and site-specific SWPPP shall be kept on-site for periodic review by the Grading Permit inspector.

48. Compliance with Conditional Waiver of Waste Discharge Requirements for Irrigated Lands within the Los Angeles Region

Purpose: To ensure on-going coverage and compliance with the Conditional Waiver of

Waste Discharge Requirements for Discharges from Irrigated Agriculture Lands within the Los Angeles Region Order No. R4-2010-0186 (Conditional Waiver).

Requirement: Proper coverage and compliance under the Conditional Waiver Order No. R4-2010-0186.

Documentation: The Permittee shall submit one of the following items to the Watershed Protection District - Surface Water Quality Section (SWQS) for review:

- a. Verification of coverage under the Conditional Waiver issued by Regional Water Quality Control Board – Los Angeles Region; or
- b. Copy of the completed Ventura County Agricultural Irrigated Lands Groups (VCAILG) enrollment form filed with the Farm Bureau of Ventura County; or
- c. Copy of VCAILG invoice payment,

Timing: One of the above listed items shall be submitted to the SWQS for review prior to the issuance of a Zoning Clearance for Use Inauguration.

Monitoring and Reporting: SWQS staff will review the submitted materials for consistency with the Conditional Waiver. The applicant shall retain a current copy of the documentation for compliance verification by SWQS staff upon request.

Groundwater Program Section

49. Water System Documentation

Purpose: A County-accepted Water Availability Letter, fully executed Will Serve Letters for the parcels to be served from the Santa Clara Resources Water System, and an approved groundwater extraction allocation from the Fox Canyon Groundwater Management Agency for the Santa Clara Resources Water System is required.

Requirement: The Permittee shall submit a County-accepted Water Availability Letter, executed Will Serve Letters from the Santa Clara Resources Water System, and an approved groundwater extraction allocation for the Santa Clara Resources Water System from the Fox Canyon Groundwater Management Agency.

Documentation: A copy of the County-accepted Water Availability Letter, executed Will Serve Letters from the Santa Clara Resources Water System, and approved groundwater extraction allocation from the Fox Canyon Groundwater Management Agency.

Timing: Prior to hearing for the modified CUP, the applicant will provide to Ventura County Watershed Protection for review and approval documentation from the Fox Canyon Groundwater Management Agency that there is an approved, adequate groundwater extraction allocation transfer to the SCR Water System. Prior to issuance of a Zoning Clearance for construction, the Permittee shall submit to Ventura County Watershed Protection for review and approval the fully-accepted Water Availability Letter and Will Serve Letters for the SCR Water System.

Monitoring and Reporting: A copy of the Water Availability Letter, Will Serve Letters, and groundwater extraction allocation will be maintained in the case file.

OTHER VENTURA COUNTY AGENCIES

Ventura County Air Pollution Control District (APCD) Conditions

50. Fugitive Dust

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

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

Documentation: The Permittee shall ensure compliance with the following provisions:

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

Timing: Throughout the construction phases of the project.

Reporting and Monitoring: Monitoring and Enforcement of dust-related provisions shall be conducted by APCD staff on a complaint-driven basis.

Ventura County Fire Protection District (VCFPD) Conditions

51. Address Numbers (Commercial, Industrial)

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

Requirement: The Permittee shall install a minimum of 10 inch (10”) address numbers that are a contrasting color to the background and readily visible at night. Brass or gold plated numbers shall not be used. Where structures are setback more than 150 feet (150’) from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post.

Documentation: A stamped copy of an approved addressing plan or a signed copy of the Ventura County Fire Protection District’s Form #610 “Requirements for Construction”.

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

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District’s Form #610 “Requirements for Construction” shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all structures are addressed according to the approved plans/form.

52. Previous Planning Conditions (from CUP 5042)

Purpose: To ensure on-going compliance with all previous Fire Department conditions for CUP 5042.

Requirement: All previous conditions issued for CUP 5042 shall remain in effect with the exception of the modification of these new conditions for PL14-0049 in accordance with current VCFPD Fire Codes and standards. VCFPD carries forward to this modified CUP the following applicable conditions issued for CUP 5042:

- The access roadway(s) shall be extended to within 150 feet of all portions of the exterior walls of the first story of any building. Where the access roadway cannot be provided, approved fire protection system or systems shall be installed as required, and acceptable to the Fire District.
- Plans for any fire alarm system or fire protection water system shall be submitted, accompanied by plan check fees, to the Fire District for plan check. Water plans shall show the location of new hydrants, the size of water mains and the location of control valves.
- Fire extinguishers shall be installed in accordance with National Fire Protection Association Pamphlet #10. The placement of extinguishers shall be subject to review by the Fire District.
- All grass or brush exposing any structure(s) to fire hazards shall be cleared for a distance of 100 feet prior to framing, according to Ventura County Fire Protection Ordinance.

- Commercial trash dumpsters and containers with an individual capacity of 1.5 cubic yards or greater shall not be stored or placed within 5 feet of openings, combustible walls, or combustible roof eave lines unless protected by approved automatic sprinklers (Uniform Fire Code, Article 11).
- Required on-site (tank) water storage capacity shall be 300,000 gallons.
- The access road/driveway shall be constructed in accordance with Ventura County Fire Protection District Private Road Guidelines.

Documentation: A copy of the previous and current planning conditions.

Timing: The Planning conditions listed for PL14-0049 shall be in place and provided prior to issuance of a Zoning Clearance.

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

53. Access Road Widths

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

Requirement: The Permittee shall maintain a minimum paved access road width of 25 feet for the entrance to the property and parking areas. A minimum clear width of 20 feet shall be provided around greenhouses. Parking or storage of materials is prohibited on the required width of any driveway/access road.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain a copy of an approved access plan stamped by the Fire District on site and shall present such plan at the request of the Fire Code Official. The Permittee shall indicate that a copy of this plans is available prior to issuance of a Zoning Clearance.

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

54. Vertical Clearance

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

Requirement: The Permittee shall maintain a minimum vertical clearance of 13 feet 6

inches (13' 6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain on site an approved access plan on site. The Permittee shall verify that all required access is being maintained prior to the issuance of a Zoning Clearance.

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

55. Turnarounds

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

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

- a. Does not exceed a 5% cross slope in any direction.
- b. Located within 150 feet of the end of the access road / driveway
- c. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards.
- d. Kept free of obstructions at all times.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain an approved access plan on site and present the access plan to the Fire Code Official upon request. The Permittee shall verify all fire department turnaround areas are maintained and clear of obstructions prior to the issuance of a zone clearance.

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

56. Fire Lanes

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

Requirement: The Permittee shall post and maintain fire lane signs in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. The Permittee shall maintain all required fire lane markings / signs to be clearly visible.

Documentation: A stamped copy of the approved fire lane plan indicated on approved access plans.

Timing: The Permittee shall maintain on site a copy of the approved access plans and make them available at the request of Fire Code Official. All required fire lanes shall posted and maintained prior to the issuance of a Zoning Clearance.

Monitoring and Reporting: The Fire Prevention Bureau may conduct periodic inspections to ensure that all fire lanes are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire lanes for the life of the development.

57. Fire Flow

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

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is approximately 3500 gallons per minute. A minimum flow of 1750 gallons per minute shall be provided from any one hydrant. Note: For Commercial, Industrial, a minimum fire flow of 1,000 GPM shall be provided from each hydrant when multiple hydrants are flowing at the same time.

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

Timing: The Permittee shall maintain the required water supply and appliances for fire protection in accordance with VCFPD ordinance and standards. The Permittee shall verify and maintain the fire flow requirements prior to issuance of a Zoning Clearance.

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

58. Fire Hydrants

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

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

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

Timing: The Permittee shall maintain on site a plan approved by the VCFPD for the fire hydrant placement. The plans shall indicate all existing fire hydrants located within 500 feet of the project site, the type of hydrant (i.e. wet or dry barrel) and the number and size of outlets. All required fire hydrants shall be installed and operational prior to the issuance of a Zoning Clearance.

Monitoring and Reporting: The Fire Prevention Bureau may conduct periodic inspections to ensure that the fire hydrants are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the fire hydrants for the life of the development.

59. Fire Sprinklers

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

Requirement: The Permittee shall be responsible to have an automatic fire sprinkler system installed in all new structures or additions to existing structures requiring fire sprinklers in accordance with the current VCFPD Fire Code.

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

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

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

60. Fire Department Clearance

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

Requirement: The Permittee shall obtain VCFD application #610 for any new structures or additions to existing structures before issuance of building permits.

Documentation: A signed copy of the Ventura County Fire Protection District's application #610.

Timing: The Permittee shall submit VCFPD application #610 to the Fire Prevention Bureau for approval before issuance of building permits.

Monitoring and Reporting: A copy of the completed VCFPD application #610 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final on site inspection of the project to ensure compliance with all conditions and applicable codes / ordinances.

61. Fire Code Permits

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

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits. This includes but is not limited to: hazardous materials, flammable/combustible liquids and LPG tanks for commercial use.

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

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

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

62. Inspection Authority

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

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

Documentation: A copy of the approved entitlement conditions.

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

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

63. Turning Radius

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

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

Documentation: A stamped copy of the approved access plan.

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

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

64. Construction Access

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

Requirement: The Permittee shall install all utilities located within the access road(s) and a paved all weather access road/driveway suitable for use by a 20 ton fire apparatus. The access road(s)/driveway(s) shall be maintained with a minimum 20 foot clear width at all times. Fire hydrants shall be operational and accessible at all times. No parking, storage or staging of equipment/supplies shall be located within 15 feet on either side of fire hydrants..

Documentation: A stamped copy of the construction access plan.

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

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct periodic on-site inspections ensure that all required fire department access is maintained during construction. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain all required fire access during construction.

65. Access Road Certification

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

Requirement: The Permittee shall have all access road(s)/driveway(s) certified by a

registered Civil Engineer as having an all weather surface in conformance with Public Works and / or Fire District Standards.

Documentation: A copy of the approved road certification.

Timing: The Permittee shall submit the certification to the Fire Prevention Bureau for approval before final occupancy.

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

66. Access Road Gates

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

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

Documentation: A stamped copy of the approved gate plans.

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

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

67. Water System Plans

Purpose: To ensure adequate water supply for firefighting to the project.

Requirement: The Permittee shall submit plans to the Fire Prevention Bureau for water systems, not located within a water purveyor's easement, that supply fire hydrants and/or fire sprinkler systems.

Documentation: A stamped copy of the approved water system plans.

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

Monitoring and Reporting: A copy of the approved water system plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on site inspections to ensure that the water system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee,

and his successors in interest, shall maintain the water system for the life of the development.

68. Phasing Plan

Purpose: To ensure emergency access and public safety are maintained during phased construction.

Requirement: The Permittee shall submit a phasing plan indicating phases, material staging locations and employee parking areas.

Documentation: A stamped copy of the approved phasing plan.

Timing: The Permittee shall submit a phasing plan to the Fire Prevention Bureau for approval before the issuance of building permits.

Monitoring and Reporting: A copy of the approved phasing plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on site inspections to ensure ongoing compliance with the approved phasing plan. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall comply with the approved phasing for the duration of construction.